

CITY COUNCIL REPORT



Meeting Date: December 3, 2024
General Plan Element: *Land Use*
General Plan Goal: *Create a sense of community through land uses*

ACTION

Cosanti Commons (aka Sundown Commons) 2-GP-2023, 6-ZN-2023 & 3-DA-2023

Request to consider the following:

1. Adopt Resolution No. 13137 for a minor General Plan Amendment to the City of Scottsdale General Plan 2035 to change the land use designation from Commercial to Mixed-Use Neighborhoods on a +/- 8.6 gross acre site located at 7000 E. Shea Boulevard.
2. Adopt Ordinance No. 4639 for a Zoning District Map Amendment from Central Business (Conditional), Parking District (C-2 (C) / P-4) zoning to Planned Unit Development, Planned Shared Development Overlay (PUD PSD) zoning, including approval of a Development Plan with Amended Development Standards for a new mixed-use development, consisting of approximately 79,200 square feet of existing commercial buildings and a new 3-story, approximately 345,000 square foot, multi-family residential building with approximately 196 units on a +/- 8.6 gross acre site located at 7000 E. Shea Boulevard.
3. Adopt Resolution No. 13138 declaring "Cosanti Commons Minor General Plan Amendment and Rezoning Development Plan" as a public record.
4. Adopt Resolution No. 13139 authorizing Development Agreement No. 2024-084-COS.

Goal/Purpose of Request

The applicant's request is to redevelop a portion of the site to add 196 dwelling units in association with existing commercial uses to create a new mixed-use development.

Key Items for Consideration

- During the review process, the applicant eliminated a previously proposed 4th story and reduced unit count from 240 to 196 (reduction of 44 units)
- Planned Unit Development (PUD) district criteria, including amended development standards
- Significant reinvestment in an older shopping center
- Sidewalk improvements along E. Shea Boulevard
- Airport Advisory Commission heard this case on February 21, 2024 and recommended approval with a vote of 6-0 (Commissioner Spalj was absent)

City Council Report | Cosanti Commons (aka Sundown Commons)

- Development Review Board heard this case on March 21, 2024 and recommended approval with a vote of 6-0 (Board Member Fakhri recusing)
- Planning Commission heard this case on April 24, 2024 and recommended approval with a 6-1 vote
- Case was continued at the June 4, 2024 City Council meeting to the August 20, 2024 City Council meeting per the applicant's request as a matter of right per the City's Rules of Council Procedure (1st Continuance)
- Case was continued at the August 20, 2024 City Council meeting to the December 3, 2024 City Council meeting per the applicant's request with a 7-0 vote (2nd Continuance)
- Staff has received public comments in support and opposition

OWNER

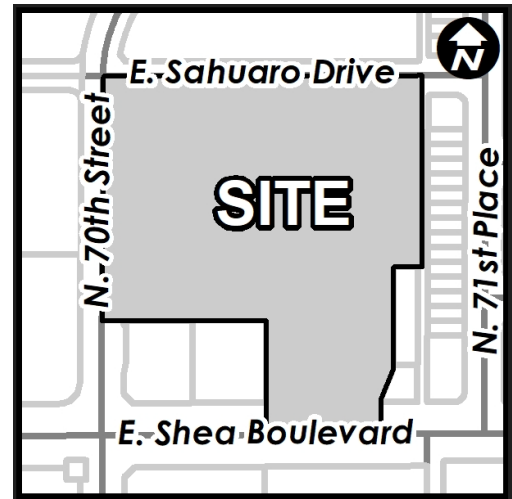
New 7000 East Shea LLC
Christopher King, Manager
720-528-3341

APPLICANT CONTACT

Berry Riddell
John Berry
480-385-2753

LOCATION

7000 E. Shea Boulevard



BACKGROUND

Development Review Board Summary

At the March 21, 2024 Development Review Board hearing for the development plan of this case, the applicant provided an update on the project which included removing the 4th floor from the proposed residential building to better fit the context of the surrounding area. This results in a 3-story residential building and reduction of 44 units from 240 units to 196 units. The Development Review Board recommended approval with a 6-0 vote based on the revised version of the project limited to 3-stories. The Development Plan has been updated to account for this change and a stipulation has been added:

MAXIMUM BUILDING HEIGHT. No building on the site shall exceed 3-stories and 42 feet in height, exclusive of roof top appurtenances, measured as provided in the applicable section of the zoning ordinance. Exceptions for mechanical equipment and roof top appurtenances shall comply with the PUD district requirements.

General Plan

The General Plan Land Use Element designates the property as Commercial. This category includes areas designated for commercial centers providing goods and services frequently needed by the surrounding residential neighborhoods with business centers at a size and scale compatible with the surrounding areas which serve community and regional needs. This category may also include other uses, like housing and office uses, to attain environmental and mobility goals.

The request by the owner includes a minor General Plan amendment to the Scottsdale General Plan 2035 Future Land Use map from Commercial to Mixed-Use Neighborhoods land use designation. Mixed-Use Neighborhoods focus on human-scale development and are located in areas with strong access to multiple modes of transportation and major regional services. These areas accommodate higher-density housing combined with complementary office or retail uses. Mixed-Use Neighborhoods are most suitable near and within designated Growth and Activity Areas as designated by Scottsdale General Plan 2035.

Per the Growth Areas Element of General Plan 2035, the subject site is located within a designated Activity Area at North Scottsdale Road and East Shea Boulevard. Activity Areas are locations within the city where development is concentrated, but to a lesser degree than Growth Areas. The General Plan supports a broad mix of uses, revitalization and redevelopment, compact development patterns, and context-appropriate development within designated Growth and Activity Areas.

Zoning

The site was annexed into the City in 1962 (Ord. #165) and zoned to the Single-family Residential (R1-35) zoning designation. In 1983, through case 39-ZN-1983, the subject site was rezoned to Central Business (Conditional) (C-2 (C)), then amended via case 131-ZN-1984, and amended again via case 97-ZN-1986 to Central Business (Conditional), Parking District (C-2 (C) / P-4) zoning, which resulted in the existing shopping center. The C-2 district permits uses for recurring shopping and service needs, such as uses associated with office and retail shopping developments, typically located near residential neighborhoods.

The applicant is requesting to change the zoning to the Planned Unit Development, Planned Shared Development Overlay (PUD PSD) to accommodate the redevelopment proposal. The PUD zoning district promotes a mixed-use development pattern along major/minor arterial/collector streets for small- to medium-sized infill sites which are located outside of the Environmentally Sensitive Lands Overlay and the Downtown Area boundary. The purpose of the PSD is to provide the opportunity for application of development standards to a property as defined by its perimeter rather than applying the standards to individual lots, tracts, and parcels within the perimeter of the development.

Context

Located on the north side of E. Shea Boulevard and east side of N. 70th Street, the site is surrounded by existing apartments to the north and existing commercial buildings to the east, south, and west. Please see the context graphics.

Adjacent Uses and Zoning

North: Two-story apartments constructed in the mid 1980's, zoned Multiple-family Residential (R-5) District.

East: Single-story commercial shopping center constructed in the late 1970's, zoned Highway

- Commercial/ Parking P-3 District & Parking P-2 District (C-3/P-3 & P-2)
- South: Single-story retail, restaurant, and vehicle repair buildings constructed in the mid 1990's, zoned Highway Commercial (C-3) district.
- West: Single-story and two-story commercial shopping center constructed in the late 1970's, zoned Highway Commercial/ Parking P-3 District & Parking P-2 District (C-3/P-3 & P-2)

Other Related Policies, References:

City of Scottsdale General Plan 2035
Zoning Ordinance

APPLICANT'S PROPOSAL

Development Information

The applicant is proposing to renovate an existing commercial shopping center into a new mixed-use development by constructing 196 (formerly 240) new multi-family residential units within a 3-story (formerly 4-story) building and retaining the +/- 79,200 square feet of existing commercial buildings in the northwest corner of the site. The new residential building will replace an existing multi-tenant commercial building centrally located on site. The proposed rezoning boundary does not include the Black Rock Coffee, Arizona Bread Co., and Fitness 4 Home Superstore, to the southwest, or the two City owned parcels, to the southeast.

The proposed 3-story multi-family residential building utilizes existing driveways for vehicular access along E. Shea Boulevard, N. 70th Street, E. Sahuaro Drive, and the alleyway. The main pedestrian entry into the new residential building is located along the west elevation, facing the shopping center, and vehicular entry into the new two-level underground parking garage for residents is located along the recessed north elevation. Surface parking is provided adjacent to the existing commercial buildings, new residential building, and on City parcels, and underground parking is provided via the existing two-level parking garage beneath the commercial building and new two-level parking garage beneath the residential building. Shared parking elements will be covered by new parking agreements.

Perimeter pedestrian improvements include a new 8-foot-wide sidewalk along E. Shea Boulevard. Existing 5-foot-wide sidewalks along N. 70th Street and E. Sahuaro Drive will be retained. Staff originally requested wider sidewalks along N. 70th Street and E. Sahuaro Drive but there are existing site limitations due to buried utility boxes, light and transformer locations, and grades related to the underground garage. Internally, the site plan provides new 6-foot-wide sidewalks adjacent to the residential building, buffered by landscaping, and new pedestrian connections with shade trellises from the new residential building to the existing commercial shops.

While the PUD district only requires 10% of the site to be open space, this rezoning application will provide 25% open space via existing commercial courtyards, existing and new frontage open space, and new landscaping, pedestrian paths, and private residential courtyards. The frontage open space along E. Shea Boulevard, N. 70th Street, and E. Sahuaro Drive, will be enhanced with new trees and planting. Low water use, drought tolerant trees, shrubs and groundcovers, accented with more lush materials will be used throughout the site.

Although this is a zoning application and the architectural design of the buildings will be subject to review and approval by the Development Review Board with a future DRB application, the owner has provided conceptual building elevations and descriptions of the planned architectural character for the project. The architectural design includes stucco, masonry, cast stone, metal elements, parapet roofs, and earth tone finishes. Additionally, the building massing is mitigated through offsets along the building plane, balcony designs, and roof overhangs.

For additional information and detail, please see the applicant’s Development Plan.

- Existing Use: Existing Commercial Shopping Center
- Proposed Use: Mixed Use Development
- Parcel Size: 375,447 square feet / 8.619 acres (gross)
316,041 square feet / 7.255 acres (net)
314,532 square feet / 7.221 acres (net after alley dedication)
- Residential Building Area: 345,000 square feet, includes 1,000 square feet of commercial square footage (new)
- Commercial Building Area: 79,200 square feet (existing on site)
- Floor Area Ratio Allowed: 0.8 (commercial floor area only)
- Floor Area Ratio Provided: 0.25 (commercial floor area only)
- Building Height Allowed: 48 feet, with roof top appurtenances allowed up to 58 feet
- Building Height Proposed: 42 feet, with roof top appurtenances proposed up to 49 feet
- Total Parking Required: 580 spaces
- Total Parking Provided: 650 spaces
- Open Space Required: 37,545 square feet / 0.86 acres
- Open Space Provided: 94,600 square feet / 2.17 acres
- Number of Dwelling Units Allowed: Per Development Plan
- Number of Dwelling Units Proposed: 196 units
- Density Allowed: Per Development Plan
- Density Proposed: 22.74 dwelling units per acre

IMPACT ANALYSIS

Minor General Plan Amendment Request

The request is for a minor General Plan amendment to the Scottsdale General Plan 2035 to change the land use designation from Commercial to Mixed-Use Neighborhoods on a +/- 8.6-gross acres site. A request from Commercial (Group G) to Mixed-Use Neighborhoods (Group G) is defined as a minor General Plan amendment based upon criteria outlined in the Scottsdale General Plan 2035. The purpose of the applicant’s request is to allow for the development of new multi-family residential while retaining existing retail and office buildings at the northwest portion of the site, as described and intended by the companion rezoning application, case 6-ZN-2023.

Per the General Plan Land Use Element, Mixed-Use Neighborhoods focus on human-scale development in areas with strong access to multiple modes of transportation and major regional services. These areas accommodate higher-density housing combined with complementary office or retail uses. Mixed-Use Neighborhoods are most suitable near and within Growth and Activity Areas. As stated previously, the subject site is located within the Activity Area located at North Scottsdale Road and East Shea Boulevard as designated by Scottsdale General Plan 2035.

Case 6-ZN-2023 proposes to implement the Mixed-Use Neighborhood Land Use Designation with the Planned Unit Development (PUD) zoning district. The purpose of the PUD district is to promote the goals of the General Plan, Character Area Plans, and design guidelines in areas of the city that are designated for a combination of land uses in a mixed-use development pattern. Commercial, employment, hospitality, multi-family residential, and townhouse residential uses are encouraged to be provided with intensities and densities that promote a mix of day and nighttime activities. Consequently, the applicant proposes to retain 79,200 square feet of existing retail and office space while replacing approximately +/-38,000 square feet of existing retail and office space with a multi-family residential development.

Policy Implications

One of the seven Community Values, established within the Scottsdale General Plan 2035, is "Revitalize Responsibly". This Value acknowledges Scottsdale's commitment to the economic and fiscal health of the city through development and redevelopment decisions that contribute positively to the community's physical, fiscal, and economic needs and high quality of life.

The General Plan (Land Use Element Goals LU 1, LU 2, LU 3, and LU 6 and Economic Vitality Element Goal EV 5) supports maintaining a balance of land uses that are context-appropriate and transition to established areas of the community. Although the proposal is seeking both a minor General Plan amendment and rezoning request with amended development standards, the applicant's objective is to redevelop a largely vacant commercial site with a mixed-use development that will provide additional housing options to residents as well as support the commercial uses that will be retained onsite.

The City of Scottsdale General Plan 2035 Character & Design Element categorizes the property as Urban Character Type (Character Types Map, page 40), and classified as Urban Streetscape (Policy CD 4.1, Streetscapes Map, page 42), where pedestrian orientation, comfort, and safety is encouraged within the public realm. Further, the General Plan encourages improvements that support pedestrian activity (Circulation Element Policy C 8.1) and bicycle use (Bicycling Element Goal B 2). The applicant's proposal includes widened sidewalks (8 feet) as well as a bike repair station as a means to provide both pedestrian and bicycling enhancements for the context area.

Land Use Impact Model

In December 2018, Long Range Planning Services contracted with Applied Economics to produce a land use impact model to estimate the socioeconomic, development, and fiscal impacts associated with a change from one General Plan land use designation to another over a 20-year time period (in this instance, 2024-2043). From a fiscal standpoint, the model assesses both revenues generated from development (initial construction expenditures, yearly sales tax generation, etc.) as well as City expenditures (public safety, infrastructure maintenance, etc.), as a means to estimate how much value a project adds (or does not add) over time – or Net Present Value (NPV).

In this instance, the model provided a general assessment of the subject site comparing the 20-year outlook of existing +/- 7.2-net acres of commercial use and proposed +/- 7.2-net acres of mixed-use neighborhoods in the Central Sub-Area of the City. The model shows a positive NPV of \$7,791,668 for the existing commercial over 20 years. By comparison, the proposed mixed-use redevelopment of the site shows a positive NPV of \$2,901,898 over the same time period. Although the model results in a difference of \$4,889,770 over a 20-year time period, it is important to note that the subject site has experienced high commercial vacancy rates over the past decade; however, the NPV for the existing commercial assumes that the subject site would continue to operate as a fully leased commercial development over the 20-year time period, creating onsite sales tax that is unlikely to be collected as a result of lack of commercial tenant prospects that would utilize the existing, vacant commercial suites onsite. The proposed change to Mixed-Use Neighborhoods, however, retains a portion of the existing tax base by maintaining some of the commercial space, while integrating new residential use on the site. Furthermore, the proposed development will provide additional residents in the area to support existing area businesses and centers along with area sales and property tax.

The full results of the Land Use Impact Model assessment are located in the case file.

Land Use

The Planned Unit Development (PUD) district is a tool to help implement the General Plan Mixed-Use Neighborhoods land use designation. The PUD zoning district allows a mix of uses within the same district, usually within one development parcel. The PUD district also promotes a mix of uses within the broader context of development, including development on adjacent parcels.

The request will allow for the subject site to be redeveloped as a mixed-use development with existing commercial buildings and new multi-family residential units. The proposed mixed-use development includes amenities and open space areas that will provide an asset to the area. The development heights and setbacks associated with the zoning are compatible with the context area in terms of character, height massing, and overall setbacks.

A. PUD District Approval Criteria:

1. As part of the approval or modified approval of an application for a PUD District, the Planning Commission shall recommend, and the City Council shall find that the following criteria have been met:
 - a. **The proposed development promotes revitalization, the goals, policies and guidelines of the General Plan, area plans and design guidelines.**
 - *The proposed zoning district map amendment would allow for additional multi-family residential in a mixed-use format, further implementing the goals of General Plan 2035, which encourage redevelopment and revitalization, as well as to acknowledge a need for diversity of housing choice. The applicant also proposes enhancements to the existing pedestrian circulation along East Shea Boulevard, including a new 8-foot-wide sidewalk, and landscaping along the public street frontage to encourage pedestrian circulation.*
 - b. **The proposed development's uses, densities or development standards would not otherwise be permitted by the property's existing zoning.**

- *The site is currently zoned Central Business (Conditional) Parking District (C-2 (C) / P-4) district, which would not allow the requested mixed-use development with the density and building height proposed. The PUD district zoning is needed to accommodate the proposed development.*
- c. The proposed development will be compatible with adjacent land uses and promotes the stability and integrity of abutting or adjacent residential neighborhoods.**
- *The proposed development will be compatible with and support adjacent land uses, promote stability and integrity to the context area by expanding housing options in the area which will bring direct and indirect benefit to area businesses. From a design perspective, the development heights and setbacks are compatible with the context area in terms of character, height massing, and overall setbacks. To further demonstrate compatibility and sensitivity to adjacent uses, the applicant eliminated the 4th story from the proposed residential building which reduced the unit count from 240 units to 196 units.*
- d. There are adequate infrastructure and city services to serve the development.**
- *Based on the submitted reports, City staff has determined that there are adequate infrastructure and City services to serve the development.*
- e. The proposal meets the following location criteria:**
- i. The proposed development is not located within any area zoned Environmentally Sensitive Lands Ordinance (ESL), nor within the boundaries of the Downtown Area.**
 - *The project site is not located in the ESL area, nor is it within the Downtown boundary.*
 - ii. The proposed development fronts onto a major or minor arterial and/or major collector street as designated in the Transportation Master Plan.**
 - *The project site has frontage on E. Shea Boulevard, which is designated as a Major Arterial by the Transportation Master Plan.*

B. Amended Development Standards

1. To encourage sensitivity to site conditions and provide flexibility in planning, development standards, excluding allowable building height and exception to building height, may be amended upon recommendation by the Planning Commission and a finding by the City Council that the amended development standards achieve the purposes of the planned unit development district better than the existing standards.

The applicant is proposing two amended development standards with this application:

- a. Building Setbacks – Average Setback. The applicant is requesting an amendment to the average setback requirement to add the word “**MINIMUM**” to clarify that average setbacks

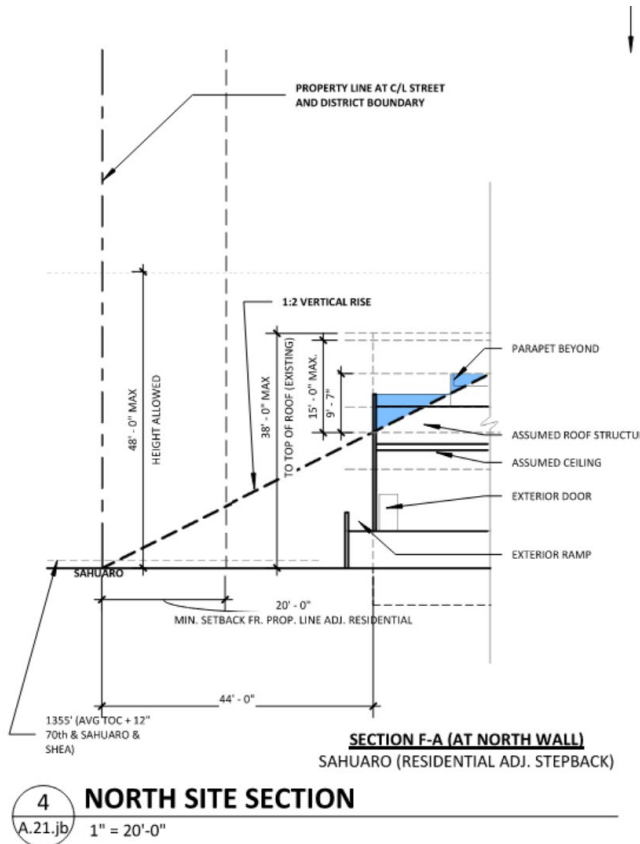
can be greater than the minimum as dictated by the development plan. The proposed “**MINIMUM**” average setback will allow flexibility in application of the average setback and allow for a larger setback where needed. Amendment and site plan compliance shown below.

Street – Land Use	MINIMUM Average Setback	Provided Average Setback
Shea – Residential	40’	50.92’
Shea – Commercial	32’	205.35’
70th – Residential	30’	332.40’
70th – Commercial	28’	30.07’
Sahuaro – Residential	30’	47.17’
Sahuaro – Commercial	28’	28.19’

- b. Encroachment beyond the building envelope. The applicant is requesting an amendment to the encroachments into the building envelope requirements to expand the allowed encroachments to include existing **BUILDING, WALL, AND ROOF ELEMENTS** on the existing commercial building to remain as is and comply with the new PUD zoning district. This amendment accommodates the existing condition of the commercial building. Amendment and minor encroachments are shown below in blue.

G. *Encroachment beyond the building envelope.*

- 1. A maximum encroachment of fifteen feet (15) feet may be allowed for:
 - a. Architectural ornaments and similar features, and
 - b. Trellis, canopies, balconies, patios and partial or full patio enclosures, covered walks, and screen walls.
 - c. **BUILDING, WALL, AND ROOF ELEMENTS OF EXISTING STRUCTURES**



4 NORTH SITE SECTION
A.21.jb 1" = 20'-0"

C. Development Plan:

The Development Review Board shall review the DP elements and make a recommendation to the Planning Commission, based on the following considerations outlined in Section 5.5003.C.1. Please see Attachment #10 for staff’s analysis of the Development Review Board criteria.

The Development Review Board reviewed this case at their March 21, 2024 meeting and recommended approval, with the proposed residential building revised from 4-stories to 3 stories, with a vote of 6-0, based on the above requirements.

Planned Shared Development Overlay (PSD)

As part of the zoning district map amendment request the applicant is proposing to utilize the Planned Shared Development Overlay (PSD). The purpose of the PSD is to provide the opportunity for application of development standards to a property as defined by its perimeter rather than applying the standards to individual lots, tracts, and parcels within the perimeter of the development. This will allow for future subdivision of the property while maintaining the integrity of the approved development plan. Consistent with the subdivision plan that is included within the Development Plan and as specified in the associated Development Agreement, Contract No. 2024-084-COS, a transfer of development rights for certain development standards and obligations including maximum commercial floor area, maximum dwelling unit capacity, and minimum open space may take place between parcels within the development. As a whole, the project will continue to conform to all development standards of the PUD District.

Airport Vicinity

The subject site is located along the southern most boundary of the AC-1 Influence Area and approximately 2 miles southwest of the runway. As such, the rezoning application went before the Airport Advisory Commission for a recommendation to the Planning Commission and City Council. The Airport Advisory Commission heard this case at their February 21, 2024 meeting and recommended approval with a vote of 6-0. Prior to any permit issuance for the development project, the property owner will need to dedicate an Avigation Easement, provide FAA determination of the 7460-1 form, and provide aircraft noise and overflight disclosure. The applicant has also voluntarily stipulated themselves to provide additional sound attenuation measures for the new residential building.

Transportation

It is anticipated that the Cosanti Commons development will generate 1,321 daily trips with 78 during the AM peak hour and 100 during the PM peak hour. This represents a decrease of approximately 71% in total weekday trips, with 63% less trips during the AM peak hour and 70% less trips during the PM peak hour than the existing +/- 38,000 square foot commercial building (to be demolished) and previously approved (but not constructed) +/- 10,200 square foot restaurant to the south. Vehicular access to the proposed residential building is provided via existing driveways along E. Shea Boulevard, N. 70th Street, E. Sahuaro Drive and alleyway to the east. The intersection of E. Shea Boulevard and N. 70th Street is signalized.

Surface parking is provided adjacent to the existing commercial buildings, new residential building, and on City parcels, and underground parking is provided via the existing two-level parking garage beneath the commercial building and new two-level parking garage beneath the residential building. Shared parking elements will be covered by new parking agreements. The development project, including the proposed residential building and existing commercial buildings on site, requires 580 parking spaces, and 650 spaces are provided.

The existing sidewalk along E. Shea Boulevard, along the subject site's frontage and the parcels to the southwest, will be replaced with a new 8-foot-wide sidewalk that is separated from the curb where possible. The existing sidewalks along N. 70th Street and E. Sahuaro Drive, adjacent to the existing commercial buildings, will remain in place due to existing site constraints. The applicant is also dedicating an additional four feet of right-of-way along the existing alley on the east side of the site for a total width of 24 feet.

Density

The Development Plan originally included a new 4-story residential building with 240 units, resulting in a density of +/-27.85 dwelling units per acre. To further fit the context of the surrounding area, the applicant revised the proposal to limit the new residential building to 3-stories and 196 units, resulting in a density of +/-22.74 dwelling units per care. The proposed density is now below the maximum density permitted in the multi-family residential (R-5) zoning district, which is 23 dwelling units per acre. The PUD zoning district does not have a density maximum, and instead, defers to the proposed development plan to propose and evaluate an appropriate density that would be in context of the surrounding area.

The context for subject site is taken from the 1, 2, and 3-story retail, service, and residential developments that are developed between North 70th Street to North 74th Street, and East Mescal

Street to East Mountain View Road. Within the last three decades, several multi-family developments have been developed utilizing the multi-family residential (R-5) zoning district, which limits density at 23 dwelling units per acre; notably, many of these developments have been developed less than the maximum density permitted. Scottsdale General Plan 2035 designates Growth and Activity Areas – the subject site is located within an Activity Area. As designated by Scottsdale General Plan 2035, Activity Areas – such as this one, are locations in the city where development is expected to be concentrated, but to a lesser degree than designated Growth Areas. Within designated Growth Areas, other mixed-use developments have been approved at a density nearing 50 units/acre. Although the context area has a surrounding density that is slightly less than the proposed development, the density that is proposed is supported by the definition of an Activity Area expected by General Plan 2035.

Water/Sewer

The applicant provided Basis of Design reports for water and sewer, which have been accepted by the Water Resources Division. The City of Scottsdale is an Arizona Department of Water Resources designated provider with a 100 years Assured Water Supply and will supply water in accordance with City codes, ordinances, and the City’s Drought Management Plan. All infrastructure upgrades necessary to serve this project will be completed by the applicant.

Fire/Police

The nearest fire station is less than a mile from the site and located at 7455 E. Shea Boulevard. The subject site is served by Police District Via Linda, Beat 12. As with any project that contributes to growth, the fire department and police department continually anticipate and evaluate resource needs for the city’s budget process.

Open Space

While the PUD district only requires 10% of the site to be open space, this rezoning application will provide 25% open space via existing commercial courtyards, existing and new frontage open space, and new landscaping, pedestrian paths, and private residential courtyards. The frontage open space along E. Shea Boulevard, N. 70th Street, and E. Sahuaro Drive, will be enhanced with new trees and planting.

School District Comments/Review

The Scottsdale Unified School District has been notified of the proposal to serve the proposed residential density.

Housing Cost

Approval of the zoning district map amendment and development plan proposed by the applicant enables the construction of more housing and will introduce the opportunity for a mixed-use development into an existing retail center. In conjunction with state law, staff has considered the scope of the zoning district map amendment and development plan, as well as aspects which would affect the cost of construction. Staff has not identified any factors that would substantially impact the cost to construct housing for sale or rent.

Community Involvement

With the submittal of the application, staff and the applicant notified all property owners within 1,250 feet of the site. In addition, the applicant has been in communication with property owners

surrounding the site. The applicant also held an open house on June 19, 2023 with 10 interested attendees. As of the publishing of this report, staff has received written comments in opposition and support of the proposal. Please see Attachment #17 for public comment.

Significant Updates to Development Proposal Since Initial Submittal

During staff review of the development proposal, comments were provided to the applicant to update the development proposal which resulted in the following updates:

- Increased pedestrian connections and shade canopies between the existing commercial buildings and new residential building for better connectivity.
- Site plan provides a new detached (where feasible) 8-foot-wide sidewalk along E. Shea Boulevard.
- Building height was revised from 4-stories to step from 3 to 4-stories along E. Shea Boulevard to reduce massing along the street frontage. **Building height was revised again to be limited to 3-stories at the Development Review Board hearing on March 21, 2024.**
- Proposed underground residential garage entry/exit was revised from the alley on the east elevation to the north elevation, to help avoid a congested alleyway.

Community Impact

The proposed mixed-use development provides a new 8-foot-wide sidewalk along the entire E. Shea Boulevard frontage, increased internal pedestrian connections and shade structures between the existing commercial and new residential building, enhanced landscaping along the existing street frontages, and reduces the heat island effect by removing a significant amount of existing surface parking asphalt on site. Staff had originally requested the applicant underground the existing powerlines along the E. Shea Boulevard frontage as a part of the rezoning application, but existing lines are 69 kVA (kilovolt-amps), which exceeds the 12.5 kVA code that automatically requires undergrounding.

Policy Implications

Approval of the proposed minor General Plan Amendment and Zoning District Map amendment will enhance the opportunity for existing commercial land uses to integrate with new multi-family residential in a mixed-use format, complementing the existing residential and commercial uses in the area and providing access to retail and service-related uses as well as emphasizing pedestrian connectivity and open space.

OTHER BOARDS & COMMISSIONS

Airport Advisory Commission

The Airport Advisory Commission heard this case at their February 21, 2024 meeting and recommended approval with a vote of 6-0.

Development Review Board

The Development Review Board heard this case at their March 21, 2024 meeting and recommended approval with a vote of 6-0.

Planning Commission

Planning Commission heard this case on April 24, 2024 and recommended approval with a 6-1 vote. The Planning Commission directed the Development Review Board, with the future DRB application

for the project, to pay attention to two design items. First, increasing the size of the 2nd row of trees along E. Shea Boulevard from 48” box trees to 54” box trees, and second, where feasible, providing tree coverage on both sides of the new 8’ wide sidewalk along E. Shea Boulevard. These items are accounted for on Attachment #11.

Staff Recommendation to Planning Commission:

1. Staff recommended that the Planning Commission recommend approval to City Council for a minor General Plan amendment to the City of Scottsdale General Plan 2035 to change the land use designation from Commercial to Mixed-Use Neighborhoods on a +/- 8.6 gross acre site located at 7000 E. Shea Boulevard.
2. Staff recommended that the Planning Commission find that the Planned Unit Development (PUD) district criteria have been met, and determine that the proposed zoning district map amendment is consistent and conforms with the adopted Scottsdale General Plan 2035, and make a recommendation to City Council for approval, per the attached stipulations.

City Council

This case was continued at the June 4, 2024 City Council meeting to the August 20, 2024 City Council meeting per the applicant’s request. This was the first continuance granted as a matter of right per the City’s Rules of Council Procedure.

This case was continued at the August 20, 2024 City Council meeting to the December 3, 2024 City Council meeting per the applicant’s request with a 7-0 vote. This was the second continuance granted.

STAFF RECOMMENDATION

Recommended Approach:

1. Adopt Resolution No. 13137 for a minor General Plan Amendment to the City of Scottsdale General Plan 2035 to change the land use designation from Commercial to Mixed-Use Neighborhoods on a +/- 8.6 gross acre site located at 7000 E. Shea Boulevard.
2. Adopt Ordinance No. 4639 for a Zoning District Map Amendment from Central Business (Conditional), Parking District (C-2 (C) / P-4) zoning to Planned Unit Development, Planned Shared Development Overlay (PUD PSD) zoning, including approval of a Development Plan with Amended Development Standards for a new mixed-use development, consisting of approximately 79,200 square feet of existing commercial buildings and a new 3-story, approximately 345,000 square foot, multi-family residential building with approximately 196 units on a +/- 8.6 gross acre site located at 7000 E. Shea Boulevard.
3. Adopt Resolution No. 13138 declaring “Cosanti Commons Minor General Plan Amendment and Rezoning Development Plan” as a public record.
4. Adopt Resolution No. 13139 authorizing Development Agreement No. 2024-084-COS.

RESPONSIBLE DEPARTMENT

Planning and Development Services
Current Planning & Long Range Services

STAFF CONTACTS

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APPROVED BY



Katie Posler, Senior Planner, Report Co-Author

11/6/2024

Date



Ben Moriarity, Senior Planner, Report Co-Author

11/7/2024

Date



Tim Curtis, AICP, Current Planning Director
Planning Commission Liaison
Phone: 480-312-4210 Email: tcurtis@scottsdaleaz.gov

11/14/2024

Date



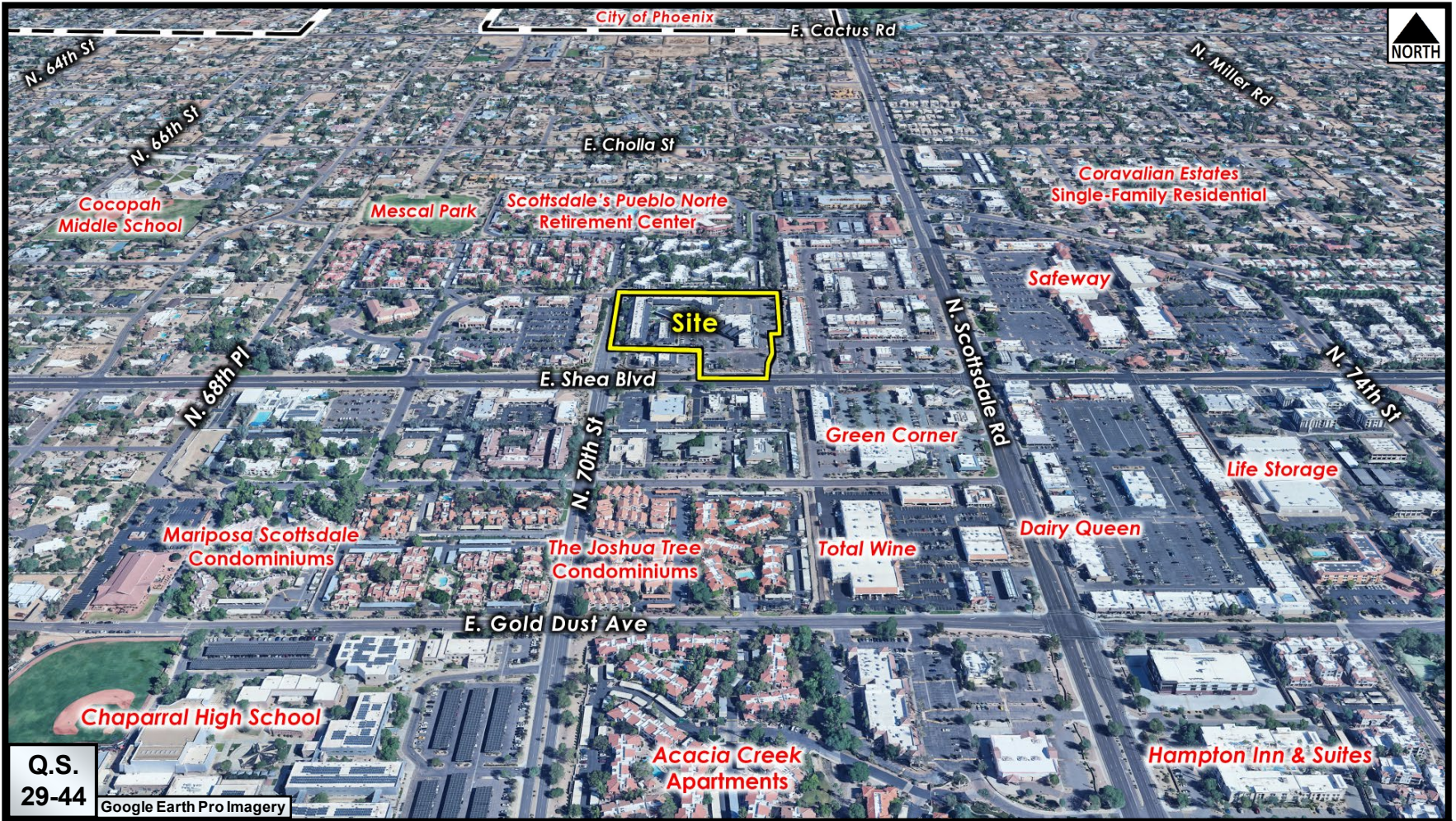
Erin Perreault, AICP, Executive Director
Planning and Development Services
Phone: 480-312-7093 Email: eperreault@scottsdaleaz.gov

11/14/2024

Date

ATTACHMENTS

1. Context Aerial
- 1A. Aerial Close-Up
2. Resolution No. 13137
Exhibit 1: Proposed General Plan Land Use Map
3. Ordinance No. 4639
Exhibit 1: Zoning Map
Exhibit 2: Stipulations
4. Resolution No. 13138
Exhibit 1: Cosanti Commons Minor General Plan Amendment and Rezoning Development Plan
5. Resolution No. 13139
6. Contract No. 2024-084-COS
7. Existing General Plan Land Use Map
8. Existing Zoning Map
9. Traffic Impact Summary
10. Staff's Analysis of the DRB Criteria
11. Additional Information – Planning Commission attention to Development Review Board
12. Airport Advisory 2/21/24 Marked Agenda
13. Development Review Board 3/21/24 Marked Agenda
14. Planning Commission 4/24/24 Marked Agenda
15. City Council 6/4/24 Marked Agenda
16. City Council 8/20/24 Marked Agenda
17. Continuance Requests (1st and 2nd)
18. Community Involvement Report
19. City Notification Map
20. Public Comments



Q.S.
29-44

Google Earth Pro Imagery

Context Aerial

2-GP-2023 & 6-ZN-2023



Q.S.
29-44

Google Earth Pro Imagery

Close-up Aerial

2-GP-2023 & 6-ZN-2023

RESOLUTION NO. 13137

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, ADOPTING A MINOR GENERAL PLAN AMENDMENT TO THE CITY OF SCOTTSDALE GENERAL PLAN 2035 FUTURE LAND USE MAP FROM COMMERCIAL TO MIXED-USE NEIGHBORHOODS LAND USE DESIGNATION ON A +/- 8.6 GROSS ACRE SITE LOCATED AT 7000 E. SHEA BOULEVARD.

WHEREAS, in consideration of the minor General Plan amendment, the City Council, Planning Commission and City staff have held public hearings and meetings with residents and property owners of Scottsdale and other interest parties, and have considered, wherever possible, the concern or alternatives expressed by those persons regarding the proposed amendment; and

WHEREAS, the Planning Commission held a recommendation hearing on April 24, 2024 concerning the minor General Plan amendment; and

WHEREAS, the City Council has incorporated, whenever possible, the concerns and alternatives expressed by all interested parties concerning the minor General Plan amendment.

NOW, THEREFORE, LET IT BE RESOLVED, by the City Council of the City of Scottsdale, Maricopa County, Arizona, as follows:

Section 1. That the City Council hereby amends the City of Scottsdale General Plan 2035 Future Land Use Map for the City of Scottsdale, for the property located at 7000 E. Shea Boulevard for +/- 8.6 gross acre site from Commercial to Mixed-Use Neighborhoods land use designation.

Section 2. That the above amendment is described in Case No. 2-GP-2023 (relating to zoning case 6-ZN-2023), and depicted on Exhibit "1", attached hereto and incorporated by this reference.

Section 3. That copies of this General Plan amendment shall be on file in the Office of the City Clerk, located at 3939 N. Drinkwater Boulevard, Scottsdale, Arizona.

PASSED AND ADOPTED by the Council of the City of Scottsdale, Maricopa County, Arizona this _____ day of _____, 2024.


ATTEST:

CITY OF SCOTTSDALE, an Arizona
Municipal Corporation

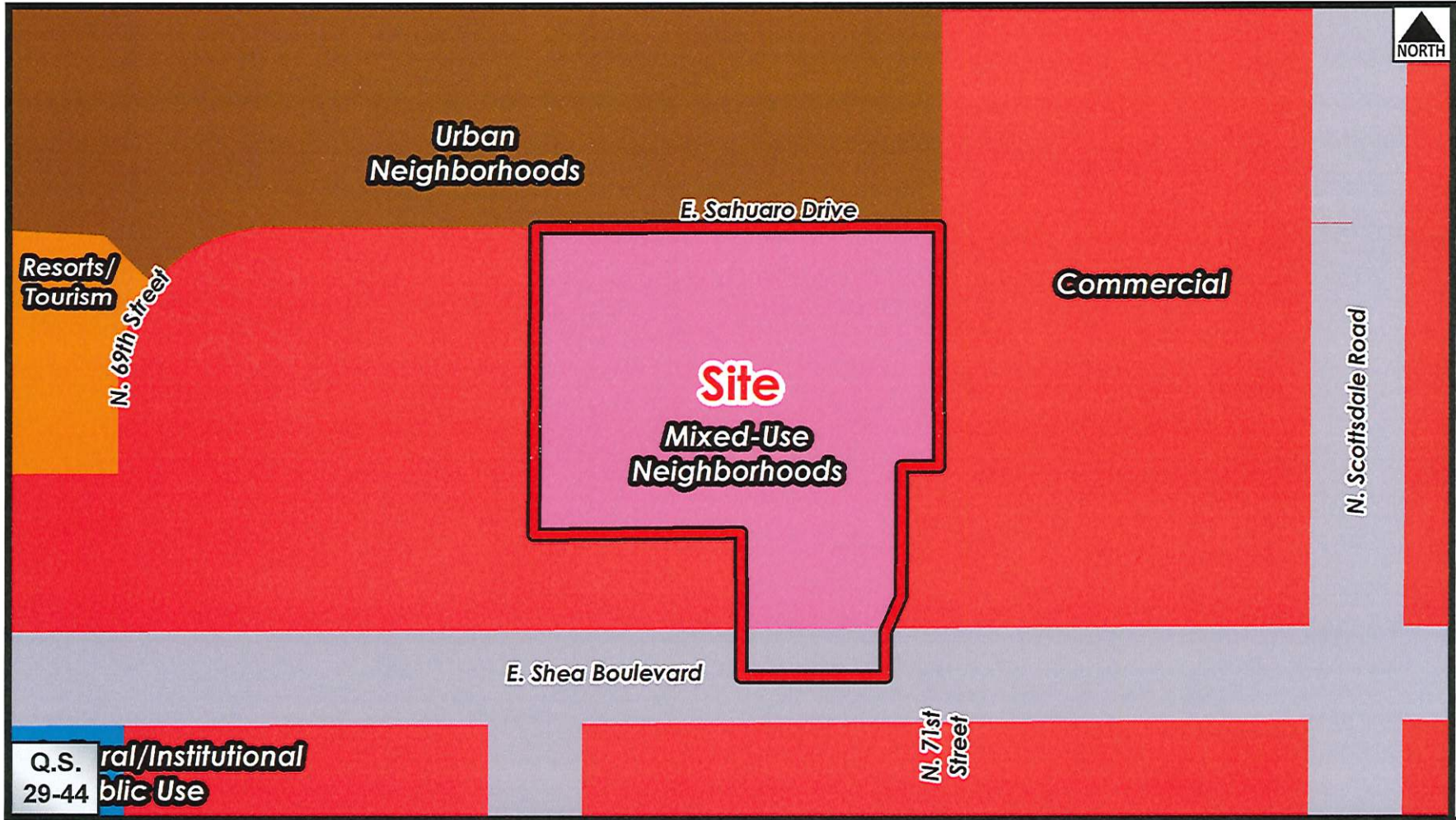
By: _____
Ben Lane
City Clerk

By: _____
David D. Ortega
Mayor

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

By: 

Sherry R. Scott, City Attorney
By: Joe Padilla, Deputy City Attorney



General Plan 2035 Future Land Use Map
+/- 8.6 gross acres of Mixed-Use Neighborhoods

Resolution No. 13137
 Exhibit 1
 Page 1 of 1

2-GP-2023 & 6-ZN-2023

ORDINANCE NO. 4639

AN ORDINANCE OF THE CITY 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 CHANGING THE ZONING ON THE "DISTRICT MAP" TO ZONING APPROVED IN CASE NO. 6-ZN-2023 FROM CENTRAL BUSINESS (CONDITIONAL), PARKING DISTRICT (C-2 (C) / P-4) ZONING TO PLANNED UNIT DEVELOPMENT, PLANNED SHARED DEVELOPMENT OVERLAY (PUD PSD) ZONING, INCLUDING APPROVAL OF A DEVELOPMENT PLAN WITH AMENDED DEVELOPMENT STANDARDS FOR A MIXED USE DEVELOPMENT ON A +/- 8.6 GROSS ACRE SITE LOCATED AT 7000 E. SHEA BOULEVARD.

WHEREAS, the Planning Commission held a hearing on April 24, 2024; and

WHEREAS, the City Council has considered the probable impact of Zoning Ordinance Ordinance No. 4639 on the cost to construct housing for sale or rent; and

WHEREAS, The Planning Commission has made findings in conformance with the requirements of the PUD district and the City Council also finds:

- A. The proposed development promotes revitalization, the goals, policies, and guidelines of the General Plan, area plans, and design guidelines.
- B. The proposed development's uses, densities, or development standards would not otherwise be permitted by the property's existing zoning.
- C. The proposed development will be compatible with adjacent land uses and promotes the stability and integrity of abutting or adjacent residential neighborhoods.
- D. There is adequate infrastructure and city services to serve the development.
- E. The proposal meets the following location criteria:
 - i. The proposed development is not located within any area zoned Environmentally Sensitive Lands Ordinance (ESL) nor within the boundaries of the Downtown Area.
 - ii. The proposed development fronts onto a major or minor arterial and/or major collector street as designated in the Transportation Master Plan.
- F. The amended development standards achieve the purposes of the planned unit development district better than the existing standards.

WHEREAS, the City Council finds that the proposed development is in substantial harmony with the General Plan of the City of Scottsdale and will be coordinated with existing and planned development; and

WHEREAS, it is now necessary that the comprehensive zoning map of the City of Scottsdale ("District Map") be amended to conform with the decision of the Scottsdale City Council in Case No. 6-ZN-2023.

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

Section 1. That the "District Map" adopted as a part of the Zoning Ordinance of the City of Scottsdale, showing the zoning district boundaries, is amended by rezoning a +/- 8.6 gross acre site located at 7000 E. Shea Boulevard and marked as "Site" (the Property) on the map attached as **Exhibit 1**, incorporated herein by reference, from Central Business (Conditional), Parking District (C-2 (C) / P-4) zoning to Planned Unit Development, Planned Shared Development Overlay (PUD PSD) zoning, and by adopting that certain document entitled "Cosanti Commons Minor General Plan Amendment and Rezoning Development Plan" declared as public record by Resolution No. 13138 which is incorporated into this ordinance by reference as if fully set forth herein.

Section 2. That the above rezoning approval is conditioned upon compliance with all stipulations attached hereto as **Exhibit 2** and incorporated herein by reference.

PASSED AND ADOPTED by the Council of the City of Scottsdale, Maricopa County, Arizona this _____ day of _____, 2024.


ATTEST:

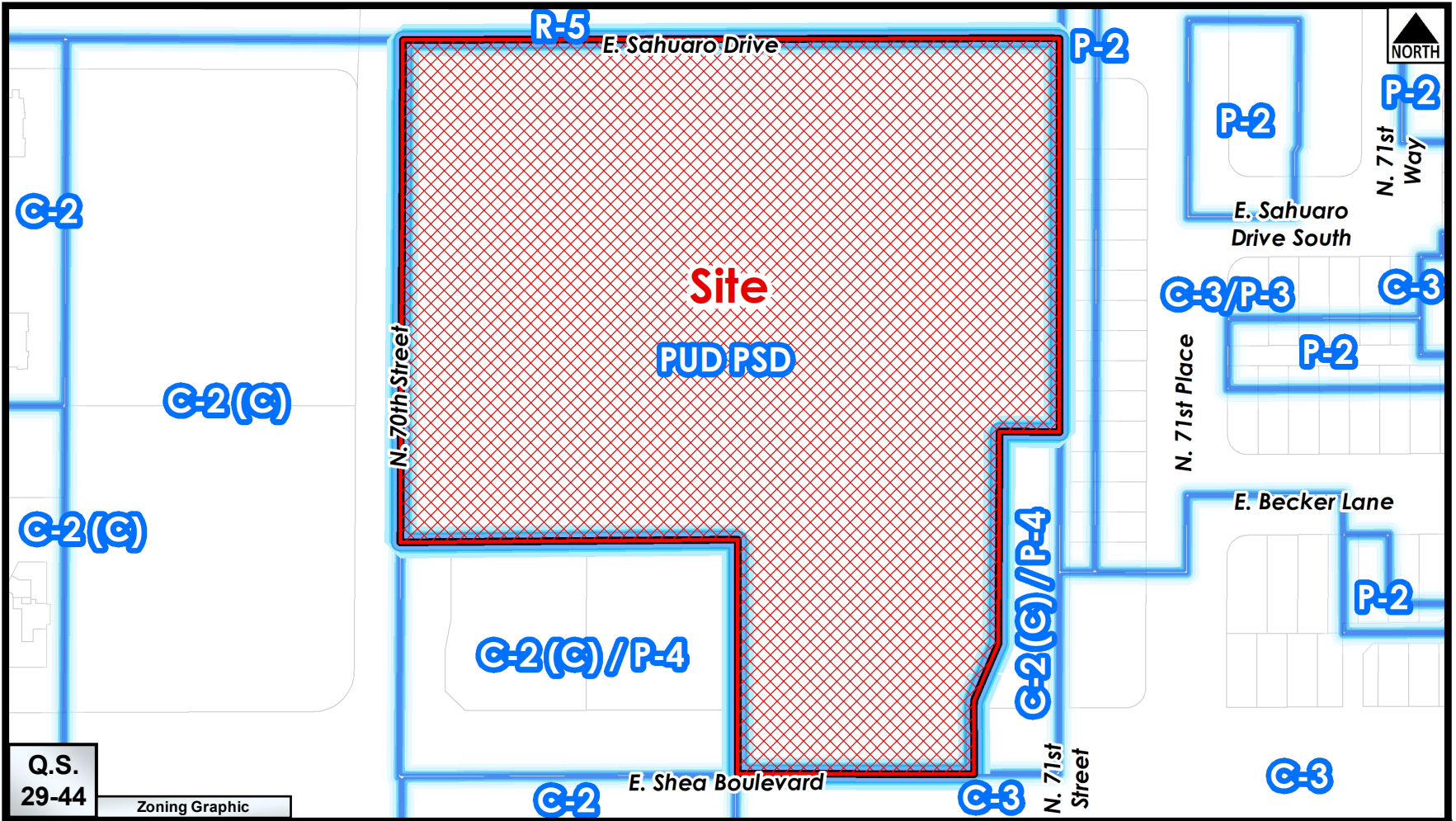
CITY OF SCOTTSDALE, an Arizona municipal corporation

By: _____
Ben Lane
City Clerk

By: _____
David D. Ortega
Mayor

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

By:  _____
Sherry R. Scott, City Attorney
By: Joe Padilla, Deputy City Attorney



Q.S.
29-44

Zoning Graphic

Zoning

Ordinance No. 4639
Exhibit 1
Page 1 of 1

2-GP-2023 & 6-ZN-2023

**Stipulations for the Zoning Application:
Cosanti Commons (aka Sundown Commons)
Case Number: 6-ZN-2023**

These stipulations are in order to protect the public health, safety, welfare, and the City of Scottsdale. Revisions made after the Planning Commission meeting are shown with **Bold Letters** and ~~strikethrough~~.

SITE DESIGN

1. **CONDITIONAL ZONING.** If the developer does not commence actual physical construction (as more fully described in Contract No. 2024-084-COS of the project within seven (7) years from the effective date of Contract No. 2024-084-COS (as defined herein) and Ordinance No. 4639, then the developer and any successor or assign (as property owner) shall apply to cause the property to be rezoned to apply the zoning that existed on the property immediately prior to adoption of Ordinance No. 4639 and subject to a general plan amendment to reestablish the original status of the property under the city's general plan as it existing immediately prior to the application of the regulatory approvals. Further, if the owner does not make such an application for such rezoning within six (6) months of the deadline by which the developer was to commence construction, then the City may undertake the rezoning on behalf of the property owner pursuant to the terms of Contract No. 2024-084-COS.
2. **CONFORMANCE TO DEVELOPMENT PLAN.** Development project shall conform with the Development Plan, entitled "Cosanti Commons Minor General Plan Amendment and Rezoning Development Plan," which is on file with the City Clerk and made a public record by Resolution No. 13138 and incorporated into these stipulations and ordinance by reference as if fully set forth herein. Any proposed significant change to the Development Plan, as determined by the Zoning Administrator, shall be subject to additional action and public hearings before the Planning Commission and City Council. Where there is a conflict between the Development Plan and these stipulations, these stipulations shall prevail.
3. **CONFORMANCE TO AMENDED DEVELOPMENT STANDARDS.** Development project shall conform with the amended development standards that are included as part of the Development Plan. Any change to the development standards shall be subject to additional public hearings before the Planning Commission and City Council.
4. **CONFORMANCE TO DEVELOPMENT AGREEMENT.** Development project shall conform with the associated Development Agreement, Contract No. 2024-084-COS approved by Resolution No. 13139. **In interpreting the meaning of these stipulations and Contract No. 2024-084-COS, if there is deemed any conflict or ambiguity between their terms, the Zoning Administrator and any other competent authority may rely on any of the more specific provisions of Contract No. 2024-084-COS in determining the proper interpretation of such terms.** ~~Any change to the Development Agreement shall be subject to City Council approval.~~
5. **MAXIMUM DWELLING UNITS – DENSITY.** Maximum dwelling units shall not exceed 196 dwelling units (equivalent to 22.74 du/gross acre of the Development Plan).

6. **MAXIMUM COMMERCIAL AREA.** Maximum commercial square footage shall not exceed 88,220 square feet for the Development Plan. (This includes the 80,200 square feet shown in the Development Plan plus an additional 10% (8,020 square feet) for commercial flexibility.)
7. **MAXIMUM BUILDING HEIGHT.** No building on the site shall exceed 3-stories and 42 feet in height, exclusive of roof top appurtenances, measured as provided in the applicable section of the zoning ordinance. Exceptions for mechanical equipment and roof top appurtenances shall comply with the PUD district requirements.
8. **SOUND ATTENUATION MEASURES.** With the final plans submittal, the property owner shall provide sound attenuation measures that are limited to sound transmission class of not less than 50 (45 if field tested) as provided in the International Building Code (IBC).
9. **PROTECTION OF ARCHAEOLOGICAL RESOURCES.** Any development on the property is subject to the requirements of Scottsdale Revised Code, Chapter 46, Article VI, Protection of Archaeological Resources, Section 46-134 - Discoveries of archaeological resources during construction.

DEDICATIONS

10. **RIGHT-OF-WAY DEDICATIONS.** Prior to issuance of any permit for the development project, the property owner shall make the following fee-simple right-of-way dedications to the City of Scottsdale:
 - a. **ALLEY.** Four (4)-foot dedication, for a total twenty-four (24)-foot wide alley right-of-way width.
11. **PUBLIC NON-MOTORIZED ACCESS EASEMENT.** Prior to issuance of any permit for the development project, the property owner shall dedicate a continuous Public Non-Motorized Access Easement to the City of Scottsdale to contain the public sidewalk in locations where the sidewalk crosses onto private property of the development project.
12. **AVIGATION EASEMENT.** Prior to the issuance of any permit for the development project, the property owner shall dedicate an Avigation Easement to the City of Scottsdale, in a form acceptable to the City Attorney, or designee.

INFRASTRUCTURE

13. **CONSTRUCTION COMPLETED.** Prior to issuance of any Certificate of Occupancy or Certification of Shell Building, whichever is first, for the development project, the property owner shall complete all the infrastructure and improvements required by the Scottsdale Revised Code and these stipulations.
14. **STANDARDS OF IMPROVEMENTS.** All improvements (curb, gutter, sidewalk, curb ramps, driveways, pavement, concrete, water, wastewater, etc.) shall be constructed in accordance with the applicable City of Scottsdale Supplements to the Maricopa Association of Governments (MAG) Uniform Standard Specifications and Details for Public Works Construction, Maricopa Association of Governments (MAG) Uniform Standard Specifications and Details for Public Works Construction, the Design Standards and Policies Manual (DSPM), and all other applicable city codes and policies.
15. **CIRCULATION IMPROVEMENTS.** Prior to issuance of any permit for the development project, the property owner shall submit and obtain approval of construction documents to construct the following improvements:

- a. ALLEYWAY along the eastern frontage.
 1. Construct full-width alleyway improvements (drainage and pavement, etc.) in accordance with DSPM.
 2. Construct alley entrance improvements at E. Sahuaro Dr. per COS Standard Detail 2256 for a modified CL-1 driveway.
 3. Construct alley entrance improvements at E. Shea Boulevard per COS Standard Detail 2256 for a CL-1 Type driveway.
 - b. EAST SHEA BOULEVARD.
 1. Construct a new eight (8)-foot wide sidewalk along the frontage.
16. WATER AND WASTEWATER IMPROVEMENTS. The property owner shall provide all water and wastewater infrastructure improvements, including any new service lines, connection, fire-hydrants, and manholes, necessary to serve the development.
17. FIRE HYDRANT. The property owner shall be provide fire hydrant(s) and related water infrastructure adjacent to lot, in the locations determined by the Fire Department Chief, or designee.

REPORTS AND STUDIES

18. DRAINAGE REPORT. With the Development Review Board submittal, the property owner shall submit a Drainage report in accordance with the Design Standards and Policies Manual for the development project. In the drainage report, the property owner shall address:
1. Along with the standard information to be provided within a drainage report, the applicant shall address any landscaping that will be located within drainage easements, and acknowledge that, should the City need to remove the landscaping in order to maintain the easement, the replacement of the landscaping will be at the owner's expense.
19. FAA DETERMINATION. Prior to any permit issuance for the development project, the property owner shall submit a copy of the FAA Determination letter on the FAA FORM 7460-1 for any proposed structures and/or appurtenances that penetrate the 100:1 slope. The elevation of the highest point of those structures, including the appurtenances, must be detailed in the FAA form 7460-1 submittal.
20. AIRCRAFT NOISE AND OVERFLIGHT DISCLOSURE. Prior to any permit issuance for the development project, the property owner shall provide a copy of the noise disclosure notice that will be provided to occupants, potential homeowners, employees and/or students that will be located at the development project in a form acceptable to the Scottsdale Aviation Director.

RESOLUTION NO. 13138

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE CITY CLERK OF THE CITY OF SCOTTSDALE AND ENTITLED "COSANTI COMMONS MINOR GENERAL PLAN AMENDMENT AND REZONING DEVELOPMENT PLAN".

WHEREAS, State Law permits cities to declare documents a public record for the purpose of incorporation into city ordinances; and

WHEREAS, the City of Scottsdale wishes to incorporate by reference amendments to the Zoning Ordinance, Ordinance No. 455, by first declaring said amendments to be a public record.

NOW, THEREFORE BE IT RESOLVED, by the Council of the City of Scottsdale, Maricopa County, Arizona, as follows:

Section 1. That certain document entitled "Cosanti Commons Minor General Plan Amendment and Rezoning Development Plan", attached as **Exhibit 1**, a paper and an electronic copy of which are on file in the office of the City Clerk, is hereby declared to be a public record. Said copies are ordered to remain on file with the City Clerk for public use and inspection.

PASSED AND ADOPTED by the Council of the City of Scottsdale, Maricopa County, Arizona this ____ day of _____, 2024.

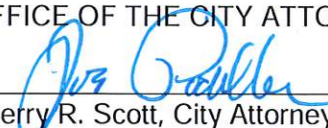
CITY OF SCOTTSDALE, an
Arizona municipal corporation

ATTEST:

By: _____
Ben Lane, City Clerk

By: _____
David D. Ortega, Mayor

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY



Sherry R. Scott, City Attorney
By: Joe Padilla, Deputy City Attorney

Cosanti Commons
Minor General Plan Amendment
& Rezoning

DEVELOPMENT PLAN

2-GP-2023

6-ZN-2023



PREPARED FOR

High Street Residential
Paul Tuchin

PREPARED BY

Berry Riddell, LLC
John Berry, Esq.
Michele Hammond, Principal Planner

Resolution No. 13138

Exhibit 1

Page 1 of 72

TABLE OF CONTENTS

	Page
Development Team	3
Site Information & Project Overview	4
2035 General Plan	7
PUD Criteria	35
Scottsdale Sensitive Design Principles	38

DEVELOPMENT TEAM

Developer

High Street Residential

Paul Tuchin
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Zoning Attorney

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SEG – Sustainability Engineering Group

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Traffic Engineer

Lokahi Group

Jamie Blakeman, PE PTOE
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Outreach Consultant

Technical Solutions

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prescott@technicalsolutionsaz.com



SITE INFORMATION & PROJECT OVERVIEW

Proposed Use: Residential Mixed-Use Development

Location:

- 7000 E. Shea Boulevard
- APN: 175-42-140

Property Size:

- Total Site Area:
 - 8.619+/- gross acres
 - 7.254+/- net acres

Current Zoning

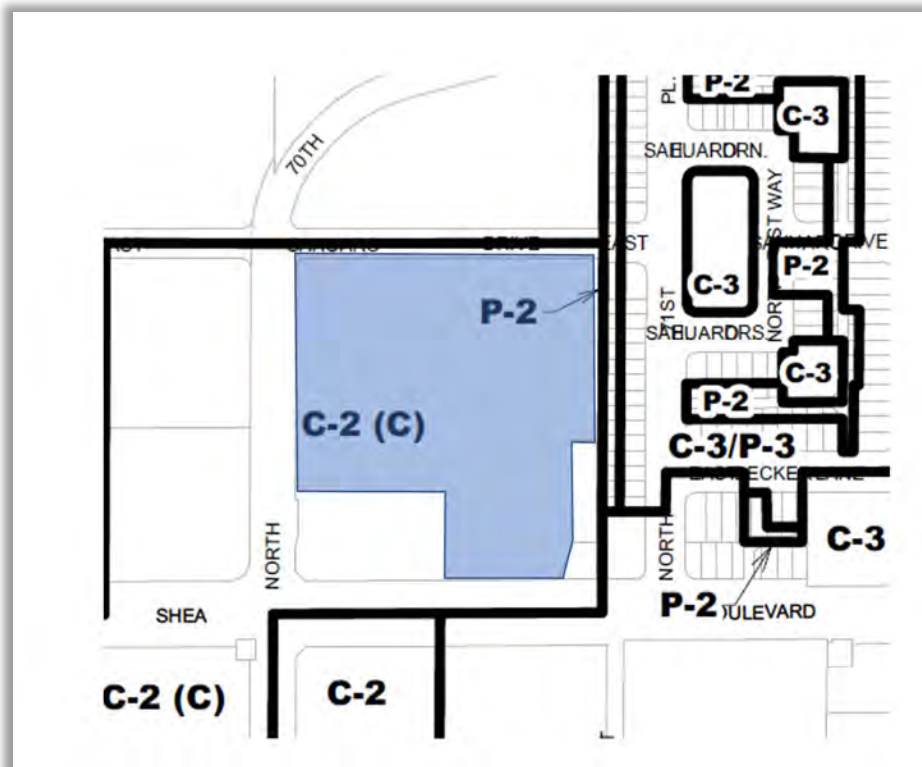
- C-2(C)/P-4*, Central Business

*Note: Zoning case history designates the site as C-2(C) / P-4 per case 97-Z-86. P-4 designation is not reflected on the City's zoning maps as shown below.

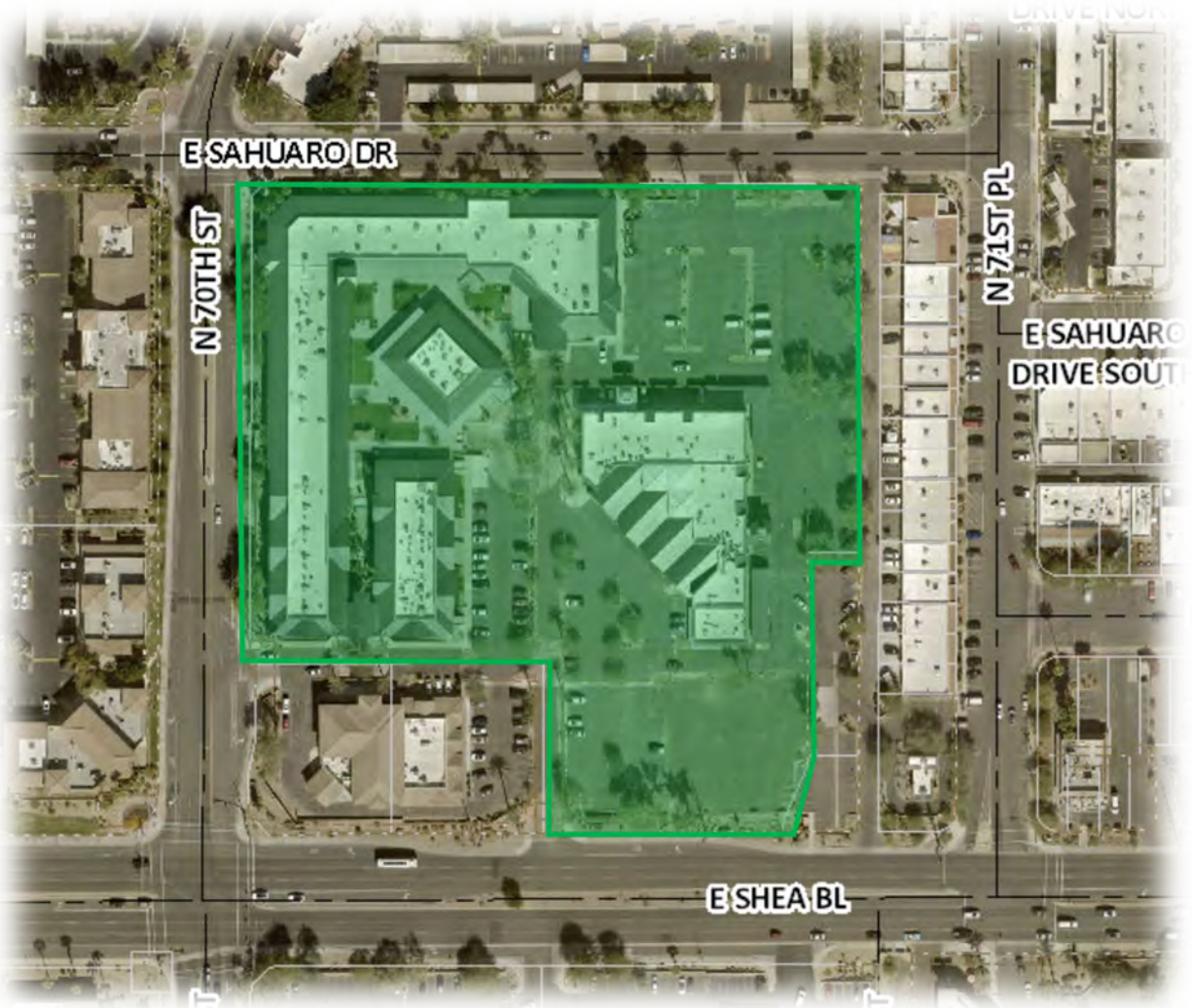
Proposed Zoning

- PUD PSD, Planned Unit Development with a Planned Shared Development overlay.

Current Zoning Map



Context Aerial – Existing Site



Proposed Site Plan



Development Request

The request is for a Minor General Plan Amendment (“GPA”) and rezoning on an 8.619+/- gross acre site located west of the northeast corner of 70th Street and Shea Boulevard (the “Property”). The GPA request from Commercial to Mixed-Use Neighborhoods and rezoning request from C-2 (C)/P-4* to PUD PSD allow for a synergistic mixed-use community comprised of existing commercial/retail and new residential development including housing for first responders, healthcare workers, and teachers. The proposal includes 196+/- new residences (density of

Resolution No. 13138

Exhibit 1

Page 6 of 72

22.74+/- dwelling units/acre) and amenities including, but are not limited to, enhanced pedestrian connectivity, underground parking, a fitness room, and landscaped courtyards. The new residential building will be stepped from two to three stories with a maximum building height of 42-feet (49-feet maximum including mechanical equipment and rooftop appurtenances) and an architectural design that complements and unifies the existing commercial.

*Note: Zoning case history designates the site as C-2(C) / P-4 per case 97-Z-86. P-4 designation is not reflected on the City's zoning maps.

2035 GENERAL PLAN

“Our future begins today. Building upon decades of planning and thousands of hours of community involvement, General Plan 2035 guides the physical development of Scottsdale and acts as a blueprint to enhance our community aspirations—Exceptional Experience, Outstanding Livability, Community Prosperity, and Distinctive Character—over the next 20 years.”

The General Plan is a tool for guiding future development and contains community goals and policies on a variety of components that play a role in creating the community in which we live, work, and enjoy. These goals and policies are broken down into 24 elements. The 2035 General Plan organizes the 24 elements under the following chapters with a series of goals and policies. A summary of the development's conformance to these goals and policies is provided below.

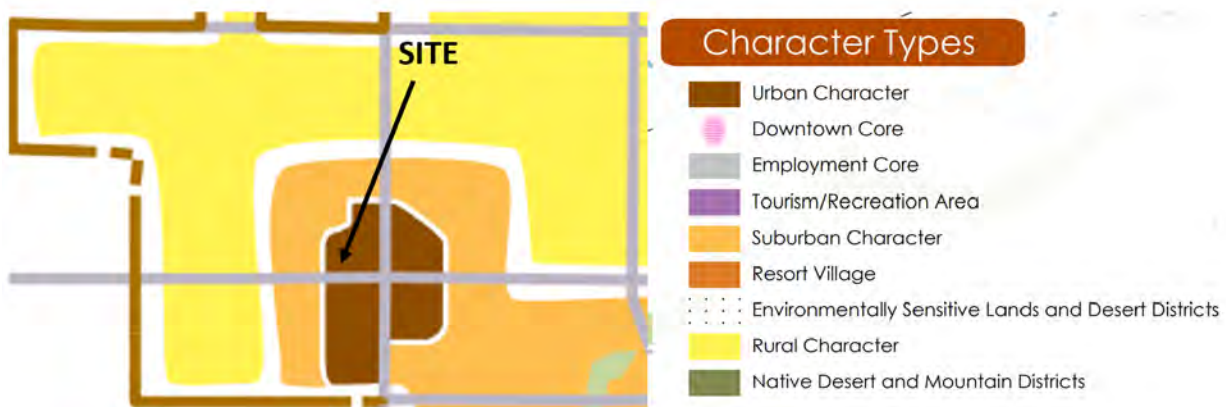
- 1. Character & Culture**
- 2. Sustainability & Environment**
- 3. Collaboration & Engagement**
- 4. Community Well-Being**
- 5. Connectivity**
- 6. Revitalization**
- 7. Innovation & Prosperity**

❖ CHACTER & CULTURE

Character Types

- *Urban Character Types consist of higher-density residential, non-residential, and mixed-use neighborhoods, including apartments, high-density townhouses, business and employment centers, and resorts. Development in Urban Character Types should have pedestrian orientation, shade, activity nodes, and useable open spaces that encourage interaction among people. Building form and heights typically transition to adjacent Rural and Suburban Character Types. Taller buildings may be appropriate in Growth Areas, depending on context (see Growth Areas Element). Examples include Old Town Scottsdale, a mixed-use center of distinct urban districts; mixed-use portions of the Greater Airpark, particularly along Scottsdale Road; areas within the Scottsdale Road and Shea Boulevard Couplet; and the HonorHealth hospital/medical campus near Shea Boulevard and 90th Street.*

Character Type Map



Source: 2035 General Plan

Character & Design Element

CD 1

Determine the appropriateness of all development in terms of community goals, surrounding area character, and context.

CD 1.1 New and revitalized development should respond to the regional, citywide, and neighborhood contexts in terms of:

- *Scottsdale's southwestern, Sonoran Desert characteristics, such as climate, native plants, topography, and history/culture.*
- *Scottsdale as a part of a larger metropolitan area with a unique image, character, and identity within the regional setting.*
- *Relationships and sensitivity to surrounding land forms, land uses, and transportation corridors.*
- *Compatibility with and sensitive integration into established neighborhood character, including historical preservation policies.*
- *Contributions to citywide linkages of open space, Growth Areas, and Activity Areas.*
- *Creation of new or reinvention of the existing character of an area, when necessary.*
- *Physical scale relating to human experience.*
- *Visual impacts on and accessibility to public settings, significant natural features, and neighboring properties.*
- *Impacts on and sensitivity to the natural environment.*
- *Public buildings and facilities that demonstrate the above principles.*

CD 1.2 Consider the effects of building height, overall development density, and building orientation on adjacent neighborhood character, privacy, and viewsheds

CD 1.3 Ensure that all development is a part of and contributes to established Character Types.

CD 1.4 Encourage transitions and blending of character between Character Types, including, open space areas, building height, massing, and orientation

Response: The request for PUD PSD zoning for mixed-use residential development encourages a synergistic lifestyle and appropriate balance of land uses with an enhanced pedestrian environment. The proposal for 196+/- residences on the Property promotes revitalization of an underutilized commercial center with 33% vacancy and vacant land within the Urban Character Type. As noted above Urban Character Type areas “*consist of higher-density residential, non-residential, and mixed-use neighborhoods, including apartments, high-density townhouses, business and employment centers, and resorts. Development in Urban Character Types should have pedestrian orientation, shade, activity nodes, and useable open spaces that encourage interaction among people.*”

The Property is surrounded by a variety of existing retail/support services and multifamily residential. The Property includes a range of commercial tenants who will remain including, but limited to, The Herb Box, Vixxo, Beginners Edge, and Arizona Bread Company. Black Rock Coffee is located to the southwest (not part of the rezoning boundary). To the west, is a range of established commercial and support services including Sack Time Mattress, AZ Party Mart, Bravo Salon, and the Clock Doctor. South of Shea Boulevard there is a range of service-related businesses including Walgreens and Discount Tire. To the north of the Property is the Del Sol multifamily residential community. Large employers are located nearby, such as HonorHealth’s Shea Campus (approximately 2.5 miles to the east) and the Scottsdale Airpark (approximately 2 miles to the north). The Scottsdale/Paradise Valley YMCA is located approximately 800 feet to the west and Chaparral High School is located approximately 1,500 feet to the south. Further, there is approximately 155,000 square feet of vacant retail space in the area.

The key development consideration and design themes are summarized below and will be reaffirmed throughout the goals and policies discussion.

Key development considerations include, but are not limited to the following:

- Provide the Cosanti Foundation with dedicated exhibit space to display artwork to the public (estimated value of \$1,380,000)
- Provide use of flex space to the Cosanti Foundation to use for educational purposes in conjunction with SUSD, Scottsdale Community College, ASU, and U of A (estimated value of \$1,440,000)
- Implement unified architectural character of the Property and design elements consistent with the surrounding context that respond to the Southwestern climate and focus on sustainability through design, massing, material selection, and landscaping
- Offer new, vibrant housing options to Scottsdale residents, focusing on less expensive studio and one-bedroom residences to better serve the nearby workforce (teachers, nurses, small business owners and employees)
- Revitalize and redevelop an underutilized struggling retail center with synergistic land uses to promote the live, play, work philosophy
- Strengthen the economic success of the area through new residential while preserving and bolstering area businesses, many of whom are struggling

- Increase open space and improve the pedestrian environment by incorporating underground parking and large community outdoor spaces, thereby reducing the heat island effect
- Enhance pedestrian connectivity through new and/or improved sidewalk connections further promoting walkability
- Attention to sustainable building methods and techniques including water conservation

CD 3

Foster quality design that enhances Scottsdale as a unique southwestern desert and tourism community through development review processes.

CD 3.1 Strengthen Scottsdale’s economic and environmental attributes, distinctive character, and attractiveness through collaborative site planning and design.

CD 3.2 Use existing, and adopt new comprehensive polices, guidelines, and design standards for use in the design and development review process, to ensure public and private development responds to and enhances the diverse character and contexts within our Sonoran Desert community.

Response: As noted above with the key development considerations, the proposed unified architectural character of the Property, site layout, and landscaping design will respect the unique climate and vegetation of the Southwest. The new residential building will utilize a combination of stone, masonry, stucco, and metal elements among other durable natural materials. In addition to the stepped building form (from two to three stories), building massing will be mitigated with varied fenestration patterns and a combination of numerous recessed and cantilevered/overhang elements through roof lines and balcony design. The color palette invokes Sonoran Desert inspired earth-tone finishes, and tile and metal accents bring additional visual interest to the design.

CD 4

Enhance the design of streets and public spaces to improve Scottsdale’s visual quality, experience, Sonoran Desert context, and social life.

CD 4.1 Promote contextually compatible streetscapes that correspond with the following classifications:

- *Urban Streetscapes encourage pedestrian comfort, safety, and accessibility using decorative elements, such as arcade-covered walkways, shade, pedestrian lighting, decorative paving and street crossings, transit shelters, seating, waste receptacles, and landscaping. Urban Streetscapes strive for equality among pedestrians, bicyclists, and automobiles in the design of the public realm.*

Response: Streetscapes have been improved to encourage pedestrian comfort, safety, and accessibility with the proposal. The sidewalks will be upgraded along Shea Boulevard and Sahuaro Drive to include a new 8-ft wide sidewalk in addition to new 48” box shade trees. Sidewalks around the building and providing connectivity and further integration into the existing commercial retail portion of the Property will be 6-ft wide, lined with shade trees to provide pedestrian comfort. The proposed landscape palette consists of Palo Brea, Palo Verde, Fruitless

Olive, Ghost Gum, and Chinese Elm, as well as other desert varieties, coordinating with the existing surrounding retail and multifamily development. The streetscape will be treated as a green space with planting areas and pedestrian activation elements including direct residential access. Additionally, to encourage multimodal transportation a bicycle repair station will be located along Sahuaro Drive for use by residents, patrons, and the greater community.

Shea Boulevard Streetscape

EXISTING



PROPOSED



CD 5

Promote the value and visual significance landscaping has on the character of the community.

CD 5.1 Employ appropriate heat island reduction techniques to reduce the effects of reflective heat and glare on buildings and paved surfaces.

CD 5.2 To the greatest extent possible, replace dead and dying landscaping with drought resistant plants to maintain or improve density pattern, shade, and area character.

Response: The landscape character will include predominately desert-lush design with a variety of Southwestern plants that will provide year-round color, shade, and texture for the Property and demonstrated with the landscape plan. Vegetation will include plants proven to thrive in our desert climate while creating a shaded vegetative pedestrian experience greatly improving the existing condition of the site and vastly increasing the amount of open space as compared to the existing commercial element of the Property which consist of predominately hard surfaces: building and asphalt surface parking. The removal of surface parking as part of the site redevelopment will result in a 300% reduction in asphalt (135,000 s.f. existing to 45,000 s.f. remaining). Thoughtful planting design will allow the development to use water efficiently throughout the site. Landscaping will allow residents and patrons to enjoy and benefit from shaded open spaces, resulting in passive cooling and a reduced heat island effect.

CD 6

Minimize light and noise pollution.

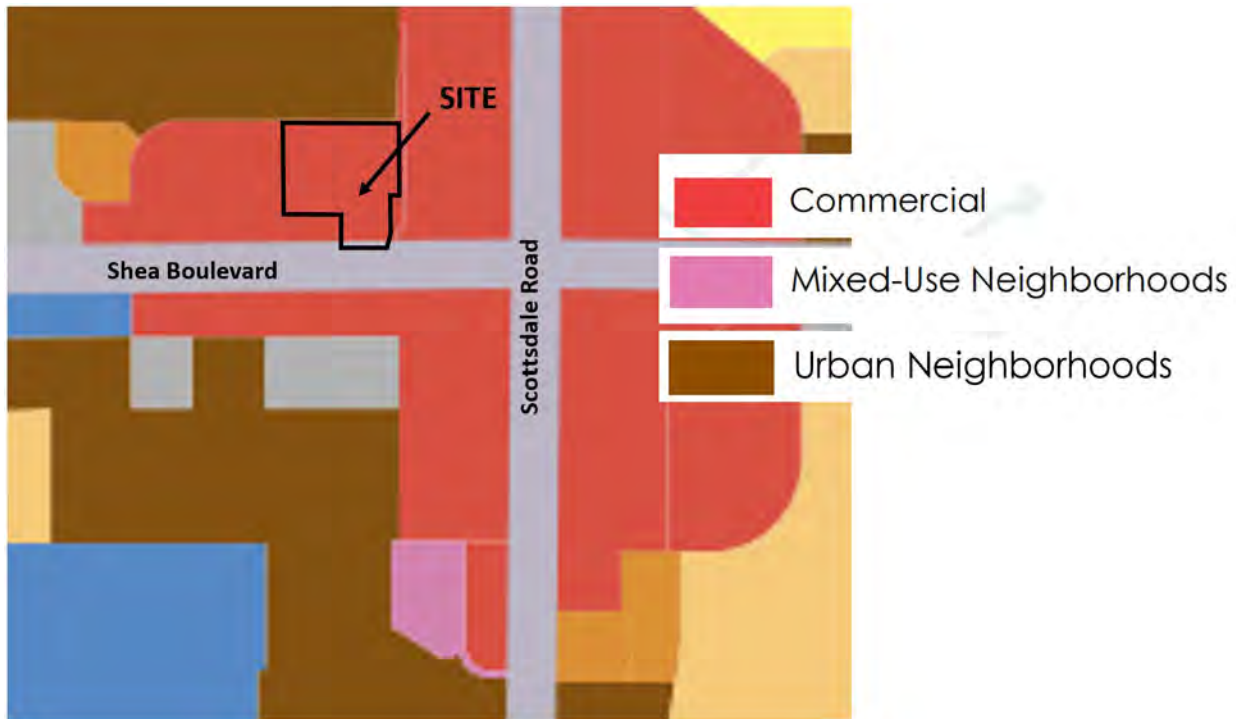
CD 6.1 Support Scottsdale’s dark sky areas and designation as an Outdoor Light Control City by reducing light pollution, glare, and trespass where possible, while still attending to public safety needs.

CD 6.2 Encourage creative, energy-efficient, and high-quality designs for outdoor lighting that reflect the character of the local context.

Response: Lighting will be designed in a manner that is respectful of the surrounding context while maintaining safety for residents and visitors. Lighting designs will be commensurate with the quality architectural style proposed for the development, low-level with no glare or excessive intrusion for adjacent properties. Lighting will be placed in a thoughtful way to provide safe pedestrian wayfinding at night and highlight paths leading along the street frontage.

Land Use Element

2035 Conceptual Land Use Map



Source: 2035 General Plan

Minor General Plan Amendment: The proposed request from the Commercial land use designation to the Mixed-Use Neighborhoods land use designation qualifies as a Minor General Plan Amendment based on the following criteria.

- 1) **Change in General Plan Land Use Criteria:** The Land Use matrix shown on page 56 of the 2035 General Plan identifies the Commercial designation as “Category G”

and Mixed-Use Neighborhoods as “Category G”. Change land use designations within the same category constitute a Minor GPA.

- 2) **Area Change Criteria:** The Property is located within the portion of the City designated as “Area A” and is under the 10-acre threshold at 8.619+/- gross acres. Therefore, the request is a Minor GPA.
- 3) **Character Area Criteria:** The site is not part of a designated Character Area Plan.
- 4) **Water/Sewer:** The proposed change in land use designation does not result in premature increase in the size of master planned water transmission or sewer collection facilities.
- 5) **Change to the Amendment Criteria and/or Land Use Category Definitions Criteria:** There is no change proposed to the amendment criteria or land use category definitions with the proposed request.
- 6) **Growth Area Criteria:** There is no request to introduce a new or expanded Growth Area with the proposed request.
- 7) **General Plan Land Use Overlay Criteria:** There is no request to modify or expand an existing General Plan Land Use Overlay.

LU 1

Enhance Scottsdale’s economic viability by encouraging land uses that reinforce the city’s reputation as the premier international tourist destination in the Southwest and sustain the city’s role as a regional cultural center and economic hub. Land uses should be compatible with Scottsdale’s character and physical appearance.

LU 1.1 Encourage land uses that preserve a high quality of life and further define Scottsdale’s sense of place within the region.

LU 1.3 Promote development patterns that integrate with and reinforce the character of an area. The city will continually review development patterns to ensure consistency of development in areas with fragmented or evolving patterns.

LU 2 Sensitively transition and integrate land uses with the surrounding natural and built environments.

LU 2.1 Ensure neighborhood “edges” transition to one another through compatible land uses and development patterns.

Response: Integrating a mixed-use residential community into the Scottsdale Road and Shea Boulevard area is consistent with the goals and policies of the 2035 General Plan by offering new housing options for residents and encouraging a mix of synergistic land uses further strengthening the economic viability of this area, which is primarily composed of non-residential uses. This

proposal will bring an estimated \$90,000,000 reinvestment to a struggling retail center. The owner of the Property has previously reinvested approximately \$12,000,000 over the years attempting to keep the center viable. It has not been enough. The building massing of the new residential component is designed to respectfully integrate with the established buildings in the area by proposing a stepped design and incorporating architectural elements of the existing commercial component of the Property.

LU 3

Maintain a balance of land uses to support a high quality of life.

LU 3.1 Allow for the diversity and innovative development patterns of residential uses and supporting services to provide for the needs of the community.

LU 3.2 Integrate housing, employment, and supporting infrastructure, primarily in mixed-use neighborhoods and Growth and Activity Areas, to support a jobs/ housing balance.

LU 3.3 Maintain a citywide balance of land uses and consider modifications to the land use mix to accommodate changes in community vision, demographic needs, and economic sustainability.

LU 3.5 Engage the community in all land use discussions.

Response: The Mixed-Use Neighborhoods General Plan Land Use designation focuses on human-scale development and is generally located in areas with strong access to multimodal transportation and major regional services. Mixed-Use Neighborhoods are most suitable near and within Growth and Activity Areas. This Property is within the Scottsdale Road and Shea Boulevard Activity Area and is compatible with the existing variety of land uses, is located in close proximity to multimodal/regional access and proposes to improve the pedestrian realm and site interaction with the surrounding built environment. To further maintain a citywide balance of land uses, integrating additional housing options in key locations is essential for the continuing economic growth and sustainability of Scottsdale. This proposal will bring an estimated \$90,000,000 reinvestment to a struggling retail center that has had long term vacancy issues in the “Age of Amazon.”

LU 4

Develop context appropriate land use patterns that support a variety of compatible mobility choices and services.

LU 4.1 Integrate land uses and transportation systems to allow for a variety of mobility choices.

LU 4.2 Provide opportunities for pedestrian-oriented development, reduced parking demand, and context appropriate mobility choices.

Response: This Property is located 700 feet west of the Scottsdale Road and Shea Boulevard intersection, both major arterials, and approximately 2+/- miles west of the Loop 101, all of which provide regional access and public transit. By creating a comfortable and inviting pedestrian experience along the streetscape, and throughout the site, the design will encourage alternative

modes of transportation, such as by foot, bicycle, and public transportation reducing reliance on vehicles. The Property is located near numerous restaurants, retail, support services and employment destinations. The proposed new residential building and integrated, unified site design with existing commercial uses will encourage residents and visitors to utilize the surrounding businesses for their everyday dining and retail needs.

LU 5

Promote land use patterns that conserve resources, including land, clean air, water, and energy.

LU 5.1 Encourage a variety of compatible mixed-use land uses within or next to Growth and Activity Areas, along major streets, and within particular Character Areas to reduce automobile use and improve air quality.

LU 5.2 Concentrate greater development intensities in Growth and Activity Areas, thereby reducing development pressures in low-density areas and conserving energy.

Response: Integrating new residential on the Property will offer a wider range of housing choices for the residents of Scottsdale. The location of the Property near abundant retail, restaurants, and support services is ideally situated for redevelopment. This synergy of land uses and concentration of new residential in a mixed-use setting inherently allows for the conservation of resources, reduced vehicle trips, and improved air quality.

LU 6

Attract and retain diverse employment, business, and retail land uses to improve the economic well-being of Scottsdale's residents.

LU 6.1 Promote opportunities for the expansion and revitalization of employment and commercial uses within the city.

LU 6.2 Support well-planned, clustered employment centers of related or similar uses such as Healthcare and Research and Development land uses.

LU 6.3 Encourage commercial land uses of similar scale and character in proximity to or within medium- to high-density residential areas to promote walkable connections.

Response: The rezoning request will accelerate the redevelopment of a struggling retail site, surrounded by a variety of supporting commercial, services, and residential land uses that will offer services to the residents and visitors of the development. The Property's existing retail center building is setback approximately 200+/- feet north of Shea Boulevard, which makes it less suitable for successful retail yet ideally situated for residential. The proposed investment is estimated at \$90,000,000 and the addition of new residences will bring additional sales tax dollars to the area, help preserve existing small businesses, further strengthening Scottsdale's economic stability and promoting the lifestyle qualities Scottsdale is known for.



❖ SUSTAINABILITY & ENVIRONMENT

Open Space Element

OS 5

Provide developed open space and outdoor opportunities in Scottsdale neighborhoods, giving priority to areas that are most lacking open space.

OS 5.3 Capitalize on opportunities to create new, or connect and expand existing, open spaces in established areas when redevelopment occurs.

Response: The common open space and pedestrian pathways will be improved from the Property's current condition and designed to provide a meaningful and inviting public pedestrian connection in and around the Property vs. a suburban car-centric commercial center. As part of the redevelopment, open space will increase from approximately 59,996 s.f. (existing) to 94,600 s.f. (proposed); an 58% increase. However, the PUD required open space is 37,545 s.f. (10%) and the proposed 94,600 s.f. (25%) is approximately a 152% increase. This common open space area offers both passive and active recreational opportunities through pedestrian connections, outdoor amenities, and abundant vegetation.

Environmental Planning Element

EP 1

Protect and enhance Scottsdale's human and Sonoran Desert habitats.

EP 1.1 Retain Scottsdale's Sonoran Desert aesthetic values and heritage.

EP 1.3 Require developments to retain and integrate the Sonoran Desert ecosystem.

EP 1.4 Preserve local plants, wildlife, and natural resources to maintain the biodiversity and long-term sustainability of the area's ecology.

Response:

The builder intends to preserve existing native and mature trees as well as provide new native and arid-adapted plant material which contribute to the broader surrounding environmental context. The design focuses on creating a comfortable and walkable experience for users within existing context. This enhanced experience will be achieved by increasing site shade and providing spaces for respite whether along a public sidewalk or within the outdoor community spaces. These elements respect the local natural resources and wildlife while promoting the long-term sustainability of the area's ecology.

EP 2

Demonstrate and expand the city's leadership in environmental stewardship and sustainability.

EP 2.4 Expand Scottsdale's Green Building Program to maintain regional and national leadership in green and low-impact development.

Response:

The new residential building and site design will focus on the follow key features in response to sustainability:

Overall Design and Methods:

- Project will support the area's existing small businesses by bringing in new residents within walking distance and will provide better pedestrian connectivity to the existing commercial/retail center
- This building will exceed required standards and meet all IGCC design standards
- Potential for flooding reduced with green infrastructure/low impact development practices

Energy:

- Reduce energy consumption with high-efficiency HVAC equipment, LED lighting, motion and occupancy sensors in common areas, and smart-building technology
- Building envelope will utilize exterior shading, high-quality interior roller shades and building articulation to minimize direct solar heat gain
- Building envelope walls, roofs, and windows will have enhanced insulated to reduce heat gain at the occupied spaces where feasible
- "Cool roof" to minimize heat gain
- Exterior ceiling fans for air movement and cooling

Transportation:

- On site electric vehicle charging stations
- Preferred parking for low emission/hybrid vehicles
- Secured bicycle racks and indoor storage
- On-site bicycle repair station offering bicycle maintenance for residents and patrons

- Enhancing the sidewalk along Shea Boulevard

Water:

- Expected water use reduction of 62% as compared to the existing and allowed commercial uses
- Irrigation controllers will utilize flow monitoring and evapotranspiration-based weather sensors
- Nighttime landscape watering to reduce evaporation loss
- Design of open space elements and plant materials will include sustainable, low water use and low maintenance landscape improvements
- Synthetic turf
- Specifications include low flow faucets and shower heads
- Specifications included leak sensors
- Specifications include tenant sub-meter with data collection to be shared with the City for more detailed water usage of multifamily communities
- Water harvesting/bio-swales in some landscape areas
- EZ flow fertigation system to improve water quality of irrigation water

Urban Heat Island:

- Reduce heat island effect by removing 2.1+/- acres of surface parking asphalt resulting in a 300% reduction in pavement
- Reduce urban heat island effect by increasing the amount of shade trees (30+/- additional trees)
- Design of all open space elements will include shade trees, shade elements and minimal hardscape to reduce heat absorption and contribute to carbon reduction
- Landscape design to include 48” box trees
- Permeable pavers at drop-off

Community:

- Operable windows and doors at all units and common spaces to enhance air quality and resident health
- Attention to wellness factor for residents and the surrounding community – emphasis on the visual and spatial approach and experience
- Attention to respite and access to outdoor areas for resident well-being – common resident areas with access to outdoors with two separate courtyards
- Natural lighting for resident well-being and to reduce energy consumption

EP 3

Participate in local and regional efforts to improve air quality.

EP 3.1 Reduce automobile emissions through traffic management; transportation improvements; promotion of a wide variety of mobility options; travel demand reduction strategies; expansion of regional connectivity; and use of electric and alternative fuel vehicles

Response:

In addition to the mixed-use character of the proposal, well-situated amongst existing retail, restaurants and support services, the design will provide onsite electric vehicle charging and preferred parking for low emission/hybrid vehicles. Bicycle racks, secured bicycle storage, as well as a bicycle repair station will be provided for residents and the public. The site is located within close proximity to Valley Metro transit connections near Scottsdale Road and Shea Boulevard. These features along with providing less expensive housing options for the nearby workforce will contribute to reduced vehicle emissions and fewer vehicle trips.

EP 5

Encourage environmentally sound green buildings and low-impact site plans that support sustainable desert living.

EP 5.2 Increase the use of green infrastructure, including low-impact development (LID) stormwater management techniques, such as curb openings and permeable pavement.

EP 5.3 Construct durable and sustainable buildings using green building principles.

EP 5.4 Promote passive solar site and building design strategies that recognize and respond to the Sonoran Desert climate.

EP 5.5 Expand Green Building construction standards to include all new and remodeled residential and commercial buildings.

Response:

This proposed building will exceed required sustainability standards and meet all IGCC design standards. The use of green infrastructure, including low-impact development (LID) stormwater management techniques will be emphasized. Residential building design will utilize passive solar through exterior shading and building articulation to minimize direct solar heat gain.

EP 7

Identify and reduce heat islands.

EP 7.1 Identify areas most impacted by the heat island effect, and prioritize mitigation for these areas to reduce heat impacts.

EP 7.2 Incorporate development strategies such as shared parking models and the use of “cool materials” (e.g., landscaping, green roofs, reflective pavement, heat reduction asphalt coatings, permeable concrete, and treated dirt areas) to help reduce the heat island effect.

EP 7.3 Develop and support programs, such as a Tree Canopy Plan, that identify and increase vegetation and shading in areas of high pedestrian activity.

EP 7.4 Promote the long-term management and maintenance of urban and open area vegetation and protect and expand the provision of private and public open spaces to reduce the heat island effect.

EP 7.5 Minimize asphalt and promote alternative parking surfaces.

Response:

The removal of the existing asphalt parking and replacing it with underground parking and increased onsite landscaped open space contributes to the reduction of the urban heat island. The removal of surface parking as part of the site redevelopment will result in a 300% reduction in asphalt (135,000 s.f. existing to 45,000 s.f. remaining). The implementation of a shaded sidewalk network around and through the community increases the amount vegetation onsite and promotes pedestrian activity, outdoor enjoyment, and walkability. Color and material selection of the building finishes will provide reflectivity and reduced heat gain. The design includes a private outdoor living space for each resident to enjoy.

EP 8

Plan, prepare, and adapt for significant climate impacts on city infrastructure and operations.

EP 8.1 Develop, adopt, and implement climate action and resiliency strategies that address areas of climate mitigation planning such as emissions, drought, energy, transportation, and extreme heat.

EP 8.2 Increase energy efficiency in buildings and vehicle fleets.

EP 8.3 Encourage use of clean, renewable energy sources.

EP 8.4 Employ green building and green infrastructure best practices.

EP 8.5 Establish land use and mobility plans that decrease transportation carbon emissions.

EP 8.6 Encourage waste reduction and water conservation.

Response:

The residential building design includes drought tolerant plant material able to withstand extreme heat conditions promoting water conservation. The City's International Green Construction Codes ("IGCC") and sustainable building methods and techniques will be implemented with the residential building. Additionally, the use of local building materials and/or repurposed materials will be implemented wherever possible through local material collection programs such as Stardust. The mixed-use nature of the residential building inherently promotes environmental preservation characteristics by offering housing for the nearby workforce and land use sustainability. Redeveloping and revitalizing an infill site surrounded by abundant retail and support services encourages walkability and reduced vehicle trips promoting the live, play, work General Plan objective.

Conservation Element

CONSV 1

Achieve a sustainable balance between the conservation of natural resources and development of the built environment.

CONSV 1.4 Encourage landscape designs that promote water conservation, prevent erosion, reduce the heat island effect, and decrease stormwater runoff.

CONSV 1.5 Protect and restore ecosystems that maintain water quality, reduce flooding, and enhance sustainable resource development.

Response:

Plant specifications and accent materials will consist of low-maintenance and drought tolerant species. Trees selection and placement will focus on providing shaded sidewalks and outdoor common space. The proposed 94,600 s.f. of open space, a 58% increase from the existing condition, will promote water conservation, prevent erosion, reduce the heat island effect, and decrease stormwater runoff. These efforts will help protect the ecosystem and reduce flooding.

CONSV 2

Protect and manage Sonoran Desert biodiversity and native ecosystems.

CONSV 2.1 Preserve, salvage, and/or restore native plants, wildlife habitat, and natural resources to maintain the biodiversity and long-term sustainability of the area's desert ecology and character.

CONSV 2.2 Encourage landscaping that limits the amount of grass and makes optimal use of native desert plants.

Response:

The builder intends to preserve existing native and mature trees as well as provide new native and low water use plant material which contribute to the broader surrounding environmental context. The plant selection includes Palo Brea, Palo Verde, Fruitless Olive, Ghost Gum, and Chinese Elm, as well as other desert varieties, which will provide shade and comfort to residents and pedestrians while contributing to the long-term sustainability of the area's Sonoran Desert ecology and character.

CONSV 4

Conserve water and encourage the reuse of wastewater.

CONSV 4.3 Continue to thoroughly review development impacts on water use and encourage development design that fosters water conservation.

CONSV 4.8 Explore new and evolving water conservation and reuse technologies and use them as appropriate.

Response:

An expected water use reduction of 62% is projected as compared to the existing and allowed commercial land uses. Water conservation will be achieved through drip irrigation and smart controller systems, nighttime landscape watering, use of synthetic turf, leak sensors, sustainable low water use landscaping, and implementation of low flow faucets and shower heads.

Energy Element

E 3

Promote building and site designs that maximize energy efficiency.

E 3.1 Encourage the use of natural properties and sustainable building systems (e.g., sun, shade, thick walls, insulation) to reduce the demand for and use of mechanical cooling and heating systems.

E 3.2 Encourage the use of drought tolerant landscaping to reduce summer solar heat gain.

E 3.3 Promote solar energy opportunities in building and site design.

E 3.4 Incorporate healthy, resource- and energy-efficient materials and methods in design, construction, and remodeling of buildings.

E 3.5 Orient buildings and lots in ways that minimize summer solar heat gain, maximize roof solar access and natural ventilation, and limit roof solar access obstructions of neighboring structures.

E 3.6 Improve the energy efficiency of the building envelope, heating and cooling systems, lighting, and appliances.

Response:

Residential building orientation and design allows for abundant shaded outdoor community space/courtyards and natural ventilation for all residential units. Residential building envelope walls, roofs and windows will include enhanced insulation to reduce heat gain. Drought tolerant landscape will be installed throughout in response to the Southwestern climate while still providing abundant shade and solar relief. Energy efficient building systems, HVAC, interior/exterior lighting, and appliances will be utilized.

❖ COLLABORATION & ENGAGEMENT

Community Involvement Element

CI 1

Seek early and ongoing community involvement through broad public input in project and policy-making discussions.

CI 1.1 Maximize opportunities for early notification of proposed projects using a variety of methods.

CI 1.2 Use public involvement plans to identify and engage interested parties and provide opportunities for information exchange.

Response: Public participation and community outreach is an important part of the rezoning process. Technical Solutions began neighborhood outreach early in the process and maintains on-going dialogue with the community and stakeholders. Feedback from one-on-one meetings, phone calls, and the required open house meeting is shared with City Staff and memorialized in the Public Participation plan submitted with this General Plan Amendment and zoning application.

❖ COMMUNITY WELL-BEING

Healthy Community Element

HC 3

Build on Scottsdale's leadership role in wellness and healthful living.

HC 3.1 Provide quality recreation, community events, and neighborhood services that foster physical activity and encourage healthful living.

HC 3.4 Continue to foster and market Scottsdale as a resort, wellness, rejuvenation, and healthcare destination.

Response: The integrated Property offers a healthful lifestyle based on its proximity to retail/support services, state of the art medical care, recreational opportunities, and multimodal transportation alternatives promoting healthful living and maintaining a Scottsdale lifestyle for our residents with focus on the nearby workforce including but not limited to teachers, nurses, and local small business workers. The Scottsdale/Paradise Valley YMCA is located approximately 800 feet to the west and Chaparral High School is approximately 1,500 feet south of the site offering additional residential options to those families. The proposed mixed-use community offers amenities such as landscaped outdoor community space, and a bicycle repair station (publicly accessible). As noted below in the Recreation Element, beyond the immediate area, the Property is approximately 2+/- miles away from a shared public pathway system that offers abundant recreational opportunities within the Camelback Walk connecting to the Indian Bend Wash.

Housing Element

H 1

Support diverse, safe, resource-efficient, and high-quality housing options.

H 1.1 Maintain Scottsdale's quality-driven development review standards for new development.

H 1.2 Promote complementary physical design, building structure, landscaping, and lot layout relationships between existing and new construction.

H 1.3 Ensure community dialogue during zoning and the development review processes to encourage context appropriate development designs.

H 1.4 Support the creation of mixed-use projects, primarily in Growth and Activity Areas, to increase housing supply withing walking distance of employment, transportation options, and services.

H 1.5 Encourage a variety of housing densities in context-appropriate locations throughout Scottsdale to accommodate projected population growth.

Response: Scottsdale is experiencing an increased demand for housing options. This proposal will help meet the growing need for housing while also providing housing for teachers, nurses, first responders, and small business workers, further contributing to the long-term economic prosperity of the surrounding area. Further, the development will help diversify the local economy and support a sustainable economic future as the City continues to grow, change, and mature. According to a recent analysis by the City, approximately 72% of City of Scottsdale employees do not live in Scottsdale, while 84% of police and 83% of fire employees do not live in Scottsdale.

Recreation Element

R 2

Provide and enhance recreational opportunities that meet the diverse needs of Scottsdale's citizens and visitors.

R 2.5 Develop and maintain a citywide interconnected network of trails to provide valuable recreation and fitness opportunities for residents and visitors. Where possible, trails should connect to neighborhoods and serve major destinations.

R 2.6 Provide multi-generational recreation programming and facilities, that consider the full spectrum of community and special social or physical needs, interests, and financial resources.

Response: In addition to immediate walkability to retail, restaurants, and support services, the Scottsdale/Paradise Valley YMCA is located approximately 800 feet to the west and Chaparral High School is located approximately 1,500 feet to the south. The Property is located approximately 2+/- miles west of a public shared pathway system which links to Camelback Walk (near HonorHealth Shea and Mustang Library) and further south to the Indian Bend Wash. This

pathway system also links northward extending to WestWorld. The greenbelt system provides abundant recreational and fitness opportunities for residents connecting them to multiple destinations.

Safety Element

S 6

Protect the health, safety, and welfare of the public from the impacts of flooding.

S 6.1 Identify drainage system needs, and make improvements where flood control problems exist

Response: A drainage report is provided with the zoning application addressing the public safety and welfare of residents with respect to drainage systems in conformance with City requirements.

❖ CONNECTIVITY

Circulation Element

C 1

Design and improve transportation corridors to safely and efficiently move people and goods.

C 1.1 Support the public transit system to assure adequate and affordable access to and within our community for citizens, employees, visitors, and businesses through the use of future technologies and micro-mobility options.

C 1.2 Coordinate transportation and land use planning to enhance an integrated, sustainable transportation system that promotes livable neighborhoods, economic vitality, safety, efficiency, mode choice, and adequate parking.

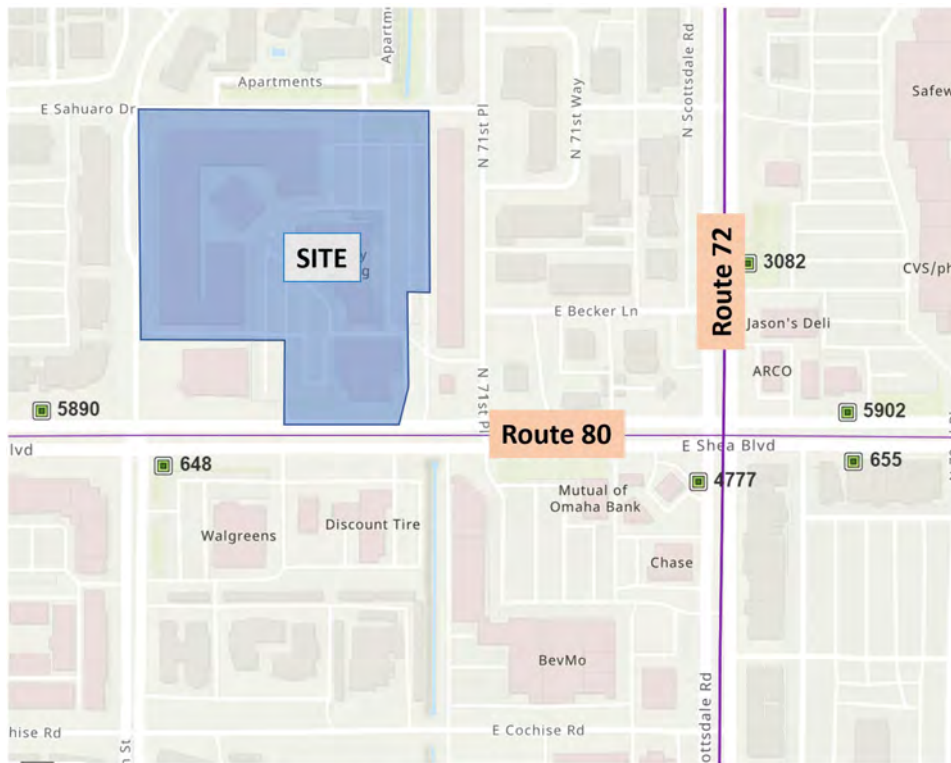
C 1.5 Incorporate strategies and technologies that efficiently move people, improve transportation system capacity and enhance mobility choices.

C 1.7 Retrofit aging neighborhood infrastructure and streets and create non-motorized neighborhood connections to enhance livability, safety, accessibility, and comfort.

Response: The Property is located west of the intersection of Scottsdale Road and Shea Boulevard, with nearby access to public transportation, and is approximately two miles away from the Loop 101, which provides regional access. Valley Metro bus Route 72 runs north-south along Scottsdale Road approximately 700 feet east of the Property, providing connections from Grayhawk to Chandler. Valley Metro transit Route 80 runs east-west along Shea Boulevard providing connections from Mustang Library to Glendale. Beyond the immediately adjacent context, the Property is located within close proximity to numerous employment, medical, and service-related business.

The Property is well situated to benefit and further enhance a walkable environment through streetscape sidewalk connectivity and the internal pedestrian pathways connecting to area businesses. The development plan includes increased pedestrian connectivity between the proposed residential building and existing commercial buildings. Specifically, at the existing internal roundabout there is newly proposed pavement striping along the south edge of the roundabout to better connect pedestrians between the residential building and the existing commercial. At the north side of the roundabout, a new accessible ramp is proposed on the existing commercial center side at the proposed pedestrian connection from the residential.

Transit Routes



Source: valleymetro.org

C 2

Reduce the number, length, and frequency of automobile trips to improve air quality, reduce traffic congestion, and enhance quality of life and the environment.

C 2.1 Encourage a mix of land uses that will reduce the distance and frequency of automobile trips and support mobility choices.

C 2.2 Integrate a variety of mobility choices along local and regional transportation corridors.

C 2.3 Reduce demands on transportation networks by using trip reduction strategies and travel demand management techniques, including technology and applications, telecommuting,

alternative work schedules, carpooling, and transit/bicycling incentives in order to provide travelers with effective choices to improve travel reliability.

C 2.4 Work with employers to provide incentives and encouragement for trip reduction strategies.

C 2.5 Promote non-motorized travel for short neighborhood trips.

Response: As mentioned above, the Property is well-situated for regional access while also taking advantage of transit opportunities and promoting walkability. The design implements a range of General Plan goals and policies including the integration of new high-quality, vibrant architecture, and context appropriate site planning, creating a pedestrian presence with ground level activity and shaded micro-environment through landscaping. The proposed addition of residential housing options within a mixed-use context will reduce trip generation. The mixed-use proposal results in 78% fewer vehicle trips than the existing commercial retail (if it could be leased) as demonstrated in the traffic report provided with the zoning submittal.

C 3

Continue to develop an effective, safe, and connected multimodal transportation system (e.g., streets, trails, bikeways, shared-use paths, transit).

C 3.5 Increase accessibility to transit options through non-motorized and other transit connections, such as, neighborhood circulators; on-demand transportation network companies; improved/enhanced sidewalks, multimodal paths, bicycle lanes; and non-motorized options for the final mile to reach public transit services.

C 3.6 Create, preserve, and enhance multimodal connections between residential areas and neighborhood-supporting land uses.

Response: The proposed mixed-use residential community is integrated within an established area of the city near retail/support services and employment with multimodal transportation options. The design includes bicycle racks, secured bicycle storage, and a bicycle repair station for its residents and the public and promotes walkability through the integration of new shaded sidewalks and ground level synergy.

C 8

Provide a comfortable and accessible transportation system to increase ability to reach goods, services, and activities. Many factors affect accessibility, including mobility (physical movement), the quality and affordability of transportation options, transportation system connectivity, and land use patterns.

C 8.1 Provide pedestrian safety, comfort, and amenities that reflect streetscape design and character of an area.

Response: The streetscape design and ground level activity will enhance comfort and ease of walkability for residents and visitors. Hardscape, landscape, lighting, and wayfinding will respect the user and provide unified connectivity to the established pedestrian network in and around the Property. Streetscapes have been improved to encourage pedestrian comfort, safety, and

accessibility with the proposal. The sidewalks will be upgraded along Scottsdale Road and Sahuaro Drive to include a new 8-ft wide sidewalk in addition to new 48” box shade trees. Sidewalks around the building and providing connectivity to the existing commercial retail will be 6-ft wide. Ample shade trees will be provided for pedestrian comfort.

Bicycling Element

B 1

Develop continuous, accessible, and interconnected bicycle networks.

B 1.1 Continue to participate in regional bikeway system planning.

B 1.2 Promote convenient connections between on-street and off-street bicycling networks throughout the city and with neighboring jurisdictions.

B 1.3 Continue to integrate bicycle lanes and buffered bicycle lanes through street restriping and other techniques.

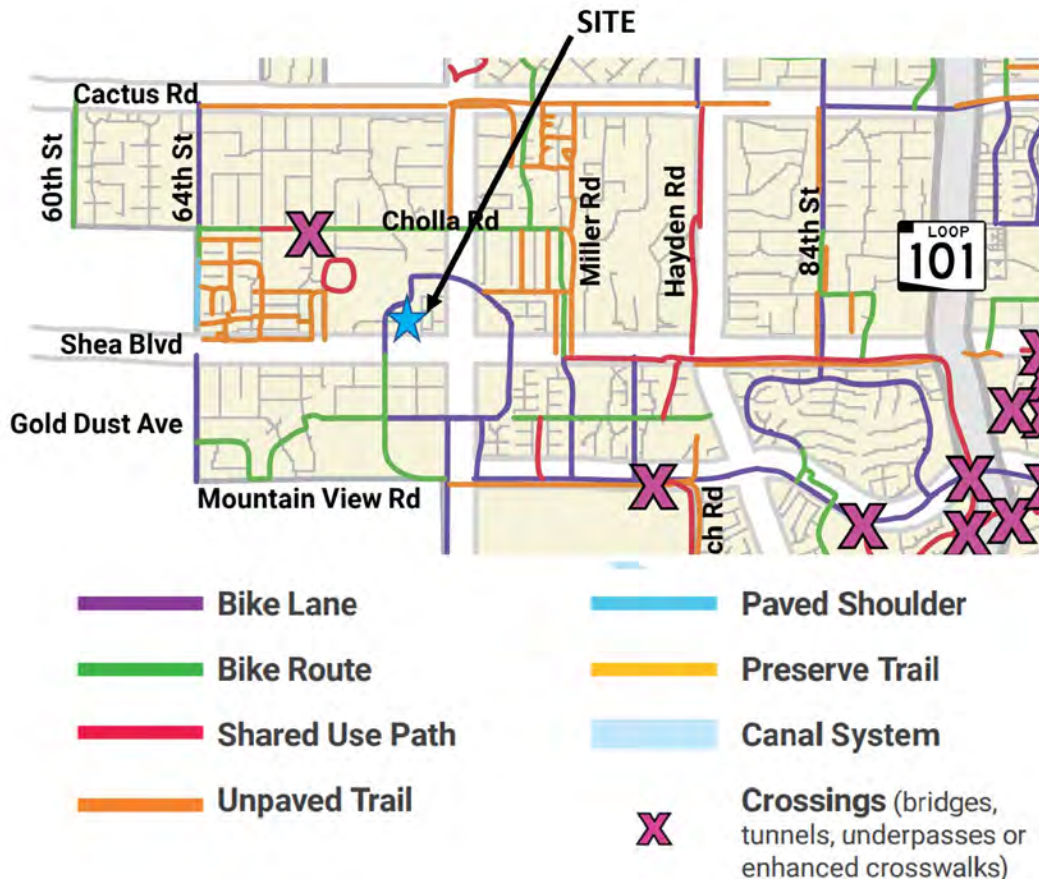
B 1.4 Continue to expand and enhance off-street bicycling networks, and connect them to existing and planned on-street bicycle networks.

Response: The existing bike lanes along 70th Street will be maintained, which provide connectivity to the to a greater open space recreation element as depicted below. Additionally, the Property is located with approximately 2+/- miles of the Camelback Walk connecting to the Indian Bend Wash areas which are accessible via Shea Boulevard, Gold Dust Avenue, and Mountain View Road. Bicycle racks and bicycle storage will be provided onsite in conformance with City standards. Additionally, a bicycle station will be provided onsite for the residents and the public offering bicycle repair and maintenance.



Source: experiencescottsdale.com

Bicycle & Trails Map



Source: scottsdaleaz.gov/transportation/paths-trails

❖ **REVITALIZATION**

Neighborhood Preservation & Revitalization Element

NPR 1

Preserve and enhance the character, identity, and quality of Scottsdale’s diverse neighborhoods.

NPR 1.1 Support innovative, well-designed, sustainable building construction and rehabilitation to enhance neighborhood character and identity.

NPR 1.2 New construction and exterior remodels or renovations should sensitively address neighborhood character and transition areas.

Response: Redevelopment and revitalization of the site for a new mixed-use residential community brings a wide range of amenities including, but not limited to, enhanced landscape and hardscape, shade, improved pedestrian connectivity, sensitive edge buffering, vibrant architecture,

placemaking and underground parking. The mixed-use community will maintain sensitive edge conditions and transitions to the adjacent built environment including existing two and three-story multifamily buildings.

Only two amended development standards are being requested with the application: the addition of the word “MINIMUM” with respect to the average setback requirement to clarify that average setbacks can be greater than the minimum as dictated by the development plan, and to allow for minor building, wall, and roofline encroachments for the existing commercial building. The residential building will be compliant with the base PUD development standards.

NPR 5

Promote neighborhood interaction to help create and maintain strong communities.

NPR 5.1 Preserve existing and create new public gathering spaces within walking distance of residential areas.

NPR 5.3 Encourage physical and social links between non-residential and residential land uses.

Response: The proposed mixed-use residential development contributes towards a pedestrian oriented atmosphere by improving the pedestrian realm with activation of the adjacent street frontage through widened sidewalks, increased open space, new shade trees, and direct unit access along Shea Boulevard and Sahuaro Drive. Improving the pedestrian character and safety of redevelopment sites is a key component to maintaining a thriving mixed-use community that minimizes focus on the automobile and encourages multimodal transportation. The Property is within close proximity to retail/support services and provides a greater balance of land uses to better serve the changing needs of Scottsdale.



Conservation, Rehabilitation, & Redevelopment Element

CRR 1

Support high-quality, context-appropriate redevelopment, rehabilitation, and conservation to promote long-term neighborhood stability.

CRR 1.1 Support redevelopment that is sensitive to the identity and character of Scottsdale's maturing neighborhoods.

CRR 1.2 Continue strategic and proactive intervention efforts for property redevelopment, rehabilitation, and maintenance on properties beginning to show signs of decline, so as to prevent further progression of blight, distress, underutilization, or deterioration.

CRR 1.3 Support the proactive participation of affected residents and business owners during the planning and implementation of redevelopment and neighborhood conservation projects.

CRR 1.5 Protect established areas/neighborhoods by promoting context-appropriate infill development; sensitive neighborhood and property assemblage; and innovative adaptive reuse of existing community resources and historic properties.

CRR 1.6 Upgrade substandard infrastructure during redevelopment and rehabilitation projects.

Response: The unified redevelopment of this Property with a mixed-use residential community will bring new vibrant architecture and site design to an aging and vacating suburban-style retail site with asphalt surface parking that was developed under the exiting C-2 zoning. Infrastructure and pedestrian connectivity will be improved. The design of the new residential building took inspiration from the surrounding architectural character through building massing, materials, color and detailing while respecting the Southwestern climate. As demonstrated in the Public Participation plan submitted with the zoning application, neighborhood outreach is ongoing throughout the process to ensure dialogue with the community and surrounding property owners regarding the request.

CRR 2

Sustain long-term economic well-being through redevelopment, rehabilitation, and conservation.

CRR 2.1 Support and encourage public and private economic reinvestment in declining areas.

CRR 2.2 Encourage reinvestment that positively impacts the visual impressions and experiences of residents, businesses, and visitors.

CRR 2.3 Promote redevelopment and rehabilitation of older commercial areas to maintain Scottsdale's standing as one of the major retail, restaurant, and entertainment destinations within the metropolitan area.

CRR 2.4 Foster redevelopment and rehabilitation of mature employment centers to enhance Scottsdale’s commercial property inventory and provide new job opportunities.

CRR 2.5 Encourage healthy, resource- and energy-efficient building materials and methods during conservation, rehabilitation, and redevelopment efforts.

Response: Revitalizing and redeveloping properties is a critical part of the economic vitality of the community as it grows and changes. Integrating new land use options on underutilized and/or vacant sites is essential for the continuing economic growth and sustainability of Scottsdale. This proposal will bring an estimated \$90,000,000 reinvestment to a struggling retail center that has had long term vacancy issues in the “Age of Amazon”. This proposal implements this General Plan goal by integrating a residential community in a mixed-use setting with convenient access to retail, educational, employment, medical, and major transportation corridors. The proposal will reinvigorate the Property, stimulate additional taxpayer dollars, provide additional jobs, and encourage more infill development of aging properties. Use of efficient sustainable building materials will be implemented as discussed above under the Environmental Planning Element.

Growth Areas Element

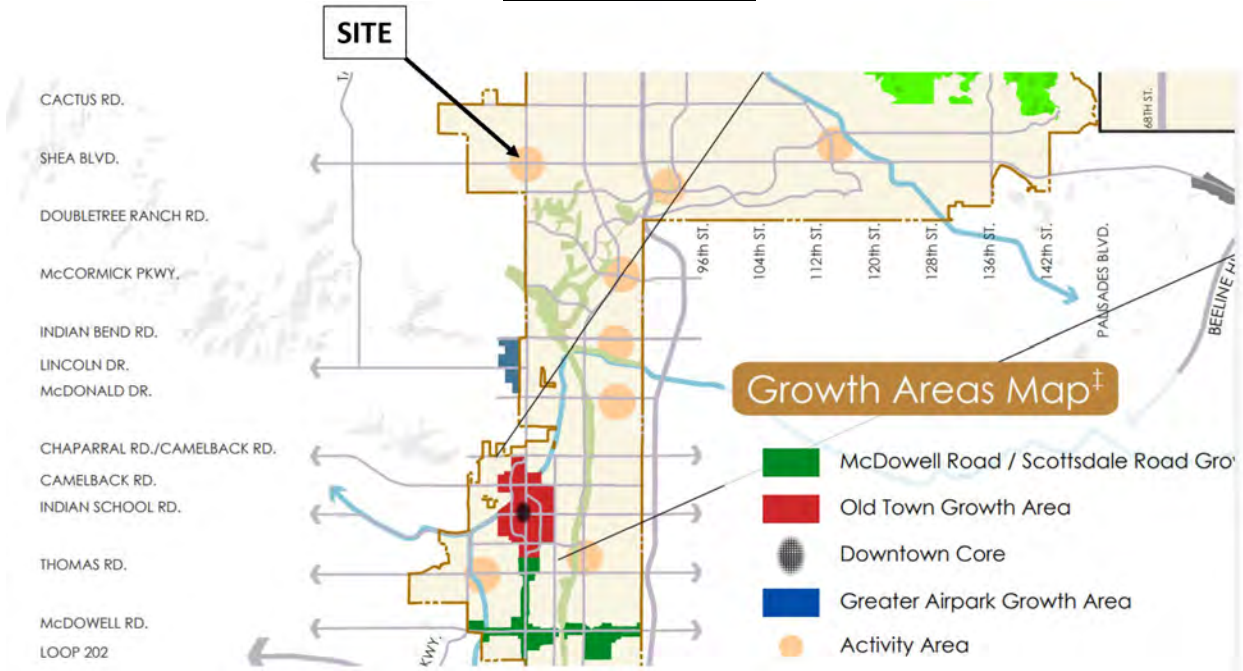
GA 1

Direct growth in areas of the city that can support a concentration of development density and intensity, as well as a broad mix of uses.

GA 1.5 Identify Growth and Activity Area “edges,” and incorporate context-appropriate transitions between these “edges” and adjacent neighborhoods to minimize the impacts of higher-intensity development.

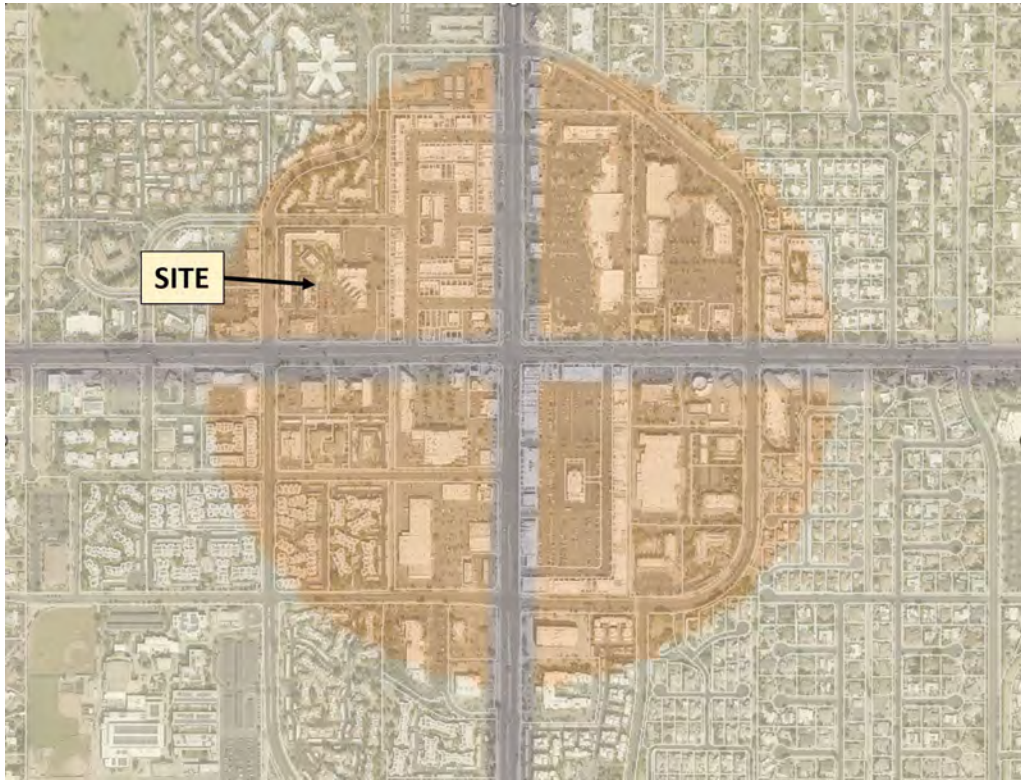
Response: The Property is located within the Scottsdale Road and Shea Boulevard Activity Area surrounded by compatible established land uses including multifamily residential and retail/service-related businesses. Integrating new residences and supporting amenities brings a physical and economic synergy that will continue to enliven and enhance the area consistent with the “live, work, play” goals and policies of the General Plan by offering new housing options and unique amenities for its residents including teachers, first responders, healthcare workers, and others. Redevelopment and revitalization of the Property brings a wide range of amenities including, but not limited to, ground level activation, enhanced landscape and hardscape, shade, improved pedestrian connectivity, sensitive edge buffering, vibrant architecture, placemaking, a and underground parking. According to a recent analysis by the City, approximately 72% of City of Scottsdale employees do not live in Scottsdale, while 84% of police and 83% of fire employees do not live in Scottsdale. The building massing is designed to respectfully integrate with the surrounding building heights by proposing a stepped design along the streetscape with architectural elements influenced by the existing retail uses.

Growth Areas Map



Source: 2035 General Plan

Shea/Scottsdale Activity Area Aerial Overlay



GA 5

Recognize and build on the character and diversity of Scottsdale’s various Growth and Activity Areas.

GA 5.1 Support land use compatibility with nearby neighborhoods through context- appropriate development within Growth and Activity Areas.

GA 5.2 Protect key economic and historic assets from incompatible land uses in designated Growth and Activity Areas.

GA 5.4 Promote new development, revitalization, and redevelopment within Growth and Activity Areas that maintains fiscal sustainability, promotes long-term economic development goals, and enhances quality of life.

Response: The Property is located within the Scottsdale Road and Shea Boulevard Activity Area as delineated in the 2035 General Plan. The proposed development is contextually appropriate with respect to land use and physical improvements including massing, architecture, materials, landscape, hardscape, and lighting. The synergy of uses between the proposed mixed-use residential community and existing adjacent commercial retail and employment uses will bolster the economic vitality of the area. Redeveloping and revitalizing underutilized and/or vacant infill sites is key to promoting land use and economic sustainability; allowing reinvestment to strengthen the long-term success of Scottsdale and area businesses.

Cost of Development Element

COD 1

As permitted by State Law, require development to pay its fair share of the cost of public service needs it generates.

COD 1.6 Continue to use water, water resources, and sewer development fees to ensure that new growth pays for itself without adversely impacting existing customers.

Response: The development will comply with all City requirement with respect to water and sewer development fees to ensure that development pays for growth.

COD 2

Promote development timing guided by the adequacy of existing and/or expandable infrastructure, services, and facilities.

COD 2.2 Ensure proposed development commits to construction of primary water, wastewater, and circulation systems, as necessary, before approval.

Response: Consistent with City requirements, the builder has submitted water and sewer basis of design reports, as well as a traffic report, with the zoning application to ensure adequate infrastructure and transportation systems are in place to serve the proposed use. The proposed land

use provides residential housing options within a mixed-use context, thereby reducing trip generation. Also, the mixed-use proposal results in fewer vehicle trips than the current commercial zoning as demonstrated in the traffic report provided with the zoning submittal.

❖ **INNOVATION & PROSPERITY**

Economic Vitality Element

EV 1

Foster Scottsdale’s resiliency to economic change through support of our core industries (e.g., tourism, healthcare, bio/life sciences, advanced business services), assets, regional competitiveness, and economic diversity.

EV 1.2 Support retention and expansion of established businesses and provide resources for businesses to adapt to changing market conditions.

EV 1.3 Diversify Scottsdale’s businesses, focusing on industries that add value to the existing economic environment.

Response: Providing a variety of housing options that address the needs of multiple demographics contributes to a strong economic base. This proposal will meet the growing need for housing options and contribute to the long-term economic prosperity of the surrounding area by providing residents the opportunity to live near employment areas such as the Scottsdale/Shea area, Scottsdale Airpark, and HonorHealth Shea Medical Campus as well as nearby Chaparral High School. Further, the development will help diversify the local economy and support a sustainable economic future as the City continues to grow, change, and mature.

PUD CRITERIA

Section 5.5003 of the City’s Zoning Code sets forth the criteria that must be satisfied when considering an application for a PUD District:

A. PUD Zoning District approval criteria.

1. As part of the approval or modified approval of an application for a PUD District, the Planning Commission shall recommend, and the City Council shall find that the following criteria have been met:

a. The proposed development promotes revitalization, the goals, policies, and guidelines of the General Plan, area plans, and design guidelines.

Response: As demonstrated in the General Plan section above, the proposed development promotes revitalization and upholds the goals and policies set forth in these documents.

b. The proposed development’s uses, densities, or development standards would not otherwise be permitted by the property’s existing zoning.

Response: The development standards proposed with the application align best with the PUD zoning district.

c. The proposed development will be compatible with adjacent land uses and promotes the stability and integrity of abutting or adjacent residential neighborhoods.

Response: As an infill redevelopment project, the proposed design is respectful of the existing edge conditions in terms of setbacks, building placement, building height transitioning, human-scale and landscaping buffers. The architectural character of the proposed residential component is complementary of the existing commercial.

Integrating a mixed-use residential community into the Scottsdale Road and Shea Boulevard area is consistent with the goals and policies of the 2035 General Plan by offering new housing options for residents and encouraging a mix of synergistic land uses further strengthening the economic viability of this area, which is primarily composed of non-residential uses. This proposal will bring an estimated \$90,000,000 reinvestment to a struggling retail center (33% vacancy). The building massing is designed to respectfully integrate with the surrounding building heights by proposing a stepped design along the streetscape with architectural elements influenced by the existing retail uses.

d. There is adequate infrastructure and city services to serve the development.

Response: Water and Sewer reports are included with the application and demonstrate that there is adequate infrastructure and city services to serve the development.

The Property is well-situated for regional access while also taking advantage of transit opportunities and promoting walkability. The design implements a range of General Plan goals and policies including context appropriate site planning, creating a pedestrian presence with ground level activity and shaded micro-environment through landscaping. The proposed land use also provides residential housing options within a mixed-use context, thereby reducing trip generation. The mixed-use proposal results in fewer vehicle trips than the existing commercial zoning as demonstrated in the traffic report provided with the zoning submittal.

e. The proposal meets the following criteria:

i. The proposed development is not located within any area zoned Environmentally Sensitive Lands Ordinance (ESL) nor within the boundaries of the Downtown Area.

Response: Not applicable.

ii. The proposed development fronts onto a major or minor arterial and/or major collector street as designated in the Transportation Master Plan.

Response: The site has frontage on Shea Boulevard, a major arterial.

B. Amended development standards.

1. *To encourage sensitivity to site conditions and provide flexibility in planning, development standards outlined in Section 5.5005., excluding C. Allowable building height and D. Exception to building height, may be amended upon recommendation by the Planning Commission and a finding by the City Council that the amended development standards achieve the purposes of the planned unit development district better than the existing standards.*

Response: With this application, the following amendments are being requested to the property development standards given the unique configuration of this infill site.

- **Average Setback:** Addition of the word “**MINIMUM**” with respect to the average setback requirement to clarify that average setbacks can be greater than the minimum as dictated by the development plan.
- **Encroachments beyond the Building Envelope:** Architectural features, trellis, canopies, balconies, patio enclosures, covered walkways, and screen walls are allowed to encroach 15 feet beyond the building envelope. This additional provision would allow a maximum encroachment of 15 feet for **BUILDING, WALL, AND ROOF ELEMENTS OF EXISTING STRUCTURES** to accommodate the existing condition of the commercial building.

C. *Development Plan (DP).*

1. *Approval.*

a. Development Review Board considerations.

- i. The Development Review Board shall review the DP elements and make a recommendation to the Planning Commission, based on the following considerations:
 - (1) The design contained in the DP is compatible with development in the area that it may directly affect, and the DP provides a benefit to the city and adjacent neighborhoods.
 - (2) The DP is environmentally responsive, incorporates green building principles, contributes to the city's design guidelines and design objectives, and that any deviations from the design guidelines must be justified by compensating benefits of the DP.
 - (3) The DP will not significantly increase solar shading of adjacent land in comparison with a development that could be developed under the existing zoning district.
 - (4) The DP promotes connectivity between adjacent and abutting parcels, and provides open spaces that are visible at the public right-of-way and useful to the development.

Response: Integrating a mixed-use residential community into the Scottsdale Road and Shea Boulevard area is consistent with the goals and policies of the 2035 General Plan by offering new housing options for residents and encouraging a mix of synergistic land uses further strengthening the economic viability of this area, which is primarily composed of non-residential uses. This

proposal will bring an estimated \$90,000,000 reinvestment to a struggling retail center. The building massing is designed to respectfully integrate with the existing retail center and surrounding three-story building heights by proposing a stepped design and architectural elements. The building character and stepped building mass are complementary to the surrounding development pattern. The proposed building will integrate the existing onsite architectural vernacular utilizing a variety of desert appropriate textures and building finishes, incorporating architectural elements that provide solar relief, shading and deep overhangs, and celebrate the Sonoran Desert climate by creating outdoor spaces and common amenities for its residents while also tying to the existing pedestrian network. Beyond the immediately adjacent context, the Property is located within close proximity to numerous employment, medical, and service-related business. The Property is well situated to benefit and further enhance a walkable environment through streetscape sidewalk connectivity and the internal pedestrian pathways connecting to area businesses.

- b. Upon receiving a recommendation from the Development Review Board, the Planning Commission shall make a recommendation to the City Council for consideration of the DP.

SCOTTSDALE SENSITIVE DESIGN PRINCIPLES

The Character and Design Element of the General Plan states that “Development should respect and enhance the unique climate, topography, vegetation and historical context of Scottsdale's Sonoran Desert environment, all of which are considered amenities that help sustain our community and its quality of life.” The City has established a set of design principles, known as the Scottsdale's Sensitive Design Principles, to reinforce the quality of design in our community. The following Sensitive Design Principles are fundamental to the design and development of the Property. In addition to the response below, please refer to Goal CD 1 above for a specific description of the design elements.

1. *The design character of any area should be enhanced and strengthened by new development.*

Response: The Southwestern contemporary building character and stepped building mass are complementary to the surrounding development pattern. The proposed residential building will utilize a variety of desert appropriate textures and building finishes, incorporate architectural elements that provide solar relief, shading and deep overhangs, and celebrate the Sonoran Desert climate by creating outdoor spaces and common amenities for its residents while also tying to the existing pedestrian network along the streetscape.

2. *Development, through appropriate siting and orientation of buildings, should recognize and preserve established major vistas, as well as protect natural features.*

Response: Although the setting of this site is more urban in character and does not have natural features such as natural washes and natural area open space, the development team has taken special consideration in providing appropriate interaction with the streetscape through building

design and attention to the ground-level experience including additional open space and shade trees.

3. *Development should be sensitive to existing topography and landscaping.*

Response: The Property is redevelopment site located on a relatively flat improved parcel of land that is predominately an asphalt parking lot. Landscaping will consist of low-water use desert appropriate landscaping materials in conformance with established guidelines.

4. *Development should protect the character of the Sonoran Desert by preserving and restoring natural habitats and ecological processes.*

Response: The proposed redevelopment will include desert appropriate landscaping (as well as integration of native plants). Additional landscaping and increased open space areas will contribute to the area's habitat and improve air quality. Also, desert appropriate plants will be able to withstand the variations of the local climate and as they mature, they will become self-sustaining relative to water demand. The proposed 94,600 s.f. of open space, a 58% increase from the existing condition, will promote water conservation, prevent erosion, reduce the heat island effect, and decrease stormwater runoff.

5. *The design of the public realm, including streetscapes, parks, plazas and civic amenities, is an opportunity to provide identity to the community and to convey its design expectations.*

Response: Pedestrian circulation along the streetscape is an important feature of the design, as numerous retail/support services, educational, residential, employment and recreational uses are within walking distance of the Property.

6. *Developments should integrate alternative modes of transportation, including bicycles and bus access, within the pedestrian network that encourage social contact and interaction within the community.*

Response: The Property is well situated for mixed-use residential because it is located within walking distance to a range of supporting land uses including retail, restaurants, , and support services. The development has been designed with an emphasis on the ground level pedestrian experience enhancing the land use goals for this area. Developing residential mixed-use with established transportation options (transit, foot, bicycle) reduces the number and distance of automobile trips and improves air quality, thereby enhancing the quality of life for the entire community.

7. *Development should show consideration for the pedestrian by providing landscaping and shading elements as well as inviting access connections to adjacent developments.*

Response: The proposed building will incorporate design elements that respect human-scale, providing shade and shelter through building form, site, and landscape design.

8. *Buildings should be designed with a logical hierarchy of masses.*

Response: Variation in massing (stepped façade), proportion, material contrast, and architectural detailing will be provided establishing a natural hierarchy. The proposed development also provides continuity between the newly proposed and existing architecture in the surrounding area, providing contextually appropriate redevelopment and visual fluidity along the street frontages. Additionally, no reductions are being requested for building setbacks and stepbacks along the street edge for the new residential building. Only two amended development standards are being requested with the application: the addition of the word “MINIMUM” with respect to the average setback requirement to clarify that average setbacks can be greater than the minimum as dictated by the development plan, and to allow for minor building, wall, and roofline encroachments for the existing commercial building. The residential building will be compliant with the base PUD development standards.

9. *The design of the built environment should respond to the desert environment.*

Response: The proposed building will utilize a variety of Sonoran Desert inspired textures and building finishes, incorporate architectural elements that provide solar relief and deep overhangs, and celebrate the Southwestern climate by creating outdoor spaces, respites, and shade.

10. *Developments should strive to incorporate sustainable and healthy building practices and products.*

Response: Sustainable strategies and building techniques, which minimize environmental impact and reduce energy consumption, will be emphasized. The specific sustainable elements are being evaluated with the design and development of residential building in accordance with IGCC and will include, but are not limited to, well insulated building envelope, energy efficient windows, energy efficient light fixtures, and low flow faucets and shower heads. See 2035 General Plan Sustainability & Environment section above.

11. *Landscape design should respond to the desert environment by utilizing a variety of mature landscape materials indigenous to the arid region.*

Response: Context appropriate, mature arid-region plant materials will be utilized with the redevelopment and revitalization of the Property. The desert-lush character will be upheld through the careful selection of plant materials in terms of scale, density, and arrangement.

12. *Site design should incorporate techniques for efficient water use by providing desert adapted landscaping and preserving native plants.*

Response: The site design will maintain a low water use plant palette. Context appropriate desert plant materials will be utilized consistent with the established vegetative pattern found throughout the area.

13. *The extent and quality of lighting should be integrally designed as part of the built environment.*

Response: Lighting will be designed in a manner that is respectful of the surrounding context while maintaining safety and wayfinding for residents, patrons, and passing pedestrians.

14. *Signage should consider the distinctive qualities and character of the surrounding context in terms of size, color, location and illumination.*

Response: Project identification will be contextually appropriate and processed under a separate approval and permit process.

Legislative Draft

Planned Unit Development (PUD) - Amended Development Standards

Sec. 5.5005. - Development standards.

A. *PUD development area.*

1. Gross acreage.
 - a. The minimum gross site area of any PUD development shall be one-half (0.5) acre and the maximum gross site area shall be fifteen (15) acres, except as specified in Section 5.5005.A.1.b.
 - b. When the PUD is the most appropriate district to achieve mixed-use development, the City Council may authorize a PUD development in a site area greater than fifteen (15) gross acres up to a maximum of twenty-five (25) gross acres.

B. *Density and intensity.*

1. The overall density of residential uses shall be established by the approved DP.
2. The overall intensity of commercial uses shall not exceed 0.8 floor area ratio, except as provided in Section 5.5005.B.3.
3. The City Council may approve intensity of commercial uses greater than 0.8 floor area ratio subject to any of the following criteria:
 - a. The proposed DP provides improved dedicated public open space.
 - b. The proposed DP provides a public parking facility(ies).
 - c. The proposed DP provides shared parking as established in Article IX parking and loading requirements.

C. *Allowable building height.*

1. *Building height:*
 - a. Shall be a maximum of forty-eight (48) feet, except as otherwise provided in Section 5.5005.D. and 5.5005.F.

D. *Exception to building height.*

1. Architecturally integrated features, such as roof top mechanical equipment for utility and communication purposes, elevator bulk head, stairwell, screen wall, railing, trellis and patio cover may exceed the building height up to ten (10) feet provided that the area within the said exceptions do not exceed a total of thirty (30) percent of a building's roof area. However, the City Council may approve either greater mechanical height or building roof area coverage where the DP and supporting materials demonstrate the allowable exception cannot reasonably be achieved.
2. Architecturally integrated, active solar systems may exceed thirty (30) percent of a building's roof area subject to development review board approval.
3. Roof top garden structures may exceed the building height up to five (5) feet.

E. *Building setbacks.*

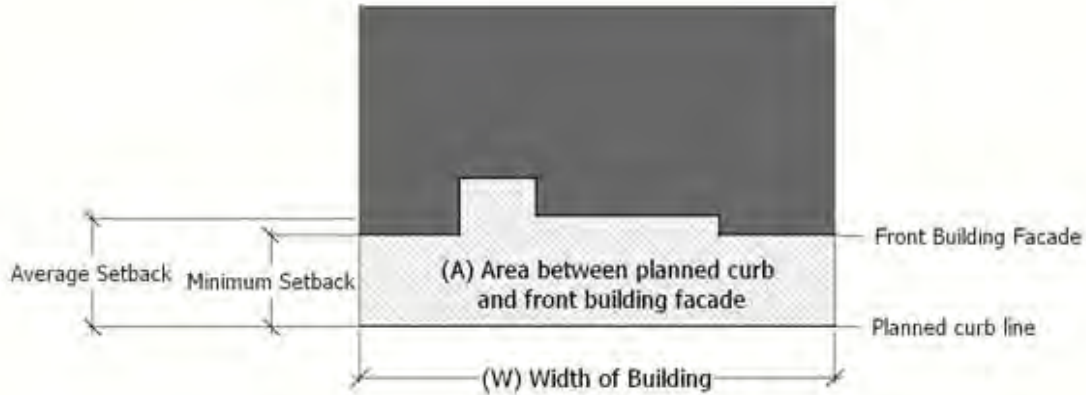
1. *Minimum setback.* Buildings adjacent to public and private streets shall be setback from the back of the planned curb line, including the planned curb line for bus bays and turn lanes, in accordance with Section 5.5005.E. Table A. The planned curb line, including the planned location for bus bays and turn lanes, shall be as described in the Transportation Master Plan and the Design Standards & Policies Manual.

TABLE A			
BUILDING SETBACK FROM BACK OF THE PLANNED CURB ALONG STREETS			
Street Classification Type and Use	Minimum Setback	MINIMUM Average Setback	Setback Diagram - This Illustrates Setbacks, Excluding Average Setback. Dimensions are for Illustrative Purposes.
Major and Minor Arterial - Residential on First Floor Adjacent to the Street	34 feet	40 feet	
Major and Minor Arterial - Retail and Commercial on First Floor Adjacent to the Street	28 feet	32 feet	

<p>Major and Minor Collector, Local Streets, and Unclassified Streets (Including Private Streets but Excluding Alleys) - Residential on First Floor Adjacent to the Street</p>	<p>25 feet</p>	<p>30 feet</p>	<p>The diagram illustrates a street cross-section. On the left is a grey building. To its right is a 25-foot wide setback area. This area is divided into three zones: a 15-foot wide zone containing a large tree, a 6-foot wide zone containing a person walking a dog, and a 4-foot wide zone containing a car. The total setback width is 25 feet. The building height is 30 feet.</p>
<p>Major and Minor Collector, Local Streets, and Unclassified Streets (Including Private Streets but Excluding Alleys) - Retail and Commercial on First Floor Adjacent to the Street</p>	<p>23 feet</p>	<p>28 feet</p>	<p>The diagram illustrates a street cross-section. On the left is a grey building. To its right is a 23-foot wide setback area. This area is divided into two zones: a 15-foot wide zone containing a large tree and an 8-foot wide zone containing a person walking a dog. The total setback width is 23 feet. The building height is 28 feet.</p>

2. *Average setback.* The front building façade shall be placed to achieve an average setback as specified in Table A. The average setback shall be equal to the land area located between the planned curb line and the front building façade divided by the width of the front building façade.

AVERAGE SETBACK DIAGRAM - THIS DIAGRAM ILLUSTRATES SECTION 5.5005.E.2.



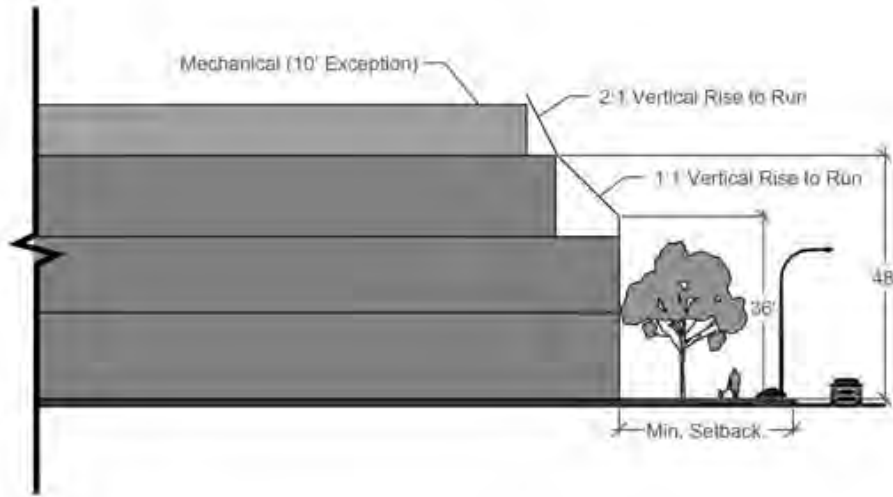
$$\frac{(A) \text{ Area}}{(W)} = \text{Average Setback} \\ \text{(According to Table A)}$$

3. *Designated scenic corridor or buffered setback.* Where a designated scenic corridor or a buffered setback is existing or planned the setback shall be the required width of the designated scenic corridor or buffered setback. The Planned Unit Development (PUD) District average setback shall not apply.

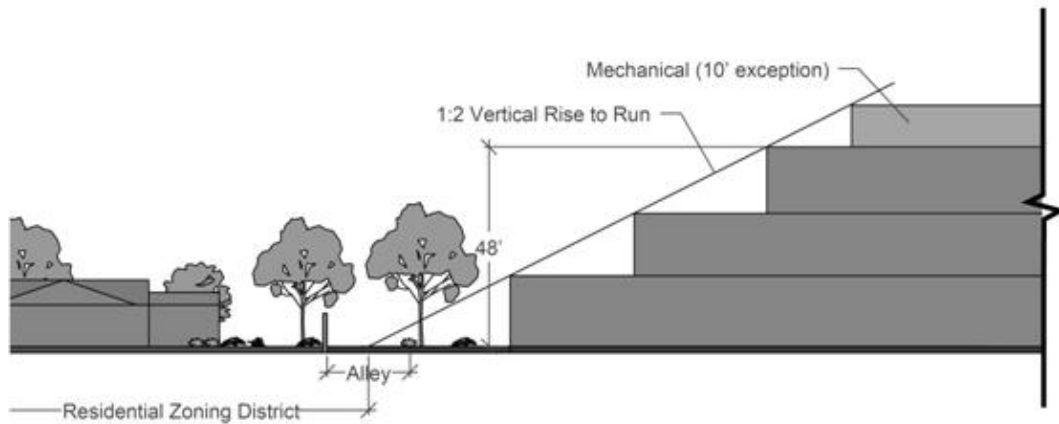
F. *Building envelope.*

1. Starting at a point thirty-six (36) feet above the minimum building setback line, the building envelope inclined stepback plane shall slope upwards at 1:1 (ratio of the vertical rise to the horizontal run) to a point measured forty-eight (48) feet above the minimum building setback line. Thereafter the building envelope inclined stepback plane shall slope upwards at 2:1 (ratio of the vertical rise to the horizontal run) on all sides of a property adjacent to public and private streets.
2. PUD Developments abutting or adjacent to a residential zoning district shall have a building envelope inclined stepback plane of 1:2 (ratio of the vertical rise to the horizontal run) starting on the residential zoning district boundary, except as specified Section 5.5005.F.3.

BUILDING ENVELOPE DIAGRAM - THIS DIAGRAM ILLUSTRATES SECTION 5.5005.F.1.



BUILDING ENVELOPE DIAGRAM - THIS DIAGRAM ILLUSTRATES SECTION 5.5005.F.2.



3. PUD Developments adjacent to a residential zoning district, where the properties are separated by a major and/or minor arterial street as classified by the Transportation Master Plan and the Design Standards & Policies Manual, shall comply with Section 5.5005.F.1.

G. *Encroachment beyond the building envelope.*

1. A maximum encroachment of fifteen feet (15) feet may be allowed for:
 - a. Architectural ornaments and similar features, and
 - b. Trellis, canopies, balconies, patios and partial or full patio enclosures, covered walks, and screen walls.
 - c. **BUILDING, WALL, AND ROOF ELEMENTS OF EXISTING STRUCTURES**
2. Any encroachment into the right-of-way, roadway easement, or right-of-way easement requires a city issued encroachment permit and/or agreement.
3. The requirements of article vii. General provisions shall not apply to Section 5.5005.G.

H. *Setback abutting a residential zoning district.*

1. A setback of twenty (20) feet shall be provided along the property line abutting a residential zoning district(s). The setback area shall be landscaped and may include space reserved for services such as refuse, recycling, utility boxes, and amenities such as playground equipment, picnic tables, and screen walls.

I. *Required open space.* Open space is only required for developments that include residential uses.

1. Private outdoor living space.
 - a. Minimum: 0.05 multiplied by the gross floor area of the dwelling unit.
 - b. The private outdoor living space shall be located beside the dwelling unit which it serves and shall be for the exclusive use of the unit occupant(s), but is not part of the unit's gross floor area.
2. Common open space.
 - a. Minimum: 0.10 multiplied by the total gross site area of the development.
 - b. Common open space is not required if the overall density of the development is less than five (5) dwelling units per acre.

J. *Landscape improvements.* The provisions of Article X. Landscaping requirements shall apply.

(Ord. No. 3854, § 3, 6-9-09; Ord. No. 3920, § 1(Exh. §§ 50, 51), 11-9-10; Ord. No. 4005, § 1(Res. No. 8947, Exh. A, § 159), 4-3-12; Ord. No. 4143, § 1(Res. No. 9678, Exh. A, § 123), 5-6-14)



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I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly licensed architect under the laws of the State of Arizona

Signature _____
Typed or Printed Name _____
License # Date _____

NOT FOR CONSTRUCTION

1/30/2024
REZONING & GPA
RESUBMITTAL #3

ORIGINAL ISSUE:		
REVISIONS No.	Description	Date

222517
PROJECT NUMBER
ESG DRAWN BY
ESG CHECKED BY

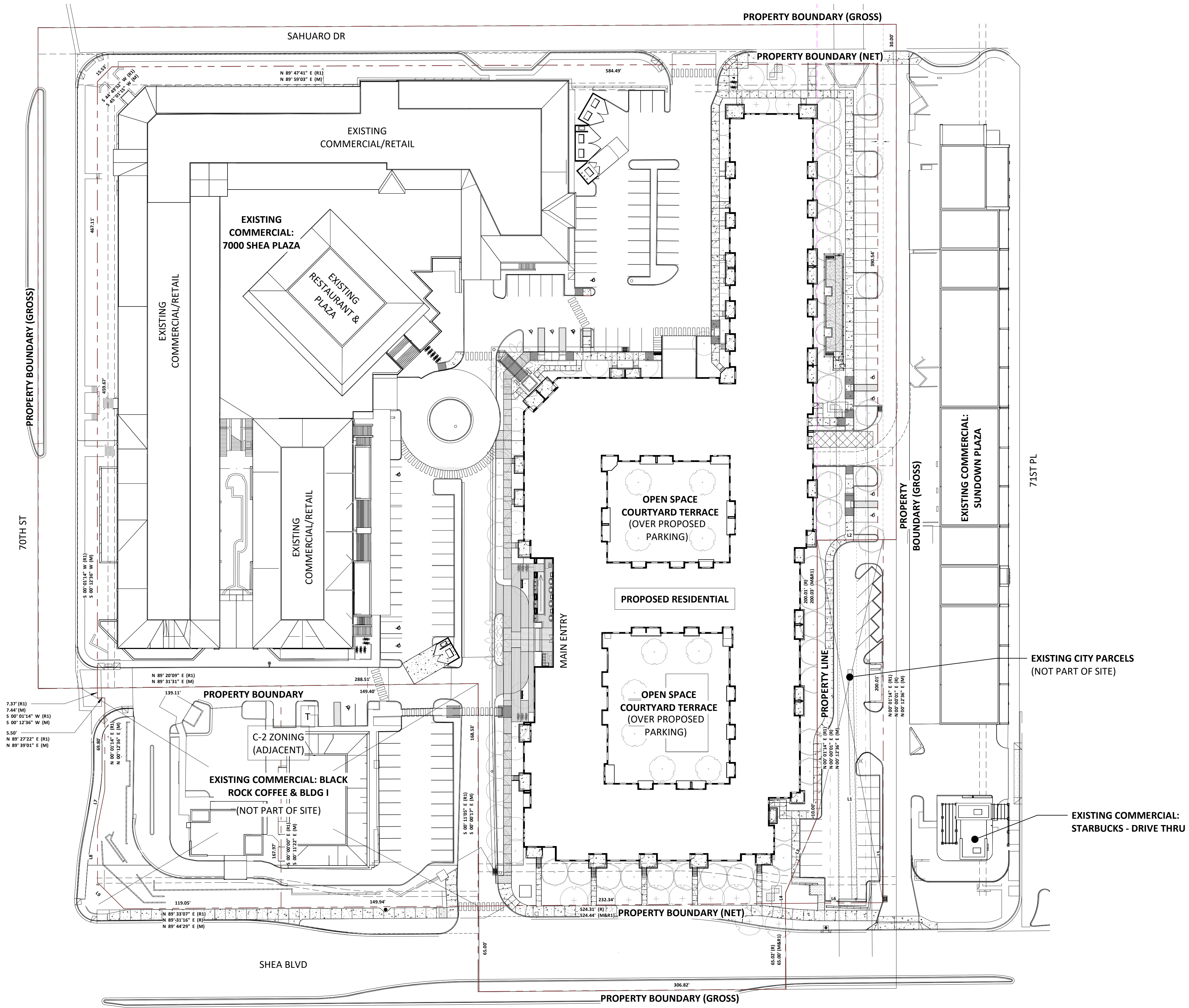
KEY PLAN

COSANTI COMMONS

DIMENSIONED
BOUNDARY PLAN

A.21.d

LINE	BEARINGS	LENGTH
L1	N 89°33'07" E (R1)	50.00'
	N 89°31'16" E (R)	
	N 89°44'29" E (M)	
L2	N 89°33'07" E (R1)	50.00'
	N 89°31'16" E (R)	
	N 89°44'29" E (M)	
L3	S 22°46'59" W (R1)	62.03'
	S 22°45'38" W (R)	
	S 22°58'22" W (M)	
L4	N 00°01'14" E (R1)	8.00'
	N 00°00'01" E (R)	
	N 00°12'36" E (M)	
L5	N 00°01'14" E (R1)	75.00'
	N 00°00'01" E (R)	
	N 00°12'36" E (M)	
L6	N 89°33'07" E (R1)	74.00'
	N 89°31'16" E (R)	
	N 89°44'29" E (M)	
L7	S 11°13'34" W (R1)	28.30'
	S 11°24'57" W (M)	
L8	S 00°01'14" W (R1)	74.00'
	S 00°12'36" W (M)	
L9	N 45°18'32" W (R1)	74.00'
	N 45°07'09" W (M)	



1 DIMENSIONED BOUNDARY PLAN
A.21.d 1" = 40'-0"





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I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly licensed architect under the laws of the State of Arizona

Signature _____
Typed or Printed Name _____
License # _____ Date _____

NOT FOR CONSTRUCTION

3/28/2024
REZONING & GPA
RESUBMITTAL #5

ORIGINAL ISSUE:
REVISIONS

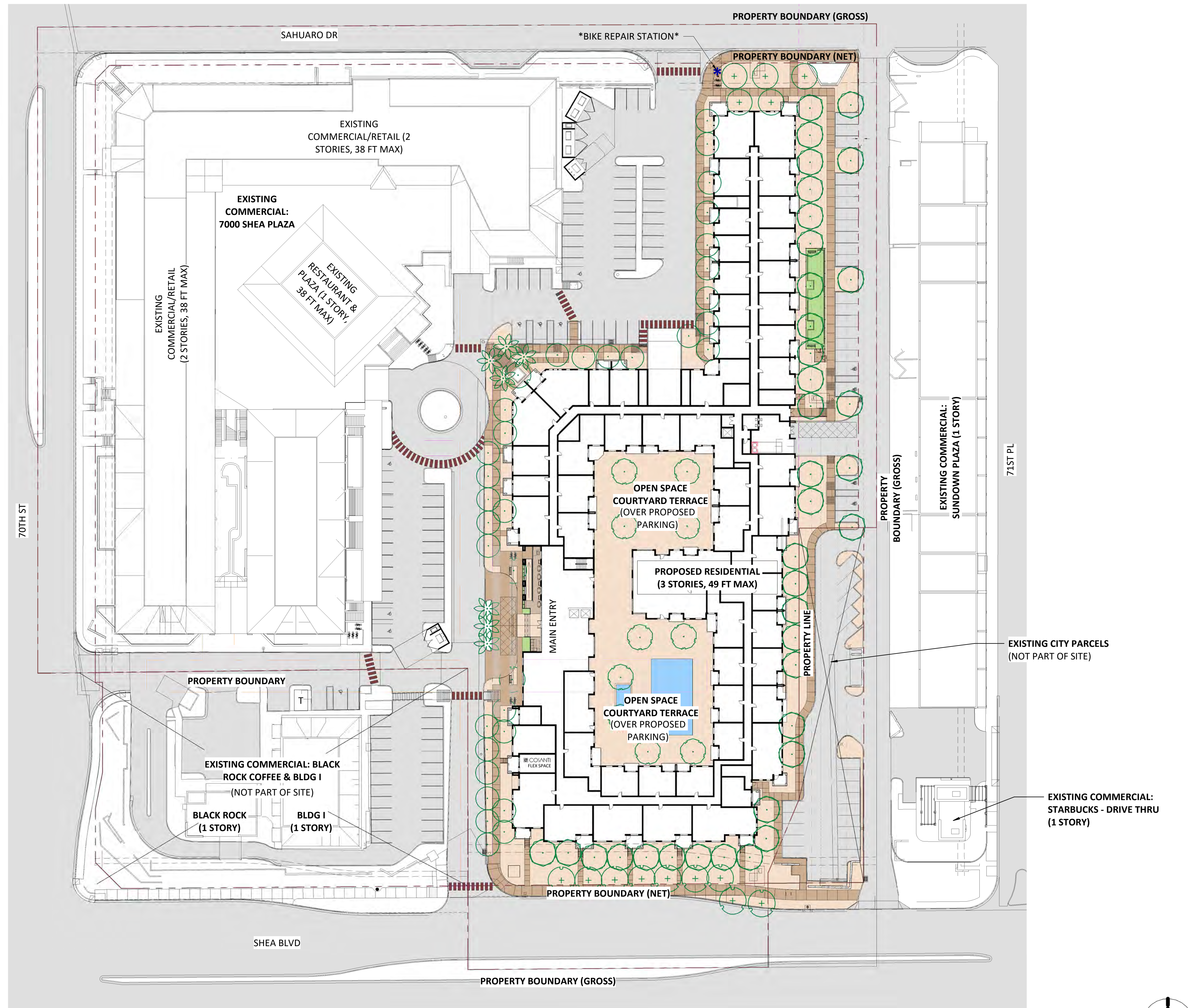
No.	Description	Date

222517
PROJECT NUMBER
ESG DRAWN BY
ESG CHECKED BY

KEY PLAN

COSANTI COMMONS

RENDERED SITE PLAN
A.21.fa



EXISTING BUILDINGS SF:
(PER CASE 30-DR-2020)

BUILDING A/C:	+/- 18,500 SF
BUILDING B/D:	+/- 18,500 SF
BUILDING E:	+/- 12,200 SF
BUILDING F:	+/- 7,200 SF
BUILDING G:	+/- 7,200 SF
BUILDING H:	+/- 15,600 SF
TOTAL:	+/- 79,200 SF

LOT 2 BLACK ROCK: +/- 1,977 SF
LOT 3 BUILDING I: +/- 5,600 SF (AZ BREAD +/- 2,800 SF)

PROPOSED BUILDING SF:

RESIDENTIAL BLDG:	+/- 345,000 SF
-------------------	----------------

1 SITE PLAN
A.21.fa 1" = 40'-0"





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**3/28/2024
REZONING & GPA
RESUBMITTAL #5**

ORIGINAL ISSUE:
REVISIONS No. Description Date

222517
PROJECT NUMBER
ESG DRAWN BY
ESG CHECKED BY

KEY PLAN

COSANTI COMMONS

TECHNICAL REQUIREMENTS

A.21.fb

PROJECT DATA SUMMARY:

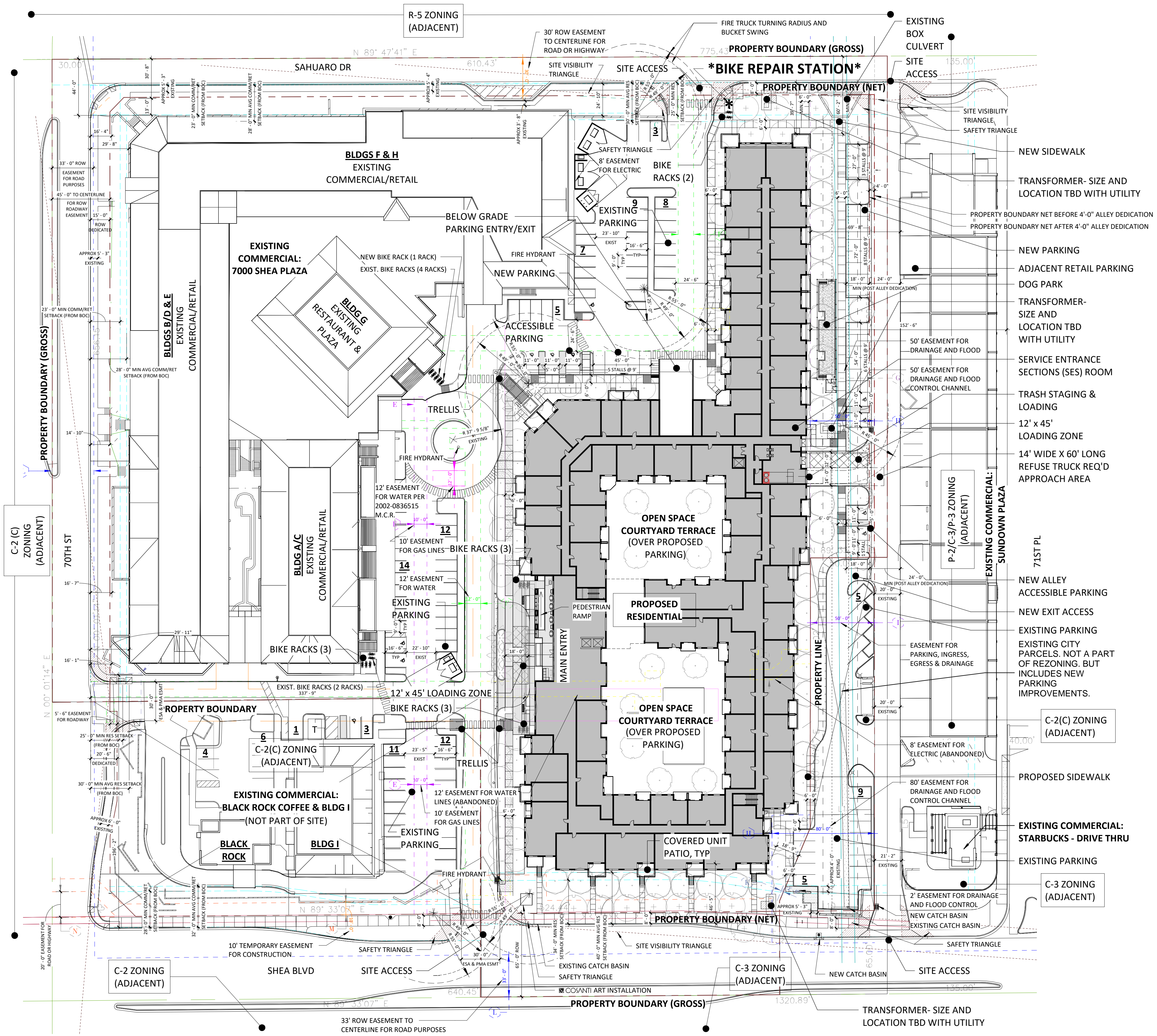
Case No:	973-PA-2022
Project Address:	COMMERCIAL/RETAIL BUILDINGS: 7000 E Shea Blvd, Bldgs A, B, C, D, E, G, H and multiple suite numbers (existing per County) RESIDENTIAL BUILDING: TBD -- (7000 E Shea Blvd, Bldg J -- existing per County) Scottsdale, AZ 85254
APN (EXISTING):	EXISTING COMMERCIAL/RETAIL SITE: 175-42-198S (per County) EXISTING RESIDENTIAL SITE: 175-42-198S (per County) OVERALL SITE: 175-42-198 (per County)
APN (PROPOSED):	EXISTING COMMERCIAL/RETAIL SITE: 175-42-198 (per County)
OS:	EXISTING COMMERCIAL/RETAIL SITE: C-2 (Central Business) EXISTING RESIDENTIAL SITE: C-2 (Central Business)
Zoning Classification (EXISTING):	OVERALL SITE: PUD-PSD (Planned Unit Development with Planned Shared Development Overlay)
Zoning Classification (PROPOSED):	

ZONING SUMMARY:

STANDARD	APPROVED SITE PLAN FOR EXISTING COMMERCIAL CASE # 97-2N-1986 (C-2 (C) ZONING)	PUD-PSD ZONING	PROPOSED OVERALL LOT (PUD-PSD ZONING)	EXISTING COMMERCIAL (PUD-PSD ZONING)	PROPOSED RESIDENTIAL (PUD-PSD ZONING)
USE	RETAIL OFFICE, RESTAURANT	MIXED USE CENTER (RETAIL, OFFICE, DENTAL OFFICE, HAIR SALON, HEALTH FOOD STORE, SPORTS TRAINING, CHESS RESTAURANT, RESTAURANT, PARKING) & MULTIFAMILY	MIXED USE CENTER (RETAIL, OFFICE, DENTAL OFFICE, HAIR SALON, HEALTH FOOD STORE, SPORTS TRAINING, CHESS RESTAURANT, RESTAURANT, PARKING) & MULTIFAMILY	MIXED USE CENTER (RETAIL, OFFICE, DENTAL OFFICE, HAIR SALON, HEALTH FOOD STORE, SPORTS TRAINING, CHESS RESTAURANT, RESTAURANT, PARKING) & MULTIFAMILY	MULTIFAMILY
TOTAL LOT AREA (GROSS, WITH CITY-OWNED PARCELS)	N/A	204,362 S.F. (4.687 AC)	204,362 S.F. (4.687 AC)	204,362 S.F. (4.687 AC)	194,362 S.F. (4.456 AC)
TOTAL LOT AREA (GROSS, WITHOUT CITY-OWNED PARCELS)	N/A	374,447 S.F. (8.645 AC)	374,447 S.F. (8.645 AC)	374,447 S.F. (8.645 AC)	374,447 S.F. (8.645 AC)
TOTAL LOT AREA (NET, WITHOUT CITY-OWNED PARCELS, BEFORE 4'-0" ALLEY DEDICATION)	N/A	316,041 S.F. (7.250 AC)	316,041 S.F. (7.250 AC)	316,041 S.F. (7.250 AC)	316,041 S.F. (7.250 AC)
TOTAL FUTURE LOT AREA (NET, WITHOUT CITY-OWNED PARCELS, AFTER 4'-0" ALLEY DEDICATION)	N/A	34,834 S.F. (0.799 AC)	34,834 S.F. (0.799 AC)	34,834 S.F. (0.799 AC)	34,834 S.F. (0.799 AC)
RESIDENTIAL G.F.	N/A	335,000 S.F.	335,000 S.F.	335,000 S.F.	335,000 S.F.
DWELLING QUANTITY	N/A	156 UNITS	156 UNITS	156 UNITS	156 UNITS
TOTAL # BEDROOMS (RESIDENTIAL UNITS) (APR 11)	N/A	1-BR: 131 UNITS 2-BR: 24 UNITS 3-BR: 0 UNITS	1-BR: 131 UNITS 2-BR: 24 UNITS 3-BR: 0 UNITS	1-BR: 131 UNITS 2-BR: 24 UNITS 3-BR: 0 UNITS	1-BR: 131 UNITS 2-BR: 24 UNITS 3-BR: 0 UNITS
TOTAL # BEDROOMS (COMMERCIAL UNITS) (APR 11)	N/A	252 BEDROOMS	252 BEDROOMS	252 BEDROOMS	252 BEDROOMS
TOTAL # BEDROOMS (TOTAL) (APR 11)	N/A	504 BEDROOMS	504 BEDROOMS	504 BEDROOMS	504 BEDROOMS
BUILDING HEIGHT	N/A	48 FT MAX (SEE AREA)	48 FT MAX (SEE AREA)	48 FT MAX (SEE AREA)	48 FT MAX (SEE AREA)
SETBACKS	N/A	REQUESTING AMENDED STANDARD FOR MINIMUM AVERAGE SETBACK (PUD LANGUAGE)	REQUESTING AMENDED STANDARD FOR MINIMUM AVERAGE SETBACK (PUD LANGUAGE)	REQUESTING AMENDED STANDARD FOR MINIMUM AVERAGE SETBACK (PUD LANGUAGE)	REQUESTING AMENDED STANDARD FOR MINIMUM AVERAGE SETBACK (PUD LANGUAGE)
SAHUARO (NORTH) - GROUND FLR RESIDENTIAL MIN./MIN. AVG.	20 FT stated in case	25 FT / 30 FT - FR. BACK OF PLANNED CURB	33 FT / 37 FT - 2' PROPOSED	N/A	33 FT / 37 FT - 2' PROPOSED
SAHUARO (NORTH) - GROUND FLR COMM/RETAIL MIN./MIN. AVG.	20 FT stated in case	23 FT / 27 FT - FR. BACK OF PLANNED CURB	33 FT / 37 FT - 2' PROPOSED	N/A	33 FT / 37 FT - 2' PROPOSED
SHEA (SOUTH) - GROUND FLR RESIDENTIAL MIN./MIN. AVG.	20 FT stated in case	34 FT / 40 FT - FR. BACK OF PLANNED CURB	44 FT / 50 FT - 11' PROPOSED	N/A	44 FT / 50 FT - 11' PROPOSED
SHEA (SOUTH) - GROUND FLR COMM/RETAIL MIN./MIN. AVG.	20 FT stated in case	28 FT / 32 FT - FR. BACK OF PLANNED CURB	33 FT / 37 FT - 2' PROPOSED	N/A	33 FT / 37 FT - 2' PROPOSED
70TH ST (WEST) - GROUND FLR RESIDENTIAL MIN./MIN. AVG.	20 FT stated in case	25 FT / 28 FT - FR. BACK OF PLANNED CURB	33 FT / 37 FT - 2' PROPOSED	N/A	33 FT / 37 FT - 2' PROPOSED
70TH ST (WEST) - GROUND FLR COMM/RETAIL MIN./MIN. AVG.	20 FT stated in case	23 FT / 28 FT - FR. BACK OF PLANNED CURB	33 FT / 37 FT - 2' PROPOSED	N/A	33 FT / 37 FT - 2' PROPOSED
BUILDING ENVELOPE	N/A	1-3 - STARTING ON RESID DISTRICT BOUNDARY	REQUESTING ENCROACHMENT FOR EXISTING COMMERCIAL BUILDING	REQUESTING ENCROACHMENT FOR EXISTING COMMERCIAL BUILDING	COMPLES
71ST (EAST) - STANDARD ENVELOPE	N/A	1-3 - STARTING UP 38 FT FR. MIN. SETBACK TO 48 FT. THEN 21	N/A	N/A	N/A
SHEA (SOUTH) - STANDARD ENVELOPE	N/A	1-3 - STARTING UP 38 FT FR. MIN. SETBACK TO 48 FT. THEN 21	COMPLES	COMPLES	COMPLES
70TH ST (WEST) - STANDARD ENVELOPE	N/A	1-3 - STARTING UP 38 FT FR. MIN. SETBACK TO 48 FT. THEN 21	COMPLES	COMPLES	N/A
PRIVATE OUTDOOR LIVING SPACE	N/A	0.05 x gross floor area of the dwelling unit	COMPLES	N/A	COMPLES
COMMON OPEN SPACE	N/A	amount stated in case: 14,600 SF (0.334 AC) (net lot area) now = 14,600 SF plus area = 12 FT (0.06 x 24,500 sq ft) = 3,540 SF (0.081 AC) (net lot area) now = 18,140 SF (0.415 AC) (net lot area) now = 31,540 SF (0.723 AC)	14,600 SF OVERALL PROPOSED	14,600 SF OVERALL PROPOSED	14,600 SF OVERALL PROPOSED

PARKING METRICS:

STANDARD	APPROVED SITE PLAN FOR EXISTING COMMERCIAL CASE # 97-2N-1986 (C-2 (C) ZONING)	PUD-PSD ZONING	PROPOSED OVERALL LOT (PUD-PSD ZONING)	EXISTING COMMERCIAL (PUD-PSD ZONING)	PROPOSED RESIDENTIAL (PUD-PSD ZONING)
PARKING LOCATED BETWEEN BUILDING AND STREET [Sec. 5.506(A)]	COMPLES	COMPLES	COMPLES	COMPLES	COMPLES
DRIVE ADLE SIZE [Table 9.105(A)]	COMPLES	COMPLES	COMPLES	COMPLES	COMPLES
PARKING STALL SIZE [Table 9.105(A)]	COMPLES	COMPLES	COMPLES	COMPLES	COMPLES
VEHICLE PARKING PER USE [Table 9.103(A)]	COMPLES	COMPLES	COMPLES	COMPLES	COMPLES
MIXED USE COMMERCIAL CENTER USE TOTAL REQUIRED	1,300 SF	1,300 SF	1,790,200 SF*** / 300	1,790,200 SF*** / 300	1,000 SF / 300
MULTIFAMILY GUEST (196 TOTAL UNITS)	1 PER UNITS	1 PER UNITS	264	264	33
MULTIFAMILY EFFICIENCY (9 UNITS)	1 PER DU	1 PER DU	0	0	12
MULTIFAMILY 1BR (131 UNITS)	1 PER DU	1 PER DU	0	0	171
MULTIFAMILY 2BR (56 UNITS)	1 PER DU	1 PER DU	0	0	96
MULTIFAMILY 3BR (0 UNITS)	1 PER DU	1 PER DU	0	0	0
MULTIFAMILY TOTAL REQUIRED	0	0	264	264	312
TOTAL VEHICLE PARKING REQUIRED	663 stated in case for larger overall site	580	580	264	316
TOTAL VEHICLE PARKING PROVIDED, INCLUDES ACCESSIBLE	663 (15% red.) stated in case for larger overall site	313 (STRUCTURED)	313 (STRUCTURED)	238 (STRUCTURED)	41 SURFACE (30 + 11 of the 19 SURFACE ON CITY PARCELS)
TOTAL VEHICLE PARKING SURPLUS (OVERALL SITE) = 650	650	TOTAL: 371	TOTAL: 279		
ACCESSIBLE PARKING, STRUCTURED REQUIRED (MIN MIN OF THE PROVIDED)	23	13	10		
ACCESSIBLE PARKING, SURFACE REQUIRED (MIN MIN OF THE PROVIDED)	6	3	3		
ACCESSIBLE PARKING, STRUCT. PROVIDED (INCLUDED IN THE PROVIDED PIG TOTALS)	30	30	30		
ACCESSIBLE PARKING, SURFACE PROVIDED (INCLUDED IN THE PROVIDED PIG TOTALS)	11	4	7		
ACCESSIBLE TENANT COVERED PARKING PROVIDED (FOR MV DEVS)	0	0	0		
NONACCESSIBLE TENANT COVERED PARKING PROVIDED (FOR MV DEVS)	4% MIN RATIOS PROVIDED: 10 / 238 = 4.2%	0 / 313 = 0.0%	0 / 279 = 0.0%	392 / 238 = 164 + 4.2%	
ACCESSIBLE VISITOR COVERED PARKING PROVIDED (FOR MV DEVS)	RATIOS PROVIDED: 238 / 238 = 99.6%	0 / 313 = 0.0%	0 / 279 = 0.0%	238 / 238 = 99.6%	
NONACCESSIBLE VISITOR COVERED PARKING PROVIDED (FOR MV DEVS)	4% MIN RATIOS PROVIDED: 27 / 31 = 87.1%	0 / 313 = 0.0%	0 / 279 = 0.0%	0 / 238 = 0.0%	
ACCESSIBLE NONRESIDENTIAL COVERED PARKING PROVIDED (FOR MV DEVS)	RATIOS PROVIDED: 31 / 31 = 99.9%	31 / 313 = 9.9%	31 / 279 = 11.1%	0 / 238 = 0.0%	
NONACCESSIBLE NONRESIDENTIAL COVERED PARKING PROVIDED (FOR MV DEVS)	4% MIN RATIOS PROVIDED: 18 / 282 = 6.4%	18 / 282 = 6.4%	18 / 279 = 6.4%	0 / 238 = 0.0%	
TOTAL VEHICLE PARKING PROVIDED (OVERALL SITE) = 580	580	580	580	264	316
TOTAL VEHICLE PARKING SURPLUS (OVERALL SITE) = 650	650	TOTAL: 371	TOTAL: 279		
MIXED USE COMMERCIAL CENTER USE REQUIREMENT	0 stated in case	1.10 REG. VEH., 2 MIN., 100 MAK.	264 / 10 = 26.4	4 / 10 = 0.4	
MULTIFAMILY USE REQUIREMENT	0 stated in case	1.10 REG. VEH., 2 MIN., 100 MAK.	27 / 10 = 2.7	279 / 10 = 27.9	
BIKECYCLE PARKING REQUIRED (TOTALS)	0 stated in case	61	31	28	
BIKECYCLE PARKING PROVIDED	0 provided in case	0	0	28	
BIKECYCLE PARKING SPACES, SURFACE	0 provided in case	20 (10 racks + 6 existing + 4 new racks)	20	16 (8 racks)	
BIKECYCLE PARKING PROVIDED (TOTALS)	0 provided in case	64	20	44	
TOTAL BIKECYCLE PARKING REQUIRED (OVERALL SITE) = 61	64	TOTAL BIKECYCLE PARKING PROVIDED (OVERALL SITE) = 64			



1 TECHNICAL REQUIREMENTS
A.21.fb 1" = 40'-0"

EXISTING BUILDINGS SF:
(PER CASE 30-DR-2020)

BUILDING A/C:	+/-18,500 SF
BUILDING B/D:	+/-18,500 SF
BUILDING E:	+/-12,200 SF
BUILDING F:	+/- 7,200 SF
BUILDING G:	+/- 7,200 SF
BUILDING H:	+/-15,600 SF
TOTAL:	+/-79,200 SF

LOT 2 BLACK ROCK: +/- 1,977 SF
LOT 3 BUILDING I: +/- 5,600 SF (AZ BREAD +/- 2,800 SF)

PARKING METRICS - EXISTING SITE LOT 3:

STANDARD	APPROVED SITE PLAN FOR EXISTING LOT 3 (BLACK ROCK COFFEE) CASE # 30-DR-2020	GENERAL ZONING PARKING REQUIREMENT	EXISTING COMMERCIAL LOT 3 - NOT PART OF REZONE REQUEST (C-2 (C) ZONING)	EXISTING COMMERCIAL LOT 3 - NOT PART OF REZONE REQUEST (C-2 (C) ZONING)
VEHICLE PARKING PER USE [Table 9.103(A)]	1,300 SF	1,300 SF	1,977 SF*** / 300	5,600 SF*** / 300
TOTAL VEHICLE PARKING PROVIDED	10 (SURFACE TO REMAIN)	10 (SURFACE TO REMAIN)	7	19 (SURFACE TO REMAIN)

Resolution No. 13138
Exhibit 1
Page 60 of 72

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Signature _____
Typed or Printed Name _____
License # _____ Date _____

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3/12/2024
REZONING & GPA RESUBMITTAL #4

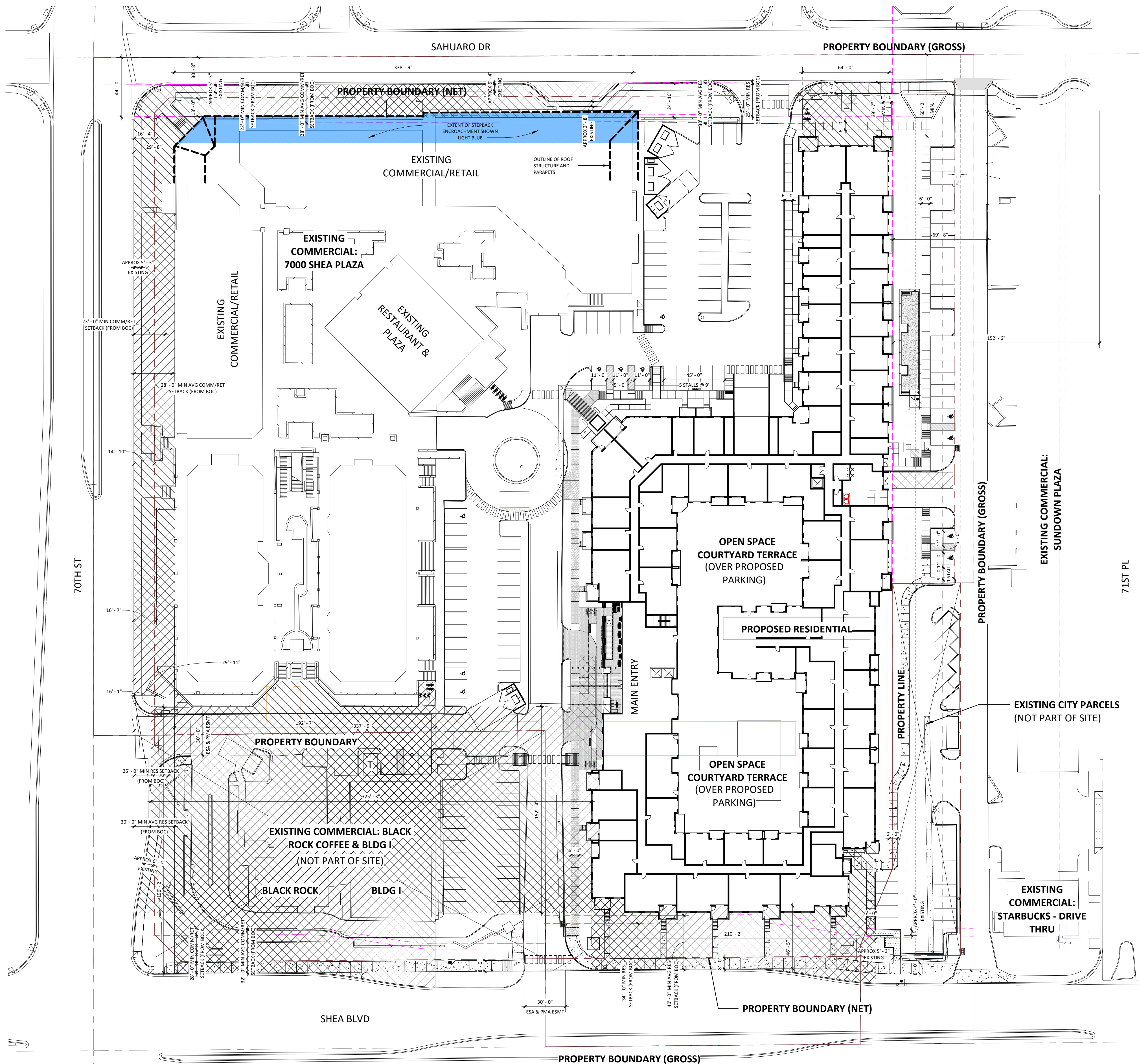
ORIGINAL ISSUE:
REVISIONS
No. Description Date

222517
PROJECT NUMBER
ESG DRAWN BY ESG CHECKED BY

KEY PLAN

COSANTI COMMONS

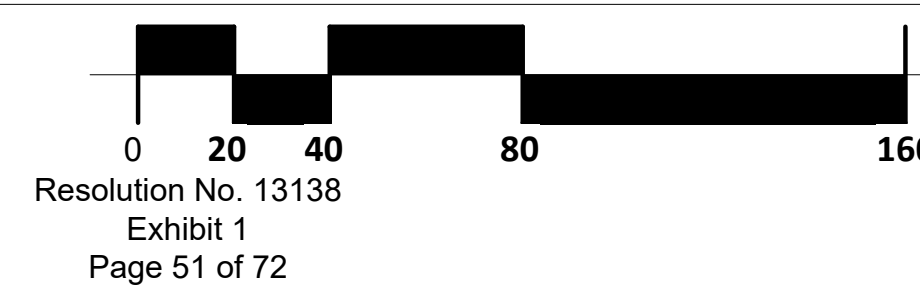
SETBACKS SITE PLAN
A.21.fc



SETBACKS METRICS:	
SAHUARO DR AVERAGE SETBACK (RESIDENTIAL BUILDING) 3,019 AREA (SQUARE FEET) + 64.00 BUILDING FAÇADE WIDTH (FEET) = 47.17 MIN. AVERAGE SETBACK = 47'-2" <i>COMPLIES</i>	
SAHUARO DR AVERAGE SETBACK (EXISTING COMMERCIAL BUILDINGS) 9,537 AREA (SQUARE FEET) + 338.33 BUILDING FAÇADE WIDTH (FEET) = 28.19 MIN. AVERAGE SETBACK = 28'-2" <i>COMPLIES</i>	
SHEA BLVD AVERAGE SETBACK (RESIDENTIAL BUILDING) 10,702 AREA (SQUARE FEET) + 210.17 BUILDING FAÇADE WIDTH (FEET) = 50.92 MIN. AVERAGE SETBACK = 50'-11" <i>COMPLIES</i>	
SHEA BLVD AVERAGE SETBACK (EXISTING COMMERCIAL BUILDINGS) 39,550 AREA (SQUARE FEET) + 192.60 BUILDING FAÇADE WIDTH (FEET) = 205.35 MIN. AVERAGE SETBACK = 205'-4" <i>COMPLIES</i>	
70th ST AVERAGE SETBACK (RESIDENTIAL BUILDING) 50,635 AREA (SQUARE FEET) + 152.33 BUILDING FAÇADE WIDTH (FEET) = 332.40 MIN. AVERAGE SETBACK = 332'-5" <i>COMPLIES</i>	
70th ST AVERAGE SETBACK (EXISTING COMMERCIAL BUILDINGS) 12,833 AREA (SQUARE FEET) + 426.75 BUILDING FAÇADE WIDTH (FEET) = 30.07 MIN. AVERAGE SETBACK = 30'-1" <i>COMPLIES</i>	

AVERAGE SETBACK AREAS

2 SETBACKS SITE PLAN
A.21.fc 1" = 40'-0"



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Signature _____
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License # Date _____

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3/28/2024
REZONING & GPA RESUBMITTAL #5

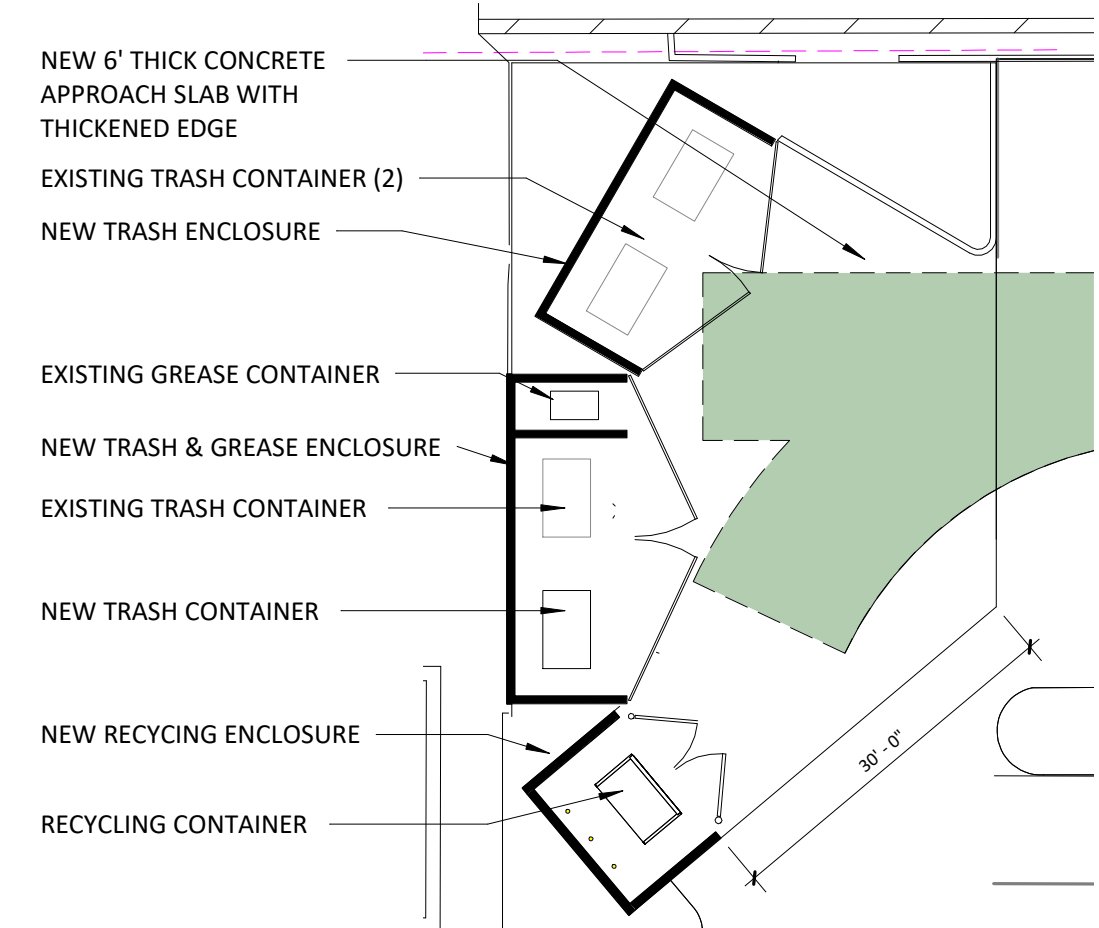
ORIGINAL ISSUE:
REVISIONS
No. Description Date

222517
PROJECT NUMBER
ESG DRAWN BY ESG CHECKED BY

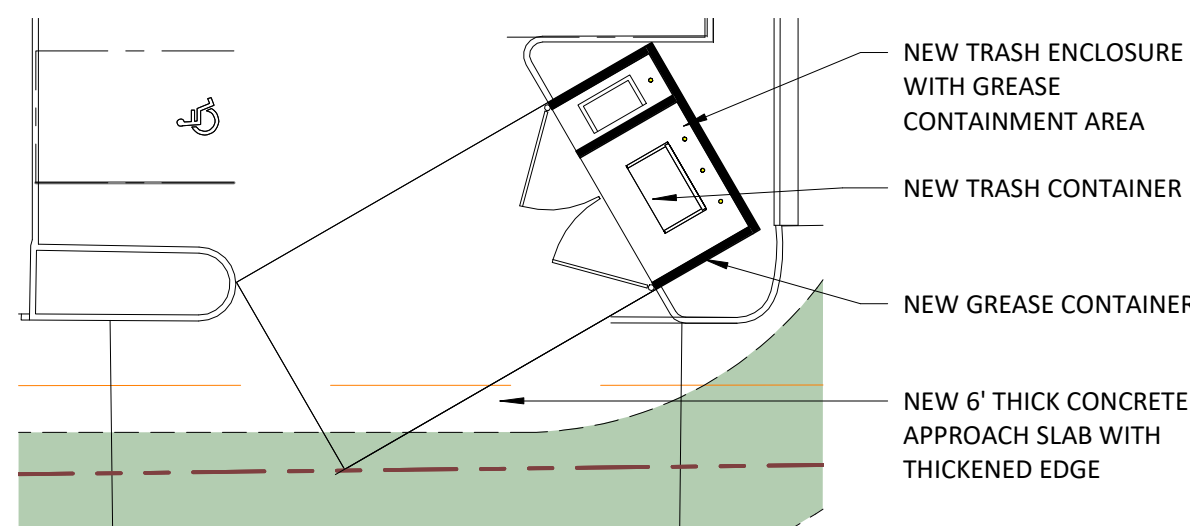
KEY PLAN

COSANTI COMMONS

REFUSE PLAN
A.21.h



6 ENLARGED FLOOR PLAN - NORTH TRASH ENCLOSURE
A.21.h 1/16" = 1'-0"

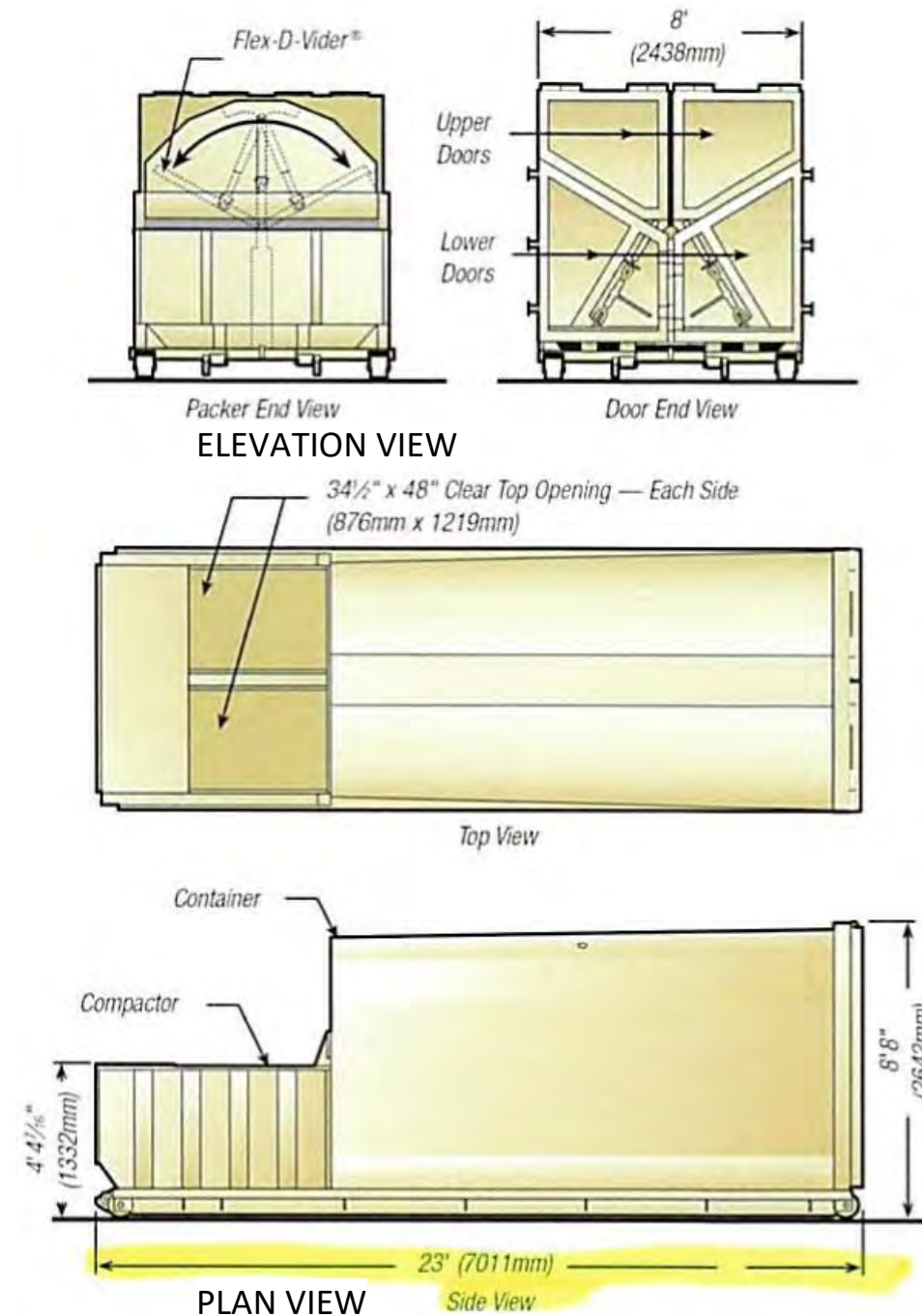


5 ENLARGED FLOOR PLAN - SOUTH TRASH ENCLOSURE
A.21.h 1/16" = 1'-0"

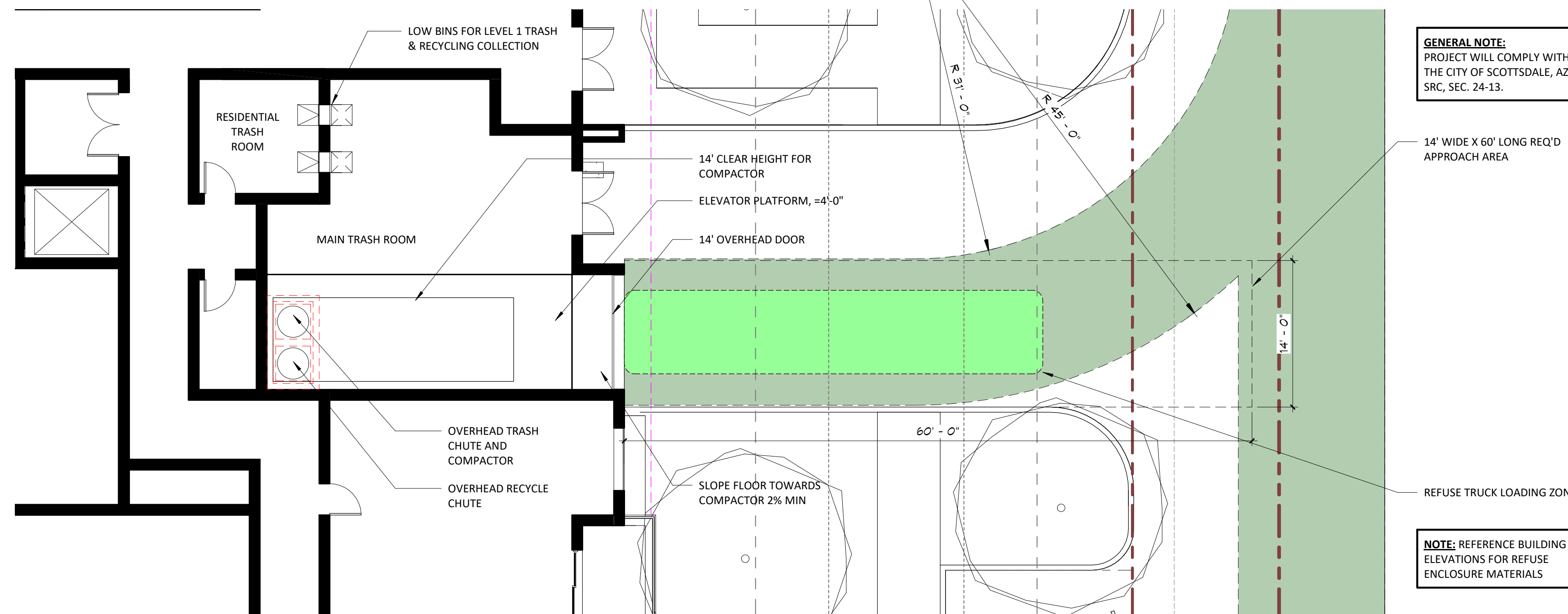
USE	DPSM TABLE 2-1.311.B 1:20,000 SF	SF* 82,000	REQUIRED 4	EXISTING 3	PROPOSED 2** (ON PROPOSED OVERALL LOT)
NONRESIDENTIAL (COMMERCIAL CENTER + LOT 3)	1:REST + GREASE	10,000	1 + 2 GREASE	1 GREASE (+1 RECYC)	1 GREASE
RESTAURANT					
HERB BOX	-	7,200	-	-	-
AZ BREAD CO	-	2,800	-	-	-
TOTALS			5 + 2 GREASE	3 + 1 RECYC + 1 GREASE	5 + 1 RECYC + 2 GREASE

*PER SITE PLAN DATA, BLACK ROCK COFFEE BAR, CASE# 30-DR-2020; LOT 3 = BUILDING I (ARIZONA BREAD COMPANY AND FITNESS 4 HOME)
**NEW TRASH AT SOUTH SIDE IS CONTAINER TYPE 2146-2 PER SCOTTSDALE DPSM & MAG DETAIL

4 EXISTING REFUSE
A.21.h 1/2" = 1'-0"



3 TRASH COMPACTOR
A.21.h 1/2" = 1'-0"



GENERAL NOTE:
PROJECT WILL COMPLY WITH THE CITY OF SCOTTSDALE, AZ, SRC, SEC. 24-13.

NOTE: REFERENCE BUILDING ELEVATIONS FOR REFUSE ENCLOSURE MATERIALS

2 ENLARGED FLOOR PLAN - TRASH / RECYCLING ROOM
A.21.h 1/8" = 1'-0"

CITY ENCLOSURE REQUIREMENT (FREE-STANDING CONDITION)

2 ENCLOSURES FOR EVERY 30 UNITS WITH REFUSE & RECYCLING
196 / 30 = 6.53 X 2 = 13.06 = 13 3-YD (39 CU YDS) REFUSE/RECYCLING ENCLOSED REQ'D

ALTERNATE DESIGN FOR 28 YD DUAL COMPACTOR:

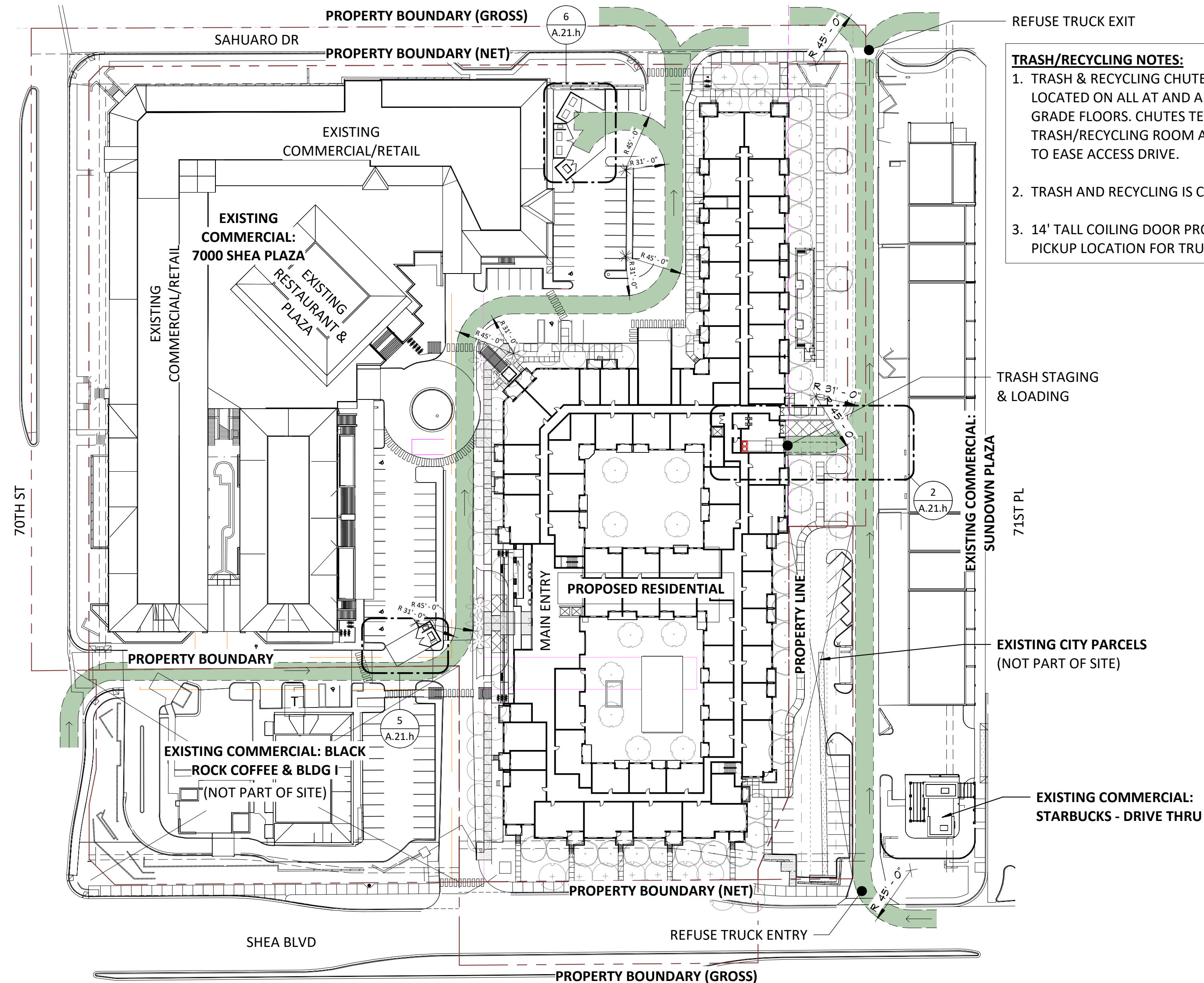
PROVIDING
1 (28 CU YDS, 120 CU YDS UNCOMPACTED) REFUSE/RECYCLING DUAL COMPACTOR (SEE COMPACTOR NOTES BELOW)

WASTE LOAD/COMPACTOR CALCULATIONS
(APPROX. ACTUAL WASTE GENERATION MAY VARY)

0.5 CU YD OF UNCOMPACTED REFUSE/RECYCLING PER RESIDENT/WEEK
196 * 0.5 = **98 CU YDS**
TOTAL UNCOMPACTED REFUSE/RECYCLING/WEEK

AVG COMPACTOR RATIO 4:1
98/4 = 24.5 = **25 CU YDS/WEEK**
TOTAL REFUSE/RECYCLING AFTER COMPACTION

SERVICED 1 TIME/WEEK (INCLUDES RECYCLING)



- TRASH/RECYCLING NOTES:**
- TRASH & RECYCLING CHUTES ARE LOCATED ON ALL AT AND ABOVE GRADE FLOORS. CHUTES TERMINATE IN TRASH/RECYCLING ROOM ADJACENT TO EASE ACCESS DRIVE.
 - TRASH AND RECYCLING IS COMPACTED.
 - 14' TALL COILING DOOR PROVIDED AT PICKUP LOCATION FOR TRUCK ACCESS.

1 REFUSE PLAN
A.21.h 1" = 60'-0"



CONCEPTUAL HARDSCAPE LEGEND*

*FINAL SELECTIONS MAY BE MODIFIED BASED ON AVAILABILITY OF MATERIALS FROM SUPPLIERS & VENDORS.

	HARDSCAPE MATERIAL A (ACID ETCH FINISH)		CONCRETE PAVER TYPE A (DROP-OFF)
	HARDSCAPE MATERIAL B (BROOM FINISH)		CONCRETE PAVER TYPE B (DROP-OFF)
	HARDSCAPE MATERIAL C (EXPOSED AGGREGATE FINISH)		SITE DECOMPOSED GRANITE (LANDSCAPE PLANTERS)

CONCEPTUAL HARDSCAPE MATERIALS*

*FINAL SELECTIONS MAY BE MODIFIED BASED ON AVAILABILITY OF MATERIALS FROM SUPPLIERS & VENDORS.

HARDSCAPE MATERIAL A NATURAL GREY CONCRETE W/ ACID ETCH FINISH & SAWCUT JOINTS	HARDSCAPE MATERIAL B NATURAL GREY CONCRETE W/ MEDIUM BROOM FINISH & TOOLED JOINTS	HARDSCAPE MATERIAL C NATURAL GRAY EXPOSED AGGREGATE CONCRETE W/ SAWCUT JOINTS
CONCRETE PAVER TYPE A HOLLAND STONE (4" x 8") VEHICULAR RATED (80mm) COLOR: VICTORIAN BLEND	CONCRETE PAVER TYPE B HOLLAND STONE (4" x 8") VEHICULAR RATED (80mm) COLOR: RIO BLEND	DECOMPOSED GRANITE TOPDRESSING COLOR: PAINTED DESERT SIZE: 1/2" SCREENED SIZE SUPPLIER: ROCK PROS USA

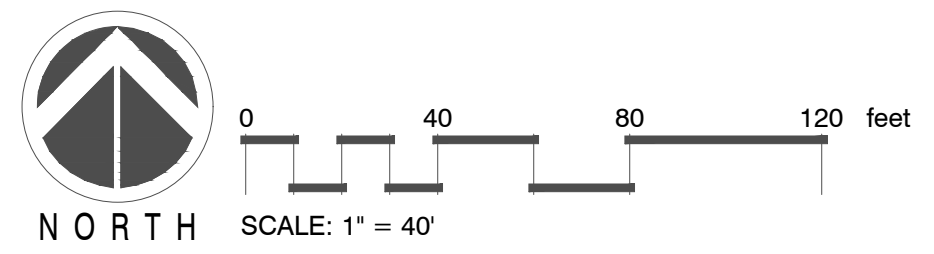
CONCEPTUAL SITE ELEMENTS*

*FINAL SELECTIONS MAY BE MODIFIED BASED ON AVAILABILITY OF MATERIALS FROM SUPPLIERS & VENDORS.

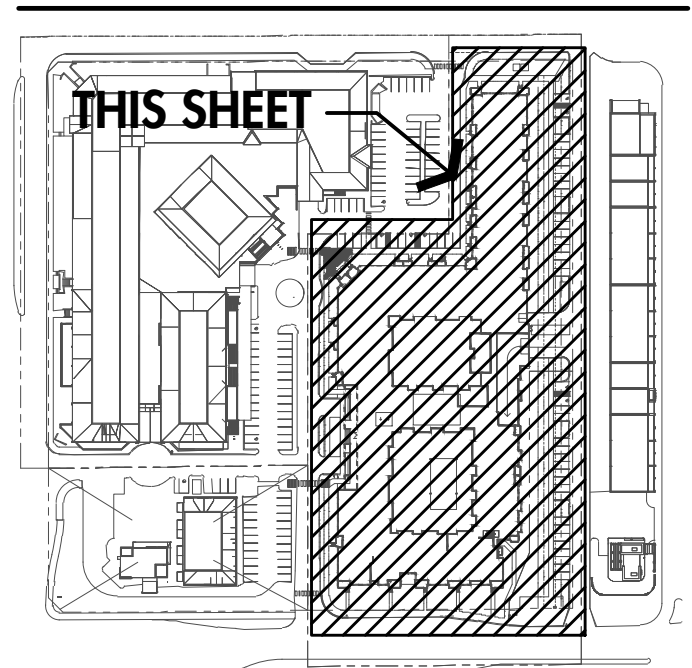
BIKE RACKS	TRASH & RECYCLE RECEPTACLE	PET BAG STATION	FIX-IT BIKE STATION	RAISED BOARD FORMED CONCRETE PLANTER
RECTANGULAR FIBERGLASS PLANTERS (MAIN ENTRY)	PARK BENCH	DOG RUN FENCE (1" SQ WIRE MESH)	STRING LIGHTS WITH SHADE AT DROP-OFF	

KEYNOTES

- | | | |
|---|---|--|
| 1 NEW 8' SIDEWALK (HARDSCAPE MATERIAL B) | 11 6' PARK BENCH | 19 EXISTING PEDESTRIAN RAMP, TO REMAIN. |
| 2 LOW RAISED CONCRETE PLINTH FOR COSANTI ART. | 12 RECTANGULAR PLANTERS AT ENTRY-DROP-OFF. | 20 OUTDOOR SEATING, BY OTHERS. |
| 3 DOG RUN WITH SYNTHETIC LAWN & BENCH SEATING. | 13 DATE PALMS AT ENTRY / DROP-OFF, REFER TO PLANTING PLANS. | 21 PAVEMENT STRIPPING TO REINFORCE PEDESTRIAN CONNECTION TO EXST. COMMERCIAL CENTER. |
| 4 BIKE RACKS (FIX-IT BIKE REPAIR STATION (1) LOCATION). | 14 OUTDOOR SEATING AT ENTRY. | 22 TRANSFORMER LOCATION. |
| 5 NEW 4' SIDEWALK. | 15 VEHICULAR RATED HOLLAND STONE PAVERS AT DROP-OFF. | 23 EXISTING SIDEWALK WALLS & BIKE RACKS, PROTECT IN PLACE. |
| 6 NEW 6' SIDEWALK. | 16 VEHICULAR RATED EXPOSED AGGREGATE PAVING AT DROP-OFF (HARDSCAPE MATERIAL C). | |
| 7 ADA RAMP, REFER TO CIVIL DRAWINGS. | 17 OVERHEAD STRING LIGHTS ACROSS DROP-OFF (ATTACHED TO PALM TREE & BLDG.). | |
| 8 BOARD FORMED CONCRETE RAISED PLANTER | 18 EXISTING SIDEWALK, PROTECT IN PLACE. | |
| 9 EXISTING TREE OR PALM (PROTECT). | | |
| 10 TRELLIS STRUCTURE TO SHADE WALKWAY, REFER TO ARCHITECTURAL DRAWINGS. | | |



KEY MAP



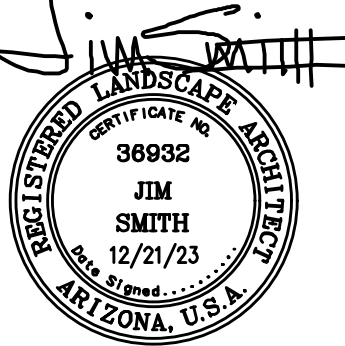
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Typed or Printed Name _____
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3RD SUBMITTAL
12/21/2023

ORIGINAL ISSUE:
REVISIONS
No. Description Date

13.03
PROJECT NUMBER

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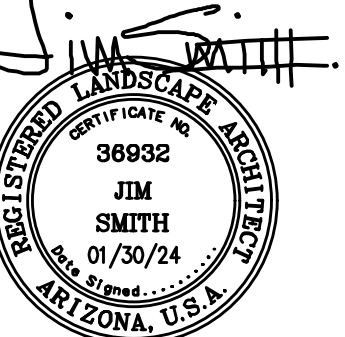
KEY PLAN

COSANTI COMMONS

GROUND LEVEL
HARDSCAPE PLAN
L.1

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13.03	PROJECT NUMBER	

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KEY PLAN

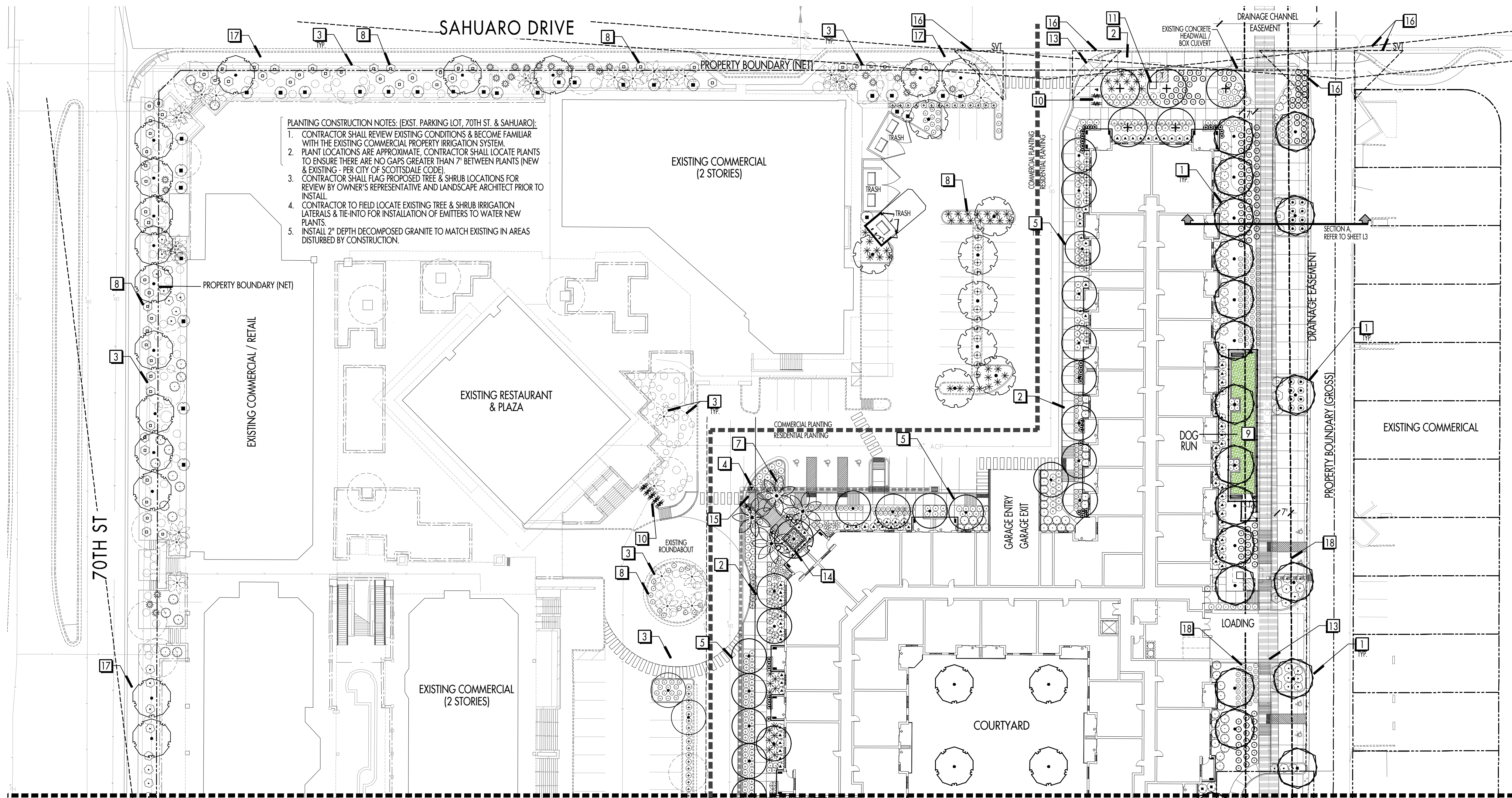
COSANTI COMMONS

LANDSCAPE PLAN

L.2

KEYNOTES

- TREES TO BE PLANTED 7' MIN FROM BOX CULVERT.
- NEW SIDEWALK (REFER TO HARDSCAPE PLAN SHEET L.1).
- EXISTING TREE / PALM, PROTECT IN PLACE.
- TRAIN BOUGAINVILLE VINE TO TRELIS STRUCTURE.
- TALL, UPRIGHT TREES (EUCALYPTUS) PLANTED IN NARROW CONDITION.
- APS COMPLIANT TREE FOR UNDER OVERHEAD POWER LINE.
- DATE PALMS TO FRAME ENTRY / DROP-OFF.
- NEW PLANTING AT EXISTING COMMERCIAL CENTER, REFER TO PLANTING CONSTRUCTION NOTES (THIS SHEET).
- DOG RUN WITH SYNTHETIC LAWN & BENCH SEATING.
- BIKE RACKS WITH FIX-IT BIKE REPAIR STATION.
- ELECTRIC TRANSFORMER, MAINTAIN REQUIRED CLEARANCES.
- OVERHEAD STRING LIGHTS ACROSS DROP-OFF (ATTACHED TO PALM TREE & BLDG.).
- ADA RAMP, REFER TO CIVIL DRAWINGS.
- TRELIS STRUCTURE TO SHADE WALKWAY, REFER TO ARCHITECTURAL DRAWINGS. TRAIN BOUGAINVILLE VINES TO STRUCTURE.
- RECTANGULAR PLANTERS AT ENTRY-DROP-OFF W/ ACCENT PLANTING.
- SIGHT VISIBILITY TRIANGLE (SVT), REFER TO CIVIL DRAWINGS, SHRUBS TO BE MAINTAINED AT A MAX. HEIGHT OF 18".
- EXISTING SIDEWALK, PROTECT IN PLACE.
- 7' TREE SETBACK LINE (NO TREE PLANTING WITH 7' OF EXISTING BOX CULVERT / DRAINAGE CHANNEL).



PLANT LEGEND (RESIDENTIAL)

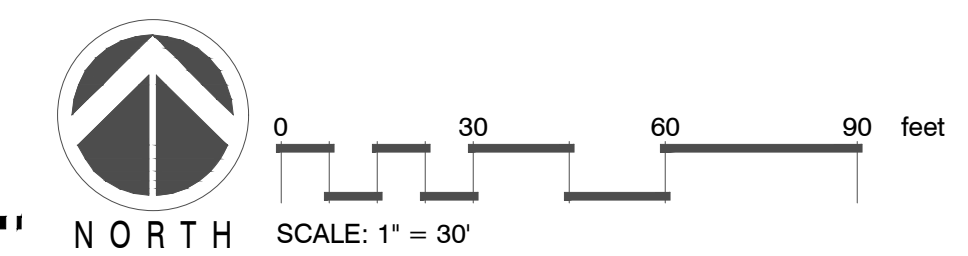
TREES	COMMON / BOTANICAL NAME	CONT	QTY	SHRUBS
	MULGA / ACACIA ANEURA 2.0' CAL. X 9' H X 6' W, UPRIGHT STANDARD	36" BOX	9	
	HONG KONG ORCHID TREE / BAIJINIA X BLAKEANA TALL, UPRIGHT, MATCHED STANDARDS, 3" CAL. X 13' H X 8' W.	48" BOX	5	
	PALO BREA / CERCIIDIUM PRAECOX LOW-BRANCHING, TALL, UPRIGHT, VASE-SHAPED, MATCHED 3.5" CAL. 12' H X 11' W	48" BOX	38	
	GHOST GUM / EUCALYPTUS PAPUANA MATCHED STANDARDS, 3" CAL. X 12' H X 6' W, SUPPLIER: AUSTRALIAN OUTBACK PLANTATION (623) 393-0767	48" BOX	32	
	FRUITLESS OLIVE / OLEA EUROPAEA 'FRUITLESS' UPRIGHT, VASE-SHAPE, MULTI-TRUNK 3.5" CAL. X 12' H X 10' W	48" BOX	3	
	DATE PALM / PHOENIX DACTYLIFERA NEW DIAMOND CUT / MATCHED HEIGHT / STRAIGHT TRUNKS	16" TRUNK HT.	7	
	CHINESE ELM / ULMUS PARVIFOLIA TALL, UPRIGHT, STANDARD 3.5" CAL. MIN. X 15' H X 10' W	48" BOX	10	
	BARBARA KARST BOUGAINVILLEA / BOUGAINVILLEA X 'BARBARA KARST' FULL CAN, TRAIN TO STRUCTURE WITH HIDDEN ARBOR TAPE AND TIES	5 GAL	8	
	HELEN JOHNSON COMPACT BOUGAINVILLEA / BOUGAINVILLEA X 'HELEN JOHNSON' FULL CAN, PLANT TO FORM MASS	5 GAL	108	
	LA JOLLA BOUGAINVILLEA / BOUGAINVILLEA X 'LA JOLLA' FULL CAN, SPACE PER PLANS	5 GAL	21	
	WINTER BLAZE EMU BUSH / EREMOPHILA GLABRA 'WINTER BLAZE' FULL CAN, SPACE PER PLANS, MAINTAIN 3' FROM HARDSCAPE	5 GAL	15	
	BLUE BELLS / EREMOPHILA HYGROPHANA FULL CAN, SPACE PER PLANS, MAINTAIN 2' FROM HARDSCAPE	5 GAL	89	
	LYNN'S LEGACY SAGE / LELICOPHYLLUM 'LYNN'S LEGACY' FULL CAN, SPACE PER PLANS, MAINTAIN 3' FROM HARDSCAPE	5 GAL	63	
	PETITE PINK OLEANDER / NERIUM OLEANDER 'PETITE PINK' FULL CAN, SPACE PER PLANS, MAINTAIN 3' FROM HARDSCAPE	5 GAL	13	
	LITTLE OLIVE / OLEA EUROPAEA 'LITTLE OLIVE' TM FULL CAN, SPACE PER PLANS, MAINTAIN 3' FROM HARDSCAPE	5 GAL	24	
	MEXICAN PETUNIA / RUELLIA BRITTONIANA FULL CAN, SPACE PER PLANS, MAINTAIN 3' FROM HARDSCAPE	5 GAL	91	
	CORAL FOUNTAIN / RUSSELLIA EQUISETIFORMIS SPACE PER PLAN, 24" FROM HARDSCAPE.	5 GAL	32	

MATCHLINE SHEET L.3

PLANT LEGEND (EXST. COMMERCIAL)

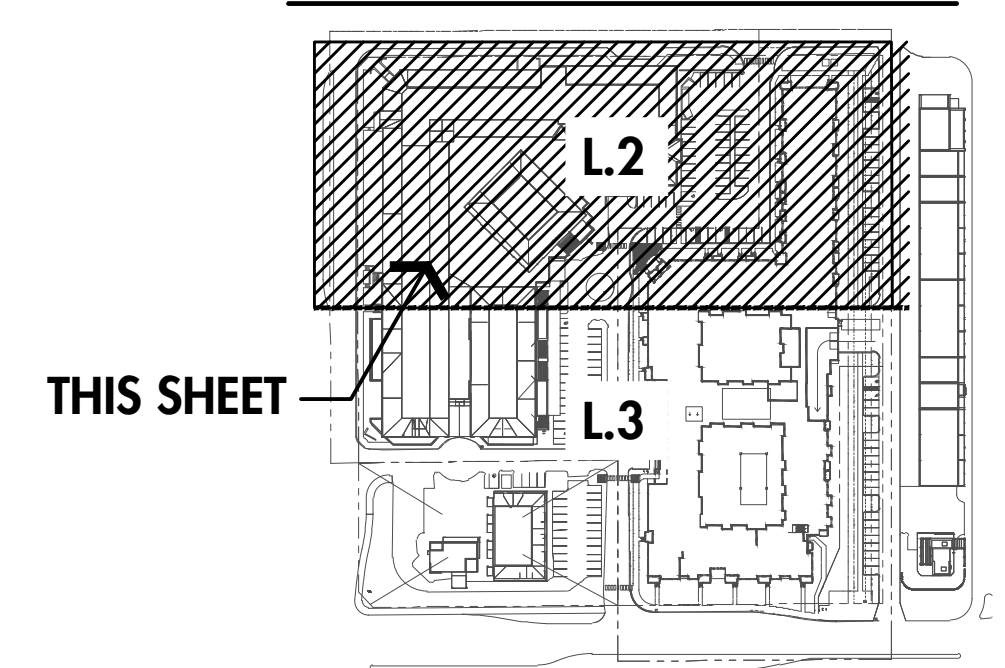
TREES	COMMON / BOTANICAL NAME	CONT	QTY	SHRUBS
	YELLOW BELLS / TECOMA STANS FULL CAN, SPACE PER PLANS, MAINTAIN 4' FROM HARDSCAPE	5 GAL	19	
	SIERRA APRICOT TACOMA / TECOMA STANS SIERRA APRICOT FULL CAN, SPACE PER PLANS, MAINTAIN 4' FROM HARDSCAPE	5 GAL	91	
	WEBER AGAVE / AGAVE WEBERI FULL CAN, SPACE PER PLANS, MAINTAIN 6' FROM HARDSCAPE	5 GAL	9	
	BLUE FLAME AGAVE / AGAVE X 'BLUE FLAME' SPACE PER PLAN, NO SCARS, RIPS, OR TEARS.	5 GAL	8	
	YELLOW BLOOMING ALOE / ALOE BARBADENSIS FULL CAN, SPACE PER PLANS, MAINTAIN 2' FROM HARDSCAPE	5 GAL	264	
	SAGO PALM / CYCAS REVOLUTA FOR POTS. TOP DRESS WITH BLACK MEXICAN BEACH PEBBLE	15 GAL	5	
	LIONHEART HESPERALOE / HESPERALOE CAMPANULATA FULL CAN, SPACE PER PLANS, MAINTAIN 2' FROM HARDSCAPE	5 GAL	38	
	PINK PARADE HESPERALOE / HESPERALOE X 'PERFU' 16" TALL MIN. 36" FRM H.S. SUPPL: MT. STATES NURSERY	5 GAL	39	
	PINE MUHLY / MUHLENBERGIA DUBIA SPACE PER PLANS, 24" FROM H.S.	1 GAL	214	
	TALL SLIPPER PLANT / PEDILANTHUS BRACTEATUS 16" TALL MIN. FULL CAN, 30 STEM MIN.	5 GAL	26	
	MEXICAN FENCE POST / STENOCCERUS MARGINATA SPECIMEN, AT LEAST 2 STEMS, 24" TALL MIN.	5 GAL	35	
	TWISTLEAF YUCCA / YUCCA PALLIDA FULL CAN, SPACE PER PLANS, MAINTAIN 2' FROM HARDSCAPE	5 GAL	48	
	OUTBACK SUNRISE EMU BUSH / EREMOPHILA GLABRA 'MINGENOW GOLD' FULL CAN, SPACE PER PLANS, MAINTAIN 2' FROM HARDSCAPE	1 GAL	24	
	GOLD MOUND LANTANA / LANTANA CAMARA FULL CAN, SPACE PER PLANS, MAINTAIN 2' FROM HARDSCAPE	5 GAL	102	
	NEW GOLD LANTANA / LANTANA X 'NEW GOLD' SPACE PER PLANS 30" FROM HARDSCAPE. MAX HT. 24"	5 GAL	14	
	UPRIGHT BLUE ROSEMARY / ROSMARINUS OFFICINALIS 'UPRIGHT BLUE' SPACE PER PLAN, 12" FROM HARDSCAPE.	1 GAL	105	

Resolution No. 13138
Exhibit 1
Page 54 of 72

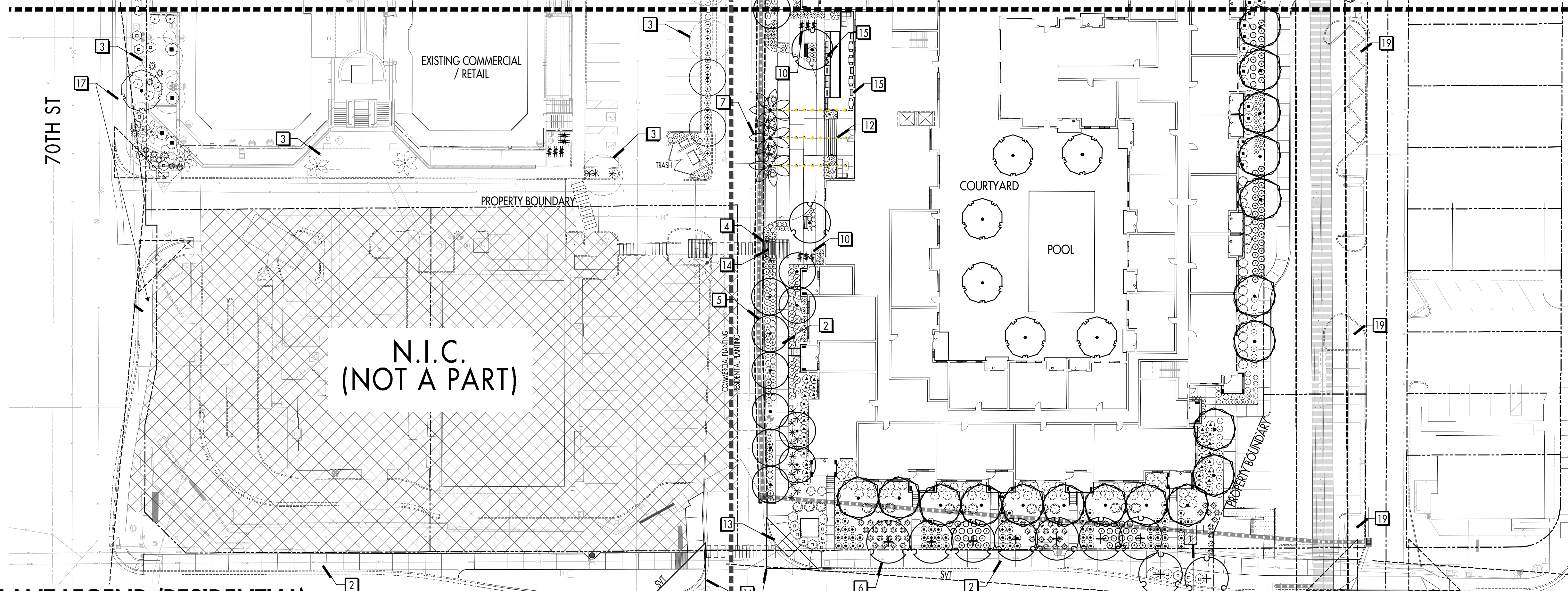


WATER INTENSIVE PLANT MATERIAL
NOTE: PROJECT DOES NOT INCLUDE PLANTS THAT ARE CLASSIFIED AS WATER INTENSIVE PLANTS PER THE ARIZONA DEPARTMENT OF WATER RESOURCES PHOENIX ACTIVE MANAGEMENT AREA LOW WATER/DROUGHT TOLERANT PLANT LIST.

KEY MAP



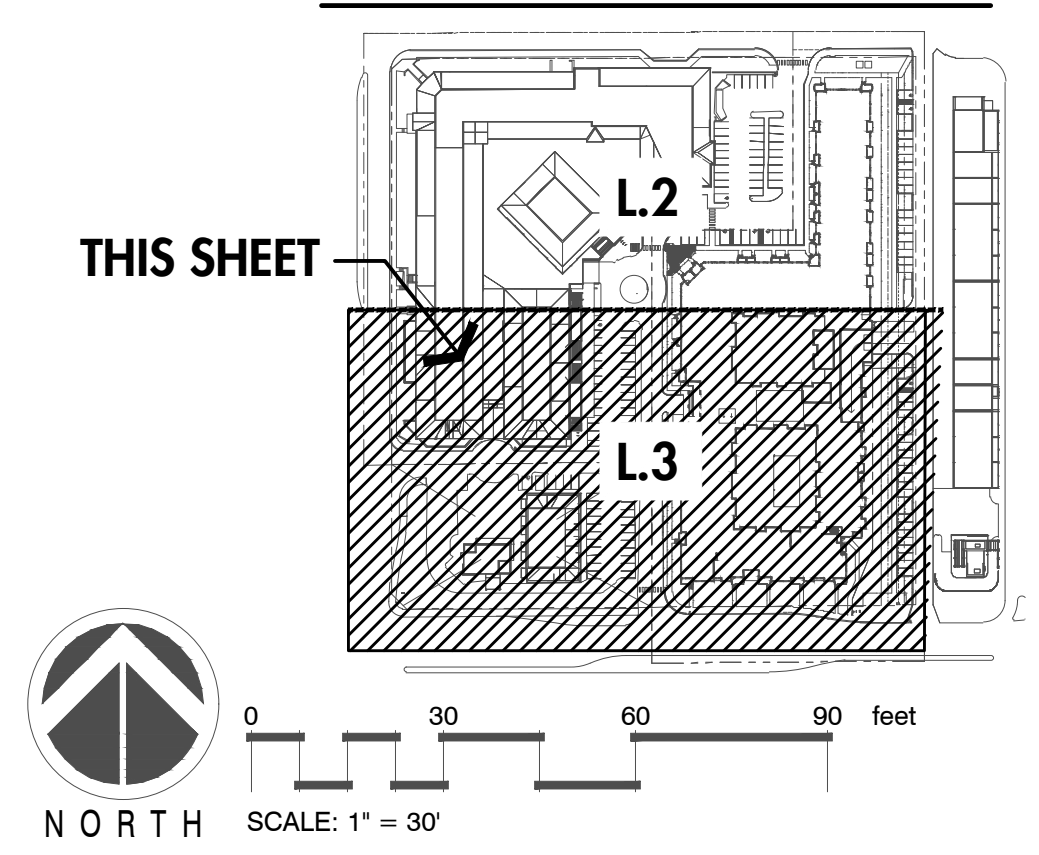
THIS SHEET



KEYNOTES

- 1 TREES TO BE PLANTED 7' MIN FROM BOX CULVERT.
- 2 NEW SIDEWALK (REFER TO HARDSCAPE PLAN SHEET L.1).
- 3 EXISTING TREE / PALM, PROTECT IN PLACE.
- 4 TRAIN BOUGAINVILLEA VINE TO TRELLIS STRUCTURE.
- 5 TALL, UPRIGHT TREES (EUCALYPTUS) PLANTED IN NARROW CONDITION.
- 6 APS COMPLIANT TREE FOR UNDER OVERHEAD POWER LINE.
- 7 DATE PALMS TO FRAME ENTRY / DROP-OFF.
- 8 NEW PLANTING AT EXISTING COMMERCIAL CENTER, REFER TO PLANTING CONSTRUCTION NOTES (THIS SHEET).
- 9 DOG RUN WITH SYNTHETIC LAWN & BENCH SEATING.
- 10 BIKE RACKS.
- 11 ELECTRIC TRANSFORMER, MAINTAIN REQUIRED CLEARANCES.
- 12 OVERHEAD STRING LIGHTS ACROSS DROP-OFF (ATTACHED TO PALM TREE & BLDG.).
- 13 ADA RAMP, REFER TO CIVIL DRAWINGS.
- 14 TRELLIS STRUCTURE TO SHADE WALKWAY, REFER TO ARCHITECTURAL DRAWINGS. TRAIN BOUGAINVILLEA VINES TO STRUCTURE.
- 15 RECTANGULAR PLANTERS AT ENTRY-DROP-OFF W/ ACCENT PLANTING.
- 16 SIGHT VISIBILITY TRIANGLE (SVT), REFER TO CIVIL DRAWINGS, SHRUBS TO BE MAINTAINED AT A MAX. HEIGHT OF 18".
- 17 EXISTING SIDEWALK, PROTECT IN PLACE.
- 18 7' TREE SETBACK LINE (NO TREE PLANTING WITH 7' OF EXISTING BOX CULVERT / DRAINAGE CHANNEL).
- 19 EXISTING PARKING LOT LANDSCAPE, PROTECT IN PLACE.

KEY MAP



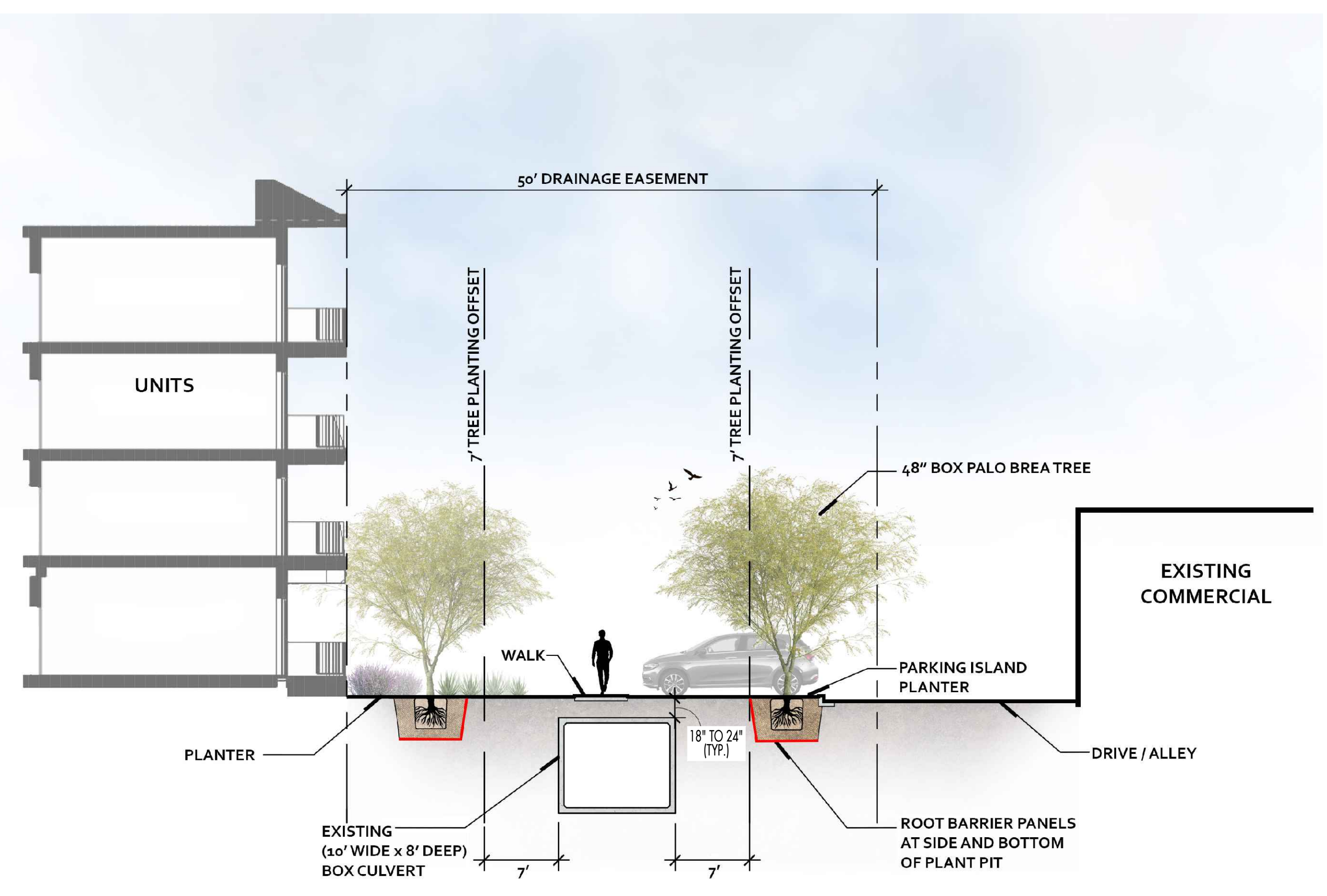
PLANT LEGEND (RESIDENTIAL)

TREES	COMMON / BOTANICAL NAME	CONT
	MULGA / ACACIA AENEURA 2.0" CAL. X 9' H X 6' W, UPRIGHT STANDARD	36" BOX
	HONG KONG ORCHID TREE / BAUHINIA X BLAKEANA TALL, UPRIGHT, MATCHED STANDARDS, 3" CAL. 13' H X 8' W.	48" BOX
	PALO BREIA / CERCIIDIUM PRAECOX LOW-BRANCHING, TALL, UPRIGHT, VASE-SHAPED, MATCHED 3.5" CAL. 12' H X 11" W	48" BOX
	GHOST GUM / EUCALYPTUS PARJANA MATCHED STANDARDS, 3" CAL. X 12' H X 6' W, SUPPLIER: AUSTRALIAN OUTBACK PLANTATION (623) 393-0767	48" BOX
	FRUITLESS OLIVE / OLEA EUROPAEA 'FRUITLESS' UPRIGHT, VASE SHAPE, MULTI-TRUNK 3.5" CAL. X 12' H X 10' W	48" BOX
	DATE PALM / PHOENIX DACTYLIFERA NEW DIAMOND CUT / MATCHED HEIGHT / STRAIGHT TRUNKS	16" TRUNK
	CHINESE ELM / ULMUS PARVIFOLIA TALL, UPRIGHT, STANDARD 3.5" CAL. MIN. X 15' H X 10' W	48" BOX
SHRUBS	COMMON / BOTANICAL NAME	CONT
	BARBARA KARST BOUGAINVILLEA / BOUGAINVILLEA X 'BARBARA KARST' FULL CAN, TRAIN TO STRUCTURE WITH HIDDEN ARBOR TAPE AND TIES	5 GAL
	HELEN JOHNSON COMPACT BOUGAINVILLEA / BOUGAINVILLEA X 'HELEN JOHNSON' FULL CAN, PLANT TO FORM MASS	5 GAL
	LA JOLLA BOUGAINVILLEA / BOUGAINVILLEA X 'LA JOLLA' FULL CAN, SPACE PER PLANS	5 GAL
	WINTER BLAZE EMU BUSH / EREMOPHILA GLABRA 'WINTER BLAZE' FULL CAN, SPACE PER PLANS, MAINTAIN 3' FROM HARDSCAPE	5 GAL
	BLUE BELLS / EREMOPHILA HYGROPHANA FULL CAN, SPACE PER PLANS, MAINTAIN 2' FROM HARDSCAPE	5 GAL
	LYNN'S LEGACY SAGE / LEUCOPHYLLUM 'LYNN'S LEGACY' FULL CAN, SPACE PER PLANS, MAINTAIN 3' FROM HARDSCAPE	5 GAL
	PETITE PINK OLEANDER / NEROLIUM OLEANDER 'PETITE PINK' FULL CAN, SPACE PER PLANS, MAINTAIN 3' FROM HARDSCAPE	5 GAL
	LITTLE OLIVE / OLEA EUROPAEA 'LITTLE OLIVE' TM FULL CAN, SPACE PER PLANS, MAINTAIN 3' FROM HARDSCAPE	5 GAL
	MEXICAN PETUNIA / RUELLIA BRITTONIANA FULL CAN, SPACE PER PLANS, MAINTAIN 3' FROM HARDSCAPE	5 GAL
	CORAL FOUNTAIN / RUSSELLIA EQUISSETIFORMIS SPACE PER PLAN, 24" FROM HARDSCAPE.	5 GAL
	YELLOW BELLS / TECOMA STANS FULL CAN, SPACE PER PLANS, MAINTAIN 4' FROM HARDSCAPE	5 GAL
	SIERRA APRICOT TACOMA / TECOMA STANS SIERRA APRICOT FULL CAN, SPACE PER PLANS, MAINTAIN 4' FROM HARDSCAPE	5 GAL
ACCENT	COMMON / BOTANICAL NAME	CONT
	WEBER AGAVE / AGAVE WEBERI FULL CAN, SPACE PER PLANS, MAINTAIN 6' FROM HARDSCAPE	5 GAL
	BLUE FLAME AGAVE / AGAVE X 'BLUE FLAME' SPACE PER PLAN, NO SCARS, RIPS, OR TEARS.	5 GAL
	YELLOW BLOOMING ALOE / ALOE BARBADENSIS FULL CAN, SPACE PER PLANS, MAINTAIN 1.5' FROM HARDSCAPE	5 GAL
	SAGO PALM / CYCAS REVOLUTA FOR POTS. TOP DRESS WITH BLACK MEXICAN BEACH PEBBLE	15 GAL
	LIONHEART HESPERALOE / HESPERALOE CAMPANULATA FULL CAN, SPACE PER PLANS, MAINTAIN 2' FROM HARDSCAPE	5 GAL
	PINK PARADE HESPERALOE / HESPERALOE X 'PERFU' 16" TALL MIN. 36" FRM H.S. SUPPL: MT. STATES NURDERY	5 GAL

PLANT LEGEND (EXST. COMMERCIAL)

TREES	COMMON / BOTANICAL NAME	CONT
	GHOST GUM / EUCALYPTUS PARJANA MATCHED STANDARDS, 3" CAL. X 12' H X 6' W, SUPPLIER: AUSTRALIAN OUTBACK PLANTATION (623) 393-0767	48" BOX
	CHINESE ELM / ULMUS PARVIFOLIA TALL, UPRIGHT, STANDARD 1.5" CAL. MIN. X 9' H X 4' W	24" BOX
	CHINESE ELM / ULMUS PARVIFOLIA TALL, UPRIGHT, STANDARD 3.5" CAL. MIN. X 15' H X 10' W	48" BOX
SHRUBS	COMMON / BOTANICAL NAME	CONT
	HELEN JOHNSON COMPACT BOUGAINVILLEA / BOUGAINVILLEA X 'HELEN JOHNSON' FULL CAN, PLANT TO FORM MASS	5 GAL
	WINTER BLAZE EREMOPHILA / EREMOPHILA GLABRA 'WINTER BLAZE' FULL CAN, SPACE PER PLANS, MAINTAIN 2' FROM HARDSCAPE	5 GAL
	LYNN'S LEGACY SAGE / LEUCOPHYLLUM 'LYNN'S LEGACY' FULL CAN, SPACE PER PLANS, MAINTAIN 3' FROM HARDSCAPE	5 GAL
	PETITE PINK OLEANDER / NEROLIUM OLEANDER 'PETITE PINK' FULL CAN, SPACE PER PLANS, MAINTAIN 3' FROM HARDSCAPE	5 GAL
	YELLOW BELLS / TECOMA STANS FULL CAN, SPACE PER PLANS, MAINTAIN 3' FROM HARDSCAPE	5 GAL
ACCENT	COMMON / BOTANICAL NAME	CONT
	LIONHEART HESPERALOE / HESPERALOE CAMPANULATA FULL CAN, SPACE PER PLANS, MAINTAIN 2' FROM HARDSCAPE	5 GAL
	PINK PARADE HESPERALOE / HESPERALOE X 'PERFU' 16" TALL MIN. MAINTAIN 3' FROM H.S. SUPPL: MT. STATES NURSERY	5 GAL
	TWISTLEAF YUCCA / YUCCA PALLIDA FULL CAN, SPACE PER PLANS, MAINTAIN 2' FROM HARDSCAPE	5 GAL
GROUNDCOVER	COMMON / BOTANICAL NAME	CONT
	OUTBACK SUNRISE EMU BUSH / EREMOPHILA GLABRA 'MINGENEW GOLD' FULL CAN, SPACE PER PLANS, MAINTAIN 2' FROM HARDSCAPE	5 GAL
	NEW GOLD LANTANA / LANTANA X 'NEW GOLD' SPACE PER PLANS 30" FROM HARDSCAPE. MAX HT: 24"	5 GAL

SHEA BLVD.



SECTION A - TREE PLANTING IN DRAINAGE EASEMENT

7000 E. Shea Boulevard
Scottsdale, AZ 85254

collectiv
landscape architects

escg
ARCHITECTURE & DESIGN

500 Washington Avenue South, Suite 1080
Minneapolis, MN 55415
p 612.339.5508 | f 612.339.5382
www.esgarch.com

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Signature: _____
Typed or Printed Name: _____
License # Date: _____

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3RD SUBMITTAL

1/30/2024

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No. Description Date

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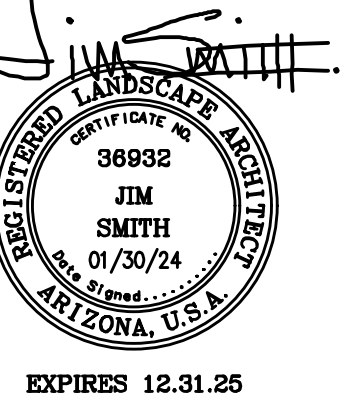
KEY PLAN

COSANTI COMMONS

LANDSCAPE PLAN

L.3

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13.03
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KEY PLAN

COSANTI COMMONS

OPEN SPACE PLAN

L.4

REQUIRED COMMON OPEN SPACE

SITE AREA (GROSS): 375,447 S.F. (8.619 AC)
REQUIRED COMMON OPEN SPACE: 37,545 S.F. (10% OF GROSS SITE AREA)

 COMMON OPEN SPACE PROVIDED
94,600 S.F. TOTAL

OVERALL COMMON OPEN SPACE PROVIDED:
94,600 S.F. TOTAL PROPOSED = 25% OF GROSS SITE
57% INCREASE IN OPEN SPACE:
(94,600 PROPOSED OPEN SPACE - 59,996 S.F. EXISTING OPEN SPACE = 34,604 S.F. INCREASE / 59,996 S.F. x 100 = 57% INCREASE)

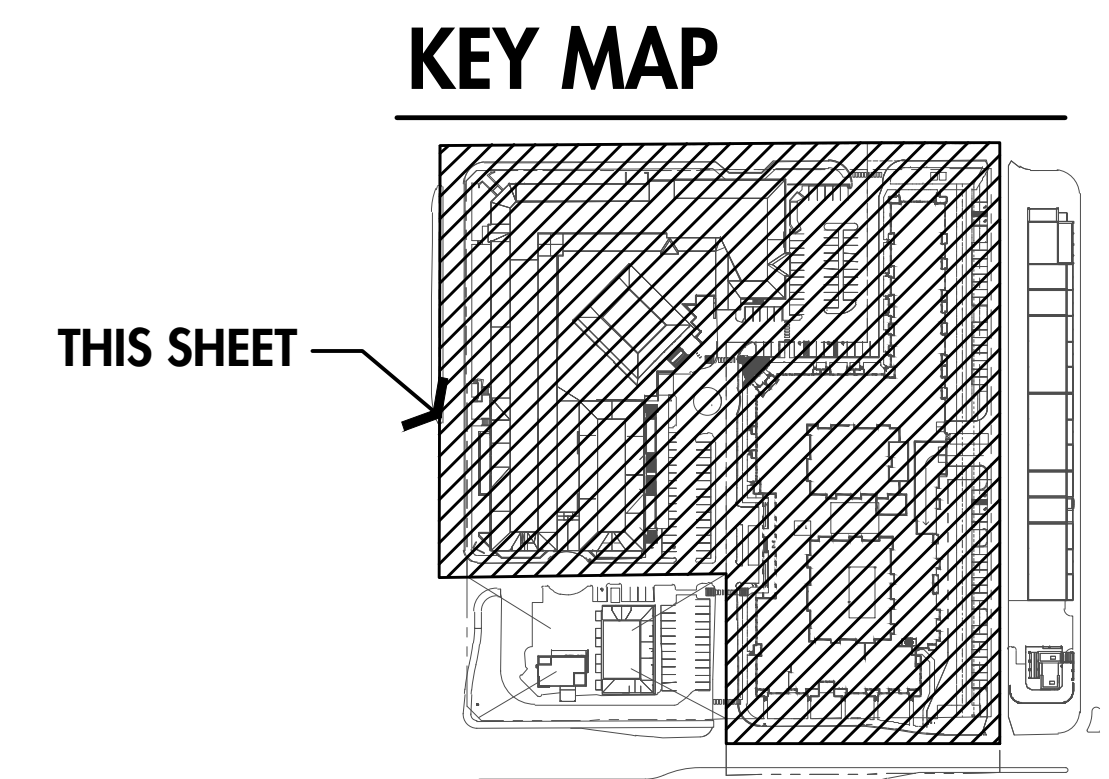
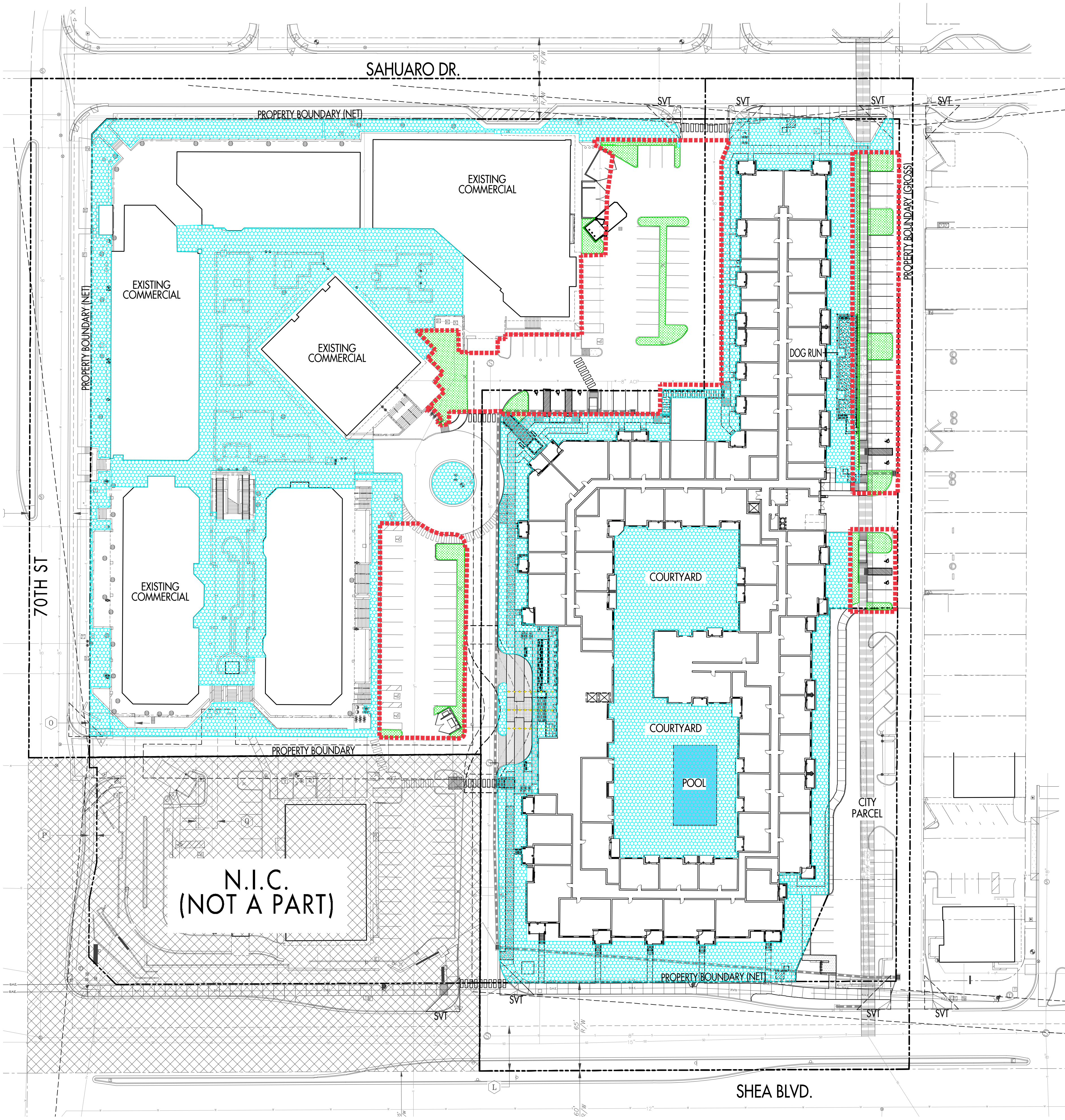
REQUIRED PARKING LOT LANDSCAPING (SITE)

TOTAL PARKING LOT AREA: 44,300 S.F. (1.01 AC)
REQUIRED LANDSCAPING: (15% OF PARKING LOT AREA = 44,300 x 15% = 6,645 S.F. REQUIRED)

 PARKING LOT LANDSCAPING PROVIDED
6,830 S.F. TOTAL (15.4%)**

 PARKING LOT AREA (44,300 S.F.)

**PROVIDED PARKING LOT LANDSCAPING MEETS 15% MIN. REQUIREMENT.





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Minneapolis, MN 55415
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www.esgarch.com

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Typed or Printed Name _____
License # _____ Date _____

NOT FOR CONSTRUCTION

1/30/2024
REZONING & GPA
RESUBMITTAL #3

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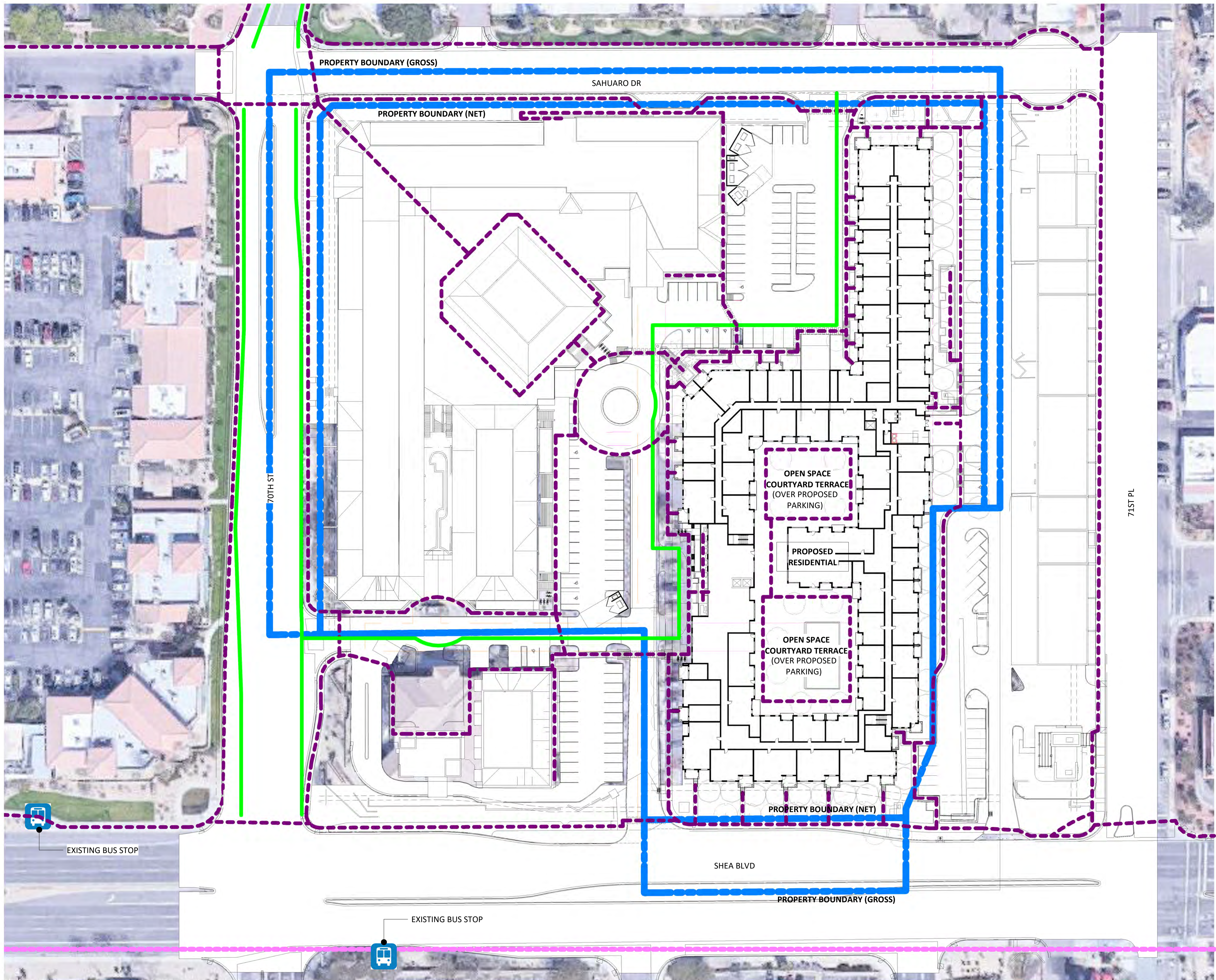
222517
PROJECT NUMBER
ESG DRAWN BY ESG CHECKED BY

KEY PLAN

COSANTI COMMONS

BICYCLE & PEDESTRIAN CIRCULATION

A.21.ub



- - - - PEDESTRIAN CIRCULATION
- BICYCLE CIRCULATION
- PROPERTY BOUNDARY
- - - - FUTURE SHARED USE PATH



1/30/2024 11:52:07 AM



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Minneapolis, MN 55415
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Typed or Printed Name _____
License # _____ Date _____

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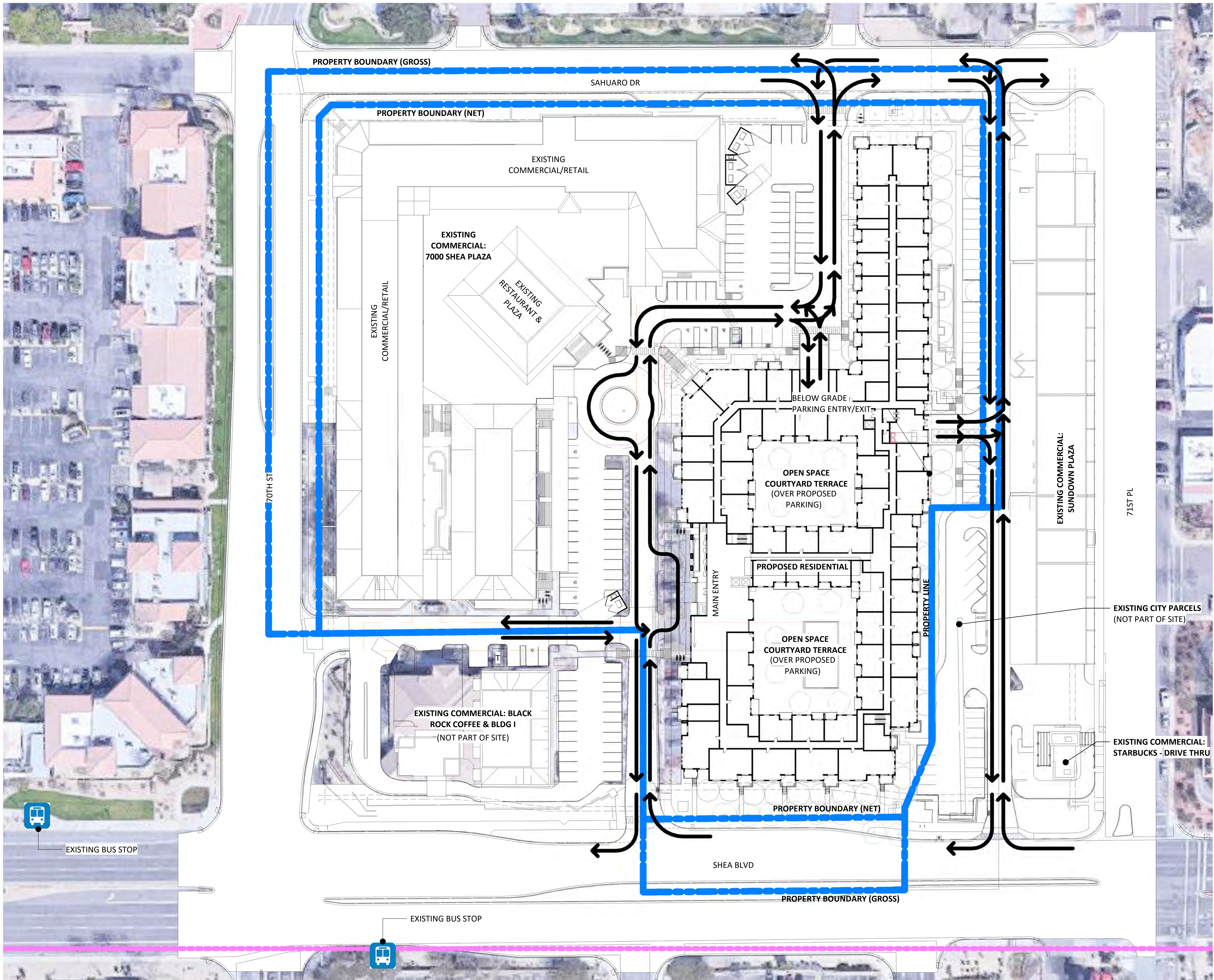
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KEY PLAN

COSANTI COMMONS

VEHICULAR CIRCULATION

A.21.ua



- VEHICLE CIRCULATION
- PROPERTY BOUNDARY
- FUTURE SHARED USE PATH



1/30/2024 11:51:18 AM

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KEY PLAN

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BUILDING ELEVATIONS -
COLOR

A.21.va

ELEVATION MATERIAL KEY

ST-1	STUCCO - WARM GREY, LRV 35
ST-2	STUCCO - LIGHT GREIGE, LRV 65
ST-3	STUCCO - DARK BRONZE, LRV 5
M-1	MASONRY - DARK
M-2	MASONRY - LIGHT
R-1	STEEL RAILING
SSM-1	DARK GRAY PANEL ROOFING
MT-1	WARM GREY METAL COPING
MT-2	DARK BRONZE METAL COPING



4 NORTH ELEVATION
A.21.va 1" = 20'-0"



3 SOUTH ELEVATION
A.21.va 1" = 20'-0"



2 EAST ELEVATION
A.21.va 1" = 20'-0"



1 WEST ELEVATION
A.21.va 1" = 20'-0"

3/27/2024 3:58:06 PM



SHEA BUILDING FRONTAGE



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PERSPECTIVES
A.21.xa



VIEW NORTHEAST AT SHEA AND DRIVE ENTRY



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SHEA BUILDING FRONTAGE: PEDESTRIAN IMPACTS



INTERNAL DRIVE

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PERSPECTIVES
A.21.xb



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INTERNAL ENTRANCE



VIEW NEAR ROUND-A-BOUT

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KEY PLAN

COSANTI COMMONS

PERSPECTIVES
A.21.xc



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VIEW SOUTHEAST NEAR NORTH SIDE



ALLEY VIEW

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KEY PLAN

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PERSPECTIVES
A.21.xd

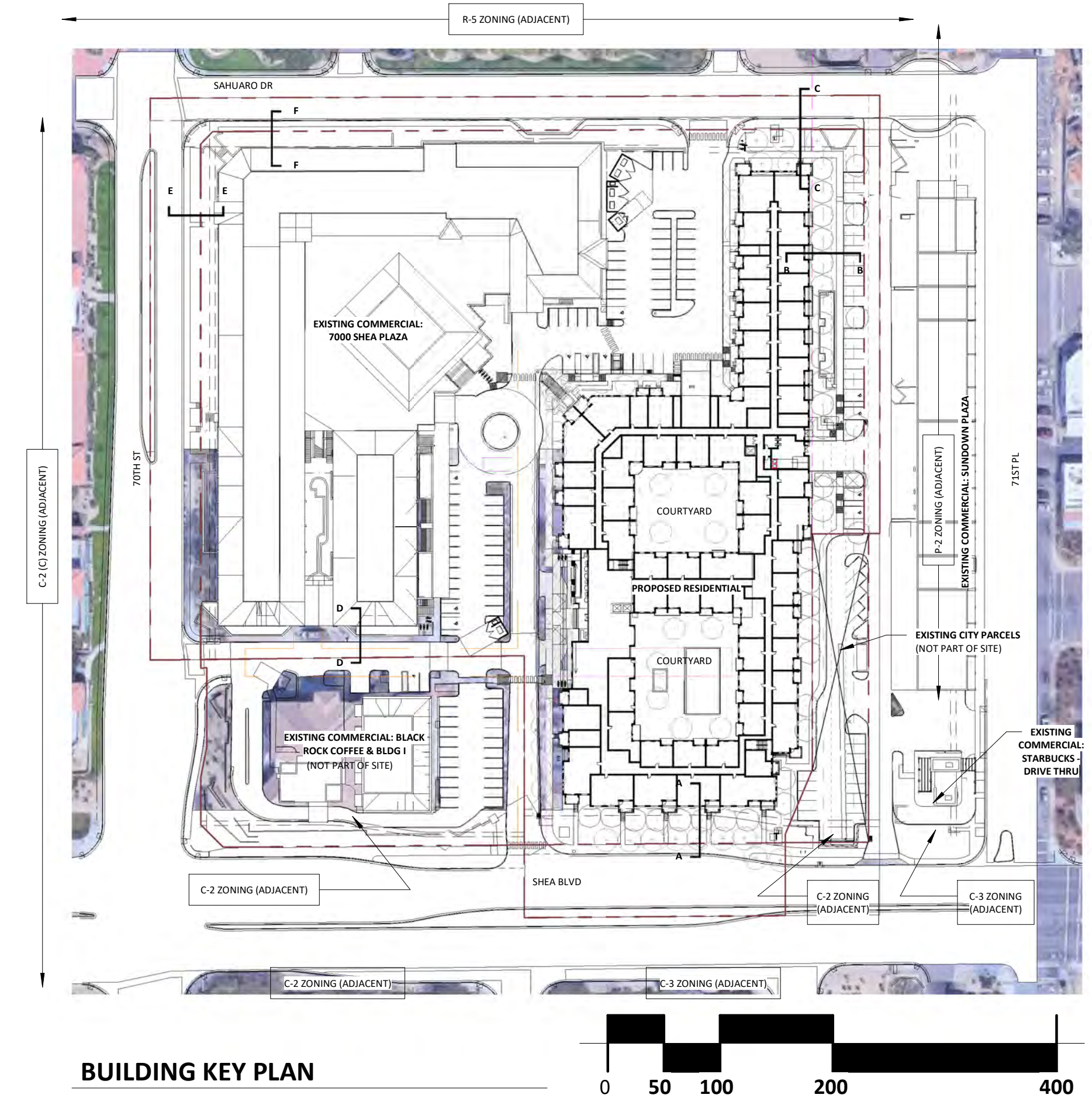


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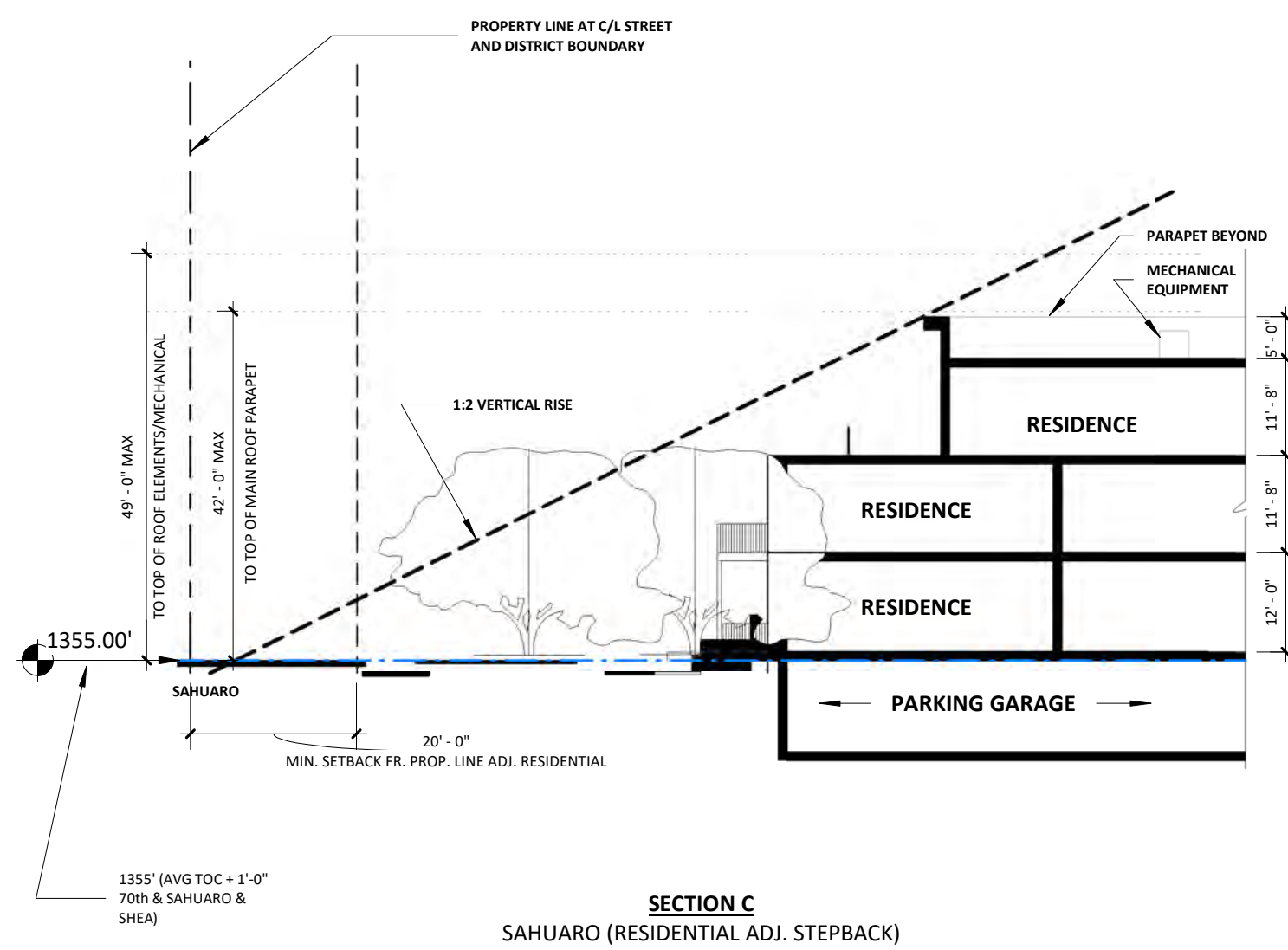
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KEY PLAN

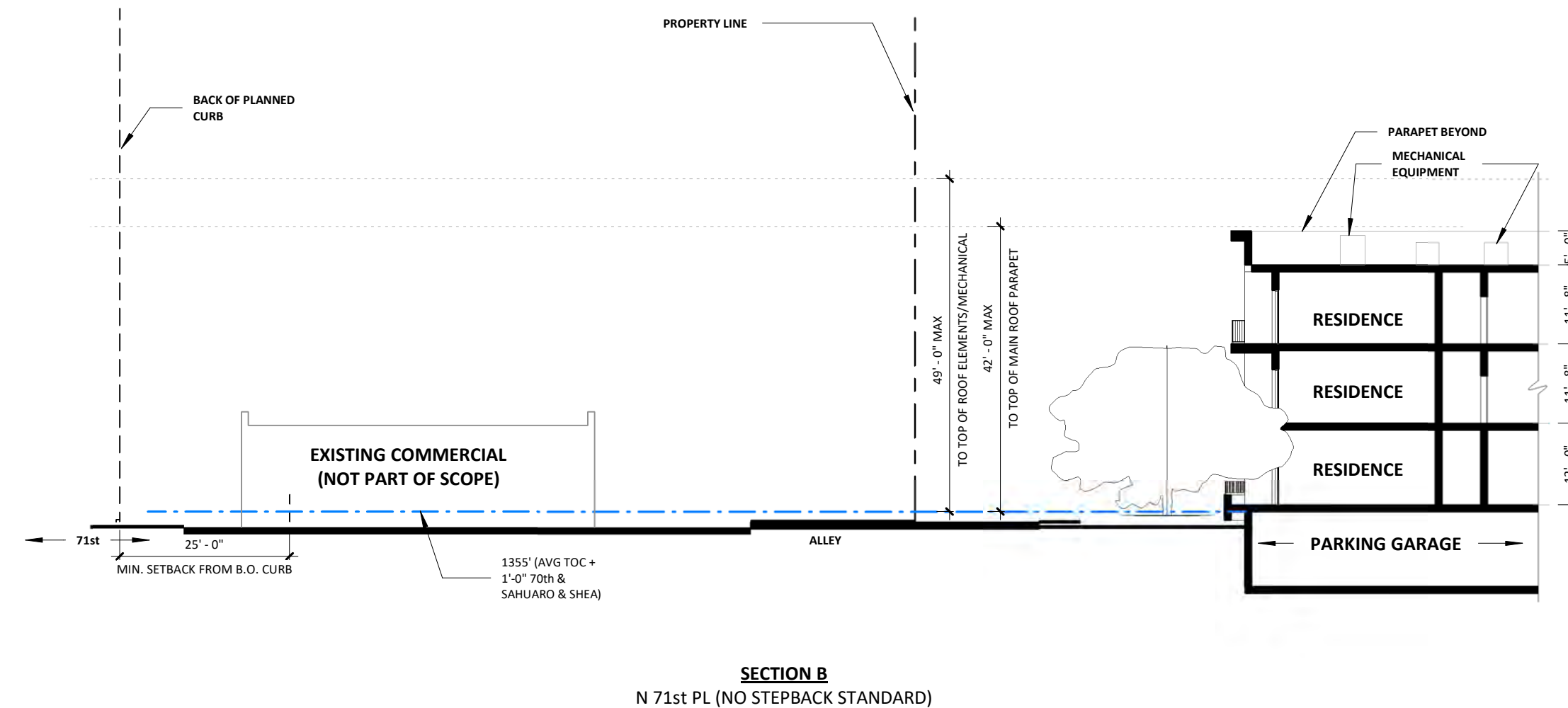
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BUILDING CROSS SECTIONS - RESIDENTIAL

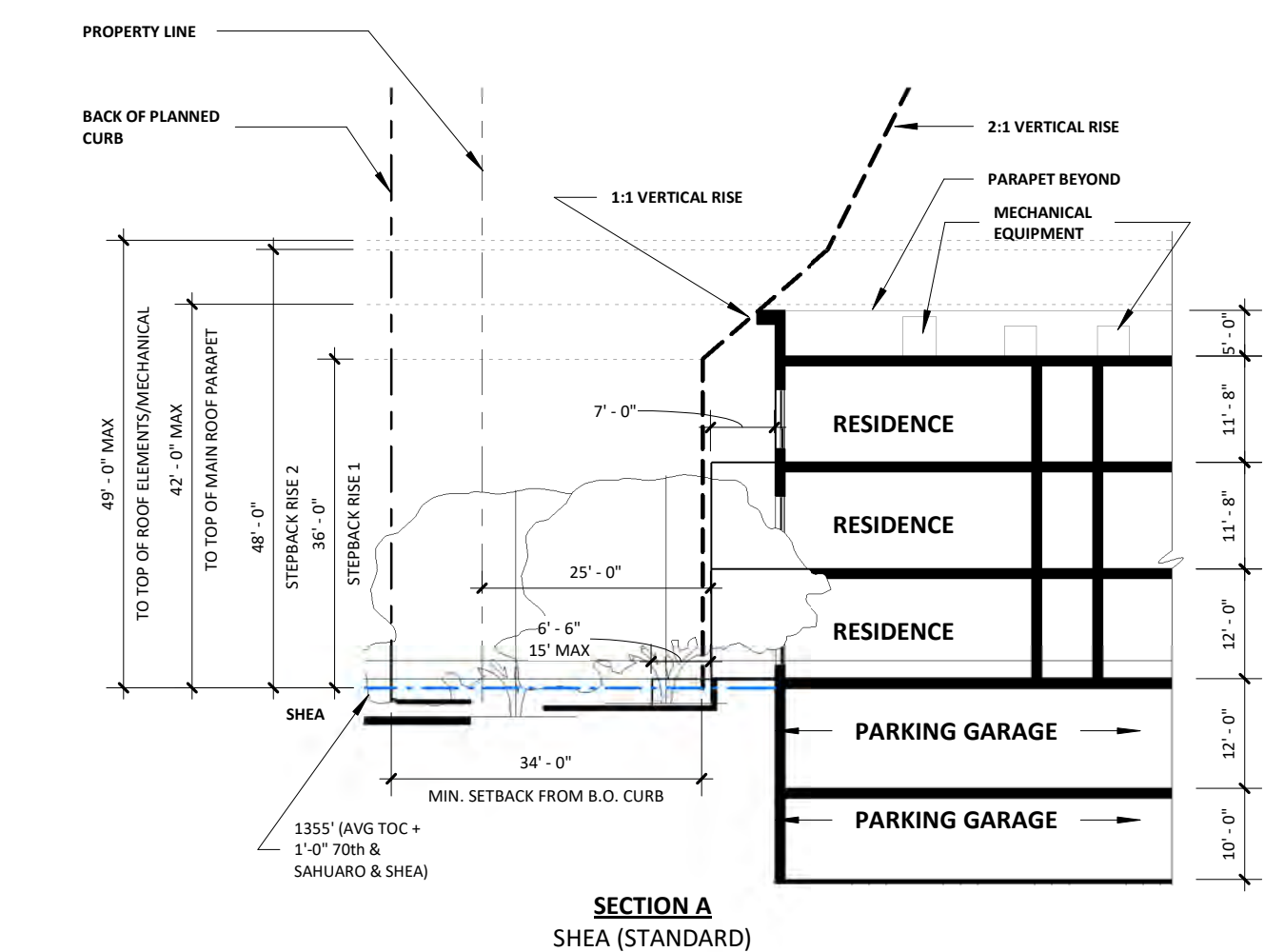
A.21.ja



3 NORTH SITE SECTION
A.21.ja 1" = 20'-0"



2 EAST SITE SECTION
A.21.ja 1" = 20'-0"



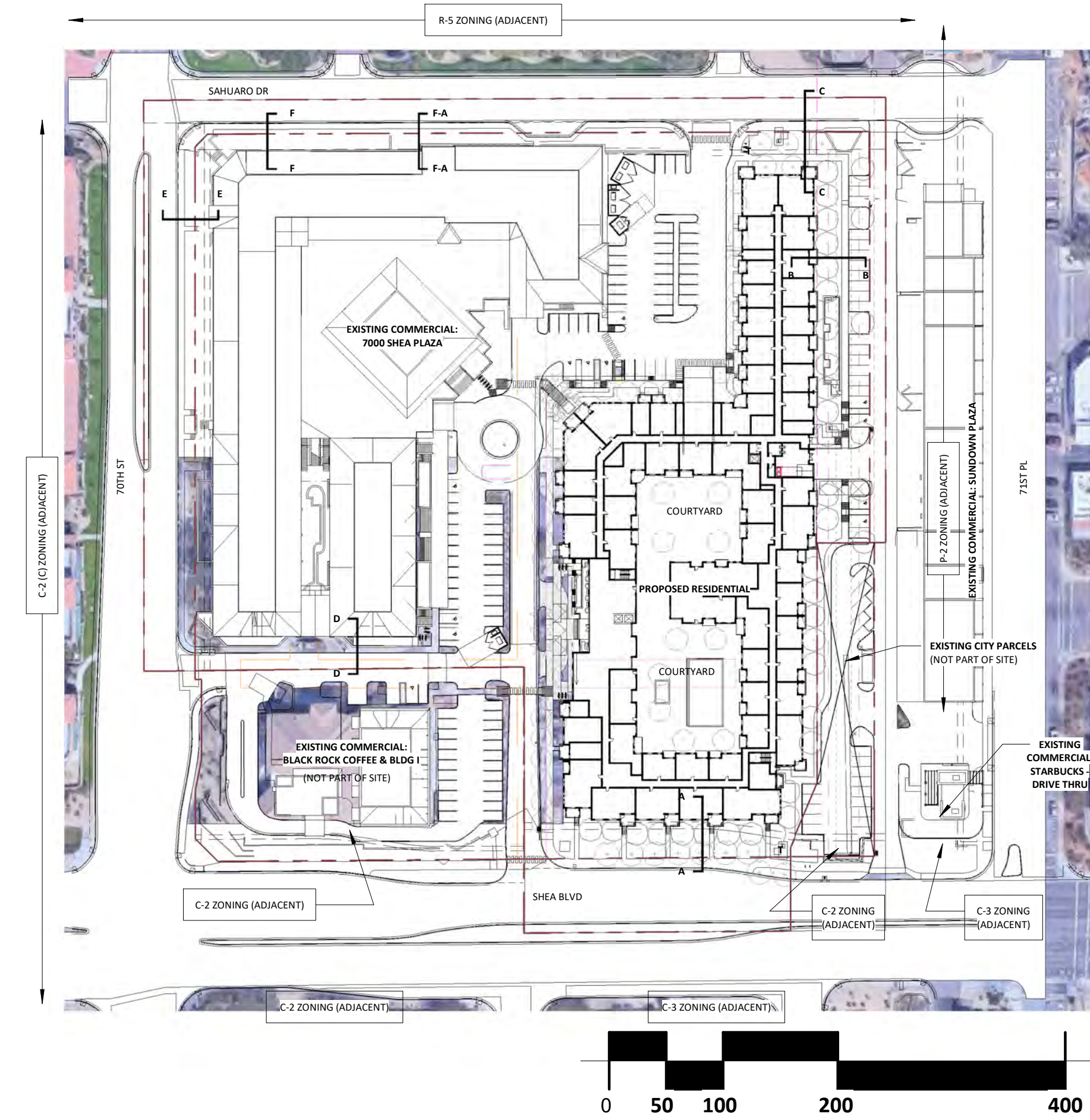
1 SOUTH SITE SECTION
A.21.ja 1" = 20'-0"

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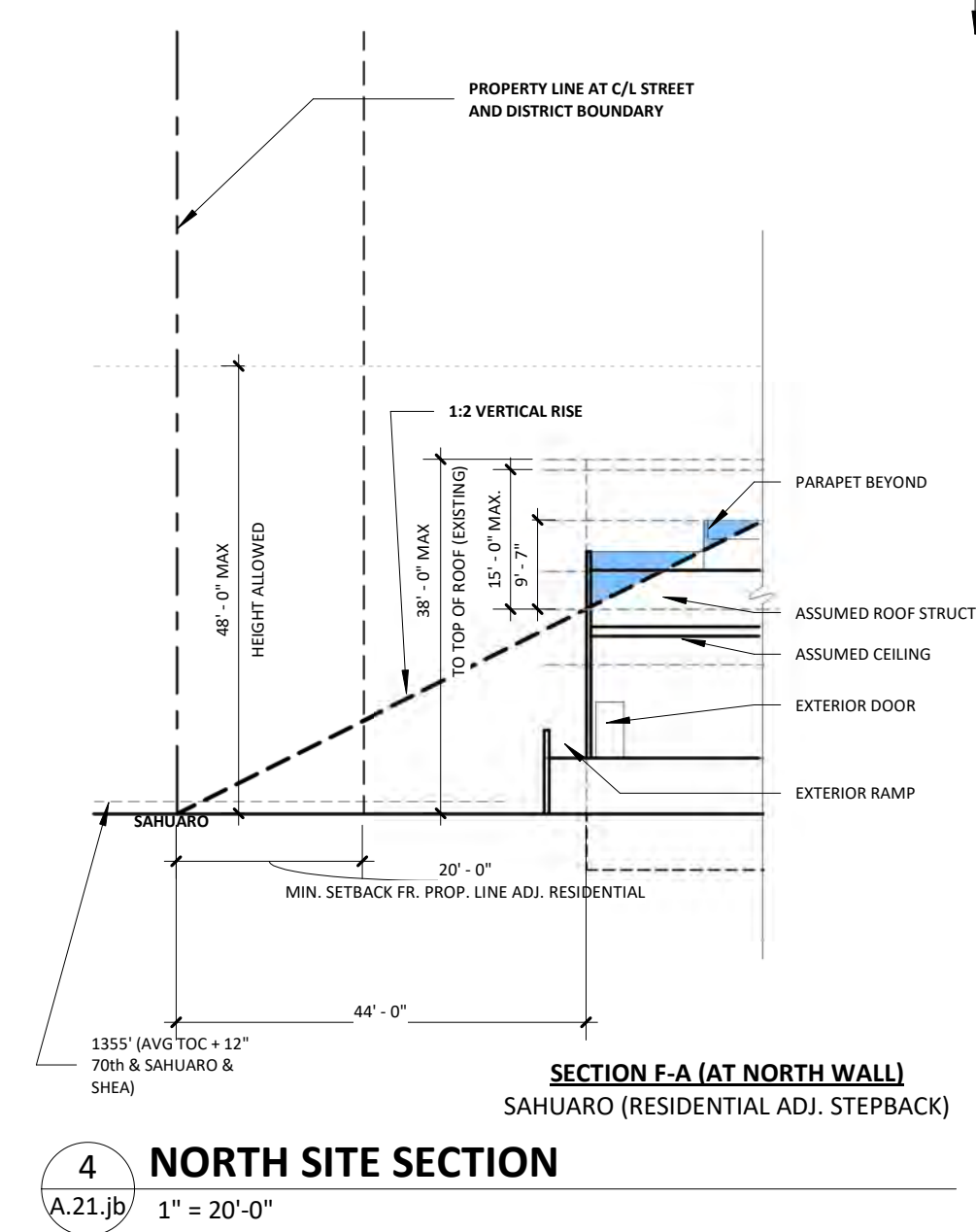
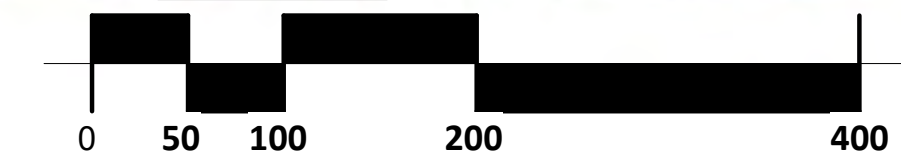
Sahuaro Drive:



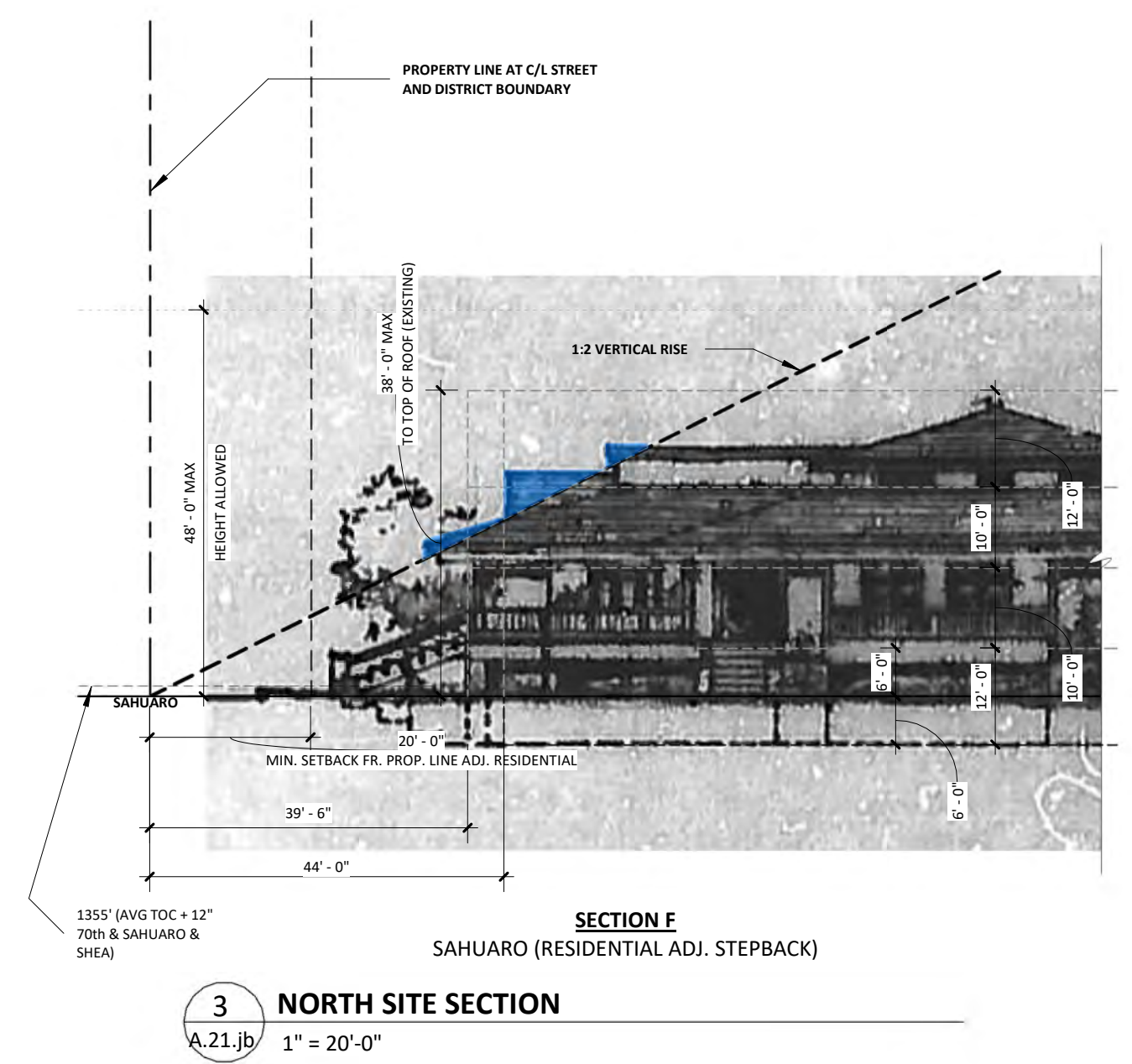
70th Street:



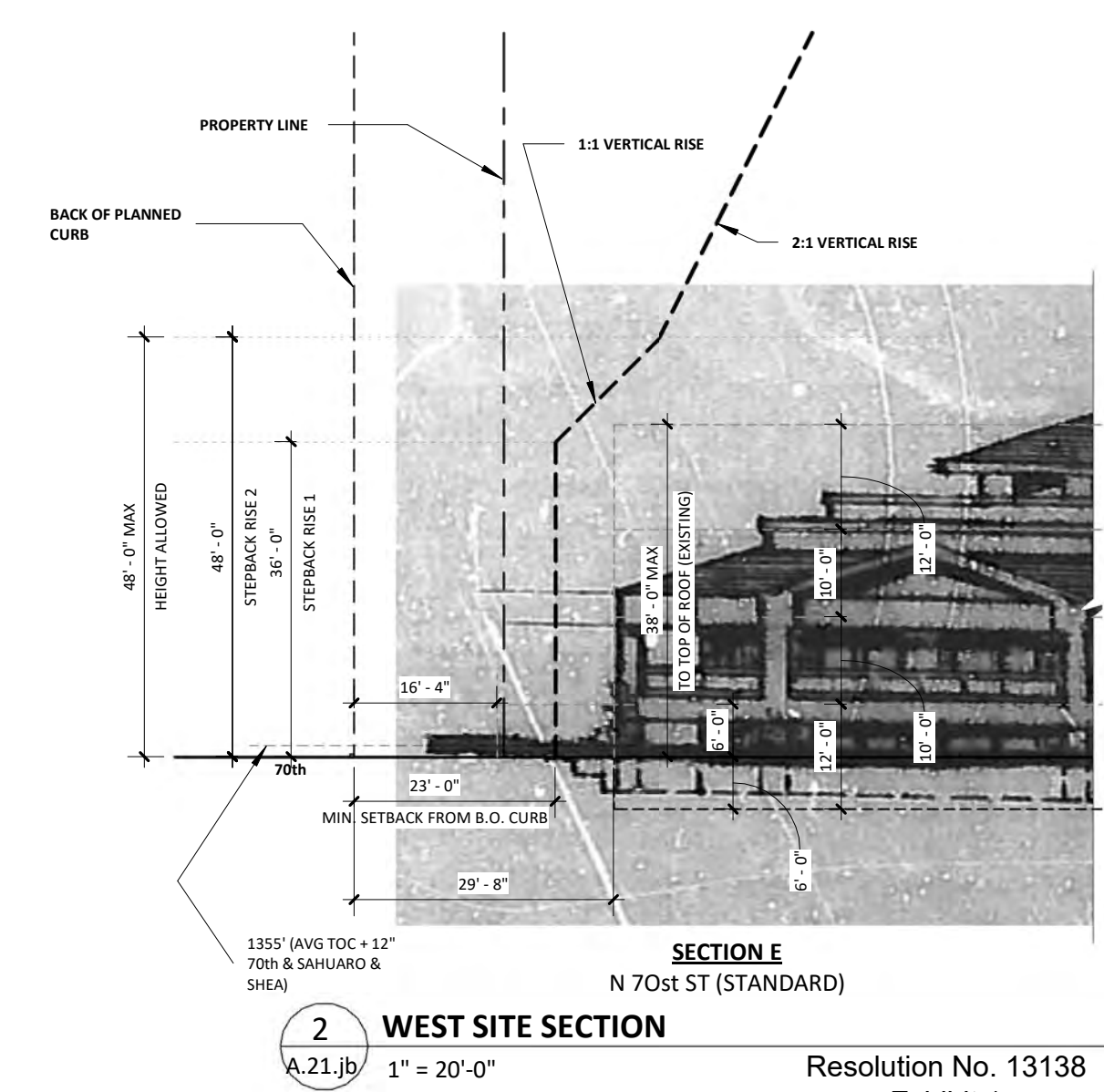
BUILDING KEY PLAN



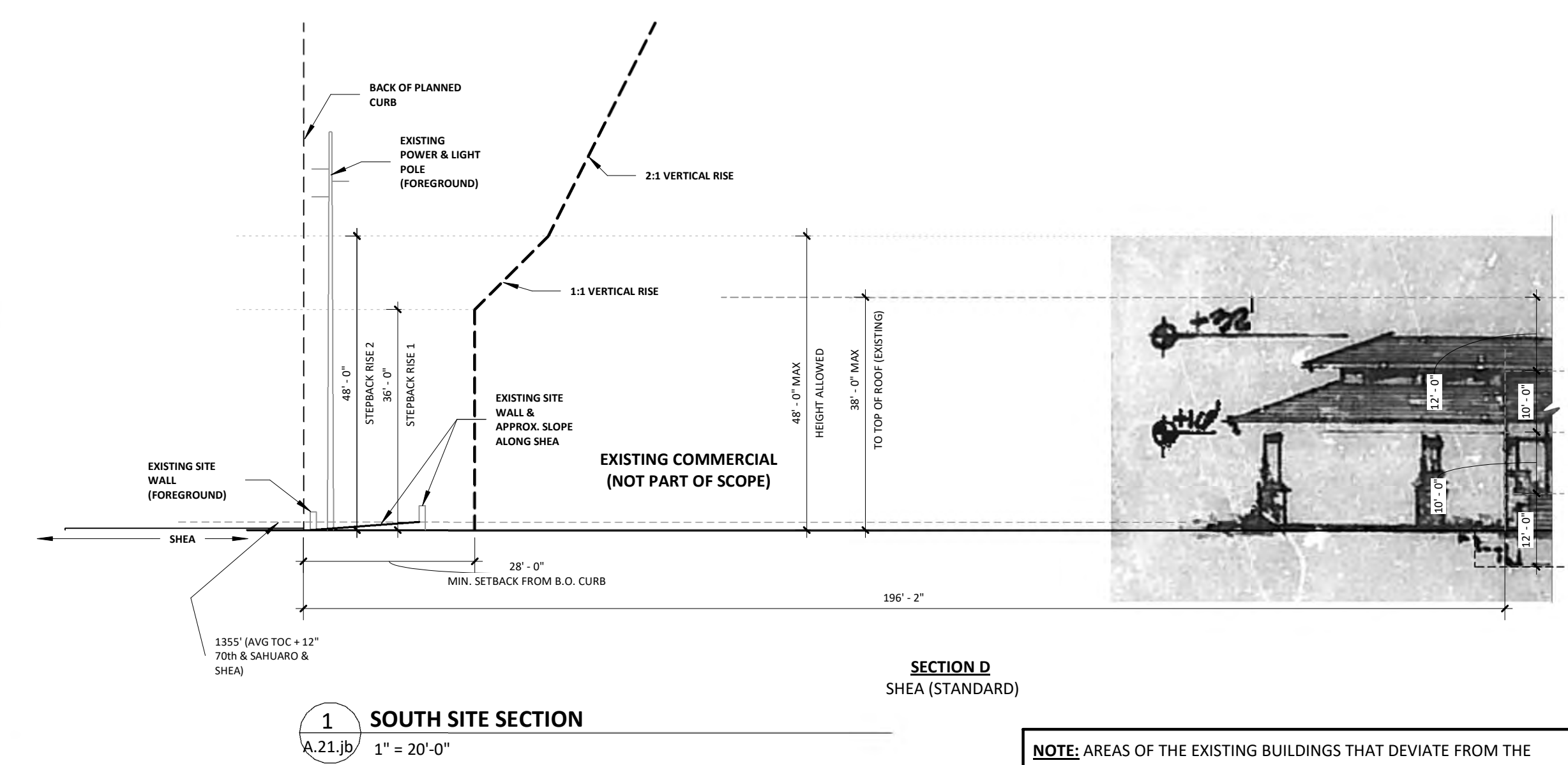
4 NORTH SITE SECTION
A.21.jb 1" = 20'-0"



3 NORTH SITE SECTION
A.21.jb 1" = 20'-0"



2 WEST SITE SECTION
A.21.jb 1" = 20'-0"



1 SOUTH SITE SECTION
A.21.jb 1" = 20'-0"

NOTE: AREAS OF THE EXISTING BUILDINGS THAT DEVIATE FROM THE PUD ORDINANCE ARE SHOWN IN BLUE.

COSANTI COMMONS
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KEY PLAN

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BUILDING CROSS SECTIONS - EXISTING COMMERCIAL

A.21.jb

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RESIDENCE MATRIX SF	
STUDIO/EFFICIENCY:	461 - 505 SF
1 BEDROOM JR:	557 - 671 SF
1 BEDROOM:	794 - 856 SF
1 BEDROOM + DEN:	884 - 890 SF
2 BEDROOM JR:	978 - 1048 SF
2 BEDROOM:	1106 - 1213 SF
2 BEDROOM + DEN:	1293 - 1421 SF



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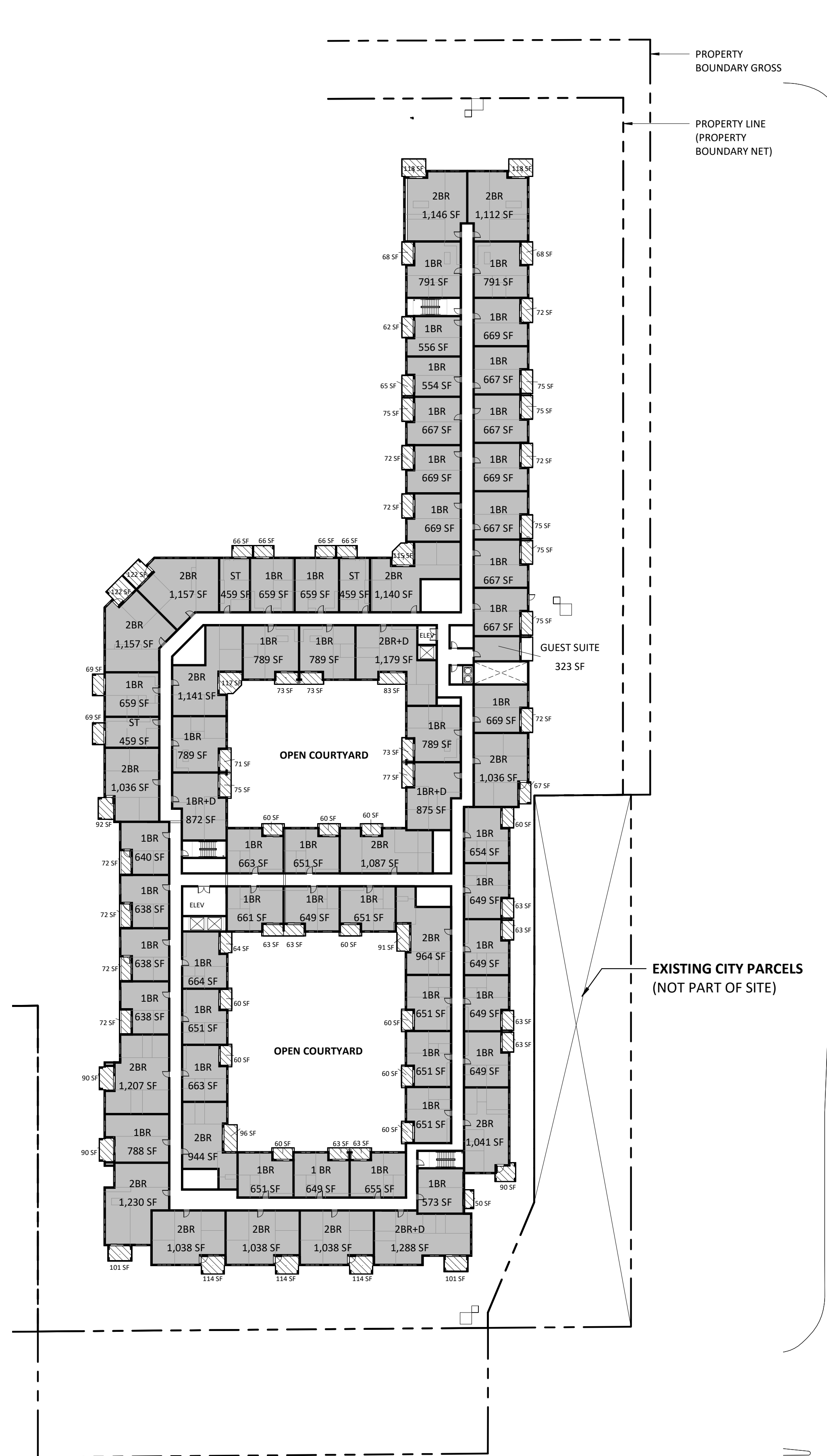
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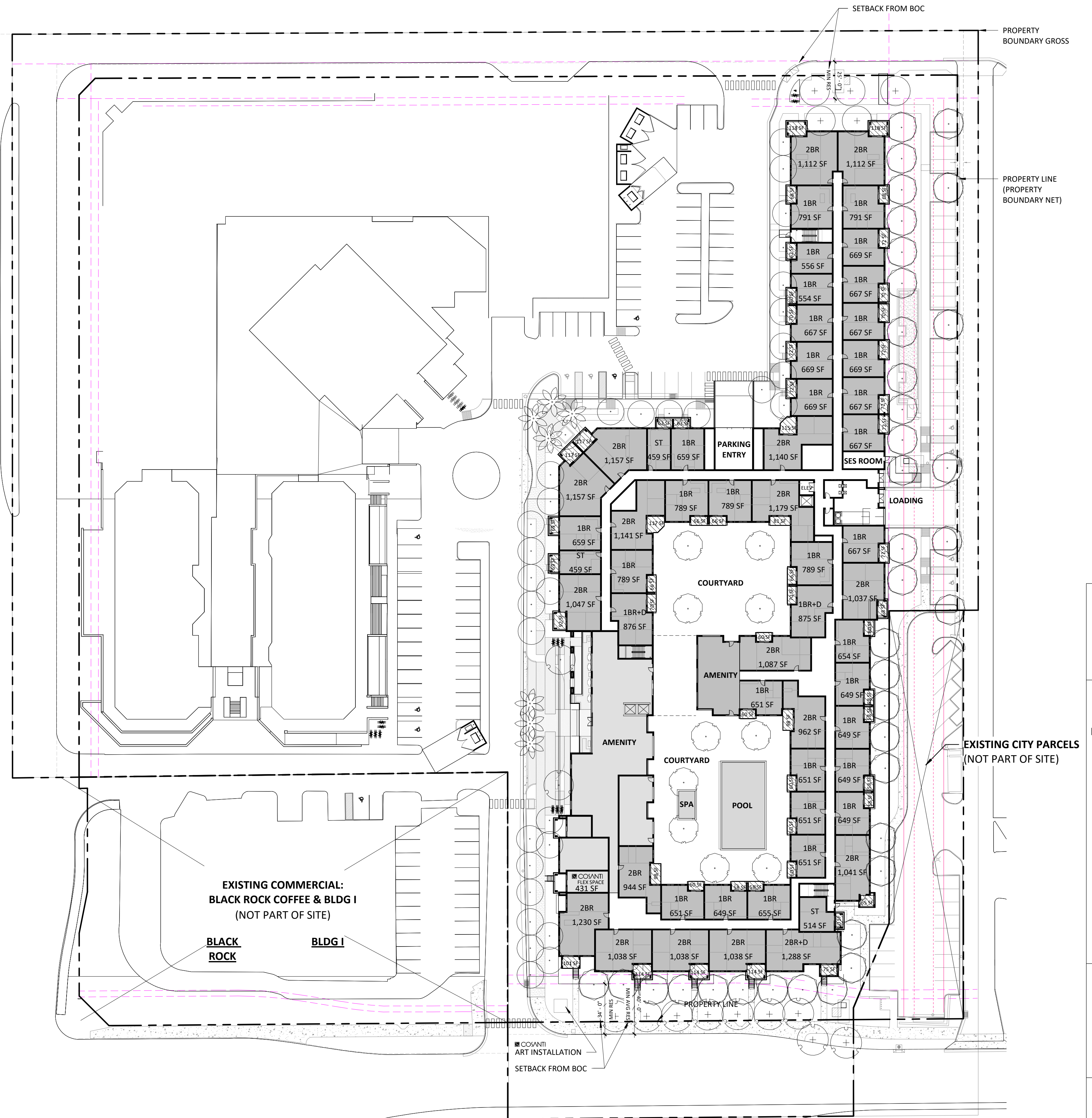
COSANTI COMMONS

FLOOR PLANS & METRICS
WORKSHEETS

A.21.ya



2 LEVEL 2 FLOOR PLAN
A.21.ya 1" = 40'-0"



1 LEVEL 1 FLOOR PLAN
A.21.ya 1" = 40'-0"

RESIDENCE MATRIX SF	
STUDIO/EFFICIENCY:	461 - 505 SF
1 BEDROOM JR:	557 - 671 SF
1 BEDROOM:	794 - 856 SF
1 BEDROOM + DEN:	884 - 890 SF
2 BEDROOM JR:	978 - 1048 SF
2 BEDROOM:	1106 - 1213 SF
2 BEDROOM + DEN:	1293 - 1421 SF



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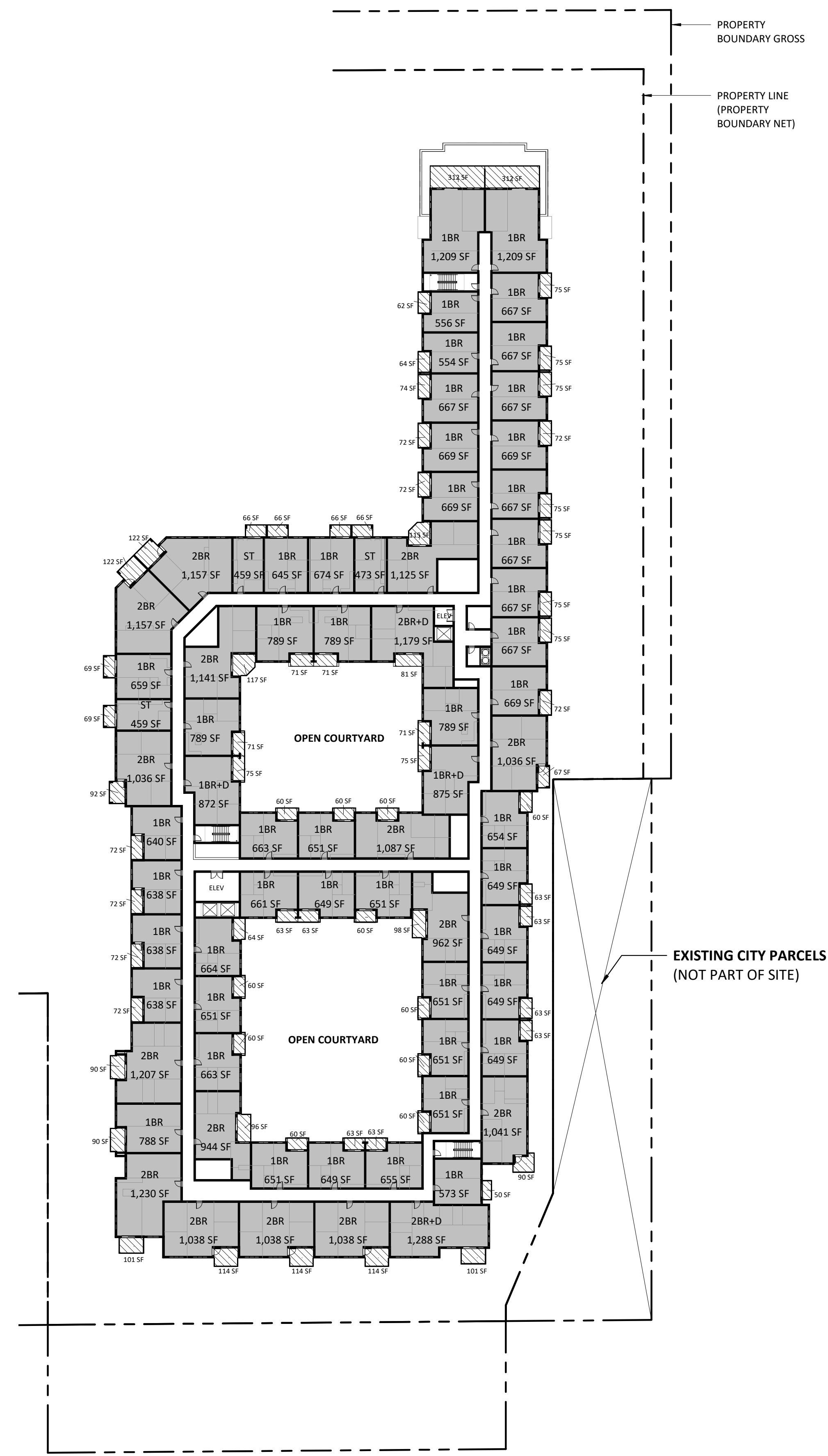
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FLOOR PLANS & METRICS WORKSHEETS

A.21.yb



1 LEVEL 3 FLOOR PLAN
A.21.yb 1" = 40'-0"



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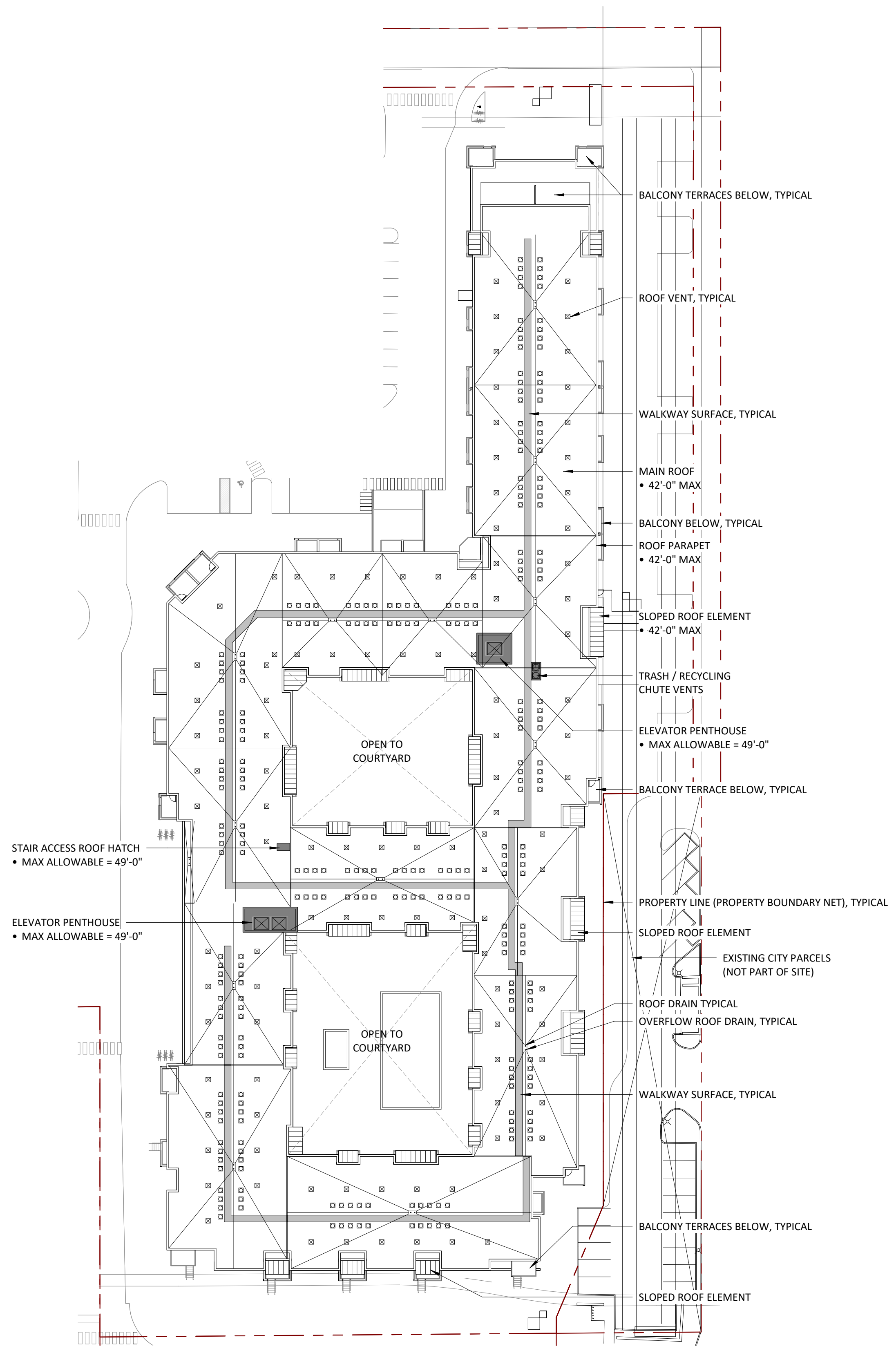
ROOF PLAN
A.21.z.aa

SUMMARY

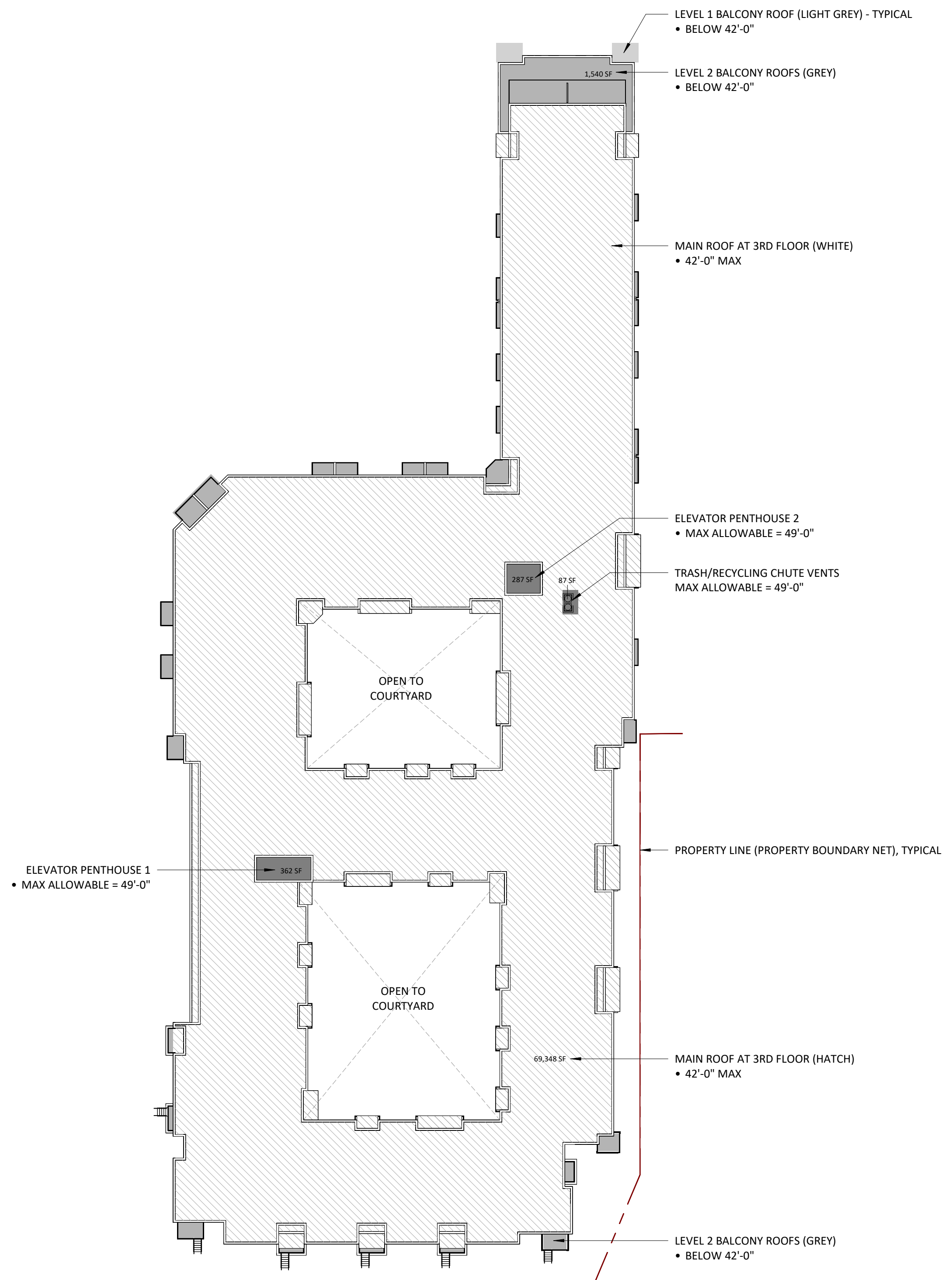
TOTAL ROOF SF AREA - 3 STORY (MAX HEIGHT 42'-0" AND BELOW 42'-0")		
• LEVEL 1 ROOF	236 SF	0.32%
• LEVEL 2 ROOF	3,276 SF	4.45%
• MAIN ROOF (LEVEL 3)	69,348 SF	94.23%
TOTAL	72,860 SF	99.00%

ROOF SF AREA - ABOVE 42'-0" AND BELOW 49'-0"		
• ELEVATOR PENTHOUSE 1	362 SF	0.49%
• ELEVATOR PENTHOUSE 2	287 SF	0.39%
• TRASH CHUTE VENTS	87 SF	0.12%
TOTAL	735 SF	1.00%

TOTAL AREA OF ROOF (72,860 SF + 735 SF) :	73,595 SF
TOTAL AREA OF ROOF ABOVE 42'-0" MAX ALLOWED PER ZONING:	735 SF (1%)



2 ROOF PLAN
A.21.z.aa 1" = 40'-0"



1 ROOF AREA AND ELEMENTS DIAGRAM
A.21.z.aa 1" = 40'-0"



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KEY PLAN

COSANTI COMMONS

PARKING PLANS & METRICS WORKSHEETS - OVERALL

A.21.sa

PARKING METRICS - EXISTING LOT 3:

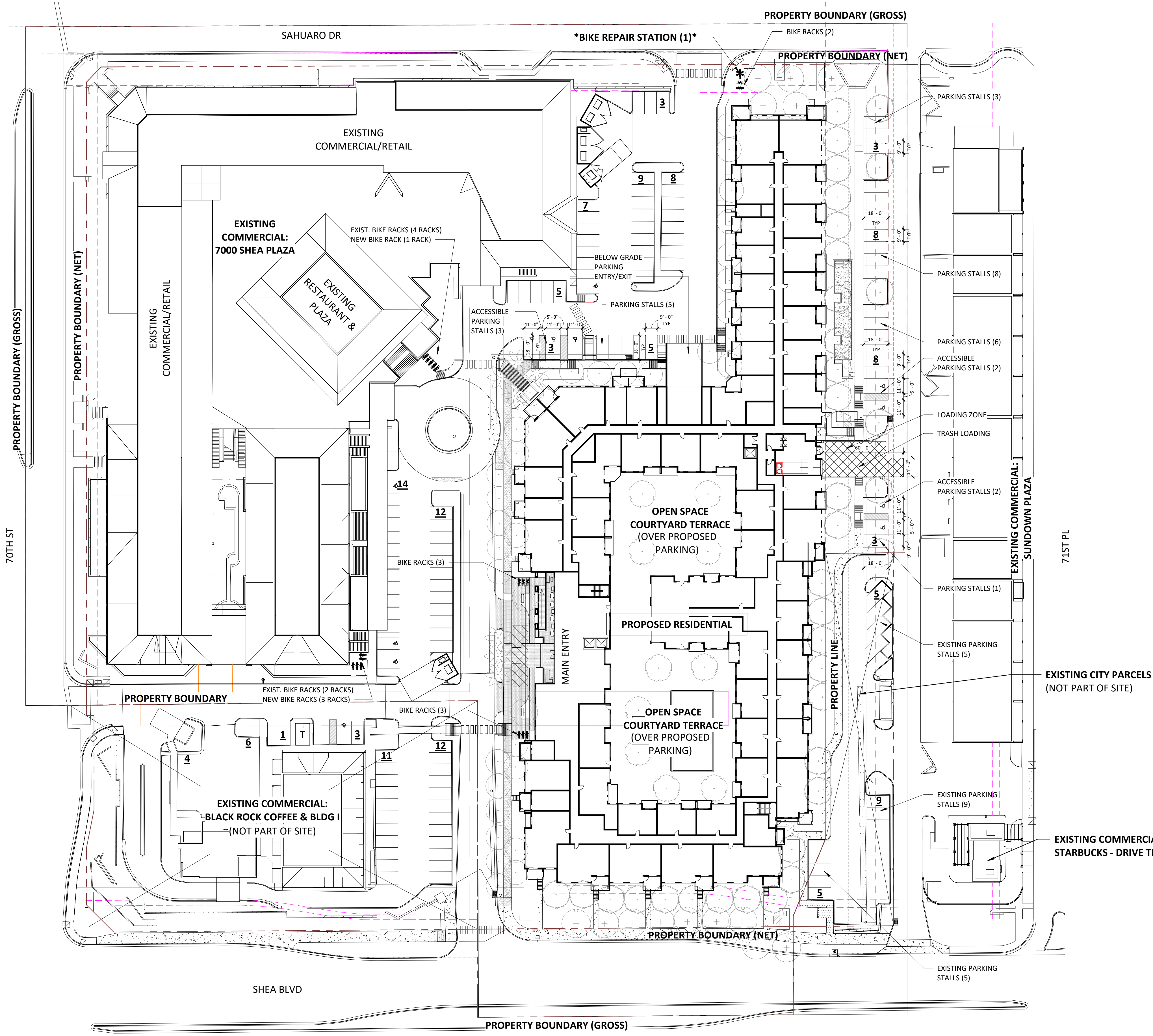
COSANTI COMMONS EXISTING LOT 3 PARKING (NOT PART OF REZONE REQUEST)	APPROVED SITE PLAN FOR EXISTING LOT 1 (BLACK ROCK COFFEE) Case # 30-DR-2020	GENERAL ZONING PARKING REQUIREMENT	EXISTING COMMERCIAL LOT 2 - NOT PART OF REZONE REQUEST (C-2 (C) ZONING)	EXISTING COMMERCIAL LOT 3 - NOT PART OF REZONE REQUEST (C-2 (C) ZONING)
STANDARD	1,300 SF	1,300 SF	1,977 SF**** / 300	5,600 SF**** / 300
VEHICLE PARKING PER USE (Table 9.103.A)	1,300 SF	1,300 SF	7	19
MIXED USE COMMERCIAL CENTER USE (TOTAL REQUIRED)	1,300 SF	1,300 SF	10 (SURFACE TO REMAIN)	27 (SURFACE TO REMAIN)
TOTAL VEHICLE PARKING PROVIDED				

**** Per Site Plan data, Black Rock Coffee Bar, Case# 30-DR-2020; Lot 3 = Building 1 (Arizona Bread Company and Fitness 4 Home)

PARKING METRICS:

STANDARD	APPROVED SITE PLAN FOR EXISTING COMMERCIAL Case # 30-DR-2020 (C-2 (C) ZONING)	PUD-PSD ZONING	PROPOSED OVERALL LOT (PUD-PSD ZONING)	EXISTING COMMERCIAL (PUD-PSD ZONING)	PROPOSED RESIDENTIAL (PUD-PSD ZONING) - incl. 1,000 SF commercial Countertop Space
PARKING LOCATED BETWEEN BUILDING AND STREET (Sec. 5.006.A)	-	-	COMPLIES	COMPLIES	COMPLIES
DRIVE ADJACENT (Table 9.103.A)	-	-	COMPLIES	COMPLIES	COMPLIES
PARKING STALL SIZE (Table 9.103.A)	-	-	COMPLIES	COMPLIES	COMPLIES
VEHICLE PARKING PER USE (Table 9.103.A)	1,300 SF	1,300 SF	179,200 SF**** / 300	179,200 SF**** / 300	1,000 SF / 300
MIXED USE COMMERCIAL CENTER USE TOTAL REQUIRED	1,300 SF	1,300 SF	264	264	4
MULTIFAMILY GUEST (196 TOTAL UNITS)	-	1 PER 6 UNITS	-	-	33
MULTIFAMILY EFFICIENCY 9 UNITS	-	1.25 PER DU	-	-	12
MULTIFAMILY 2BR 131 UNITS	-	1.3 PER DU	-	-	171
MULTIFAMILY 2BR 56 UNITS	-	1.7 PER DU	-	-	96
MULTIFAMILY 3BR 13 UNITS	-	1.9 PER DU	-	-	25
MULTIFAMILY TOTAL REQUIRED	-	-	-	-	312
TOTAL VEHICLE PARKING REQUIRED	663 (stated in case for larger overall site)		580	264	316
TOTAL VEHICLE PARKING PROVIDED, INCLUDES ACCESSIBLE	563 (15% reduced) stated in case for larger overall site			58 (SURFACE TO REMAIN)	42 (SURFACE TO REMAIN) OF THE 15 SURFACE ON CITY PARCELS
ACCESSIBLE PARKING, STRUCTURED (REQUIRED AS MIN OF THE PROVIDED)	-	-	23	13	10
ACCESSIBLE PARKING, SURFACE (REQUIRED AS MIN OF THE PROVIDED)	-	-	6	3	3
ACCESSIBLE PARKING, SURFACE (PROV. INCLUDED IN THE PROVIDED PLUS TOTALS)	-	-	30	20	10
ACCESSIBLE PARKING, SURFACE (PROV. EXCLUDED IN THE PROVIDED PLUS TOTALS)	-	-	4	4	7
COVERED PARKING (Sec. 9.105.TM)	-	-	0	0	0
ACCESSIBLE TENANT COVERED PARKING PROVIDED (FOR MAP DEVS)	-	-	0	0	0
NONACCESSIBLE TENANT COVERED PARKING PROVIDED (FOR MAP DEVS)	-	-	4% MIN RATIOS PROVIDED: 10 / 238 = 4.2%	0 / 313 = 0.0%	10 / 238 = 4.2%
NONACCESSIBLE VISITOR COVERED PARKING PROVIDED (FOR MAP DEVS)	-	-	RATIOS PROVIDED: 228 / 238 = 95.8%	0 / 313 = 0.0%	228 / 238 = 95.8%
NONACCESSIBLE VISITOR COVERED PARKING PROVIDED (FOR MAP DEVS)	-	-	4% MIN RATIOS PROVIDED: 2 / 33 = 6.1%	2 / 33 = 6.1%	0 / 238 = 0.0%
NONACCESSIBLE VISITOR COVERED PARKING PROVIDED (FOR MAP DEVS)	-	-	RATIOS PROVIDED: 31 / 33 = 93.9%	31 / 33 = 93.9%	0 / 238 = 0.0%
NONACCESSIBLE NONRESIDENTIAL COVERED PARKING PROVIDED (THESE ARE EXISTING)	-	-	4% MIN RATIOS PROVIDED: 18 / 280 = 6.4%	18 / 280 = 6.4%	0 / 238 = 0.0%
NONACCESSIBLE NONRESIDENTIAL COVERED PARKING PROVIDED (THESE ARE EXISTING)	-	-	EXISTING RATIOS PROVIDED: 162 / 280 = 58.2%	162 / 280 = 58.2%	0 / 238 = 0.0%
TOTAL VEHICLE PARKING REQUIRED (OVERALL SITE) = 580					
TOTAL PARKING PROVIDED (OVERALL SITE) = 650					
TOTAL VEHICLE PARKING SURPLUS (OVERALL SITE) = 70					
BICYCLE PARKING PER USE (Sec. 9.103.C)	0 stated in case	1:10 REQ. VEH. 2 MIN. 100 MAX.		264 / 10 = 27	4 / 10 = 2
MIXED USE COMMERCIAL CENTER USE REQUIREMENT					
MULTIFAMILY USE REQUIREMENT		1:10 REQ. VEH. 2 MIN. 100 MAX.		33 / 10 = 4	279 / 10 = 28
BICYCLE PARKING REQUIRED (TOTALS)	0 stated in case		61	31	30
BICYCLE PARKING PROVIDED	0 provided in case				28
BICYCLE PARKING SPACES, STRUCTURED					
BICYCLE PARKING SPACES, SURFACE				20 (10 racks - 6 existing + 4 new racks)	16 (8 racks)
BICYCLE PARKING PROVIDED (TOTALS)	0 provided in case		64	20	44
TOTAL BICYCLE PARKING REQUIRED (OVERALL SITE) = 61					
TOTAL BICYCLE PARKING PROVIDED (OVERALL SITE) = 64					

**** Existing commercial SF of 47,79,200 SF per Site Plan data, Black Rock Coffee Bar, Case# 30-DR-2020



P2 (LOWER LEVEL) PARKING PROVIDED

STANDARD:	55
COMPACT:	0*
ACCESSIBLE:	2
TOTAL:	57

*COMPACT STALLS DO COUNT TOWARD CITY CODE MINIMUM REQUIRED PARKING

P1 (LEVEL 1) PARKING PROVIDED

STANDARD:	173
COMPACT:	0*
ACCESSIBLE:	8
TOTAL:	181

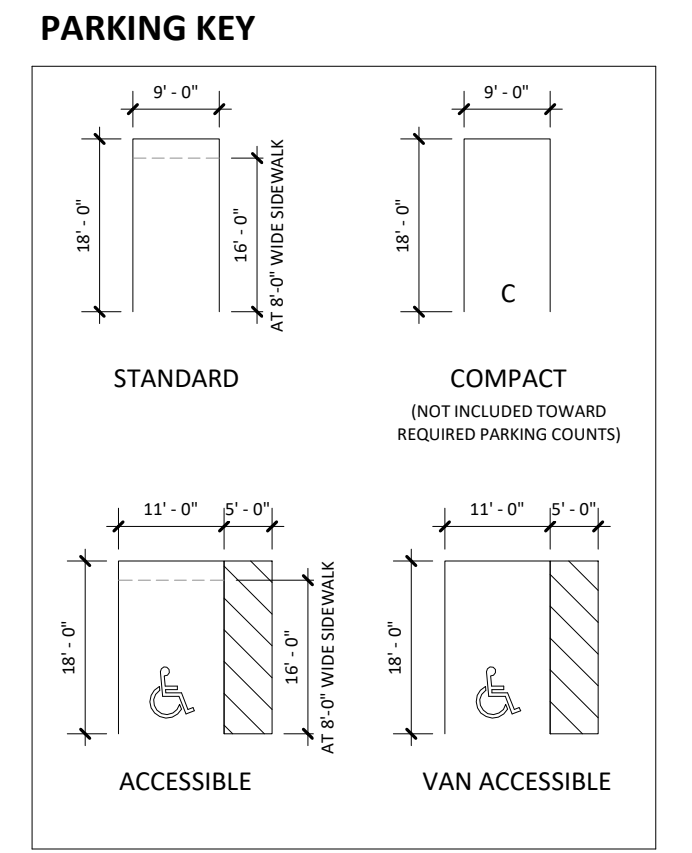
*COMPACT STALLS DO COUNT TOWARD CITY CODE MINIMUM REQUIRED PARKING

OVERALL PARKING METRICS - PROVIDED (EXISTING COMMERCIAL)

LEVEL 1	STANDARD: 130 (plus 1 motorcycle)
	ACCESSIBLE: 13
LOWER LEVEL	STANDARD: 163
	ACCESSIBLE: 7
SURFACE	STANDARD: 54
	ACCESSIBLE: 4
TOTAL	STANDARD: 347 (plus 1 motorcycle)
	ACCESSIBLE: 24
	TOTAL: 371 (plus 1 motorcycle)

OVERALL PARKING METRICS - PROVIDED (RESIDENTIAL)

P1 (LEVEL 1)	STANDARD: 173
	ACCESSIBLE: 8
P2 (LOWER LEVEL)	STANDARD: 55
	ACCESSIBLE: 2
SURFACE (including City Parcels via agreement)	STANDARD: 34 (includes 11 on City Parcels)
	ACCESSIBLE: 7
TOTAL	STANDARD: 262
	ACCESSIBLE: 17
	TOTAL: 279





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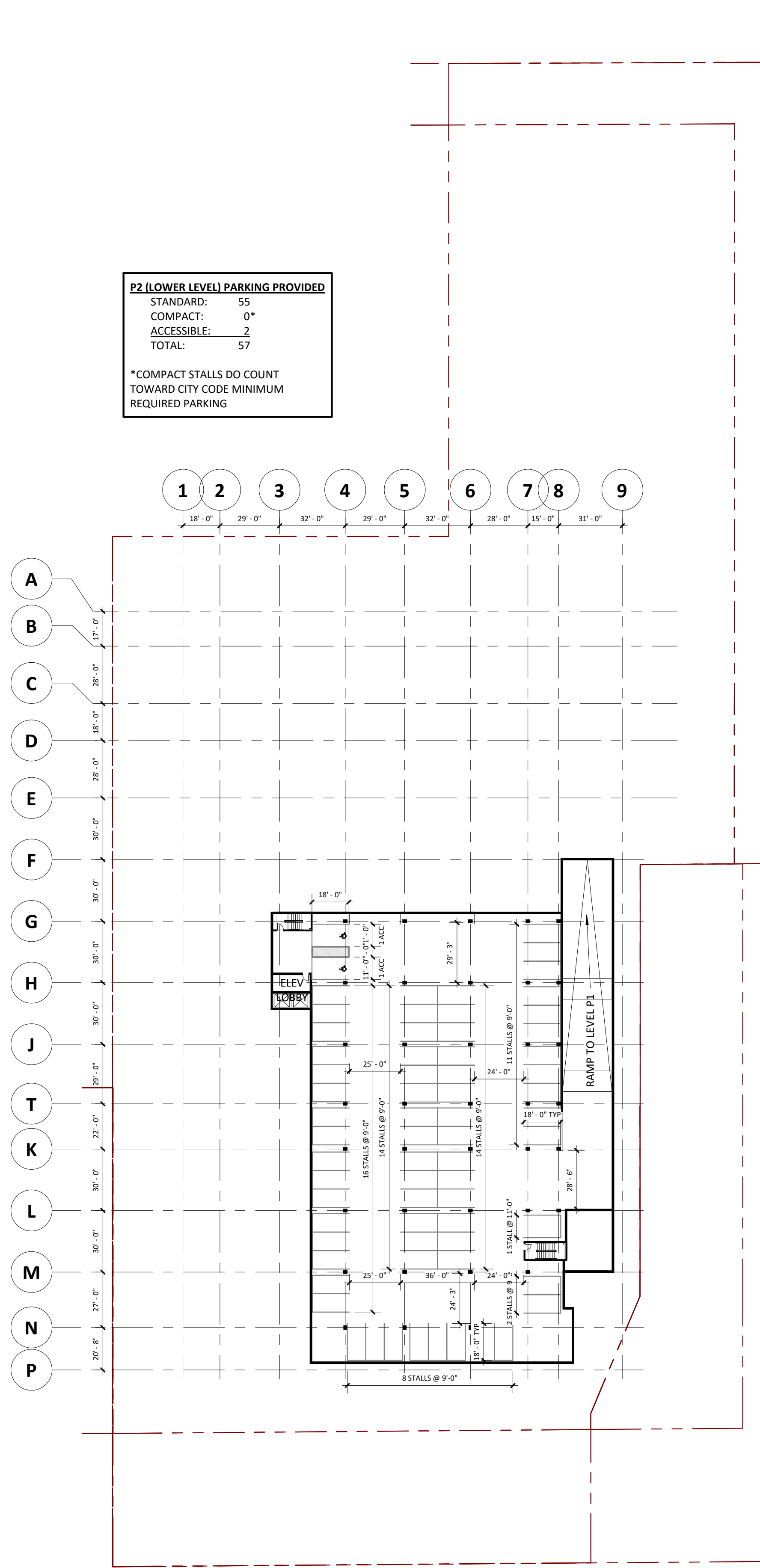
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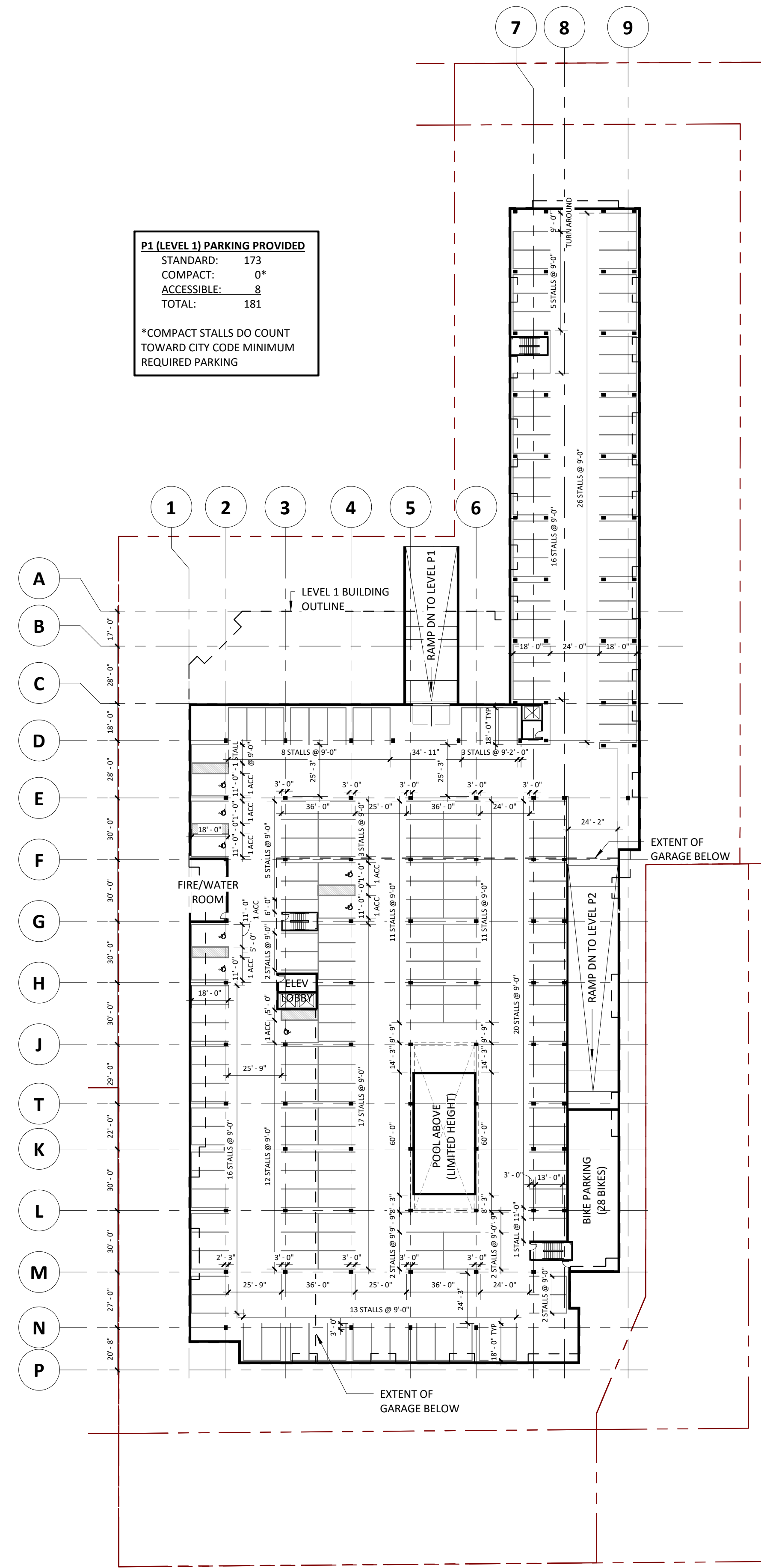
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PARKING PLANS &
METRICS WORKSHEETS

A.21.sb



2 ZONING - LEVEL P2 PARKING PLAN
A.21.sb 1" = 40'-0"



1 ZONING - LEVEL P1 PARKING PLAN
A.21.sb 1" = 40'-0"



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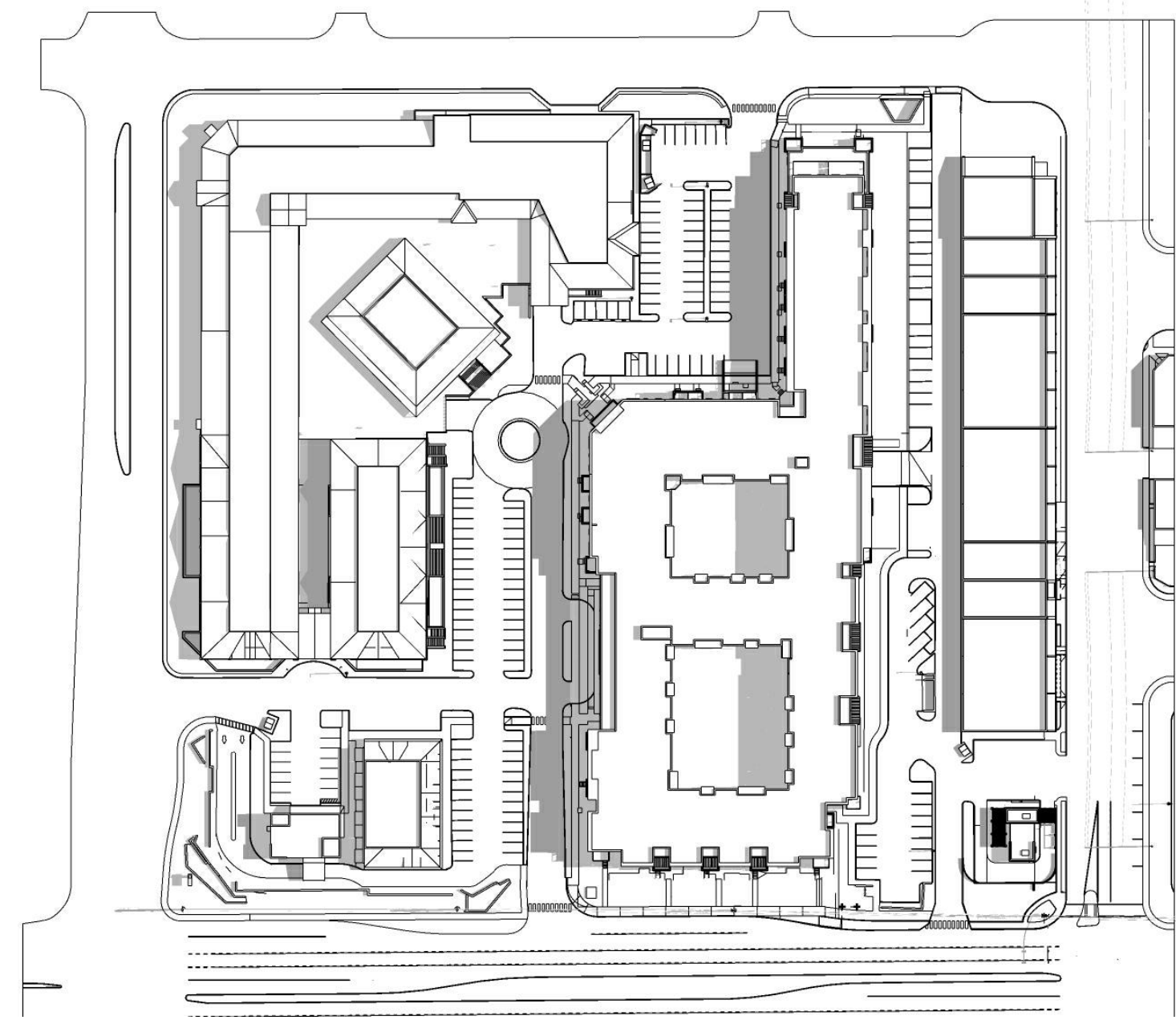
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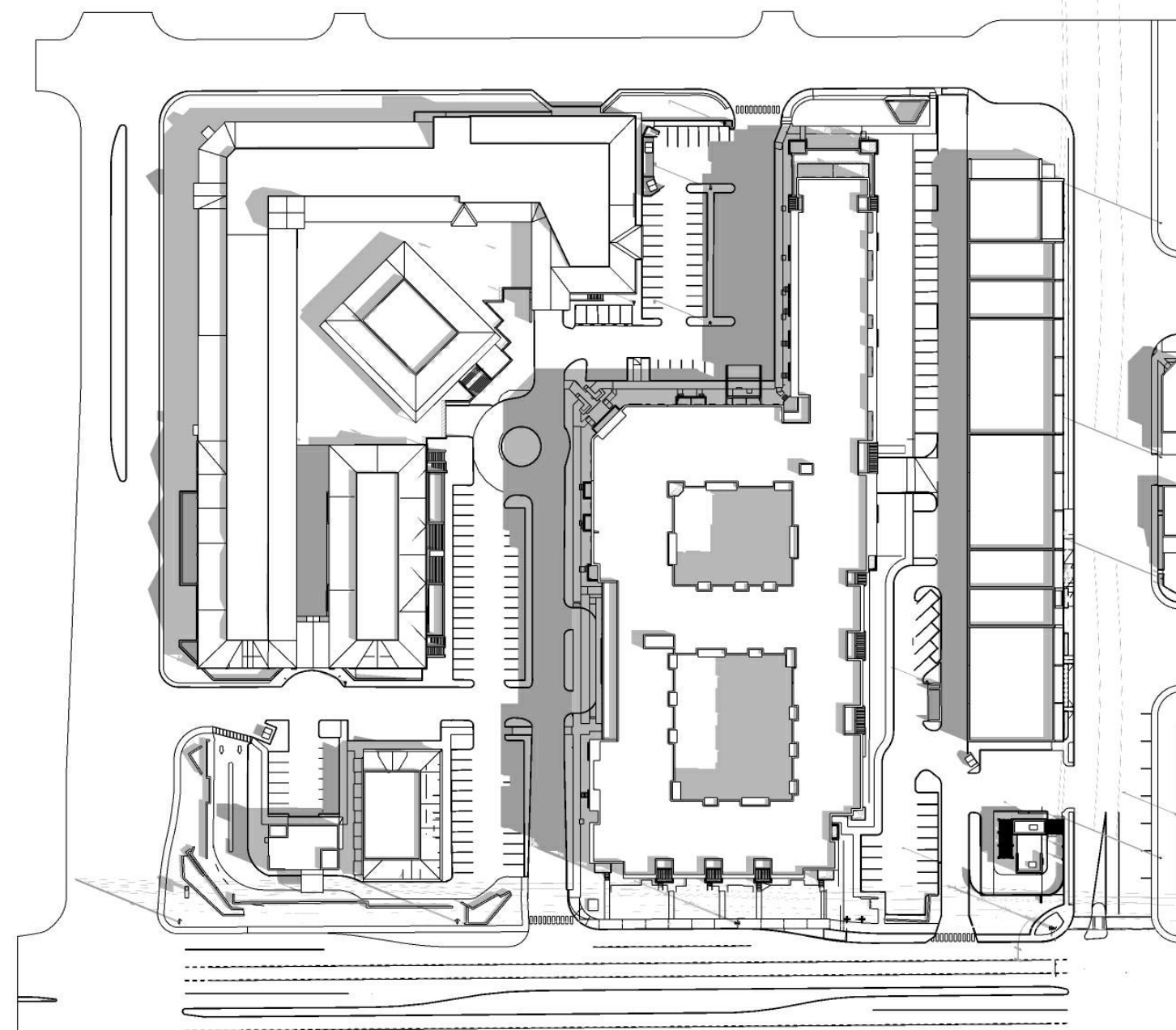
KEY PLAN

COSANTI COMMONS

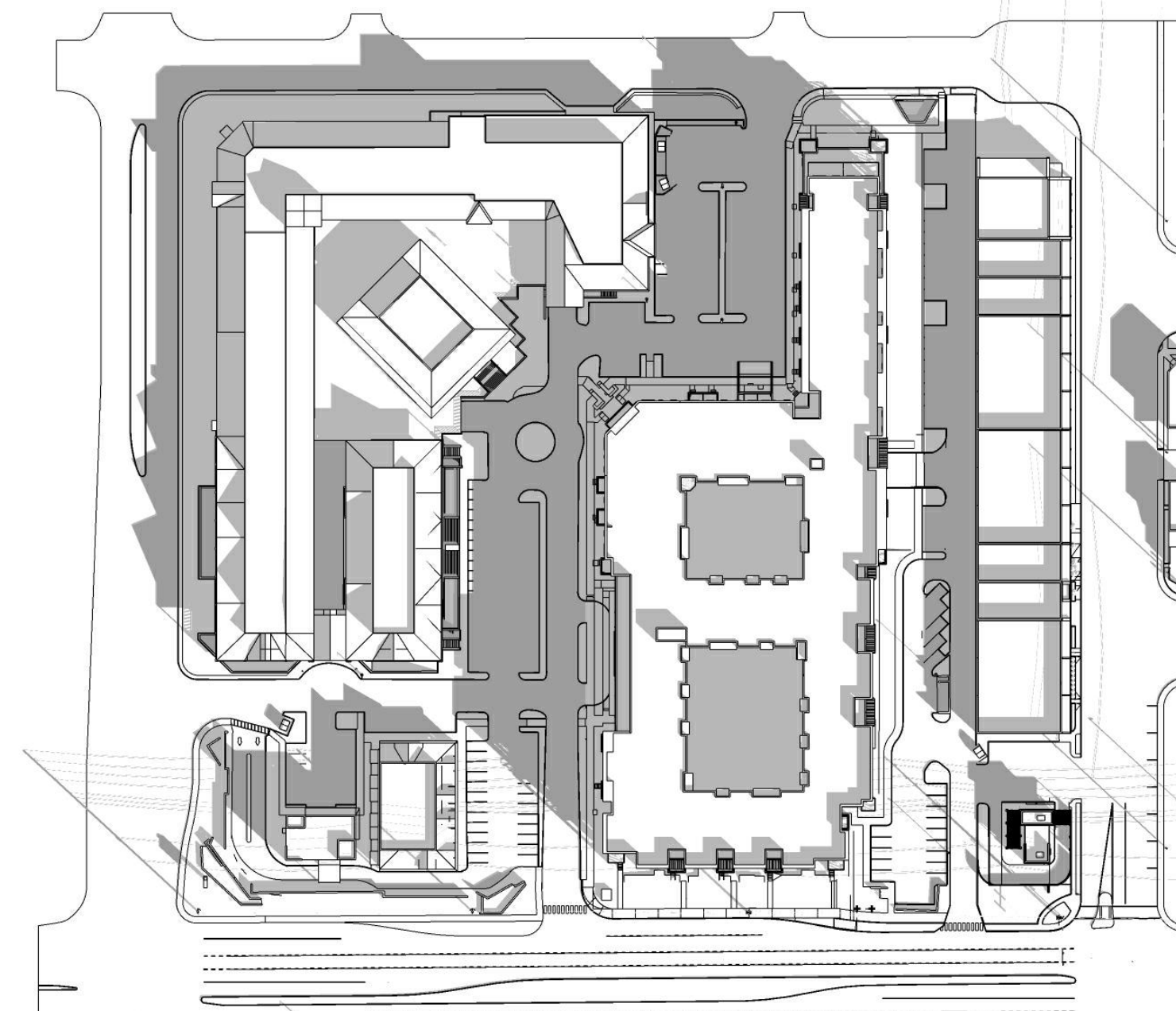
SOLAR ANALYSIS
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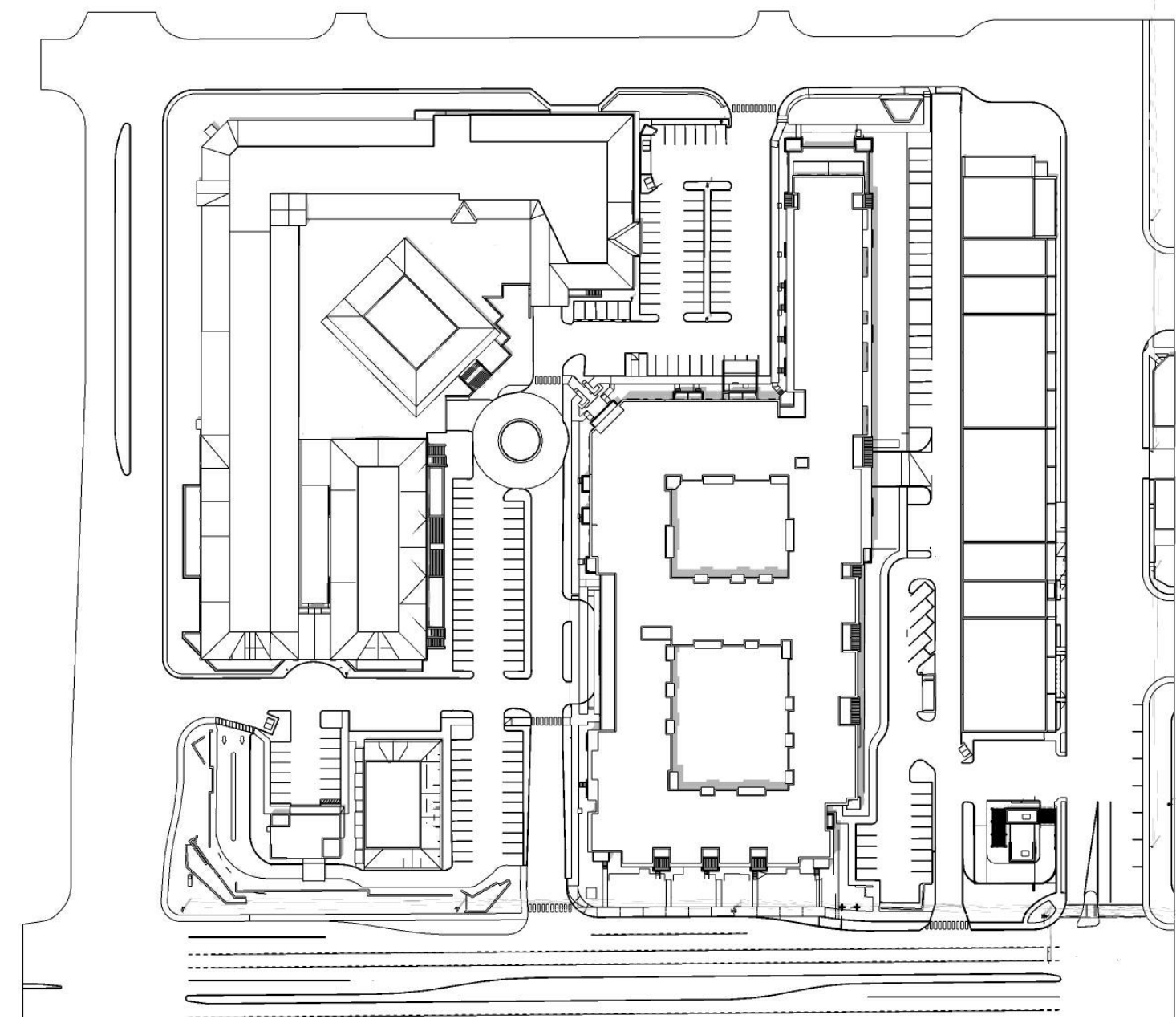
JUNE 21 - 9 AM



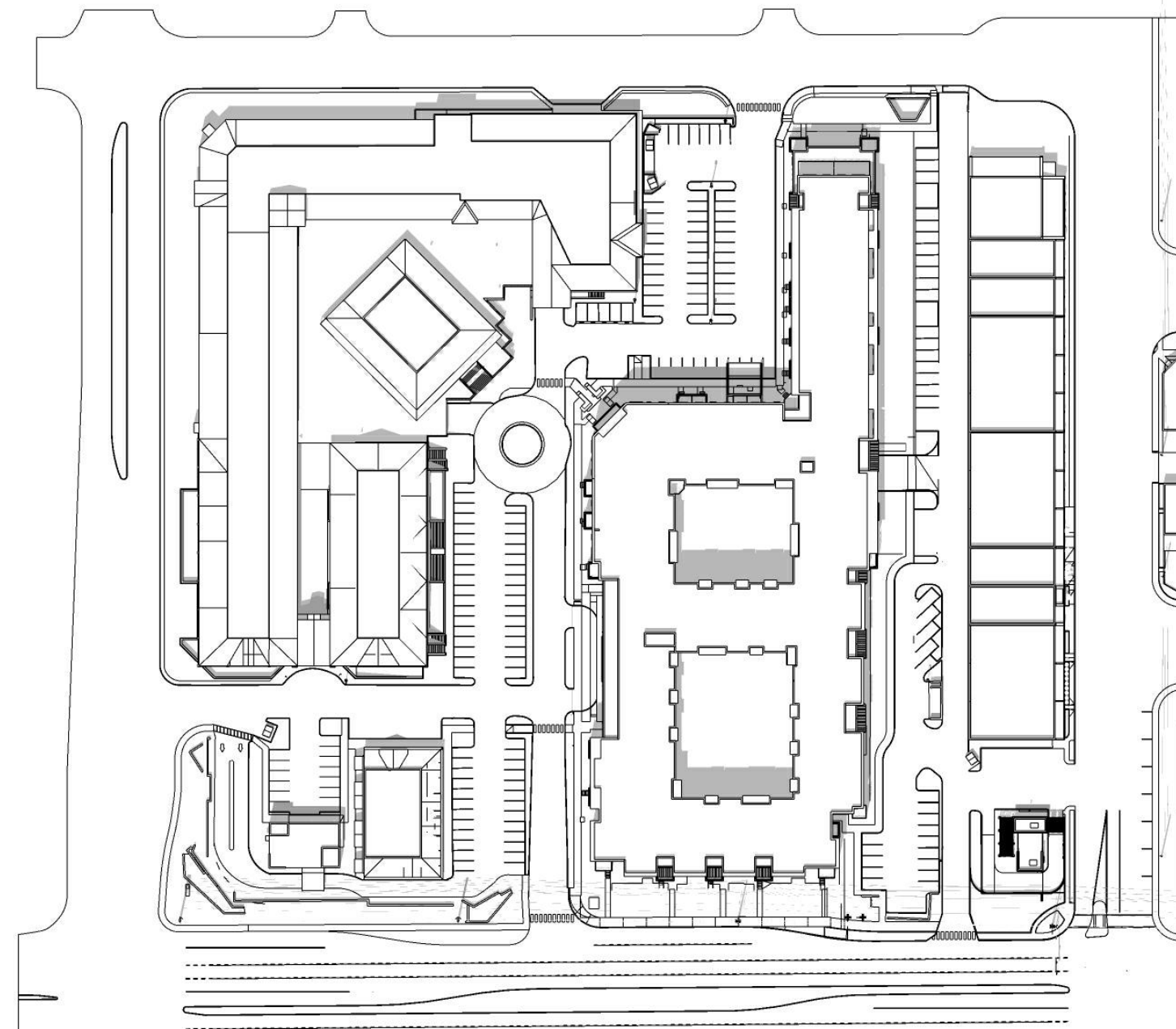
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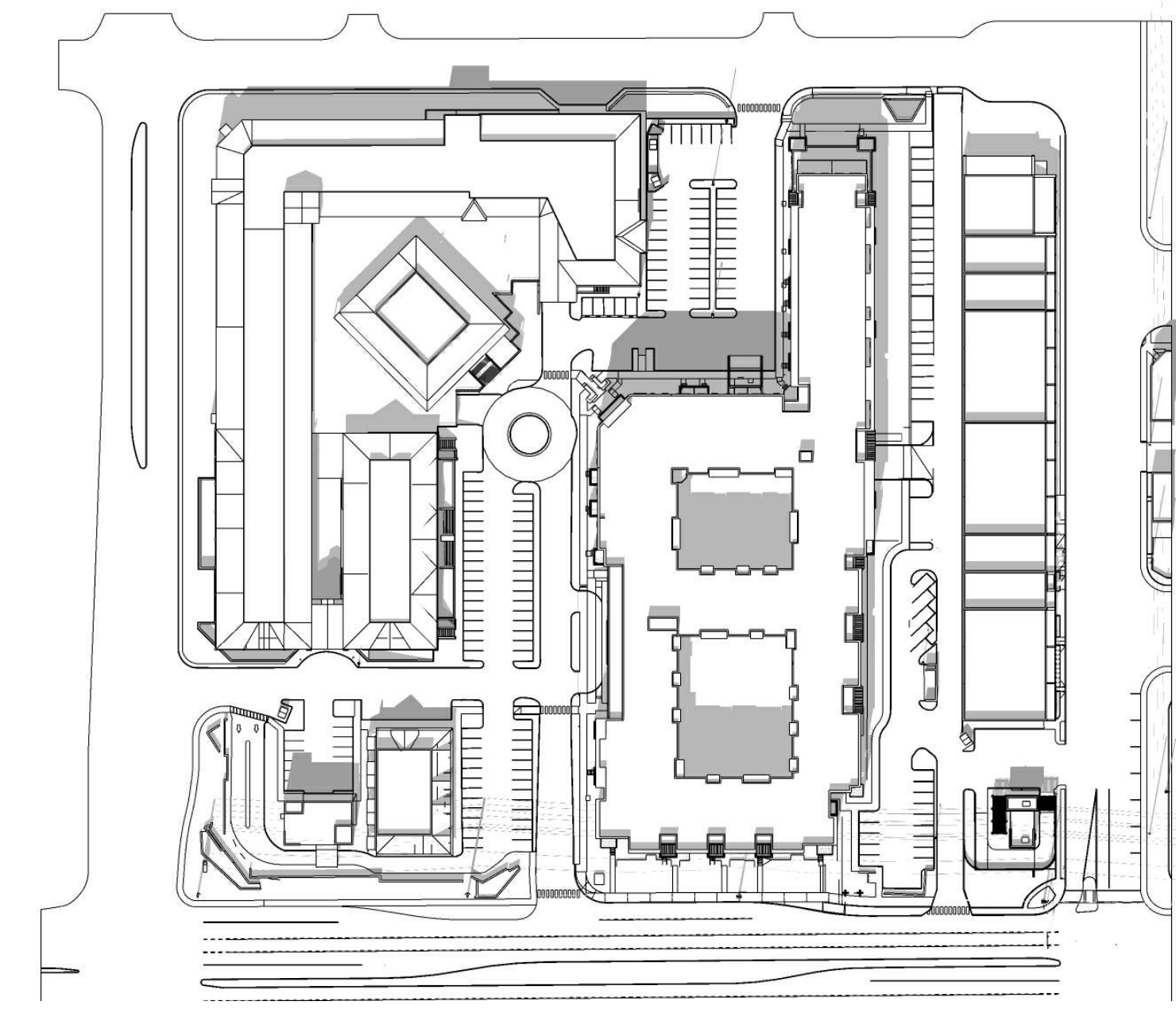
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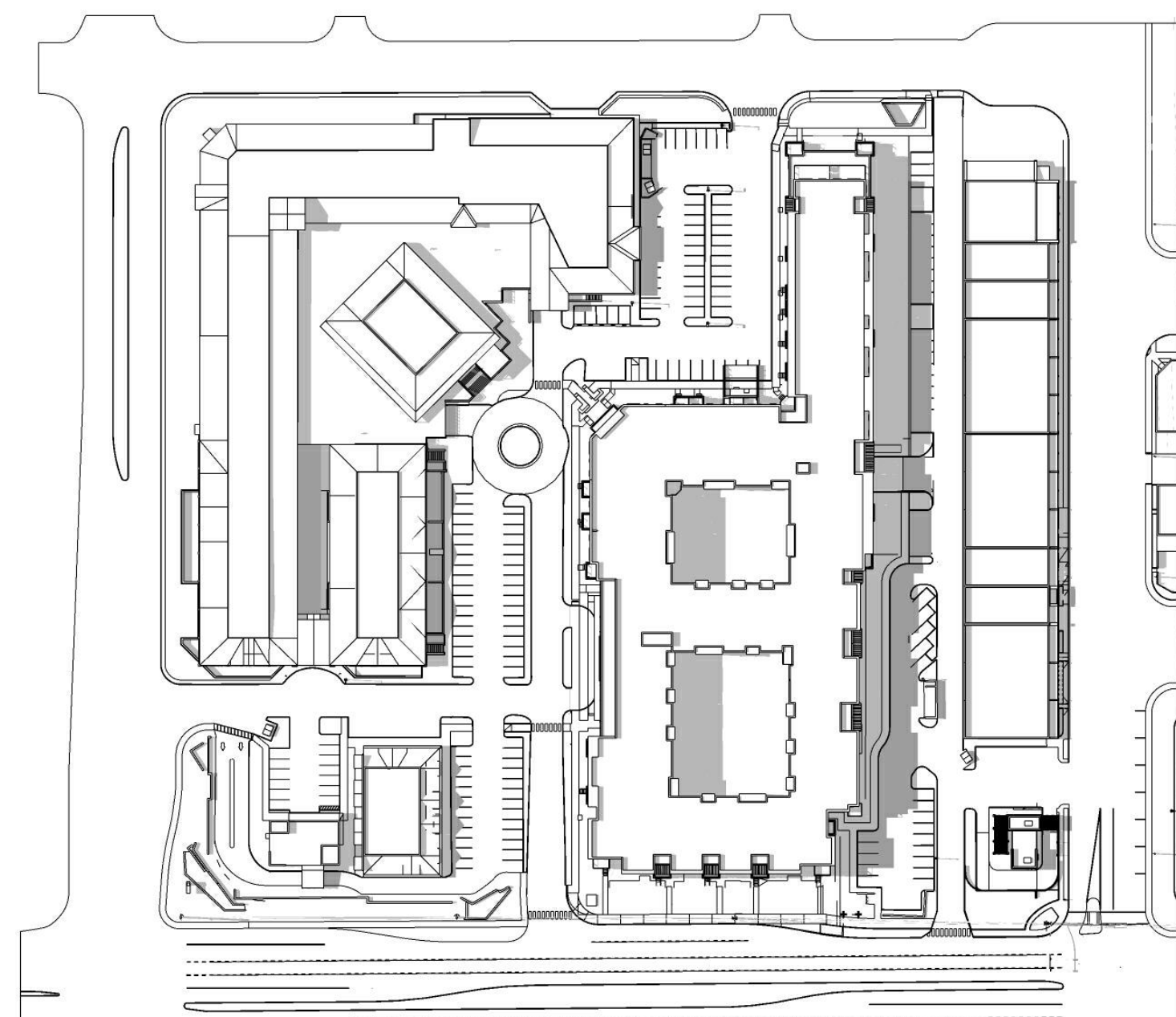
JUNE 21 - 1 PM



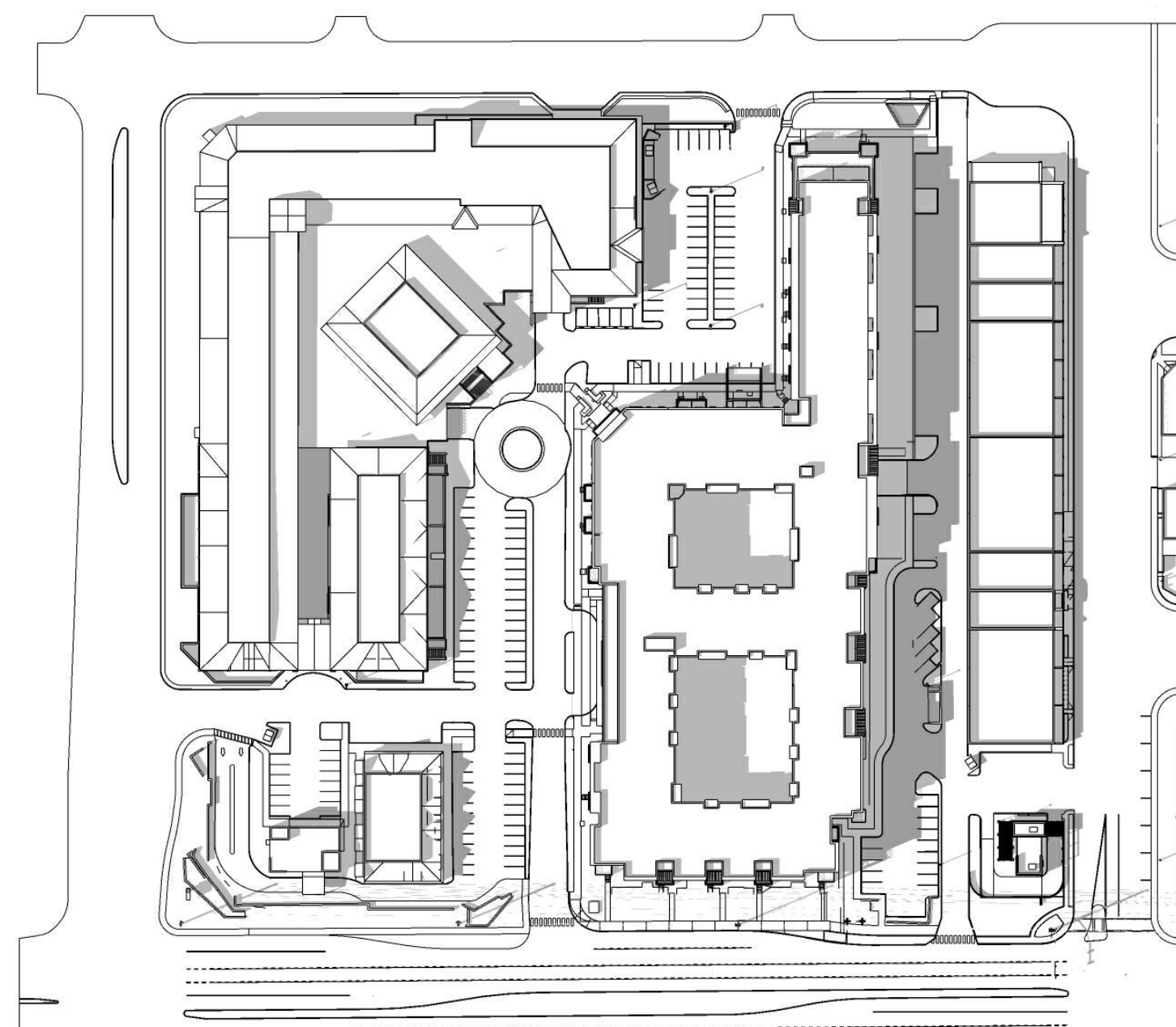
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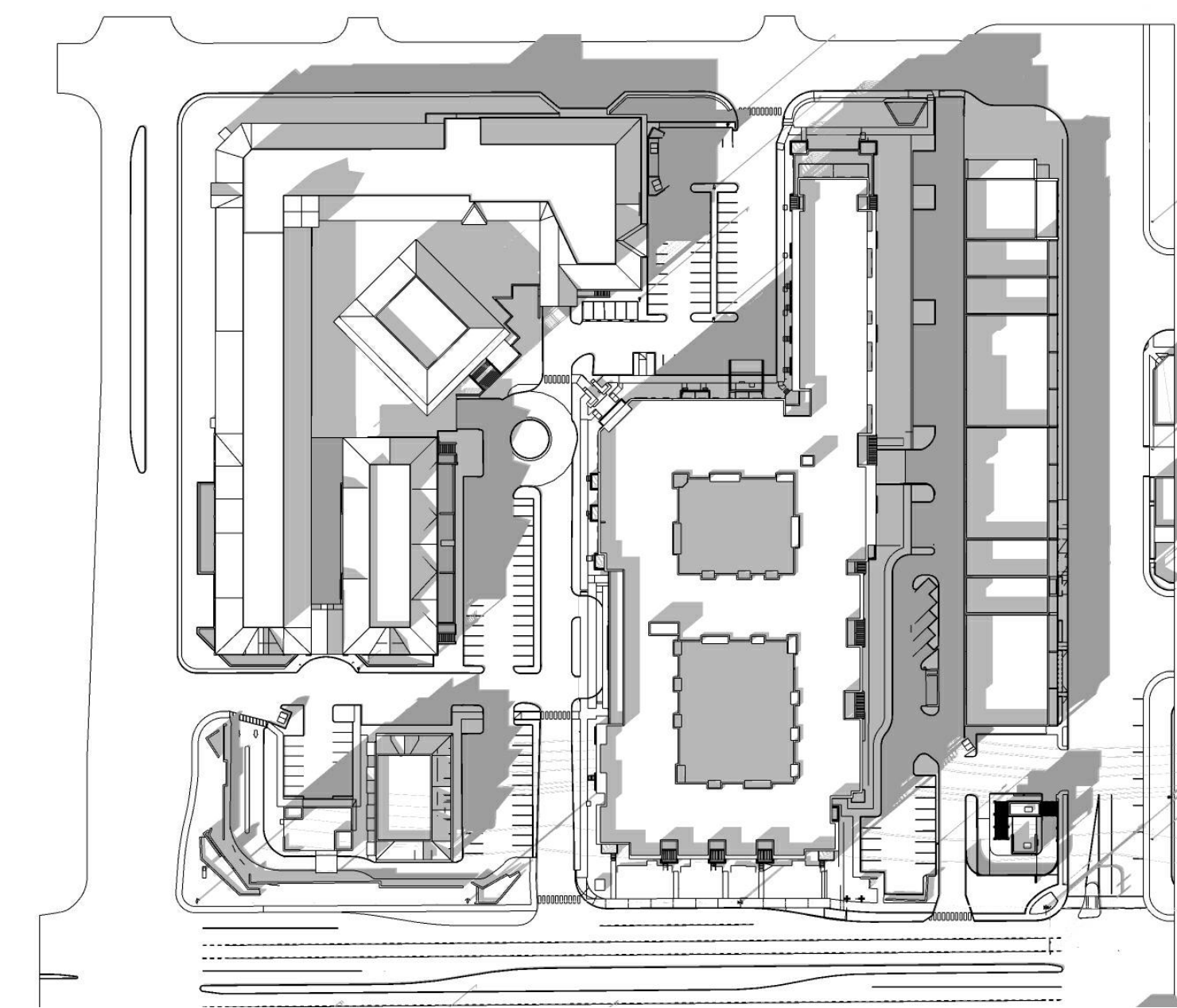
DECEMBER 21 - 1 PM



JUNE 21 - 4 PM



MARCH/ SEPTEMBER 21 - 4 PM



DECEMBER 21 - 4 PM



500 Washington Avenue South, Suite 1080
Minneapolis, MN 55415
p 612.339.5508 | f 612.339.5382
www.esgarch.com

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly licensed architect under the laws of the State of Arizona

Signature _____
Typed or Printed Name _____
License # _____ Date _____

NOT FOR CONSTRUCTION

3/28/2024
REZONING & GPA
RESUBMITTAL #5

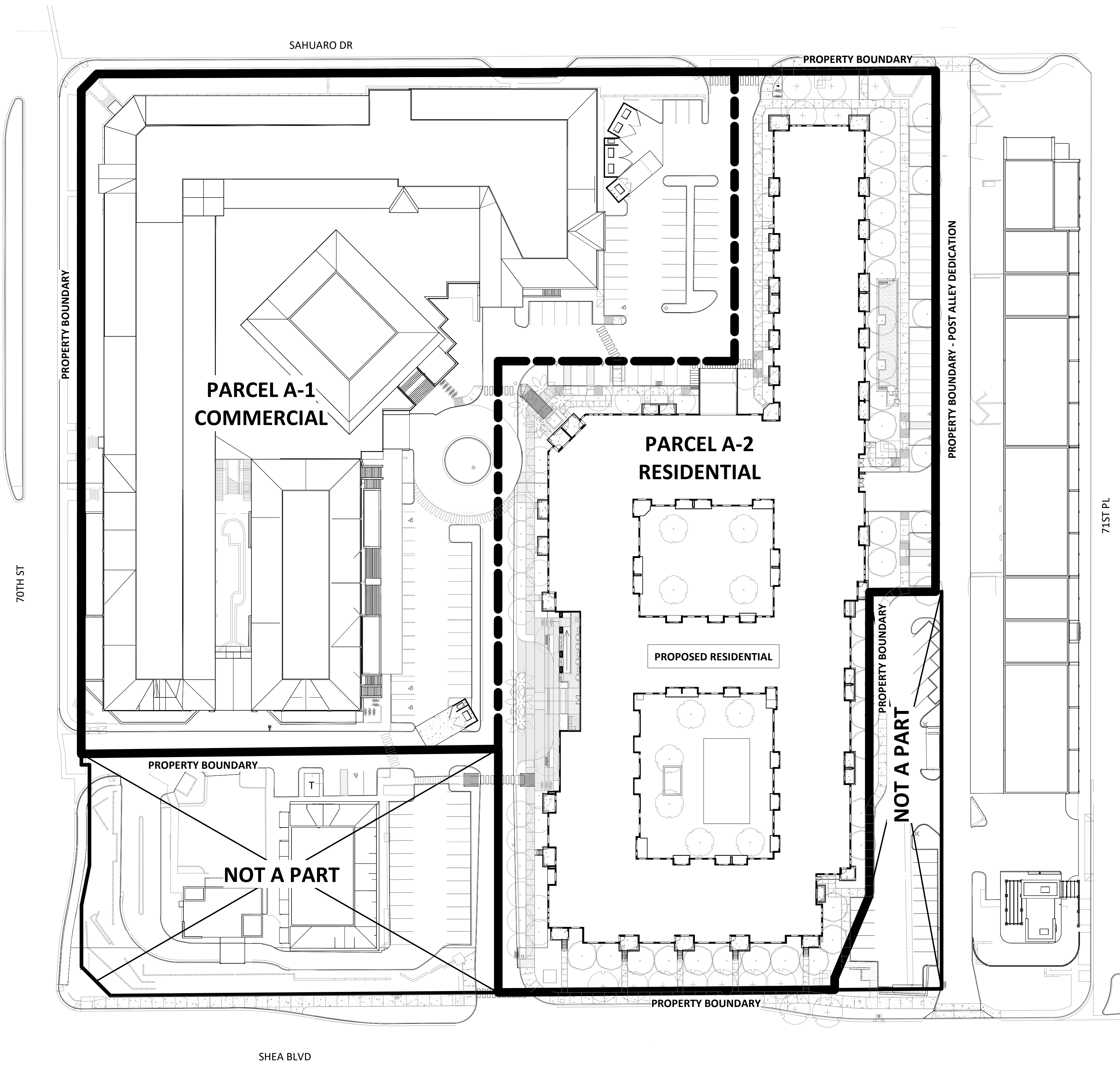
ORIGINAL ISSUE:		
REVISIONS No.	Description	Date

222517
PROJECT NUMBER
ESG DRAWN BY
ESG CHECKED BY

KEY PLAN

COSANTI COMMONS

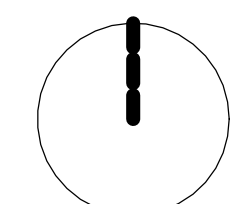
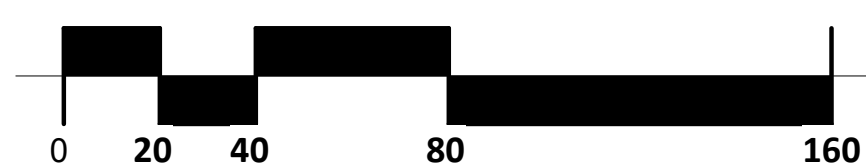
SUBDIVISION PLAN
A.21.da



DEVELOPMENT AREA BUDGET							
TOTAL PROPERTY SIZE = 7.255 ACRES (NET) OR 316,041 S.F. (NET)							
TOTAL PROPERTY SIZE = 7.221 ACRES (NET) OR 314,532 S.F. (NET)**							
TOTAL PROPERTY SIZE = 8.619 ACRES (GROSS) OR 375,447 S.F. (GROSS)							
AREA	ASSESSOR PARCEL NUMBER APN	ACRES (NET)	ACRES (NET)*	ACRES (GROSS)	MAXIMUM SQUARE FOOTAGE - ALL NON-RESIDENTIAL LAND USES	DWELLING UNIT CAPACITY (DUC)	MINIMUM OPEN SPACE SQUARE FOOTAGE
COMMERCIAL PARCEL A-1	175-42-140	3.858 AC	3.858 AC	4.687 AC	+/-79,200 S.F.	0	20,416 S.F.
RESIDENTIAL PARCEL A-2	175-42-140	3.397 AC	3.363 AC	3.932 AC	+/-1,000 SF	196	17,129 S.F.
TOTALS FOR ENTIRE PROPERTY	-	7.255 AC	7.221 AC	8.619 AC	+/-80,200 S.F.	196	37,545 S.F.

**THE NET AREA AFTER THE 4' ALLEY DEDICATION

1 SUBDIVISION PLAN
A.21.da 1" = 40'-0"



RESOLUTION NO. 13139

A RESOLUTION OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE MAYOR TO EXECUTE DEVELOPMENT AGREEMENT NO. 2024-084-COS FOR PROPERTY LOCATED AT 7000 E. SHEA BOULEVARD.

WHEREAS, A.R.S. § 9-500.05 authorizes the City to enter into development agreements with persons having an interest in real property located in the City; and

WHEREAS, it is in the best interest of the City and Developer to enter into Development Agreement No. 2024-084-COS for a development located at 7000 E. Shea Boulevard; and

WHEREAS, Development Agreement No. 2024-084-COS is consistent with the portions of the City's general plan applicable to the property on the date this Agreement is executed.

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

Section 1. That Mayor David D. Ortega is authorized and directed to execute Development Agreement No. 2024-084-COS after it has been executed by all other parties.

Section 2. That the City Clerk is hereby directed to record Development Agreement No. 2024-084-COS with the Maricopa County Recorder within ten (10) days of its execution by all parties.

Section 3. The City Council hereby authorizes the City Manager or his designee to execute any other documents and take such other actions as are necessary to carry out the intent of this Resolution and Contract No. 2024-084-COS.

PASSED AND ADOPTED by the Council of Scottsdale this ____ day of _____, 2024.

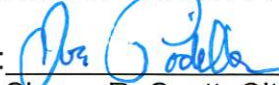
ATTEST:

CITY OF SCOTTSDALE, an Arizona
municipal corporation

By: _____
Ben Lane, City Clerk

By: _____
David D. Ortega, Mayor

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

By:  _____
Sherry R. Scott, City Attorney
By: Joe Padilla, Deputy City Attorney

ATTACHMENT #5

WHEN RECORDED RETURN TO:

CITY OF SCOTTSDALE
ONE STOP SHOP RECORDS
7447 East Indian School Road, Suite 100
Scottsdale, AZ 85251

C.O.S. Contract No. 2024-084-COS
(Cosanti Commons)
(Resolution No. 13139)

DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT (the "Agreement") is made and entered into this _____ day of _____, 2024, by and between the City of Scottsdale, an Arizona municipal corporation ("City"), and High Street Residential, Inc., a Delaware corporation, and its respective successors and assigns ("Developer").

RECITALS

A. Developer has authority to bind certain real property located at the northeast corner of Shea Boulevard and 70th Street, which contains approximately 8.619 gross acres (the "Property"). Developer intends to cause the Property to be subdivided into two distinct, and legally identified parcels as described and depicted, respectively, on **Exhibit "A-1"** ("Parcel A-1") and **Exhibit "A-2"** ("Parcel A-2"). Parcel A-1 may be referred to as the "Commercial Parcel" and Parcel A-2 may be referred to as the "Residential Parcel." Parcel A-1 and Parcel A-2 individually may be described as a "Parcel" and collectively as the "Parcels." The entirety of Parcel A-1 and Parcel A-2 comprise the Property, which is described and depicted, with the Parcels, on **Exhibit "A-3."**

B. The Property comprises a neighborhood shopping center, a portion of which will be retained on the Commercial Parcel, and which currently is the home of multiple small businesses. The Residential Parcel includes vacant land and an existing commercial building that currently is vacant. The surrounding context includes a range of commercial and support services to the west and the south. Developer intends to acquire and develop the Residential Parcel as a mixed-use multifamily residential community of up to 196 residences (each a "Residence" and collectively, the "Residences") that will support the existing retail businesses on the Commercial Parcel and in the adjacent and nearby retail centers (the "Project"); the current owner of the Parcels, which is New 7000 East Shea, LLC, a Colorado limited liability company, ("Parcel A-1 Owner") intends to retain the Commercial Parcel, which also will be subject to this Agreement.

C. Developer seeks to assure the integrity of the Residences and, accordingly, without request from the City, voluntarily will impose through its leases with each tenant who occupies any Residence the requirement that the tenant may not sublet any of the premises to third parties, as set forth in this Agreement.

D. The Property is the subject of a Minor General Plan Amendment and rezoning case undertaken by Developer referred to as "Cosanti Commons Minor General Plan Amendment &

Rezoning” (the “Rezoning”). Specifically, to establish the regulatory structure for future development of the Property and the Project, the Developer has made development applications to the City with associated development plans (collectively, the “Development Plan”) for a Minor General Plan Amendment, Case No. 2-GP-2023, and rezoning Case No. 6-ZN-2023, that collectively requests the modification from Central Business District with Parking P-4 District (“C-2(C)/P-4”) to Planned Unit Development with a Planned Shared Development overlay (“PUD PSD”). The Rezoning will be completed pursuant to the adoption of the new regulatory approvals and stipulations contained in the “Minor General Plan Amendment” and “Zoning District Map Amendment” (the “Regulatory Approvals”). Pursuant to the Regulatory Approvals, the Project and Property shall be subject to Article V, Section 5.5000 et. seq. of the City’s Zoning Ordinance (the “PUD Ordinance”).

E. The City has requested that, prior to permit issuance, Developer dedicate four (4) feet of the eastern edge of the Residential Parcel that lies north of the City Parcel as an addition to the existing alleyway, which Developer is willing to do on the terms and conditions of this Agreement (the “Alley Dedication”).

F. The Regulatory Approvals establish the maximum density established by the Dwelling Unit Capacity (“DUC”), the maximum commercial Square Footage/Floor Area Ratio (“SF/FAR”), and Minimum Open Space (“MOS”) for the Property under the associated development standards. DUC, SF/FAR, and MOS collectively are referred to in this Agreement as “Development Attributes.” The Development Attributes are reflected in a budget for the Property and the Project (the “Development Area Budget”) set forth on the attached **Exhibit “B.”** The Development Area Budget reflects the square footage and acreage of the Property prior to and after the completion of the Alley Dedication. The Development Area Budget sets forth the maximum DUC, the maximum commercial SF/FAR, and the minimum MOS for each Parcel and, collectively, on the Property. The amount of SF/FAR for each Parcel set forth in the Development Budget also may be increased by up to ten percent (10%) at the Developer’s request, as more fully set forth in this Agreement. Further, to allow the proposed development on the Property to comply with the provisions of the Code as allowed and contemplated by the Code’s “Planned Shared Development” provisions and state law, the City shall recognize a transfer of density, commercial SF/FAR, and Open Space, by and among the Parcels that are contemplated by this Agreement.

G. City owns a parcel of land immediately on the east side of the Residential Parcel, which is legally described and depicted on **Exhibit “A-4”** (the “City Parcel”). The City previously entered into a Grant of Easements and Declaration of Restrictions dated September 15, 1994, and recorded on October 14, 1994, in the Records of Maricopa County, Arizona at Instrument No. 94-0741748, as amended and restated by the Amended and Restated Grant of Easements and Declaration of Rights dated December 8, 2000, and recorded on April 25, 2001, in the Records of Maricopa County, Arizona at Instrument No. 2001-0335672 (together, the “Grant of Easements”). The City entered the Grant of Easements with the Parcel A-1 Owner for the purpose of making the City Parcel available for vehicular parking and incidental vehicular and pedestrian access, as more fully set forth in the Grant of Easements.

H. City and Developer intend that Developer will redevelop improvements on the City Parcel to continue the use for vehicular parking and incidental vehicular and pedestrian access, but

to include certain landscape improvements as well on the City Parcel as more fully set forth in the Development Plan (the “New Parking Improvements”). Developer will be obligated to maintain the New Parking Improvements pursuant to the terms of the amended and restated form of the Grant of Easements set forth on **Exhibit “C”** of this Agreement (the “Amended & Restated Easement”).

I. City acknowledges that certain parking spaces for the Residences are to be available pursuant to the Rezoning and this Agreement on the Commercial Parcel as established by mutually acceptable agreements between Developer and Parcel A-1 Owner. The Amended & Restated Easement also will address the availability of parking for the Residential Parcel as the Amended & Restated Easement is completed by the Developer and City. Developer agrees that, pursuant to the terms of this Agreement, as more fully set forth below, Developer and Parcel A-1 Owner will provide the City with an assurance of remote parking agreement set forth on **Exhibit “D”** of this Agreement (the “Assurance to City of Remote Parking Agreement”) to provide City with assurance that the parking requirements imposed on the Residential Parcel will be met through such arrangements and the parking established on the City Parcel pursuant to the Amended & Restated Easement.

J. This Agreement is part of the requirements for approval of 6-ZN-2023. The Development Plan is on file with the Clerk of the City as declared a public record by Resolution No. 13138 and adopted by Ordinance No. 4639 and incorporated into this Agreement by this reference.

K. This Agreement and the related documents required by this Agreement (collectively the “Related Documents”) are intended to stimulate employment, investment in the area, and advance the economic benefit of the City and surrounding neighborhoods, and to achieve the redevelopment of the Property in accordance with this Agreement and in furtherance of the Development Plan.

L. Arizona Revised Statutes (“ARS”) Section 9-500.05 authorizes the City to enter into a Development Agreement related to real property located inside the incorporated area of the City with a landowner or other person having an interest in the real property.

M. This Agreement is consistent with the portions of City’s general plan applicable to the Property on the date of this Agreement.

N. The City’s governing body has authorized execution of this Agreement by Resolution Number 13139.

In consideration of the above premises, and the mutual promises and representations contained in this Agreement, and other good and valuable consideration, the receipt and sufficiency of which the parties hereby acknowledge, the Developer and City agree as follows:

AGREEMENT

1. Recitals. The recitals set forth above are incorporated into this Agreement by reference.

2. Term. The term of this Agreement shall be as follows:

2.1 Commencement and Duration. The term of this Agreement shall be effective and commence upon, and only upon, (a) the date this Agreement is approved by the City Council, (b) this Agreement having been signed by all parties, (c) all appeal and referendum periods with respect to this Agreement have expired and, in the event any appeal or referendum is taken, if any, it has been resolved in a manner sustaining the validity and enforceability of this Agreement, and (d) this Agreement having been recorded in the Office of the Maricopa County Recorder (the "Effective Date"). If the City does not record this Agreement once it is approved by the City Council, Developer may do so.

2.2 Effect of Termination or Expiration on Regulatory Approvals. Termination or expiration of this Agreement shall have no effect on the Regulatory Approvals, which shall continue to be enforceable according to their terms. Any notice of termination or expiration of this Agreement shall so state.

2.3 Referendum. If the Regulatory Approvals are referred to the City's ballot, Developer may elect to terminate this Agreement. If the Developer does not elect to terminate as set forth in the preceding sentence, and the Regulatory Approvals are invalidated by a referendum or court action, then this Agreement shall be void ab initio.

2.4 Minor Date Adjustments. Dates stated in this Agreement may be extended only by mutual written formal consent of City and Developer, given, or withheld in their respective sole and absolute discretion. City's City Manager may exercise authority to consent for City to extensions of any date, but such authority is limited to extensions not exceeding one hundred eighty (180) days, each exercised in the City Manager's sole and absolute discretion.

3. Project & Zoning. Developer's development of the Property and the Project shall comply with the following:

3.1 Property Interest of the Developer. The Developer represents and warrants that the fee title owner of the Property has granted Developer with a property interest in the Property, that Developer has been granted permission by such fee owner for purposes of this Agreement, the Development Plan, and the Regulatory Approvals to subject the Property to the Development Plan, the Regulatory Approvals and this Agreement, and that the Property is located within the municipal limits of the City.

3.2 No Construction Obligation. Developer has no obligation to develop the Property or any portion of the Project; provided however that all further construction of the Project shall be performed in compliance with the Development Plan, Regulatory Approvals and the terms and conditions of this Agreement.

3.3 Public Hearing Process and Increase in Commercial SF/FAR. Under the terms of this Development Agreement and by the public hearing process and council action taken with respect to its approval, the commercial SF/FAR for each Parcel as set forth in the Development Area Budget may be increased by ten percent (10%) of the proposed amount set forth thereon by written request of the Developer without requirement of any further council

action. Moreover, if Developer undertakes any other change to the Development Plan that is deemed material as determined by the City Manager or designee in their sole and absolute discretion governed by the provisions of ARS Section 9-462.01A.12 and requires a public hearing pursuant to Section or ARS 9-462.04A, Developer acknowledges that such action shall be subject to an application signed by all owners and lienholders of the Property affected by such action, and is subject to the notice and hearing requirements of ARS Section 9-462.04. Such public hearing process shall be managed between the Developer and the City following the processes and procedures established in the City's Code, as governed by Arizona law, including A.R.S. Section 9-462.04(A)(4). Accordingly, the City's City Manager or designee retains the authority established under the City's Code and Arizona law to address any further revisions to the Development Plan and the Development Area Budget.

3.4 Development Attributes. As of the date of this Agreement, the Development Plan establishes the Property's maximum Development Attributes and the allocation of the Development Attributes for the proposed Project as set forth in the Regulatory Approvals and the Development Plan. This allocation has been memorialized by this Agreement as set forth on the Development Area Budget. The Development Area Budget shall be considered a memorialization of any density, commercial SF/FAR, and Open Space transfers between Parcels as required by the Regulatory Approvals.

3.5 Planned Shared Development Shared Facilities. Developer shall establish a property management association ("Association") to maintain all common areas, shared facilities, or community-owned property shown on the Development Plan for the Property (collectively, "Shared Facilities"). Developer shall obligate such Association to record a Master Declaration of Easements, Covenants, Conditions and Restrictions ("ECRs") with the Maricopa County Recorder's Office identifying how such Shared Facilities will be maintained. If and to the extent that the Residential Parcel ever includes residential condominiums as established under ARS Section 33-1201 et. seq., then for purposes of the Association, any resulting owners' association shall be deemed to be the "member" of the Association for purposes of the ECRs.

3.6 PSD Indemnity. In addition to all other obligations hereunder, the Owners, Developer (and all persons claiming through Developer or claiming rights under this Agreement), and existing and future Owners of parcels within the Property's boundaries shall indemnify and hold harmless the City, its employees, agents and officials from any and all claims, demands, suits, judgments, assessments, proceedings, or liabilities of any kind, including reasonable attorney's fees and costs, that may arise from any person(s)/entity(ies) owning any part of the Property and that are related to the development or division of the Property, or the Property's being subject to the application of the PSD Ordinance. Further, the Property Manager (defined below) shall indemnify and hold harmless the City, its employees, agents and officials harmless from any and all claims, demands, suits, judgments, assessments, proceedings, or liabilities of any kind, including reasonable attorney's fees and costs, that may that may be asserted against the City, that arise from any person(s)/entity(ies) owning any part of the Property and that are related to the development or the division of the Property.

3.7 Developer's Mitigation of Construction Impacts. During the installation and construction of the Project and throughout the duration of any such construction, Developer

shall implement measures that seek to mitigate the construction impacts to the immediately adjacent properties at Developer's expense, which shall require Developer to take all steps reasonably necessary, to (i) keep, or cause to be kept, the Property in neat, orderly and clean condition, free of debris, (ii) employ dust control procedures including enhanced street and lot sweeping, and, (iii) protect all property and improvements on the immediately adjacent properties from damage caused by the Developer or its agents, employees, contractors or subcontractors, and immediately repair or replace any such property, once damaged, to its preexisting conditions. To carry out the purposes of this Section, the parties have developed a Construction Mitigation Plan ("CMP") attached hereto as **Exhibit "E."** The CMP will address traffic routes, work force vehicle parking, and construction vehicle parking. Developer agrees to carry out all construction activities for the Project in accordance with the CMP. The City Manager or designee shall have the authority to make adjustments to the CMP as may be reasonably necessary to accommodate any health, safety, or other public interest concerns that may arise during construction.

3.8 Access & Maintenance of Parking and Landscape. As a condition to the City issuing any permit for construction of the Project, Developer and City will enter and City will record the Amended & Restated Easement on the terms and conditions of the form set forth on Exhibit "C" to this Agreement to allow Developer to redevelop improvements for vehicular parking and incidental vehicular and pedestrian access and landscape improvements on the City Parcel as set forth in the Development Plan and thereafter cause the Developer and its successors and assigns of the Residential Parcel to maintain these improvements.

3.9 Assurance of Remote Parking. City has agreed to allow Developer to meet its obligation to provide certain parking required for the Project by entering an agreement with the Parcel A-1 Owner to reserve certain parking spaces located on the Commercial Parcel for use as parking for the Residences. Developer agrees that, as a condition to the City issuing any permit for construction of the Project, Developer shall enter into the Assurance to City of Remote Parking Agreement with the Parcel A-1 Owner and provide it to the City, for City recordation, on the terms and conditions similar to that of the form set forth on Exhibit "D" to this Agreement.

3.10 Agreement to Conduct Rezoning and General Plan Amendment if Project Not Commenced. Notwithstanding the Term of this Agreement, Developer agrees that if Developer does not commence construction (as more fully defined below, "Commencement of Construction") of the Project within seven (7) years from the Effective Date ("Commencement of Construction Deadline"), then Developer agrees that it shall apply to cause the Property to be rezoned to apply the zoning that existed on the Property immediately prior to the application of the Regulatory Approvals (the "Rezoning"). Further, if Developer does not achieve such Commencement of Construction and then does not make such application for such Rezoning within six (6) months of the Commencement of Construction Deadline (the "Rezoning Application Deadline"), then the City may undertake the Rezoning on behalf of the Developer. Developer and City acknowledge that, regardless of whether the Developer or the City undertakes the Rezoning as required in this Section 3.10, the party undertaking the Rezoning shall comply with all requirements of Arizona law to affect the completion of the Rezoning as set forth in A.R.S. Title 9, Article 6.1, Sections 9-462 et. seq.

3.10.1 Proposition 207 Waiver. The Developer and Owner (if different from Developer) have submitted to the City a waiver of any and all rights under the Private Property Rights Protection Act, A.R.S. Section 12-1131 *et. seq.*, commonly known as Proposition 207, acknowledging that none of the Developer, Owner, nor any successor or assign of the Property shall have any claim with respect to the diminution of value to the Property by agreeing to this Section 3.10 of this Agreement. Except with respect to the application of Sections 4.4, 4.5, and 5, the Rezoning shall be City's sole and exclusive remedy for Developer's failure timely to commence construction by the Commencement of Construction Deadline, and City waives any right to collect, or sue for, any damages arising out of Developer's failure to timely commence construction by the Commencement of Construction Deadline.

3.10.2 Definitions. For purposes of this Agreement, Commencement of Construction shall mean both (i) Developer has obtained from City any necessary Regulatory Approvals including any permits required to begin the construction of the Project and (ii) Developer has commenced actual physical construction of significant portions of the Project such as there is completion of any and all underground utility installations required to serve the Property followed by construction of foundations and other necessary above ground vertical elements sufficient to support all above grade floors of the permitted structure(s).

3.11 Power of Attorney. To allow the City to undertake, conduct and complete the Rezoning & General Plan Amendment on Developer's behalf, Developer hereby agrees to establish the City as the holder of a power of attorney in fact, to be issued to the City by Developer (or any successor or assign with respect to the Property) in the form of **Exhibit "F"** (the "Power of Attorney"). The Power of Attorney automatically shall be deemed to become effective on the Rezoning Application Deadline unless Developer has undertaken such Commencement of Construction by the Commencement of Construction Deadline or, in the absence thereof, made application for the Rezoning with the City by the Rezoning Application Deadline. Developer shall deposit the executed form of the Power of Attorney with the City on or before the Commencement of Construction Deadline.

3.12 Restrictive Covenant. As a restrictive covenant, Developer voluntarily will impose through its leases with each tenant who occupies any of the Residences the limitation that the tenant may not sublet any of the premises to third parties.

3.13 Alley Dedication. As a condition to the City issuing any permit for construction of the Project, Developer will complete the Alley Dedication by providing the City with a dedication deed in the form acceptable to the City dedicating the area of the Alley Dedication to the City.

4. City Contact and Property Manager.

4.1 City Contact. The City contact shall be the Zoning Administrator or designee.

4.2 Appointment of Property Manager. Developer and its assigns shall appoint one or more individuals or entities to be a “Property Manager” with respect to the Property or any portion thereof (each a “Property Manager”). Developer and its assigns may appoint the Association or an Owner of the Property or any portion thereof as such Property Manager. Upon any person or entity being appointed a Property Manager with respect to the Property or any portion thereof, Developer or its assigns shall give the City notice of such appointment and the name and contact address and other information required for notice in this Agreement. Until notice is provided to the City by Developer otherwise, Developer shall be the Property Manager for all purposes under this Agreement.

4.3 Responsibility of Property Manager. The Property Manager shall be responsible for complying with all City requirements in a timely and professional manner and maintaining and repairing the Shared Facilities in accordance with the City requirements.

4.4 Assurance of a Property Manager. Developer, its assigns, and all present and future property Owners shall assure that the Property shall always have an appointed Property Manager, and that this Property Manager shall agree to indemnify the City as required by Section 3.6 of this Agreement and Section 6.1406 of the Zoning Ordinance of the City of Scottsdale. If the Property has no designated Property Manager, and such failure continues uncured for fifteen (15) days after written notice thereof from the City to the Owners, the City shall deem all property Owners to be in default under this Agreement. Developer and its successors and assigns shall have the right to replace the Property Manager with notice to the City pursuant to paragraph 13.8.

4.5 Declaration of Easements, Covenants, Conditions & Restrictions. The ECRs shall address the following to the City's satisfaction:

4.5.1 Responsibility for Shared Facilities. Developer understands that (a) it may create certain common area improvements on the Property that are Shared Facilities, and (b) each Owner must pay assessments for complying with all City requirements and for maintaining and repairing the Shared Facilities, as reasonably determined necessary by the City.

4.5.2 Ownership of Shared Facilities. All Shared Facilities, if any, shall be identified in the ECRs. If some of the Shared Facilities are to be shared by the Owners, then the ECRs shall identify which Owner is responsible for which Shared Facilities.

4.5.3 Assessments. The Property Manager shall have authority to assess and collect fees for complying with City requirements and for maintaining and repairing the Shared Facilities.

4.6 Duration. The ECRs shall remain in existence as long as the Property is developed with a PSD overlay.

4.6.1 Amendments. Except with the City's prior written consent, the ECRs may not be amended to alter the provisions that require the Owners to share responsibility for maintaining and repairing the Shared Facilities.

4.6.2 Delivery. A copy of the ECRs will have been delivered to the City prior to the issuance of any permits with respect to the Property.

5. Breach & Remedies. Developer shall comply with, perform, and do each performance and thing required of Developer under this Agreement. Developer's failure to do so shall be a breach by Developer of this Agreement if not cured within the notice and cure periods set forth in Section 6 below.

6. Events of Default. Any Owner or Property Manager shall be in default (an "Event of Default") if such Owner, with respect to the Owner's parcel, or the Property Manager(s) and Owner(s), with respect to Shared Facilities, fails or neglects timely and completely to do or perform or observe any material provision of this Agreement, the Regulatory Approvals, or the Development Area Budget, and such failure or neglect continues for a period of one hundred twenty (120) days after City has notified the defaulting Owner(s) and/or Property Manager(s) in writing of such failure or neglect. If the defaulting Owner(s) and/or Property Manager(s) begins to cure the default within this time period, the one hundred twenty (120) day period shall be extended an additional sixty (60) days upon request given by notice to City prior to the end of the one hundred twenty (120) day period, or such later time as may be granted by the City to allow the cure to be affected.

7. City's Remedies. Upon the occurrence of any material Event of Default or at any time thereafter while such Event of Default remains uncured, City may, at its option and from time to time, exercise any, all, or any combination of the following cumulative remedies in any order and repetitively at City's option with respect to any and all defaulting Owner(s) and/or Property Manager(s):

7.1 Until the default is cured, issue a stop work order and/or refuse to issue any permits or process development applications for the Property, as to Shared Facilities, or, in the event the Property is divided into separate parcels, issue a stop work order and/or refuse to issue any permits or process any development applications for any parcel that is subject of the Event of Default.

7.2 Abate at an applicable defaulting Owner's expense any violation of this Agreement.

7.3 Be excused without any liability to the applicable defaulting Owner therefor from further performance of any or all of City's obligations under this Agreement.

7.4 Insist upon each applicable defaulting Owner's full and faithful performance under this Agreement during the entire remaining term of this Agreement.

7.5 Assert, exercise or otherwise pursue at each applicable defaulting Owner's expense any and all other rights or remedies, legal or equitable, to which City may be entitled.

7.6 Notwithstanding the foregoing, an applicable defaulting Owner shall not be liable for special, consequential, punitive, or other exemplary or multiple damages.

8. City Default and Developer's Remedies. Upon any material breach of this Agreement by City not cured within one hundred twenty (120) days after notice from an Owner, such Owner may pursue any and all remedies, legal, equitable or otherwise, to which such Owner may be entitled. Notwithstanding the preceding sentence or anything else in this Agreement and as a condition of City's willingness to enter into this Agreement, the following limits shall apply to this Agreement:

8.1 City shall not be liable for any special, consequential, punitive, or other exemplary or multiple damages.

8.2 Developer hereby unconditionally and irrevocably waives on behalf of itself and all persons claiming through Developer or through this Agreement or under or related to this Agreement any remedies inconsistent with these limitations.

8.3 All limitations on Developer's remedies shall also apply to all remedies against City's officers, employees, and other agents and representatives and any other person for whom City may in any event be liable for any reason.

8.4 All limitations on Developer's remedies shall apply to Developer and to any person otherwise asserting against City, any claim whatsoever related to this Agreement.

9. Non-waiver and City Contract Administrator Authority. No failure by City or Developer to demand any performance required of the other under this Agreement, and no acceptance by City or Developer of any imperfect or partial performance under this Agreement, shall excuse such performance, or waive or impair in any way the other's ability to insist, prospectively and retroactively upon full compliance with this Agreement. Only the City's Zoning Administrator or designee shall be authorized to administer this Agreement for City or speak for City regarding this Agreement. Further, nothing in this Agreement or any ordinance with respect to it or the zoning associated with the Project shall be deemed to reduce or eliminate the Zoning Administrator's authority provided under A.R.S. Section 9-462.04.A.4, which authority may be exercised in the ordinary course.

10. Compliance with Law. Developer shall comply with all federal, state, county, and local laws, ordinances, regulations, or other rules or policies that affect the Property as are now in effect or as may hereafter be adopted or amended.

11. Assignability. This Agreement may be assigned or transferred by the Developer (or any of the entities that comprise "Developer" with respect to such entity's interest herein), in whole or in part, by written instrument, to any subsequent owner of all or any portion of the Property. Notice of any transfer or assignment in accordance with this paragraph shall be provided by Developer or the transferor entity (or its successor or assign) to the City. No lender or mortgagee shall have any obligation or liability under this Agreement unless such lender or mortgagee acquires title to a portion of the Property, in which event, such lender or mortgagee shall have liability only for the failure of such lender or mortgagee to comply with any obligation

under this Agreement with respect to the portion of the Property owned by such lender or mortgagee during the period of such lender's or mortgagee's ownership of such portion of the Property, and the liability of such lender or mortgagee shall be limited to its interest in the Property.

12. Unified Project Intent. City is entitled to hold the Developer (or its successors and assigns, if applicable) responsible for all performances under this Agreement. City and Developer expressly do not intend that Developer's rights under this Agreement be divisible, except as already described in this Agreement, for any reason into multiple contracts, agreements, or other arrangements between City and numerous Property owners. City and Developer intend that City only be obligated to deal with one designated representative of all of the entities standing in the position of Developer (the "Developer's Designated Representative") from time to time and not be burdened with any management, maintenance, or other responsibilities related to development or occupation of the Property by multiple entities, such as resolving or being hindered by disagreements between entities regarding Developer's performance of its duties under this Agreement, and that City not be burdened by usage, financial, or other issues among various persons using the Property pursuant to this Agreement. All of those duties are to be performed by Developer (or its successors or assigns, if applicable), which is responsible to see that all persons developing or using the Property, including without limitation any owners' associations and their members, resolve among themselves their respective responsibilities for all performances under this Agreement, none of which limits or otherwise affects City's rights under this Agreement. Developer may change the Developer's Designated Representative from time to time by written notice to City. Developer hereby designates Paul Tuchin as the Developer's Designated Representative under this Agreement, until further written notice from Developer is given to City.

13. Miscellaneous. The following additional provisions apply to this Agreement:

13.1 Agreement Status & Assignment. Except as otherwise specifically provided herein, the rights established under this Agreement and the Development Plan are not personal rights but attach to and run with the Property and all the provisions hereof shall inure to the benefit of and be binding upon the successors and assigns of the parties hereto pursuant to A.R.S. § 9-500.05(D). This Agreement may be assigned or transferred by the Developer, in its sole and absolute discretion, (or any of the entities comprising "Developer" with respect to such entity's interest herein), in whole or in part, by written instrument, to any subsequent owner of all or any portion of the Property. Notice of any transfer or assignment in accordance with this Section shall be provided by Developer or the transferor entity (or its successor or assign) to the City.

13.2 Amendments. This Agreement may not be amended except by a formal writing executed by all of the parties.

13.3 Severability. If any term, condition, covenant, stipulation, agreement, or provision in this Agreement is held to be invalid or unenforceable for any reason, the invalidity of any such term, condition, covenant, stipulation, agreement, or provision shall in no way affect any other term, condition, covenant, stipulation, agreement, or provision of this Agreement.

13.4 Conflicts of interest; Statutory Cancellation Right. No member, official, or employee of City shall have any direct or indirect interest in this Agreement, nor participate in any

decision relating to the Agreement, which is prohibited by law. This Agreement is subject to the cancellation provisions of A.R.S. Section 38-511.

13.5 No Partnership. This Agreement and the transactions and performances contemplated hereby shall not create any sort of partnership, joint venture, or similar relationship between the parties.

13.6 Authority. Each party to this Agreement represents to the other that it has full power and authority to enter into this Agreement, and that all necessary actions have been taken to give full force and effect to this Agreement.

13.7 Non-liability of City Officials and Employees. No member, official, representative, or employee of City shall be personally liable to any party, or to any successor in interest to any party, in the event of any default or reach by City or for any amount that may become due to any party or successor, or with respect to any obligation of City related to this Agreement.

13.8 Notices. Notices hereunder shall be given in writing delivered to the other party or mailed by registered or certified mail, return receipt requested, postage prepaid, or by FedEx or other reliable overnight courier service that confirms delivery, addressed to:

If to City: City of Scottsdale
7447 E. Indian School Rd., Suite 105
Scottsdale, AZ 85251

Copy to: City Attorney
City of Scottsdale
3939 Drinkwater Blvd.
Scottsdale, AZ 85251

If to Developer, Owners,
or Property Manager High Street Residential, Inc.
Attention: Paul Tuchin
2575 E. Camelback Road, Suite 400
Phoenix, Arizona 85016

Copies to: John Berry
Berry Riddell LLC
6750 E. Camelback Rd., Suite 100
Scottsdale, AZ 85251

Service of any notice by mail in accordance with the foregoing shall be deemed to be complete three (3) days (excluding Saturday, Sunday, and legal holidays) after the notice is deposited in the United States mail. Service of any notice by overnight courier in accordance with the foregoing shall be deemed to be complete upon receipt or refusal to receive. By notice from time to time in accordance herewith, any notice party may designate any other street or e-mail address or addresses as its address or addresses for receiving notice hereunder using a Change of Address

Form in the form of **Exhibit “G.”** Any designation by a party of a new address for notices shall not be binding or effective unless the Address Change Form is supplied to the other party and is recorded with the County Recorder of Maricopa County, Arizona.

13.9 Integration. This Agreement, including its Exhibits, constitutes the entire agreement between the parties with respect to the subject matter hereof, and supersedes any prior agreement, understanding, negotiation, draft documents, discussion outlines, correspondence, memoranda or representation regarding the Property.

13.10 Construction. Whenever the context of this Agreement requires, the singular shall include the plural, and the masculine shall include the feminine. This Agreement was negotiated on the basis that it shall be construed according to its plain meaning and neither for nor against any party, regardless of their respective roles in preparing this Agreement. The terms of this Agreement were established in light of the plain meaning of this Agreement and this Agreement shall therefore be interpreted according to its plain meaning and without regard to rules of interpretation, if any, that might otherwise favor Developer or City.

13.11 Section Headings. The Section headings contained in this Agreement are for convenience in reference and not intended to define or limit the scope of any provision of this Agreement.

13.12 No Third-Party Beneficiaries. The City, an Owner of any portion of the Property, the Developer, lenders holding liens or mortgages against a portion of the Property, and their successors and assigns are the sole beneficiaries of this Agreement. Except with respect to the rights and obligations of the current and any subsequent owner of the Commercial Parcel, with the Commercial Parcel being bound by this Agreement by its recording against the Commercial Parcel, as permitted by the Parcel A-1 Owner, no other person or entity shall be a third-party beneficiary to this Agreement or shall have any right or cause of action hereunder. City shall have no liability to third parties who are not beneficiaries of this Agreement, nor to the Parcel A-1 Owner, for any approval of plans, Developer's construction of improvements, Developer's negligence, Developer's failure to comply with the provisions of this Agreement, or otherwise as a result of the existence of this Agreement.

13.13 Exhibits. All exhibits attached hereto as specified herein are hereby incorporated into and made an integral part of this Agreement for all purposes.

13.14 Attorneys' Fees & Costs. If legal action is brought by any party because of a breach of this Agreement or to enforce a provision of this Agreement, the prevailing party is entitled to reasonable attorney fees and costs as determined by the court or other decision maker.

13.15 Choice of Law. This Agreement shall be governed by the internal laws of the State of Arizona without regard to choice of law rules.

13.16 Venue & Jurisdiction. Legal actions regarding this Agreement shall be instituted in the Superior Court of the County of Maricopa, State of Arizona, or in the Federal District Court in the District of Arizona sitting in Maricopa County. City and Developer agree to

the exclusive jurisdiction and venue of such courts. Claims by Developer shall comply with time periods and other requirements of City's claims procedures from time to time.

13.17 Counterparts. This Agreement may be executed in two (2) or more counterparts, each of which shall be deemed an original and all of which together shall be deemed to be one and the same instrument.

13.18 Recording & Return of Recorded Documents. The City shall be responsible for recording this Agreement once executed by the parties and approved by the City's Council. Recorded documents shall be returned to the person designated by the forms attached to this Agreement or as executed by the parties (the "Return Person"). If no designation is made for any document, City's city attorney is the Return Person. This Agreement, and any amendment or cancellation of this Agreement, shall be recorded, in its entirety, in the official records the county recorder's office in Maricopa County, Arizona, no later than ten (10) days after the effective date of this Agreement, amendment, or cancellation, as required by A.R.S. § 9-500.05. If the City fails or refuses to record this Agreement, Developer may cause this Agreement to be recorded.

13.19 Force Majeure. The dates specified in this Agreement for performance shall be extended day-for-day during, and performance by Developer under this Agreement shall not be deemed to be in default where delays are caused by, the occurrence and the continuation of any Force Majeure Event. "Force Majeure Event" means any event caused by from acts beyond a party's control, and all dates and time periods provided for in this Agreement shall be extended by the duration of any delays resulting therefrom. These acts will include, but not be limited to, riots, acts of war, acts of terrorism, epidemics, labor disputes not arising out of the actions of the parties, government regulations imposed after the fact, fire, communication line failures or power failures.


ATTEST:

THE CITY OF SCOTTSDALE:
an Arizona municipal corporation

By: _____
Ben Lane, City Clerk

By: _____
David D. Ortega, Mayor

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

By:  _____
Sherry R. Scott, City Attorney

By: Joe Padilla, Deputy City Attorney

STATE OF ARIZONA)
) ss.
County of Maricopa)

The foregoing instrument was acknowledged before me this, day of , 2024,
by David D. Ortega, Mayor of the City of Scottsdale, Arizona, a municipal corporation.

My Commission Expires:

Notary Public

HIGH STREET ARIZONA, INC.
a Delaware corporation

By: 
Paul Tuchin, Vice President

STATE OF ARIZONA)
) ss.
County of Maricopa)

The foregoing instrument was acknowledged before me this 9th day of May,
2024, by Paul Tuchin, Vice President of High Street Arizona, Inc., a Delaware corporation, who
executed the foregoing on behalf of the corporation, being authorized to do so for the purposes
therein contained.

My Commission Expires:


Notary Public



Table of Exhibits

Exhibit "A-1"	Commercial Parcel Legal Description & Depiction
Exhibit "A-2"	Residential Parcel Legal Description & Depiction
Exhibit "A-3"	Property and Parcels Legal Description and Depiction
Exhibit "A-4"	City Property Legal Description & Depiction
Exhibit "B"	Development Area Budget
Exhibit "C"	Amended & Restated Easement
Exhibit "D"	Assurance to City of Remote Parking Agreement
Exhibit "E"	Construction Mitigation Plan
Exhibit "F"	Power of Attorney
Exhibit "G"	Change of Address Form

EXHIBIT "A-1"

LEGAL DESCRIPTION – PARCEL A-1

The Commercial Parcel

THAT PORTION OF LOT 1 OF THE FINAL PLAT FOR "7000 EAST SHEA BOULEVARD" AS RECORDED IN BOOK 1701 OF MAPS, PAGE 37, OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA LYING WITHIN THE WEST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 3 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 22 BEING MARKED BY A 3-INCH CITY OF SCOTTSDALE BRASS CAP IN HANDHOLE WITH A DEPTH OF 0.70 FEET, FROM WHICH A 3-INCH CITY OF SCOTTSDALE BRASS CAP FLUSH MARKING THE INTERSECTION OF SHEA BOULEVARD AND 70TH STREET BEARS SOUTH 89 DEGREES 33 MINUTES 07 SECONDS WEST 1320.89 FEET;
THENCE SOUTH 89 DEGREES 33 MINUTES 07 SECONDS WEST 680.44 FEET ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER TO THE SOUTHERLY PROLONGATION OF THE WEST LINE OF A 20-FOOT PUBLIC ALLEY AS SHOWN ON PLAT OF SUNDOWN PLAZA, BOOK 65, PAGE 40, MARICOPA COUNTY, ARIZONA;
THENCE NORTH 00 DEGREES 01 MINUTES 14 SECONDS EAST 65.00 FEET ALONG SAID SOUTHERLY PROLONGATION TO THE NORTH LINE OF THE SOUTH 65.00 FEET OF SAID SOUTHEAST QUARTER;
THENCE SOUTH 89 DEGREES 33 MINUTES 07 SECONDS WEST 74.00 FEET ALONG SAID NORTH LINE TO THE SOUTHEAST CORNER OF SAID LOT 1;
THENCE CONTINUING SOUTH 89 DEGREES 33 MINUTES 07 SECONDS WEST 232.34 FEET ALONG THE SOUTH LINE OF SAID LOT 1 TO THE SOUTHEAST CORNER OF LOT 3 PER SAID "7000 EAST SHEA BOULEVARD";
THENCE NORTH 00 DEGREES 11 MINUTES 05 SECONDS WEST 168.53 FEET ALONG THE EAST LINE OF SAID LOT 3 TO THE POINT OF BEGINNING;
THENCE ALONG THE SOUTHERLY, WESTERLY AND NORTHERLY LINE OF SAID LOT 1 THE FOLLOWING THREE BEARINGS AND DISTANCES;
THENCE SOUTH 89 DEGREES 20 MINUTES 09 SECONDS WEST 288.51 FEET;
THENCE NORTH 00 DEGREES 01 MINUTES 14 SECONDS EAST 470.64 FEET;
THENCE NORTH 89 DEGREES 47 MINUTES 41 SECONDS EAST 452.20 FEET;

THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST 200.37 FEET;
THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST 164.74 FEET;
THENCE SOUTH 00 DEGREES 11 MINUTES 05 SECONDS EAST 268.55 FEET TO THE POINT OF BEGINNING.

COMPRISING 168,073 SQUARE FEET OR 3.858 ACRES MORE OR LESS.

EXHIBIT "A-1"

Page 1 of 2

C.O.S. Contract No. 2024-084-COS
(Cosanti Commons)
(Resolution No. 13139)

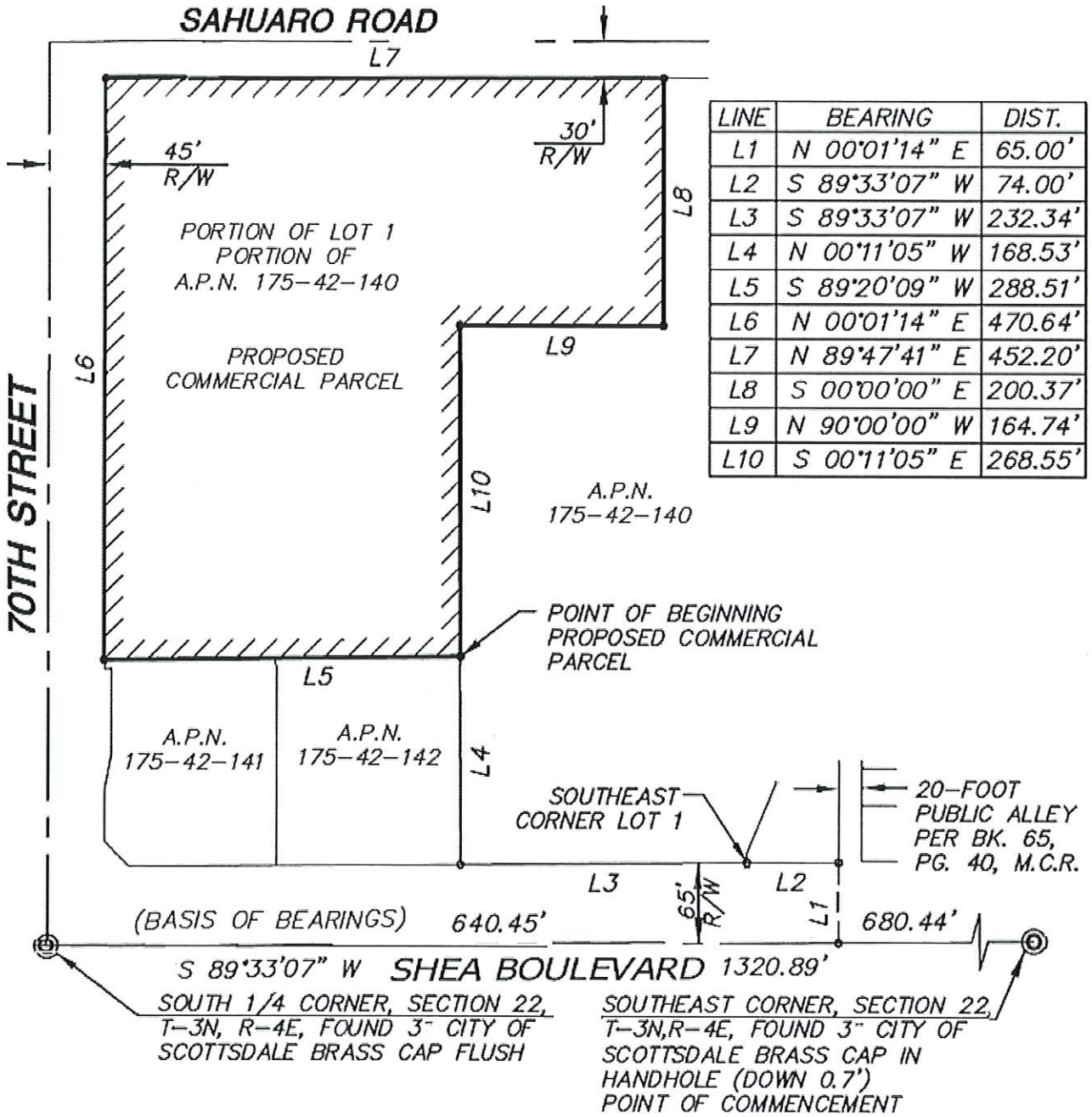


EXHIBIT "A-1"
Page 2 of 2

EXHIBIT "A-2"

LEGAL DESCRIPTION – PARCEL A-2

The Residential Parcel

THAT PORTION OF LOT 1 OF THE FINAL PLAT FOR "7000 EAST SHEA BOULEVARD" AS RECORDED IN BOOK 1701 OF MAPS, PAGE 37, OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA LYING WITHIN THE WEST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 3 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 22 BEING MARKED BY A 3-INCH CITY OF SCOTTSDALE BRASS CAP IN HANDHOLE WITH A DEPTH OF 0.70 FEET, FROM WHICH A 3-INCH CITY OF SCOTTSDALE BRASS CAP FLUSH MARKING THE INTERSECTION OF SHEA BOULEVARD AND 70TH STREET BEARS SOUTH 89 DEGREES 33 MINUTES 07 SECONDS WEST 1320.89 FEET;

THENCE SOUTH 89 DEGREES 33 MINUTES 07 SECONDS WEST 680.44 FEET ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER TO THE SOUTHERLY PROLONGATION OF THE WEST LINE OF A 20-FOOT PUBLIC ALLEY AS SHOWN ON PLAT OF SUNDOWN PLAZA, BOOK 65, PAGE 40, MARICOPA COUNTY, ARIZONA;

THENCE NORTH 00 DEGREES 01 MINUTES 14 SECONDS EAST 65.00 FEET ALONG SAID SOUTHERLY PROLONGATION TO THE NORTH LINE OF THE SOUTH 65.00 FEET OF SAID SOUTHEAST QUARTER;

THENCE SOUTH 89 DEGREES 33 MINUTES 07 SECONDS WEST 74.00 FEET ALONG SAID NORTH LINE TO THE SOUTHEAST CORNER OF SAID LOT 1 AND THE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 89 DEGREES 33 MINUTES 07 SECONDS WEST 232.34 FEET ALONG THE SOUTH LINE OF SAID LOT 1 TO THE SOUTHEAST CORNER OF LOT 3 PER SAID "7000 EAST SHEA BOULEVARD";

THENCE NORTH 00 DEGREES 11 MINUTES 05 SECONDS WEST 437.08 FEET ALONG THE EAST LINE AND THE NORTHERLY PROLONGATION OF THE EAST LINE OF SAID LOT 3;

THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST 164.74 FEET;

THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST 200.37 FEET TO THE NORTH LINE OF SAID LOT 1;

CONTINUES ON NEXT PAGE .

CONTINUES FROM PRIOR PAGE

THENCE NORTH 89 DEGREES 47 MINUTES 41 SECONDS EAST 143.23 FEET TO THE NORTHEAST CORNER OF SAID LOT 1;

THENCE ALONG THE EASTERLY LINE OF SAID LOT 1 THE FOLLOWING FIVE BEARINGS AND DISTANCES;

THENCE SOUTH 00 DEGREES 01 MINUTES 14 SECONDS WEST 360.54 FEET;

THENCE SOUTH 89 DEGREES 33 MINUTES 07 SECONDS WEST 50.00 FEET;

THENCE SOUTH 00 DEGREES 01 MINUTES 14 SECONDS WEST 210.02 FEET;

THENCE SOUTH 22 DEGREES 46 MINUTES 59 SECONDS WEST 62.03 FEET;

THENCE SOUTH 00 DEGREES 01 MINUTES 14 SECONDS WEST 8.00 FEET TO THE POINT OF BEGINNING.

COMPRISING 147,968 SQUARE FEET OR 3.397 ACRES MORE OR LESS.

EXHIBIT "A-2"

Page 2 of 3

C.O.S. Contract No. 2024-084-COS
(Cosanti Commons)
(Resolution No. 13139)

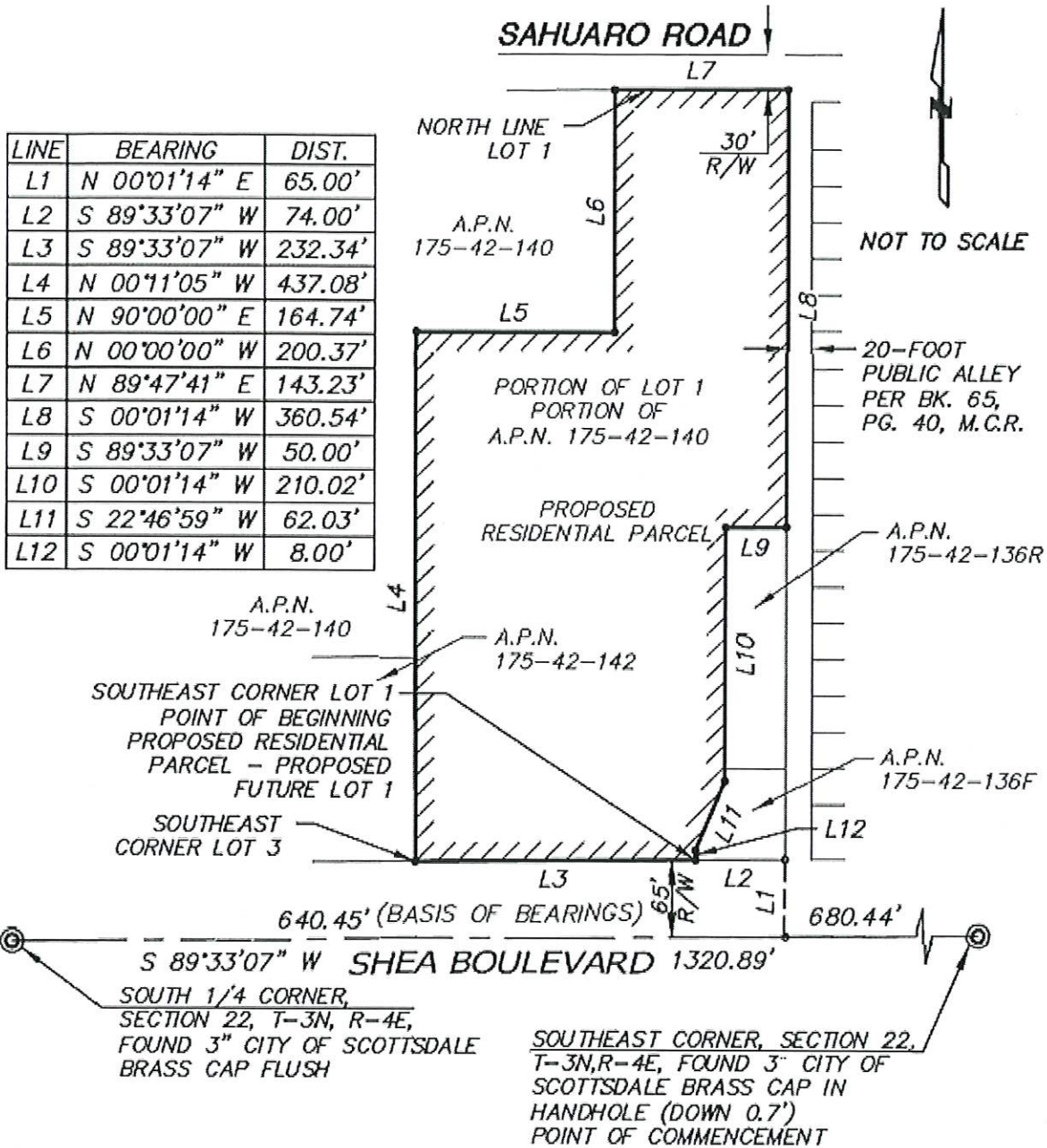


EXHIBIT "A-2"
Page 3 of 3

EXHIBIT "A-3"

PROPERTY & PARCELS

LOT 1 OF THE FINAL PLAT FOR "7000 EAST SHEA BOULEVARD" AS RECORDED IN BOOK 1701 OF MAPS, PAGE 37, OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA LYING WITHIN THE WEST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 3 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 22 BEING MARKED BY A 3-INCH CITY OF SCOTTSDALE BRASS CAP IN HANDHOLE WITH A DEPTH OF 0.70 FEET, FROM WHICH A 3-INCH CITY OF SCOTTSDALE BRASS CAP FLUSH MARKING THE INTERSECTION OF SHEA BOULEVARD AND 70TH STREET BEARS SOUTH 89 DEGREES 33 MINUTES 07 SECONDS WEST 1320.89 FEET;

THENCE SOUTH 89 DEGREES 33 MINUTES 07 SECONDS WEST 680.44 FEET ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER TO THE SOUTHERLY PROLONGATION OF THE WEST LINE OF A 20-FOOT PUBLIC ALLEY AS SHOWN ON PLAT OF SUNDOWN PLAZA, BOOK 65, PAGE 40, MARICOPA COUNTY, ARIZONA;

THENCE NORTH 00 DEGREES 01 MINUTES 14 SECONDS EAST 65.00 FEET ALONG SAID SOUTHERLY PROLONGATION TO THE NORTH LINE OF THE SOUTH 65.00 FEET OF SAID SOUTHEAST QUARTER;

THENCE SOUTH 89 DEGREES 33 MINUTES 07 SECONDS WEST 74.00 FEET ALONG SAID NORTH LINE TO THE SOUTHEAST CORNER OF SAID LOT 1 AND THE POINT OF BEGINNING; THENCE ALONG THE SOUTHERLY, WESTERLY, NORTHERLY AND EASTERLY LINES OF SAID LOT 1 THE FOLLOWING TEN BEARINGS AND DISTANCES;

THENCE SOUTH 89 DEGREES 33 MINUTES 07 SECONDS WEST 232.34 FEET;

THENCE NORTH 00 DEGREES 11 MINUTES 05 SECONDS WEST 168.53 FEET;

THENCE SOUTH 89 DEGREES 20 MINUTES 09 SECONDS WEST 288.51 FEET;

THENCE NORTH 00 DEGREES 01 MINUTES 14 SECONDS EAST 470.64 FEET;

THENCE NORTH 89 DEGREES 47 MINUTES 41 SECONDS EAST 595.43 FEET;

THENCE SOUTH 00 DEGREES 01 MINUTES 14 SECONDS WEST 360.54 FEET;

THENCE SOUTH 89 DEGREES 33 MINUTES 07 SECONDS WEST 50.00 FEET;

THENCE SOUTH 00 DEGREES 01 MINUTES 14 SECONDS WEST 210.02 FEET;

THENCE SOUTH 22 DEGREES 46 MINUTES 59 SECONDS WEST 62.03 FEET;

THENCE SOUTH 00 DEGREES 01 MINUTES 14 SECONDS WEST 8.00 FEET TO THE POINT OF BEGINNING.

COMPRISING 316,041 SQUARE FEET OR 7.255 ACRES MORE OR LESS.

EXHIBIT "A-3"

Page 1 of 3

C.O.S. Contract No. 2024-084-COS
(Cosanti Commons)
(Resolution No. 13139)

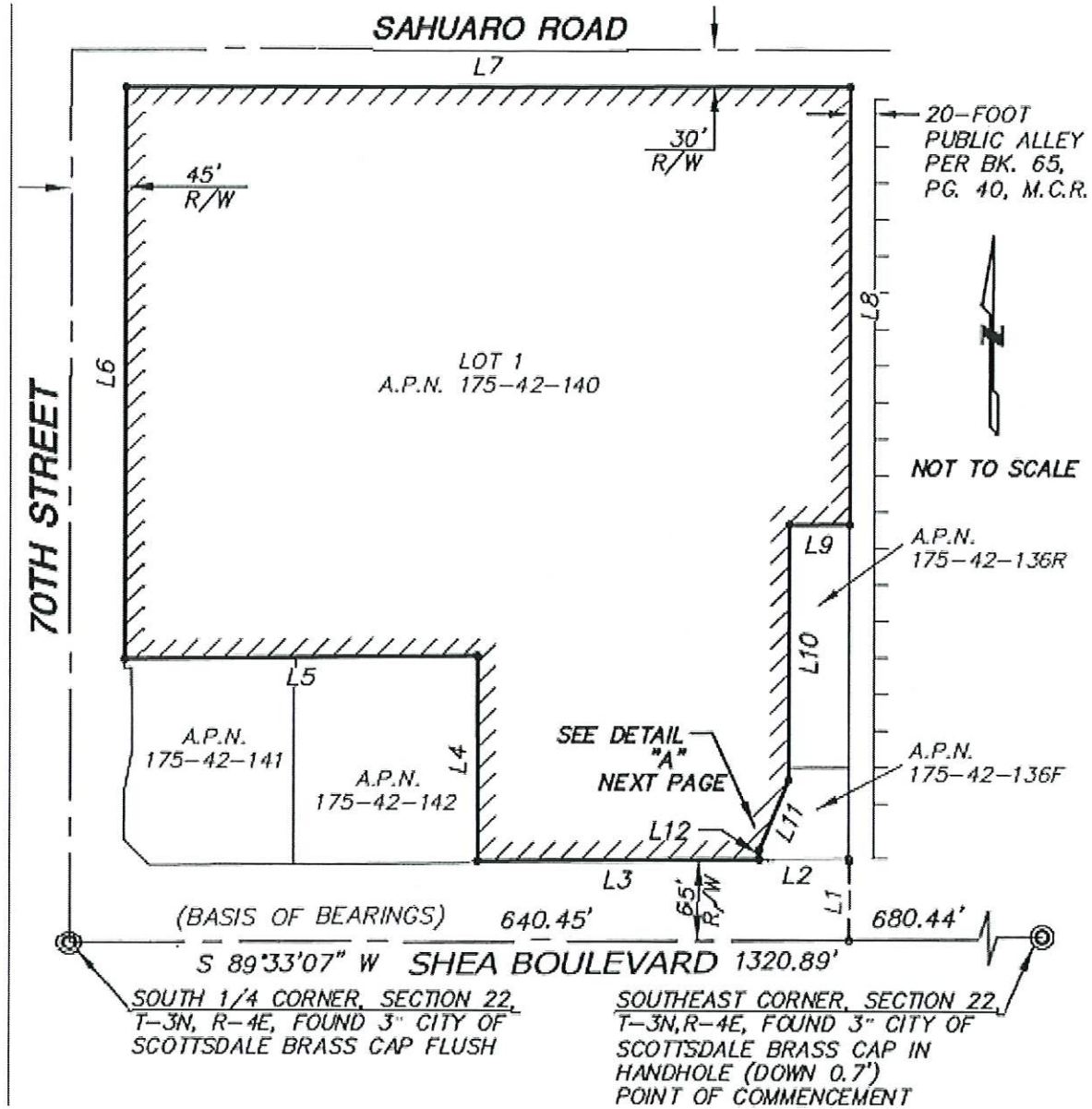


EXHIBIT "A-3"
Page 2 of 3

<i>LINE TABLE</i>		
<i>LINE</i>	<i>BEARING</i>	<i>DISTANCE</i>
L1	N 00°01'14" E	65.00'
L2	S 89°33'07" W	74.00'
L3	S 89°33'07" W	232.34'
L4	N 00°11'05" W	168.53'
L5	S 89°20'09" W	288.51'
L6	N 00°01'14" E	470.64'
L7	N 89°47'41" E	595.43'
L8	S 00°01'14" W	360.54'
L9	S 89°33'07" W	50.00'
L10	S 00°01'14" W	210.02'
L11	S 22°46'59" W	62.03'
L12	S 00°01'14" W	8.00'

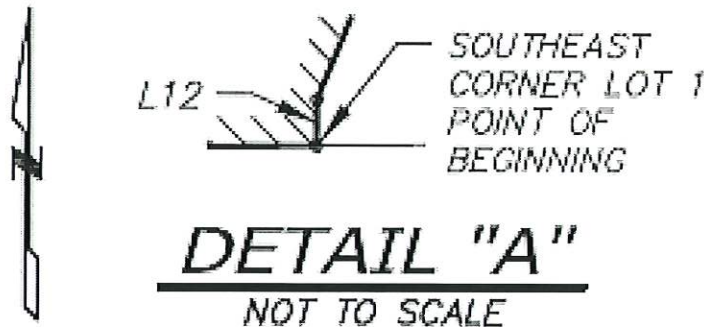


EXHIBIT "A-4"

LEGAL DESCRIPTION – CITY PROPERTY

THAT PARCEL DESCRIBED ON EXHIBIT "B" OF "AMENDMENT OF DECLARATION OF RESTRICTIONS AND GRANT OF EASEMENTS" IN 1994-0741750, OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA AND THAT PARCEL DESCRIBED IN GENERAL WARRANTY DEED IN 1994-0741747, OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA, LYING WITHIN THE WEST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 3 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 22 BEING MARKED BY A 3-INCH CITY OF SCOTTSDALE BRASS CAP IN HANDHOLE WITH A DEPTH OF 0.70 FEET, FROM WHICH A 3-INCH CITY OF SCOTTSDALE BRASS CAP FLUSH MARKING THE INTERSECTION OF SHEA BOULEVARD AND 70TH STREET BEARS SOUTH 89 DEGREES 33 MINUTES 07 SECONDS WEST 1320.89 FEET;

THENCE SOUTH 89 DEGREES 33 MINUTES 07 SECONDS WEST 680.44 FEET ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER TO THE SOUTHERLY PROLONGATION OF THE WEST LINE OF A 20-FOOT PUBLIC ALLEY AS SHOWN ON PLAT OF SUNDOWN PLAZA, BOOK 65, PAGE 40, MARICOPA COUNTY, ARIZONA;

THENCE NORTH 00 DEGREES 01 MINUTES 14 SECONDS EAST 65.00 FEET ALONG SAID SOUTHERLY PROLONGATION TO THE NORTH LINE OF THE SOUTH 65.00 FEET OF SAID SOUTHEAST QUARTER AND THE POINT OF BEGINNING;

THENCE SOUTH 89 DEGREES 33 MINUTES 07 SECONDS WEST 74.00 FEET ALONG SAID NORTH LINE TO THE SOUTHEAST CORNER OF LOT 1 OF THE FINAL PLAT FOR "7000 EAST SHEA BOULEVARD" AS RECORDED IN BOOK 1701 OF MAPS, PAGE 37, OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE ALONG THE EASTERLY LINE OF SAID LOT 1 THE FOLLOWING FOUR BEARINGS AND DISTANCES;

THENCE NORTH 00 DEGREES 01 MINUTES 14 SECONDS EAST 8.00 FEET;

THENCE NORTH 22 DEGREES 46 MINUTES 59 SECONDS EAST 62.03 FEET;

THENCE NORTH 00 DEGREES 01 MINUTES 14 SECONDS EAST 210.02 FEET;

THENCE NORTH 89 DEGREES 33 MINUTES 07 SECONDS EAST 50.00 FEET TO THE WEST LINE OF SAID 20-FOOT PUBLIC ALLEY;

THENCE SOUTH 00 DEGREES 01 MINUTES 14 SECONDS WEST 275.02 FEET ALONG SAID WEST LINE TO THE POINT OF BEGINNING.

COMPRISING 14,627 SQUARE FEET OR 0.336 ACRES MORE OR LESS.

EXHIBIT "A-4"

Page 1 of 2

C.O.S. Contract No. 2024-084-COS
(Cosanti Commons)
(Resolution No. 13139)

LINE TABLE		
LINE	BEARINGS	LENGTH
L1	N 00°01'14" E	65.00'
L2	S 89°33'07" W	74.00'
L3	N 00°01'14" E	8.00'
L4	N 22°46'59" E	62.03'
L5	N 00°01'14" E	210.02'
L6	N 89°33'07" E	50.00'
L7	S 00°01'14" W	275.02'

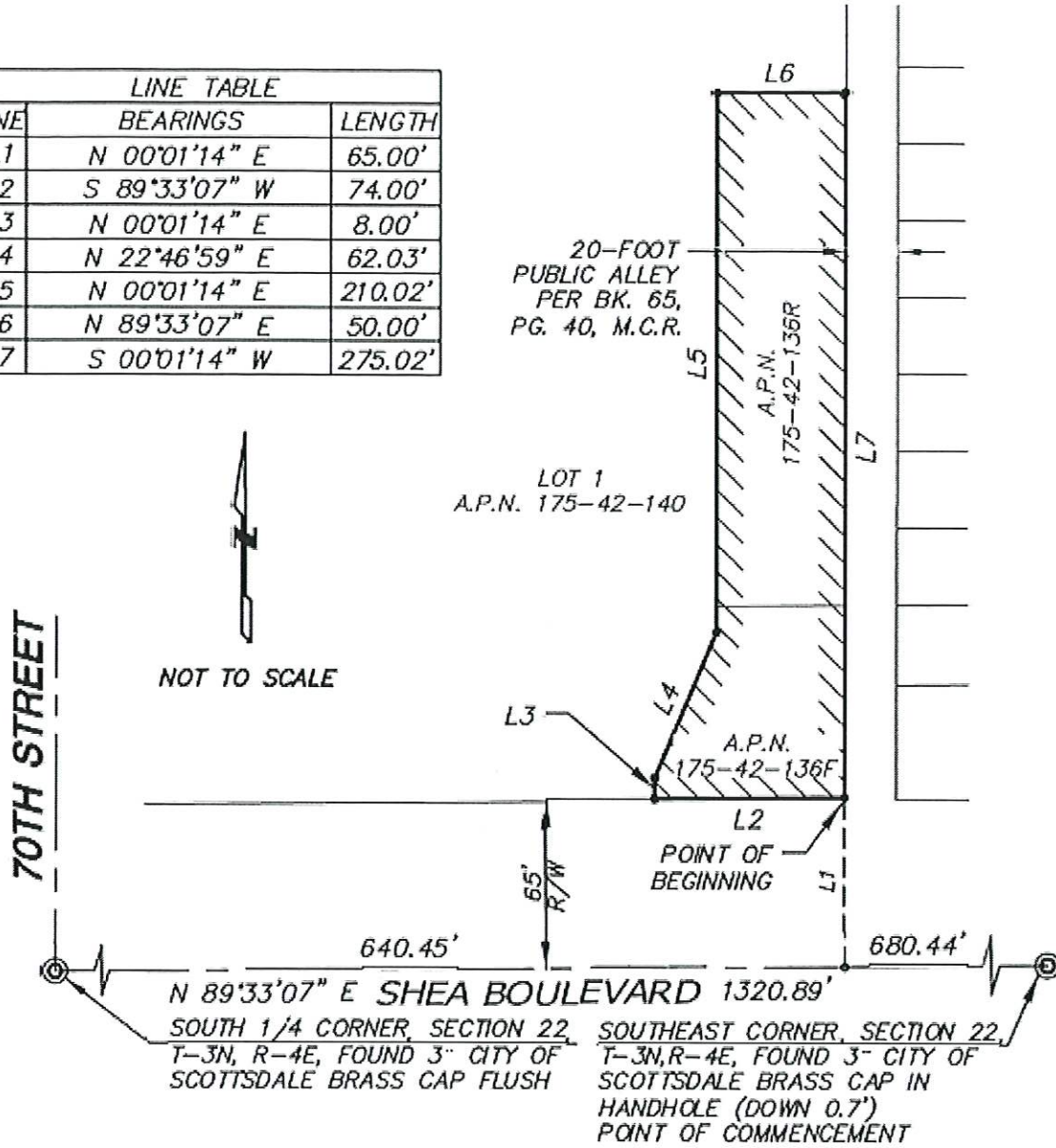


EXHIBIT "A-4"
Page 2 of 2

Exhibit “B”

DEVELOPMENT AREA BUDGET

- Total Property Size = 7.255 acres (net) or 316,041 S.F. (net)
- Total Property Size = 7.221 acres (net after Alley Dedication) or 314,532 S.F. (net after Alley Dedication)
- Total Property Size = 8.619 acres (gross) or 375,447 S.F. (gross)

Area	Acres (Net)	Acres (Net after Alley Dedication)	Acres (Gross)	Maximum Commercial SF/FAR	Dwelling Unit Capacity (DUC)	Minimum Open Space Square Footage
Commercial Parcel A-1	3.858	3.858	4.687	79,200*	0	20,416 S.F.
Residential Parcel A-2	3.397	3.363	3.932	1,000*	196	17,129 S.F.
Totals for Entire Property	7.255	7.221	8.619	80,200*	196	37,545 S.F.

*Up to ten percent (10%) additional commercial SF permitted as set forth in the body of this Agreement and the Regulatory Approvals.

Exhibit "C"

AMENDED & RESTATED EASEMENT

WHEN RECORDED, RETURN TO:

John Berry, Esq.
Berry Riddell LLC
6750 East Camelback Road, Suite 100
Scottsdale, Arizona 85251

C.O.S. Contract No. 2024-084-COS
(Cosanti Commons)
(Resolution No. 13139)

AMENDED & RESTATED EASEMENT AGREEMENT

RECITALS

A. The City of Scottsdale, an Arizona municipal corporation, (the "City") is the owner of certain real property (the "City Parcel") located in Maricopa County, Arizona and more particularly described and depicted on Exhibit "A" attached hereto. High Street Residential, Inc., a Delaware corporation, ("Residential Owner") is the owner of certain real property (the "Residential Parcel") located north and west of the City Parcel, and more particularly described and depicted on Exhibit "B" attached hereto.

B. City and Scottsdale Promenade, Inc., a predecessor in interest to Residential Owner, previously made a Grant of Easements and Declaration of Restrictions for drainage improvements and parking improvements, dated September 15, 1994, and recorded October 14, 1994, at Instrument Number 1994-0741748 in the Records of the Maricopa County Recorder (the "Original Grant"). The Original Grant subsequently was amended by an Amended & Restated Grant of Easements and Declaration of Restrictions dated December 8, 2000, and recorded April 25, 2001, at Instrument Number 2001-0335672 in the Records of the Maricopa County Recorder (the "Amendment").

C. As of the date of City Council's approval of the Development Agreement defined below, City-owned underground storm water drainage improvements have been constructed and maintained on the City Parcel under the terms of the Original Grant and the Amendment, as such drainage improvements are reflected in the records of the City (the "Drainage Improvements"). In addition, a privately-owned parking lot and related facilities have been constructed and maintained on the surface estate of the City Parcel under the terms of the Original Grant and the Amendment, as such parking improvements are reflected in the records of the City (collectively, the "Parking Improvements").

D. The City and Residential Owner entered a Development Agreement dated June, 2024, and recorded on June, ___, 2024, at Instrument No. 2024-XXXXXXX in the Records of

Maricopa County (the “Development Agreement”). Pursuant to the Development Agreement and the “Development Plan” incorporated into it, as the Development Plan may be revised during the development review process, Residential Owner is to reconfigure and improve the existing Parking Improvements, and include on the City Parcel additional landscaping, landscaping irrigation systems, and other improvements (the “New Parking Improvements”). The New Parking Improvements are depicted on Exhibit “C” attached hereto.

E. City seeks to replace the Original Grant and the Amendment and to grant to Residential Owner in replacement an easement to reconstruct, maintain, repair, and use the City Parcel for the New Parking Improvements and the Drainage Improvements pursuant to the terms of this Amended & Restated Easement Agreement.

In consideration of the above premises, the promises contained in this Amended & Restated Easement Agreement, and for other good and valuable consideration, the receipt and sufficiency of which the parties acknowledge, the parties agree as follows:

EASEMENT

1. Replacement of Prior Instruments. This Amended & Restated Easement Agreement here replaces the Original Grant and the Amendment for all purposes. The Original Grant and Amendment shall be deemed terminated and of no further force or effect.

2. Easement Granted. City hereby grants to Residential Owner, and its successors in interest, an easement (the “Easement”) for Residential Owner to go on, under, and across the City Parcel for the purpose of (1) constructing, maintaining, and repairing the New Parking Improvements and for any purpose that supports the maintenance and operation of New Parking Improvements, and (2) maintaining, repairing, and, if useful or necessary, as determined in the City’s sole discretion, reconstructing the Drainage Improvements. The Easement includes the right for Residential Owner to allow motor vehicle parking and incidental vehicular and pedestrian ingress and egress to, from, and across the City Parcel to be used by Residential Owner and its guests, employees, tenants, and invitees exclusively with respect to and in support of the facilities constructed on the Residential Parcel.

3. Maintenance and Appearance. Once constructed, Residential Owner shall maintain, enhance, and configure the New Parking Improvements and the Drainage Improvements on the City Parcel pursuant to the standards set by the City’s City Code. All responsibility for constructing, maintaining, repairing, enhancing, and configuring the New Parking Improvements and the Drainage Improvements in conformance will all applicable laws and regulations rests entirely upon Residential Owner. City shall not have any obligation to perform any of the foregoing work, or to contribute toward its cost.

4. Benefits and Burdens. The Easement and this Amended & Restated Easement Agreement are for the sole benefit of City and Residential Owner and their successors and assigns. No person is a third-party beneficiary to this Amended & Restated Easement Agreement. This Amended & Restated Easement Agreement is binding upon the heirs, successors and assigns of

the parties hereto. The Easement is a perpetual easement appurtenant to the Residential Parcel and the City Parcel. All covenants and obligations of Residential Owner hereunder constitute perpetual restrictive covenants running with the land for the benefit of the City and the City Parcel burdening the Residential Parcel and Residential Owner's interest in the City Parcel as created by this Amended & Restated Easement Agreement. Residential Owner expressly agrees that its obligations hereunder may be enforced by City, and only by City, through equitable relief, and by such other means as may be lawfully available to City. If the Residential Owner fails to perform its obligations hereunder, City is authorized to perform such obligations on Residential Owner's behalf (including entering the Residential Parcel, if necessary) and the cost of such performance shall be paid by Residential Owner to City upon demand. Any amount not paid on demand shall bear interest at the lesser of one- and one-half percent (1 ½%) per month or the highest interest rate permitted by law.

5. Interference with Uses. City shall have the right to interfere with Residential Owner's use of the City Parcel as may be reasonably necessary for City to exercise its rights hereunder. Residential Owner is entitled temporarily to obstruct water drainage through the City Parcel to the extent Residential Owner reasonably deems necessary for the construction of the New Parking Improvements, but Residential Owner shall be solely responsible for any and all harm or damage caused by such construction.

6. Injunctive Relief. The violation or threatened violation by City or Residential Owner of any or the restrictions contained herein, may be enjoined in any court of competent jurisdiction entered on behalf of Residential Owner or City, respectively.

7. Amendment or Termination. No amendment or termination of this Amended & Restated Easement Agreement shall be effective until a written instrument executed and acknowledged by City and Residential Owner setting forth the terms of the modification amendment, or termination is recorded in the Office of the County Recorder of Maricopa County.

8. Indemnity. To the fullest extent permitted by law, Residential Owner, its successors, assigns, and guarantors, must defend, indemnify and hold harmless City of Scottsdale, its agents, representatives, officers, directors, officials, and employees from and against all allegations, demands, proceedings, suits, actions, claims, damages, losses, expenses, including but not limited to, attorney fees, court costs, and the cost of appellate proceedings, and all claim adjusting and handling expense, related to, arising from or out of, or resulting from any act or omission, negligence, recklessness, or intentional wrongful conduct by Residential Owner in the performance of this Agreement, including but not limited to, any subcontractor or anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable and any injury or damages claimed by any of Residential Owner's and subcontractor's employees. The insurance provisions in this Agreement are separate and independent from the indemnity provisions of this Section and shall not be construed in any way to limit the scope and magnitude of the indemnity provisions. The indemnity provisions of this Section shall not be construed in any way to limit the scope and magnitude and applicability of the insurance provisions.

9. Insurance. Throughout the term of this Amended & Restated Easement Agreement, Residential Owner shall pay for and maintain insurance to protect it and City from and against any and all claims of personal injury, bodily injury, and property damage that may arise out of any use of the City Parcel by Residential Owner, its guests, employees, tenants, invitees, and all others claiming under Residential Owner. At a minimum, such coverage shall include commercial general liability insurance with a minimum limit of One Million Dollars (\$1,000,000) for each occurrence and Two Million Dollars (\$2,000,000) per aggregate. The policy shall include coverage for bodily injury, broad form property damage (including completed operations), personal injury (including coverage for contractual and employee acts), blanket contractual, contractors' protective products, and completed operations coverage. All required insurance policies shall be by sound and reputable insurers duly registered and authorized to conduct business in the State of Arizona. All insurance policies shall contain a thirty (30) day written notice of cancellation endorsement in favor of City. All policies shall waive rights of recovery (subrogation) against the City and name the City as an additional insured. Residential Owner must furnish City with a Certificate of Insurance issued by Residential Owner's insurer(s) as evidence that policies are placed with acceptable insurers as specified in this Agreement. Any "claims made" coverage shall have an extended reporting period for a minimum of three (3) years after notice to both parties that the policy has expires. Residential Owner's insurance must be primary insurance as respects performance of subject Agreement.

10. Waiver and Breach. No breach of his Amended & Restated Easement Agreement shall justify any further or additional breach. No breach of any of the restrictions shall defeat or render invalid the lien of any mortgage or deed of trust made in good faith for value, but such covenants or restrictions shall be binding and effective against any lienholder and anyone acquiring title by foreclosure, trustee's sale, or otherwise.

11. Compliance with Law. Residential Owner acknowledges that this Amended & Restated Easement Agreement does not constitute, and City has not promised or offered, any type of waiver of, or agreement to waive (or show any type of forbearance or favoritism to Residential Owner with regard to), any law, ordinance, power, regulation, tax, assessment, or other legal requirement now or hereafter imposed by the City or any other governmental body upon or affecting Residential Owner, the Residential Parcel, or the City Parcel. The City has not relinquished any rights of condemnation or eminent domain over the Residential Parcel or the City Parcel. This Amended & Restated Easement Agreement is not intended in any way to impair the City's power to enact, apply or enforce any laws or regulations, or exercise any governmental powers, affecting in any way Residential Owner, the Residential Parcel, or the City Parcel.

12. Severability. If any clause, sentence, or other portion of this Amended & Restated Easement Agreement becomes illegal, null, or void for any reason, or is held by any court of competent jurisdiction to be so, the remaining portions thereof shall remain in full force and effect.

13. Notice. Notices hereunder shall be given in writing delivered to the other party or mailed by registered or certified mail, return receipt requested, postage prepaid, or by FedEx or other reliable overnight courier service that confirms delivery, addressed to:

If to City: City of Scottsdale
7447 E. Indian School Rd., Suite 105
Scottsdale, AZ 85251

Copy to: Real Estate Asset Manager
City of Scottsdale
7447 E. Indian School Rd., Suite 205
Scottsdale, AZ 85251

Copy to: City Attorney
City of Scottsdale
3939 Drinkwater Blvd.
Scottsdale, AZ 85251

If to Residential Owner: High Street Residential, Inc.
Attention: Paul Tuchin
2575 E. Camelback Road, Suite 400
Phoenix, Arizona 85016

Copies to: John Berry
Berry Riddell LLC
6750 E. Camelback Rd., Suite 100
Scottsdale, AZ 85251

Dated this ___ day of ____, ____.

ATTEST: THE CITY OF SCOTTSDALE
an Arizona municipal corporation

By: _____
Ben Lane, City Clerk

By: _____
David D. Ortega, Mayor

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

By: _____
Sherry R. Scott, City Attorney
By: Joe Padilla, Deputy City Attorney

STATE OF ARIZONA)
) ss.
County of Maricopa)

The foregoing instrument was acknowledged before me this ___ day of _____, 2024, by David D. Ortega, Mayor of the City of Scottsdale, Arizona, a municipal corporation.

My Commission Expires:

Notary Public

HIGH STREET ARIZONA, INC.
a Delaware corporation

By: 
Paul Tuchin, Vice President

STATE OF ARIZONA)
) ss.
County of Maricopa)

The foregoing instrument was acknowledged before me this 9th day of May, 2024, by Paul Tuchin, Vice President of High Street Arizona, Inc., a Delaware corporation, who executed the foregoing on behalf of the corporation, being authorized to do so for the purposes therein contained.

My Commission Expires:


Notary Public

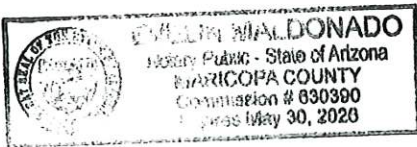


Table of Exhibits

Exhibit "A"	City Parcel Legal Description & Depiction
Exhibit "B"	Residential Parcel Legal Description & Depiction
Exhibit "C"	The New Parking Improvements Depiction

Exhibit "A"

LEGAL DESCRIPTION & DEPICTION

The City Parcel

THAT PARCEL DESCRIBED ON EXHIBIT "B" OF "AMENDMENT OF DECLARATION OF RESTRICTIONS AND GRANT OF EASEMENTS" IN 1994-0741750, OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA AND THAT PARCEL DESCRIBED IN GENERAL WARRANTY DEED IN 1994-0741747, OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA, LYING WITHIN THE WEST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 3 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 22 BEING MARKED BY A 3-INCH CITY OF SCOTTSDALE BRASS CAP IN HANDHOLE WITH A DEPTH OF 0.70 FEET, FROM WHICH A 3-INCH CITY OF SCOTTSDALE BRASS CAP FLUSH MARKING THE INTERSECTION OF SHEA BOULEVARD AND 70TH STREET BEARS SOUTH 89 DEGREES 33 MINUTES 07 SECONDS WEST 1320.89 FEET;

THENCE SOUTH 89 DEGREES 33 MINUTES 07 SECONDS WEST 680.44 FEET ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER TO THE SOUTHERLY PROLONGATION OF THE WEST LINE OF A 20-FOOT PUBLIC ALLEY AS SHOWN ON PLAT OF SUNDOWN PLAZA, BOOK 65, PAGE 40, MARICOPA COUNTY, ARIZONA;

THENCE NORTH 00 DEGREES 01 MINUTES 14 SECONDS EAST 65.00 FEET ALONG SAID SOUTHERLY PROLONGATION TO THE NORTH LINE OF THE SOUTH 65.00 FEET OF SAID SOUTHEAST QUARTER AND THE POINT OF BEGINNING;

THENCE SOUTH 89 DEGREES 33 MINUTES 07 SECONDS WEST 74.00 FEET ALONG SAID NORTH LINE TO THE SOUTHEAST CORNER OF LOT 1 OF THE FINAL PLAT FOR "7000 EAST SHEA BOULEVARD" AS RECORDED IN BOOK 1701 OF MAPS, PAGE 37, OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE ALONG THE EASTERLY LINE OF SAID LOT 1 THE FOLLOWING FOUR BEARINGS AND DISTANCES;

THENCE NORTH 00 DEGREES 01 MINUTES 14 SECONDS EAST 8.00 FEET;

THENCE NORTH 22 DEGREES 46 MINUTES 59 SECONDS EAST 62.03 FEET;

THENCE NORTH 00 DEGREES 01 MINUTES 14 SECONDS EAST 210.02 FEET;

THENCE NORTH 89 DEGREES 33 MINUTES 07 SECONDS EAST 50.00 FEET TO THE WEST LINE OF SAID 20-FOOT PUBLIC ALLEY;

THENCE SOUTH 00 DEGREES 01 MINUTES 14 SECONDS WEST 275.02 FEET ALONG SAID WEST LINE TO THE POINT OF BEGINNING.

COMPRISING 14,627 SQUARE FEET OR 0.336 ACRES MORE OR LESS.

LINE TABLE		
LINE	BEARINGS	LENGTH
L1	N 00°01'14" E	65.00'
L2	S 89°33'07" W	74.00'
L3	N 00°01'14" E	8.00'
L4	N 22°46'59" E	62.03'
L5	N 00°01'14" E	210.02'
L6	N 89°33'07" E	50.00'
L7	S 00°01'14" W	275.02'

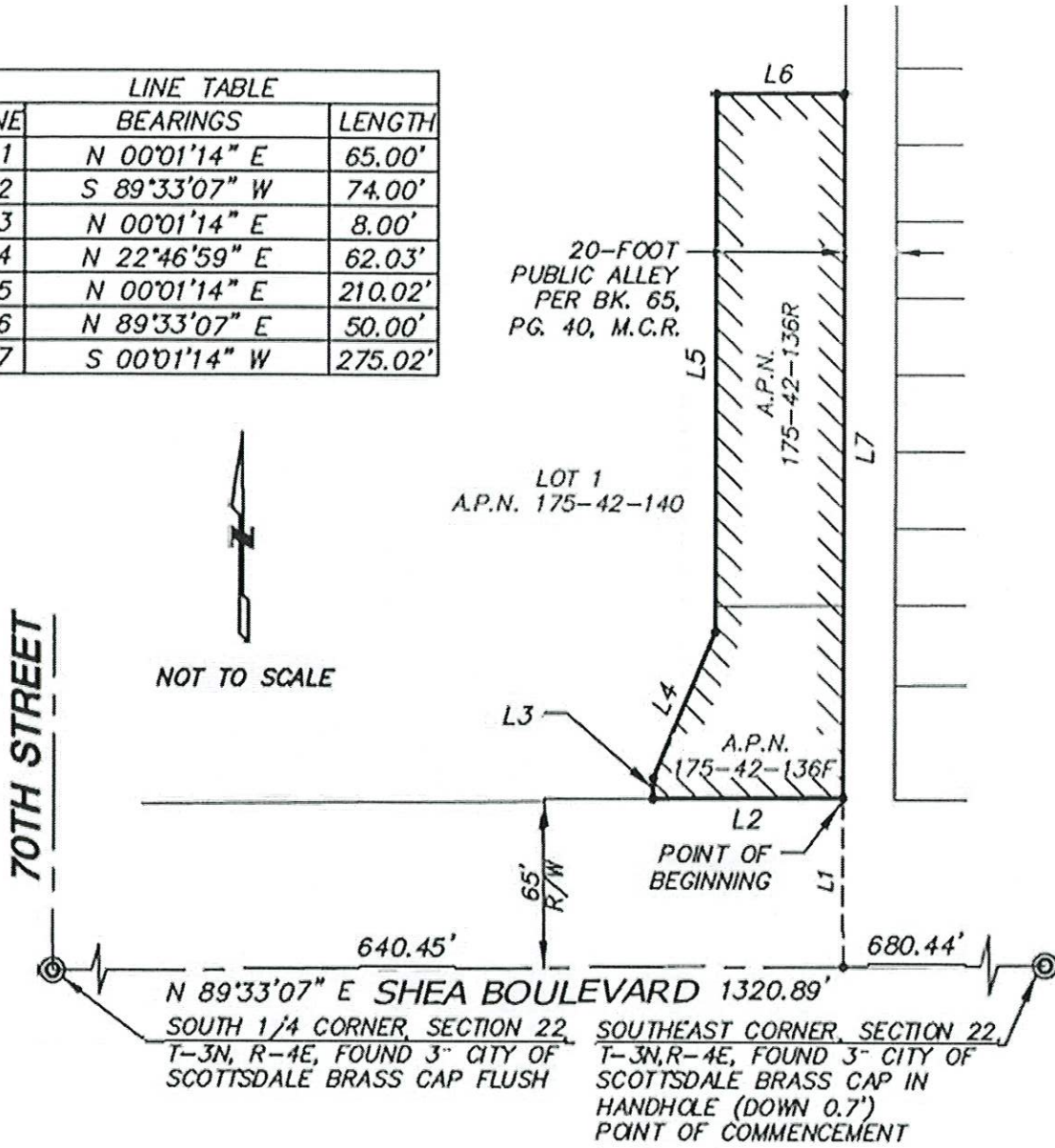


Exhibit "A" to
Exhibit "C"
Page 2 of 2

Exhibit "B"

LEGAL DESCRIPTION & DEPICTION

The Residential Parcel

THAT PORTION OF LOT 1 OF THE FINAL PLAT FOR "7000 EAST SHEA BOULEVARD" AS RECORDED IN BOOK 1701 OF MAPS, PAGE 37, OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA LYING WITHIN THE WEST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 3 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 22 BEING MARKED BY A 3-INCH CITY OF SCOTTSDALE BRASS CAP IN HANDHOLE WITH A DEPTH OF 0.70 FEET, FROM WHICH A 3-INCH CITY OF SCOTTSDALE BRASS CAP FLUSH MARKING THE INTERSECTION OF SHEA BOULEVARD AND 70TH STREET BEARS SOUTH 89 DEGREES 33 MINUTES 07 SECONDS WEST 1320.89 FEET;

THENCE SOUTH 89 DEGREES 33 MINUTES 07 SECONDS WEST 680.44 FEET ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER TO THE SOUTHERLY PROLONGATION OF THE WEST LINE OF A 20-FOOT PUBLIC ALLEY AS SHOWN ON PLAT OF SUNDOWN PLAZA, BOOK 65, PAGE 40, MARICOPA COUNTY, ARIZONA;

THENCE NORTH 00 DEGREES 01 MINUTES 14 SECONDS EAST 65.00 FEET ALONG SAID SOUTHERLY PROLONGATION TO THE NORTH LINE OF THE SOUTH 65.00 FEET OF SAID SOUTHEAST QUARTER;

THENCE SOUTH 89 DEGREES 33 MINUTES 07 SECONDS WEST 74.00 FEET ALONG SAID NORTH LINE TO THE SOUTHEAST CORNER OF SAID LOT 1 AND THE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 89 DEGREES 33 MINUTES 07 SECONDS WEST 232.34 FEET ALONG THE SOUTH LINE OF SAID LOT 1 TO THE SOUTHEAST CORNER OF LOT 3 PER SAID "7000 EAST SHEA BOULEVARD";

THENCE NORTH 00 DEGREES 11 MINUTES 05 SECONDS WEST 437.08 FEET ALONG THE EAST LINE AND THE NORTHERLY PROLONGATION OF THE EAST LINE OF SAID LOT 3;

THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST 164.74 FEET;

THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST 200.37 FEET TO THE NORTH LINE OF SAID LOT 1;

CONTINUES ON NEXT PAGE .

CONTINUES FROM PRIOR PAGE

THENCE NORTH 89 DEGREES 47 MINUTES 41 SECONDS EAST 143.23 FEET TO THE NORTHEAST CORNER OF SAID LOT 1;

THENCE ALONG THE EASTERLY LINE OF SAID LOT 1 THE FOLLOWING FIVE BEARINGS AND DISTANCES;

THENCE SOUTH 00 DEGREES 01 MINUTES 14 SECONDS WEST 360.54 FEET;

THENCE SOUTH 89 DEGREES 33 MINUTES 07 SECONDS WEST 50.00 FEET;

THENCE SOUTH 00 DEGREES 01 MINUTES 14 SECONDS WEST 210.02 FEET;

THENCE SOUTH 22 DEGREES 46 MINUTES 59 SECONDS WEST 62.03 FEET;

THENCE SOUTH 00 DEGREES 01 MINUTES 14 SECONDS WEST 8.00 FEET TO THE POINT OF BEGINNING.

COMPRISING 147,968 SQUARE FEET OR 3.397 ACRES MORE OR LESS.

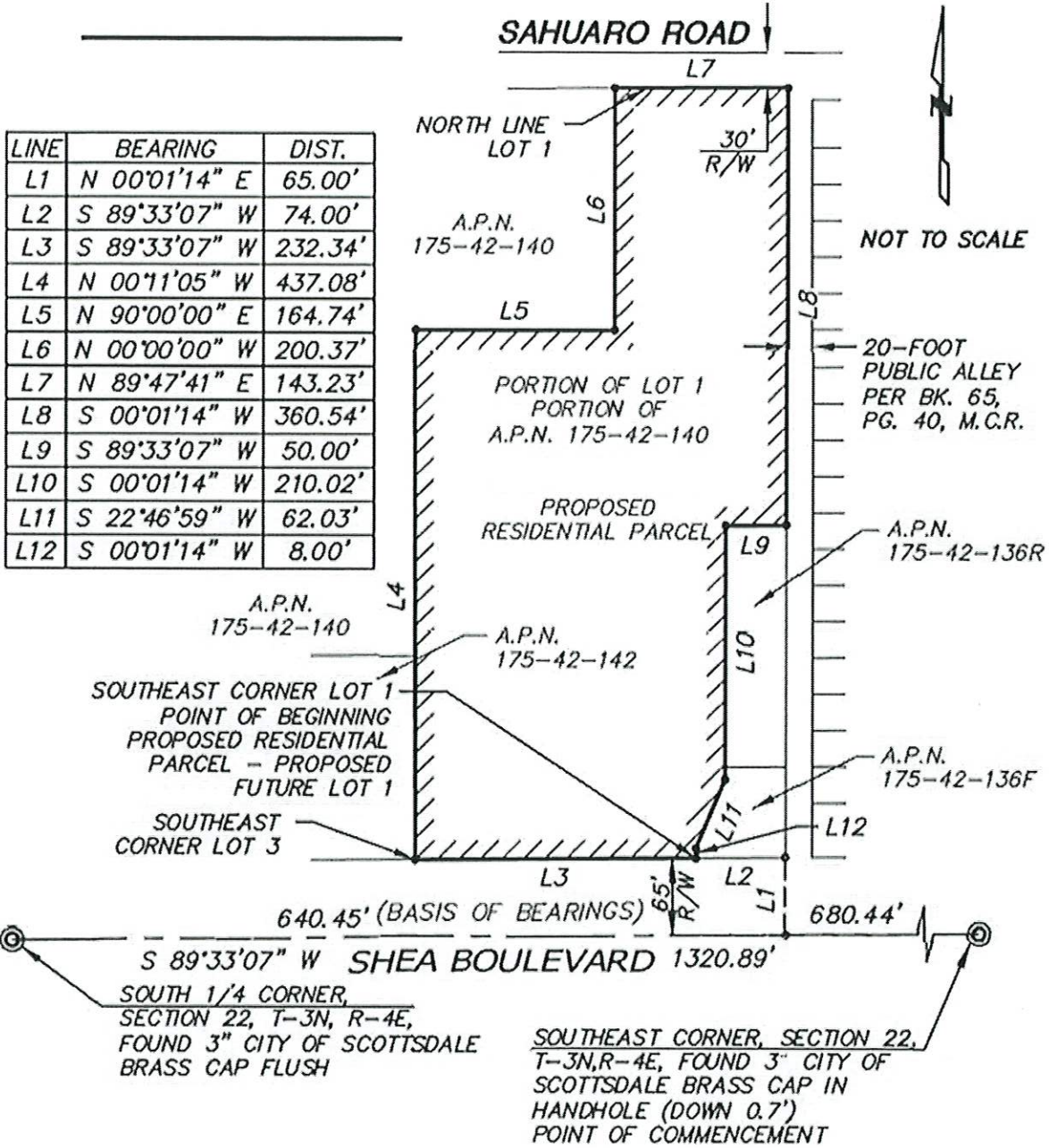


Exhibit "B" to
Exhibit "C"
Page 3 of 3

C.O.S. Contract No. 2024-084-COS
(Cosanti Commons)
(Resolution No. 13139)

Exhibit "C"

New Parking Improvements Depiction

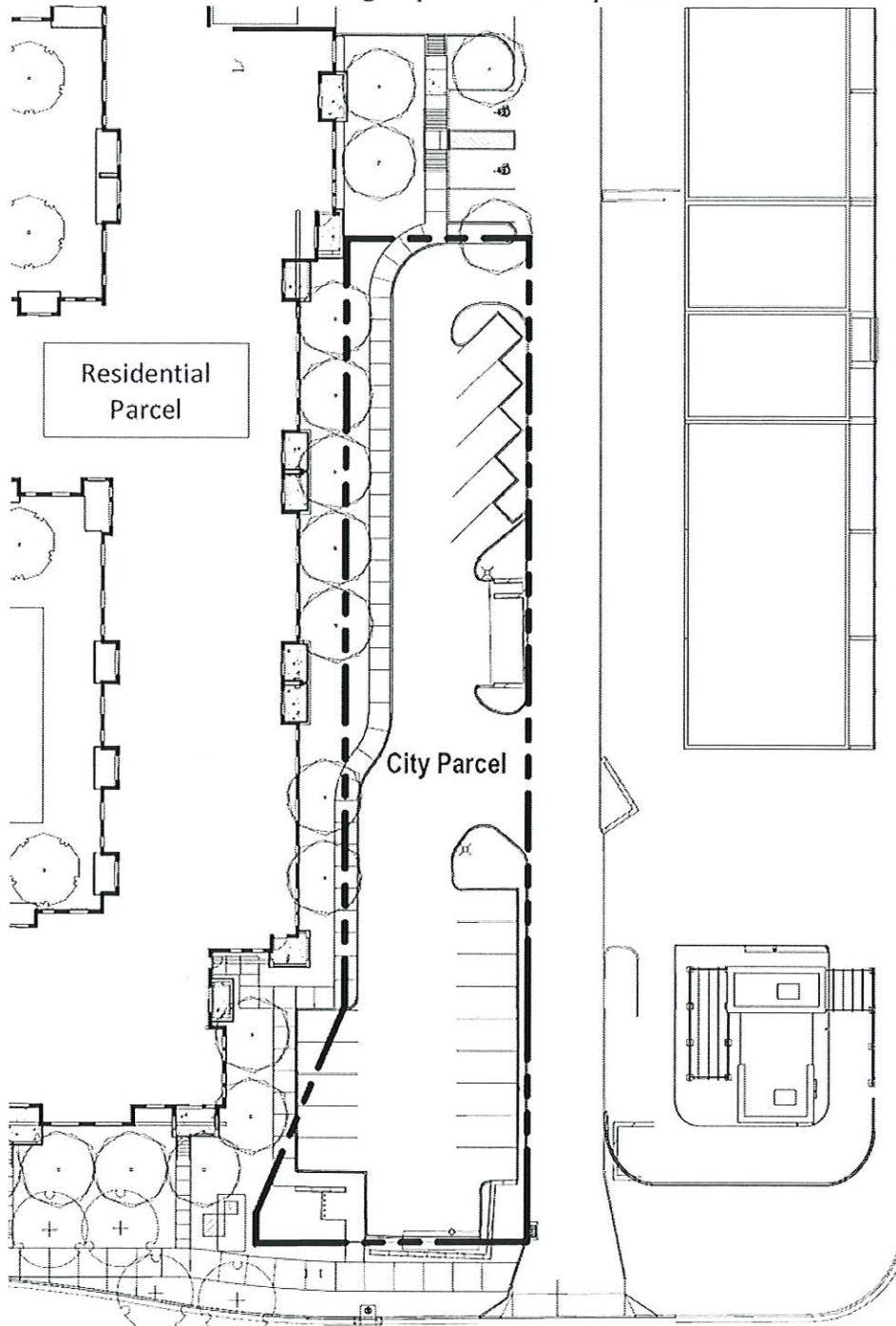


Exhibit "D"

ASSURANCE TO CITY OF REMOTE PARKING AGREEMENT

WHEN RECORDED RETURN TO:
CITY OF SCOTTSDALE
ONE STOP SHOP RECORDS
()
7447 East Indian School Road, Suite 100
Scottsdale, AZ 85251

ASSURANCE TO CITY OF REMOTE PARKING

KNOW ALL BY THESE PRESENTS THAT:

- 1. Parking Code. The City of Scottsdale ("City") has a parking code (the "Code") that requires that landowners provide at least a prescribed number of on-site parking spaces, depending on land use and other factors. (See S.R.C. § 9.107, as amended.)
- 2. Parking Status. Parking Owner and Parking User both warrant and represent to each other and to City that:

2.1 _____, a(n) _____ (the "Parking Owner") is the recorded fee title owner of a parcel of real property (the "Parking-Excess Parcel") located at _____ in the City of Scottsdale. Parking Owner currently uses the Parking-Excess Parcel for a _____. A legal description of the Parking- Excess Parcel is attached to this Assurance as **Exhibit "A."**

2.2 _____, a(n) _____ (the "Parking User") is the recorded fee title owner of a parcel of real property (the "Parking-Deficient Parcel") located at _____ in the City of Scottsdale. Parking User currently uses, or proposes to use, the Parking-Deficient Parcel for a _____ known as "_____". A legal description of the Parking-Deficient Parcel is attached to this Assurance as **Exhibit "B."**

2.3 The Parking-Deficient Parcel would need more parking spaces during the hours of _____ through _____ on _____ through _____ of each week (the "Applicable Hours") than it has on- site in order to meet the Code parking requirements for the Parking-Deficient Parcel.

2.4 Parking User desires to cure the parking shortage on the Parking-Deficient Parcel during the Applicable Hours by borrowing parking spaces on the Parking-Excess Parcel.

2.5 The Parking-Excess Parcel has enough extra permanent, physical, legal, on-site parking spaces during the Applicable Hours to meet its own Code parking requirements for the

Parking-Excess Parcel and to cure the parking shortage on the Parking-Deficient Parcel by lending the borrowed parking spaces to the Parking-Deficient Parcel. None of the borrowed parking spaces currently is being used during the Applicable Hours to satisfy Code parking requirements for the Parking-Excess Parcel or any other parcel.

2.6 Parking Owner has agreed to make the borrowed parking spaces available to the Parking-Deficient Parcel during the Applicable Hours.

2.7 Parking Owner shall not use the Parking-Excess Parcel in a way that would require use of the borrowed spaces during the Applicable Hours.

2.8 Parking Owner and Parking User have entered into a agreement (such as a lease or an easement) (the "Parking Agreement") that gives Parking User a real property interest to use the borrowed parking spaces on the Parking-Excess Parcel during the Applicable Hours. The Parking Agreement allows Parking User and other occupants of the Parking-Deficient Parcel to park automobiles on the Parking-Excess Parcel during the Applicable Hours. The Parking Agreement has, except as provided below, a term of at least five (5) years (and in no event less than 5 years) after the date this Assurance is recorded. The number of borrowed parking spaces covered by the Parking Agreement and by this document is _____ parking spaces.

2.9 Parking Owner and Parking User shall have the right to amend, terminate and otherwise enforce their rights under the Parking Agreement, but any loss or reduction of Parking User's rights to use the borrowed parking spaces on the Parking-Excess Parcel during the Applicable Hours (such as expiration, amendment, or termination of the Parking Agreement for any reason) shall not be effective until 90 days after City receives from Parking Owner or Parking User a written notice of the loss or reduction. The notice must give the date, recording date, and recording number of this Assurance. The notice must be delivered by US Mail (return receipt requested) addressed to Zoning Administrator, City of Scottsdale, 7447 East Indian School Road, Scottsdale, AZ 85251.

3. Code Compliance. For purposes of the parking Code, during the term of the Parking Agreement, Parking Owner and Parking User request that City allocate the borrowed parking spaces on the Parking-Excess Parcel covered by the Parking Agreement as follows:

3.1 The borrowed parking spaces do not count toward Code parking requirements for the Parking-Excess Parcel during the Applicable Hours. The Parking- Excess Parcel must always have adequate Code parking without counting the borrowed parking spaces during the Applicable Hours.

3.2 The borrowed parking spaces do count toward Code parking requirements for the Parking-Deficient Parcel during the Applicable Hours once this Assurance has been executed and notarized by Parking Owner and Parking User (and by the other interested persons set out herein), signed by City, and recorded in the Maricopa County recorder's office.

3.3 If the Parking Agreement ever terminates, or the Parking-Deficient Parcel is ever unable to use the borrowed parking spaces during the Applicable Hours for any reason, then the parking spaces will no longer count toward Code parking requirements for the Parking-Deficient

Parcel. If that happens, then Parking User promises City that Parking User immediately will reduce the activities and uses of the Parking-Deficient Parcel (and completely stop all use of the Parking-Deficient Parcel, if necessary), or provide other parking that satisfies the Code, so that the Parking-Deficient Parcel always has enough Code required parking.

4. Maintenance requirements. Pursuant to the Parking Agreement, Parking Owner or Parking User, as required by the Parking Agreement, shall maintain the borrowed parking spaces in accordance with the Chapter 18 Public Nuisance and Property Maintenance and the Appendix B – Basic Zoning Ordinance of the Scottsdale Revised Code.

5. City's Right to Enforce. City has no duties or obligations under this Assurance or the Parking Agreement. Parking Owner and Parking User may have other rights against each other under the Parking Agreement, but, with respect to City, this Notice controls any conflict with the Parking Agreement. City is entitled to rely on this Assurance without regard to the terms of the Parking Agreement. This document runs with the land on the Parking-Excess Parcel and the Parking-Deficient Parcel. No changes to this form are valid unless the City Attorney signs this document approving the changes.

IN WITNESS WHEREOF, Parking User and Parking Owner have executed this Assurance on behalf of themselves and their successors and assigns this _____ day of _____, 20____.

PARKING USER: _____

By: _____
Its: _____

PARKING OWNER: _____

By: _____
Its: _____

APPROVAL BY CITY:

City hereby approves the parking allocation stated in this Assurance to City of Remote Parking, such allocation to be effective until such allocation no longer satisfies the Code.

NAME: _____

TITLE: Zoning Administrator

DATE: _____

STATE OF ARIZONA)
) ss.
County of Maricopa)

The foregoing instrument was acknowledged before me this _____ day of _____, 20__, by _____, the _____ of _____, a(n) _____, (PARKING USER).

Notary Public

My Commission Expires:

STATE OF ARIZONA)
) ss.
County of Maricopa)

The foregoing instrument was acknowledged before me this _____ day of _____, 20__, by _____, the _____ of _____, a(n) _____, (PARKING OWNER).

Notary Public

My Commission Expires:

Table of Exhibits
Assurance to City of Remote Parking Agreement

- "A" Legal description for parcel supplying the parking spaces.
- "B" Legal description for parcel borrowing the parking spaces.

Exhibit "A"
Assurance to City of Remote Parking Agreement

Legal description for parcel supplying the parking spaces

THAT PORTION OF LOT 1 OF THE FINAL PLAT FOR "7000 EAST SHEA BOULEVARD" AS RECORDED IN BOOK 1701 OF MAPS, PAGE 37, OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA LYING WITHIN THE WEST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 3 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 22 BEING MARKED BY A 3-INCH CITY OF SCOTTSDALE BRASS CAP IN HANDHOLE WITH A DEPTH OF 0.70 FEET, FROM WHICH A 3-INCH CITY OF SCOTTSDALE BRASS CAP FLUSH MARKING THE INTERSECTION OF SHEA BOULEVARD AND 70TH STREET BEARS SOUTH 89 DEGREES 33 MINUTES 07 SECONDS WEST 1320.89 FEET;
THENCE SOUTH 89 DEGREES 33 MINUTES 07 SECONDS WEST 680.44 FEET ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER TO THE SOUTHERLY PROLONGATION OF THE WEST LINE OF A 20-FOOT PUBLIC ALLEY AS SHOWN ON PLAT OF SUNDOWN PLAZA, BOOK 65, PAGE 40, MARICOPA COUNTY, ARIZONA;
THENCE NORTH 00 DEGREES 01 MINUTES 14 SECONDS EAST 65.00 FEET ALONG SAID SOUTHERLY PROLONGATION TO THE NORTH LINE OF THE SOUTH 65.00 FEET OF SAID SOUTHEAST QUARTER;
THENCE SOUTH 89 DEGREES 33 MINUTES 07 SECONDS WEST 74.00 FEET ALONG SAID NORTH LINE TO THE SOUTHEAST CORNER OF SAID LOT 1;
THENCE CONTINUING SOUTH 89 DEGREES 33 MINUTES 07 SECONDS WEST 232.34 FEET ALONG THE SOUTH LINE OF SAID LOT 1 TO THE SOUTHEAST CORNER OF LOT 3 PER SAID "7000 EAST SHEA BOULEVARD";
THENCE NORTH 00 DEGREES 11 MINUTES 05 SECONDS WEST 168.53 FEET ALONG THE EAST LINE OF SAID LOT 3 TO THE POINT OF BEGINNING;
THENCE ALONG THE SOUTHERLY, WESTERLY AND NORTHERLY LINE OF SAID LOT 1 THE FOLLOWING THREE BEARINGS AND DISTANCES;
THENCE SOUTH 89 DEGREES 20 MINUTES 09 SECONDS WEST 288.51 FEET;
THENCE NORTH 00 DEGREES 01 MINUTES 14 SECONDS EAST 470.64 FEET;
THENCE NORTH 89 DEGREES 47 MINUTES 41 SECONDS EAST 452.20 FEET;

THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST 200.37 FEET;
THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST 164.74 FEET;
THENCE SOUTH 00 DEGREES 11 MINUTES 05 SECONDS EAST 268.55 FEET TO THE POINT OF BEGINNING.

COMPRISING 168,073 SQUARE FEET OR 3.858 ACRES MORE OR LESS.

Exhibit "B"
Assurance to City of Remote Parking Agreement

Legal description for parcel borrowing the parking spaces

THAT PORTION OF LOT 1 OF THE FINAL PLAT FOR "7000 EAST SHEA BOULEVARD" AS RECORDED IN BOOK 1701 OF MAPS, PAGE 37, OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA LYING WITHIN THE WEST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 3 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 22 BEING MARKED BY A 3-INCH CITY OF SCOTTSDALE BRASS CAP IN HANDHOLE WITH A DEPTH OF 0.70 FEET, FROM WHICH A 3-INCH CITY OF SCOTTSDALE BRASS CAP FLUSH MARKING THE INTERSECTION OF SHEA BOULEVARD AND 70TH STREET BEARS SOUTH 89 DEGREES 33 MINUTES 07 SECONDS WEST 1320.89 FEET;

THENCE SOUTH 89 DEGREES 33 MINUTES 07 SECONDS WEST 680.44 FEET ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER TO THE SOUTHERLY PROLONGATION OF THE WEST LINE OF A 20-FOOT PUBLIC ALLEY AS SHOWN ON PLAT OF SUNDOWN PLAZA, BOOK 65, PAGE 40, MARICOPA COUNTY, ARIZONA;

THENCE NORTH 00 DEGREES 01 MINUTES 14 SECONDS EAST 65.00 FEET ALONG SAID SOUTHERLY PROLONGATION TO THE NORTH LINE OF THE SOUTH 65.00 FEET OF SAID SOUTHEAST QUARTER;

THENCE SOUTH 89 DEGREES 33 MINUTES 07 SECONDS WEST 74.00 FEET ALONG SAID NORTH LINE TO THE SOUTHEAST CORNER OF SAID LOT 1 AND THE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 89 DEGREES 33 MINUTES 07 SECONDS WEST 232.34 FEET ALONG THE SOUTH LINE OF SAID LOT 1 TO THE SOUTHEAST CORNER OF LOT 3 PER SAID "7000 EAST SHEA BOULEVARD";

THENCE NORTH 00 DEGREES 11 MINUTES 05 SECONDS WEST 437.08 FEET ALONG THE EAST LINE AND THE NORTHERLY PROLONGATION OF THE EAST LINE OF SAID LOT 3;

THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST 164.74 FEET;

THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST 200.37 FEET TO THE NORTH LINE OF SAID LOT 1;

CONTINUES ON NEXT PAGE .

CONTINUES FROM PRIOR PAGE

THENCE NORTH 89 DEGREES 47 MINUTES 41 SECONDS EAST 143.23 FEET TO THE NORTHEAST CORNER OF SAID LOT 1;

THENCE ALONG THE EASTERLY LINE OF SAID LOT 1 THE FOLLOWING FIVE BEARINGS AND DISTANCES;

THENCE SOUTH 00 DEGREES 01 MINUTES 14 SECONDS WEST 360.54 FEET;

THENCE SOUTH 89 DEGREES 33 MINUTES 07 SECONDS WEST 50.00 FEET;

THENCE SOUTH 00 DEGREES 01 MINUTES 14 SECONDS WEST 210.02 FEET;

THENCE SOUTH 22 DEGREES 46 MINUTES 59 SECONDS WEST 62.03 FEET;

THENCE SOUTH 00 DEGREES 01 MINUTES 14 SECONDS WEST 8.00 FEET TO THE POINT OF BEGINNING.

COMPRISING 147,968 SQUARE FEET OR 3.397 ACRES MORE OR LESS.

EXHIBIT "E"

CONSTRUCTION MITIGATION PLAN

The purpose of this Construction Mitigation Plan (the "Plan") is to manage the impact of construction on the residences and businesses surrounding the Property located at 7000 East Shea Blvd (the "Property"). The Property will be subject to construction in three phases described below (each a "Phase"). Note all areas, timeframes, actions, and boundaries are approximate and subject to change. Please refer to the three (3) maps set forth on Exhibit A to this Plan.

- **Phase One: Demolition and Utilities work** (Duration: 9-11 months).

1. The North part of the Property (Temporary Construction Office and Workforce Parking on Phase One (1) Map) will be used for housing of the construction office and workforce parking.

2. No street closure or lane restrictions on Shea Blvd, 70th Street or Sahuaro Drive will occur.

3. Alley to remain open and accessible during construction except for minor restrictions to facilitate utility relocations.

4. Other than as noted, the four (4) existing access points, two (2) along Shea Blvd and two (2) along Sahuaro Drive will remain open and operational.

5. Trash pickup on the shared drive (ingress/egress easement) for existing properties will be coordinated and managed (at the expense of the contractor), by the contractor while the internal drive is affected by construction.

6. Timeline for construction includes thirty-six (36) weeks for building demolition and demolition/relocation of existing utilities.

- **Phase Two: Excavation & Building Underground Garage** (Duration: 4-6 months).

1. The North Portion of the Property (space between building footprint and sidewalks on northern portion of Property) will be used to house the construction trailer & contractor vehicles during the excavation/shoring and construction of a 2-level underground parking structure.

2. Shea Blvd., 70th Street and Sahuaro Dr. will remain open for public use.

3. Neither Shea Blvd, 70th Street nor Sahuaro Drive will be closed to vehicular

traffic, with the exception of some street reduction on Sahuaro Drive for deliveries as needed. This area is designated under on the attached Phase Two (2) Map.

4. Alley to remain open and accessible during construction except for minor restrictions to facilitate utility improvements.

5. Other than sections of sidewalks on the west, north, and south sides of the Property line, all pedestrian walkways will remain open with the exception of safety closures or replacement/improvement to offsite closures.

6. Access will be open from the North and South (access from Shea Blvd. and Sahuaro Dr. to the site) only the eastern portion of the Property along the alley will be impacted, as shown in the Phase Two (2) Map. Trash pickup for existing commercial properties on the alley will be coordinated and managed, at the expense of the contractor.

7. Materials will be delivered to the site from an on-site laydown/marshalling yard for "just in time" use. With limited exception due to very short-term timing issues, no materials will be stored in excess on site.

• **Phase Three: Construction of above ground building** (Duration: 14-18 months).

1. When completed, the 2-level underground parking garage will be used for construction/contractor vehicle parking after city approval.
2. Crane & Construction Trailer, and other equipment will be placed within the construction fenced area (not on-street). Construction fence along Shea Blvd will be placed at north edge of sidewalk and secured with embedded posts, not fence post bases with sandbags. Construction fence along Sahuaro Drive will be placed on south edge of sidewalk and secured with embedded posts, not fence post bases with sandbags. Construction fence along alley will be placed on west edge and be secured with embedded posts, not fence post bases with sandbags.
3. Shea Blvd and Sahuaro Drive will remain open for use for public, with the exception of temporary 1-day closures on Sahuaro Drive north of the Property only, as some deliveries arrive. Any closure of more than 1-hour on Shea Blvd or Sahuaro Drive will require a right of way permit and traffic control permit.
4. Alley to remain open and accessible during construction except for minor restrictions to facilitate utility improvements.
5. Other than a 3–4-week closure at the end of construction, the sidewalk on the north portion of Property on the south side of Sahuaro Drive will remain open. Starting at the Property

line west of Scottsdale Road, this pedestrian walkway will remain open with the exception of safety closures.

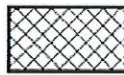
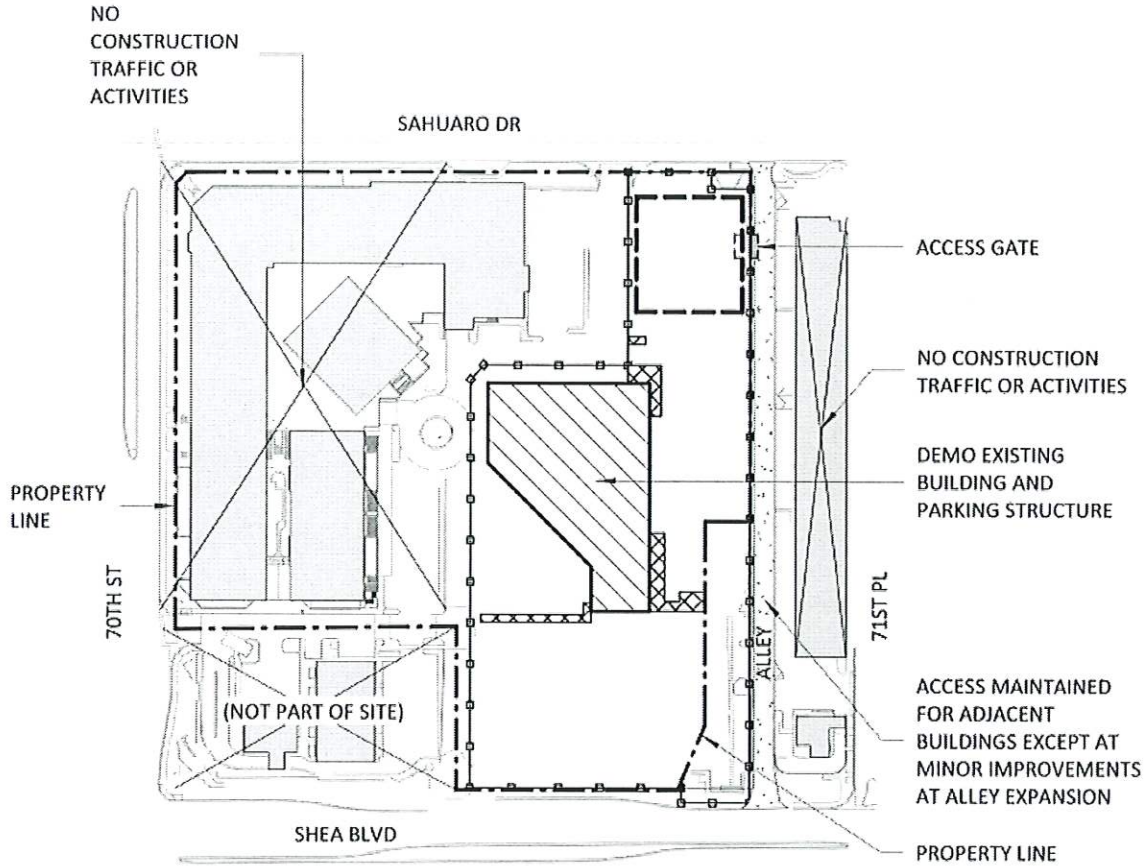
6. Neither Shea Blvd, alley, nor Sahuaro Drive will be closed to vehicular traffic, with the exception of some street reduction on Sahuaro Drive (north portion of the Property) for deliveries as needed. Minor restrictions may occur during right of way improvements, which will be coordinated with traffic control permits.

General:

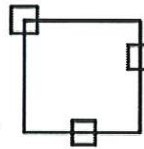
All Street and public/on-street parking spaces will remain open and unobstructed in the time periods/lags between and after the 3 phases of construction.

If the "Temporary Delivery Area" needs to be expanded for staging and/or delivery for short durations, the West side of Alley located between 70th Street and 71st Street north of Shea Blvd will be used.

Exhibit "A"
 Construction Mitigation Plan
 Phase One



EXISTING UTILITIES
 TO BE RELOCATED



TEMPORARY
 CONSTRUCTION SITE AND
 PERIMETER FENCING



TEMPORARY
 CONSTRUCTION
 PARKING AND
 TRAILER LOCATION

Phase Two

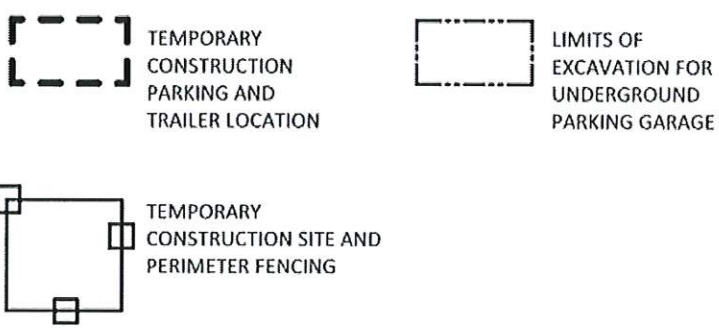
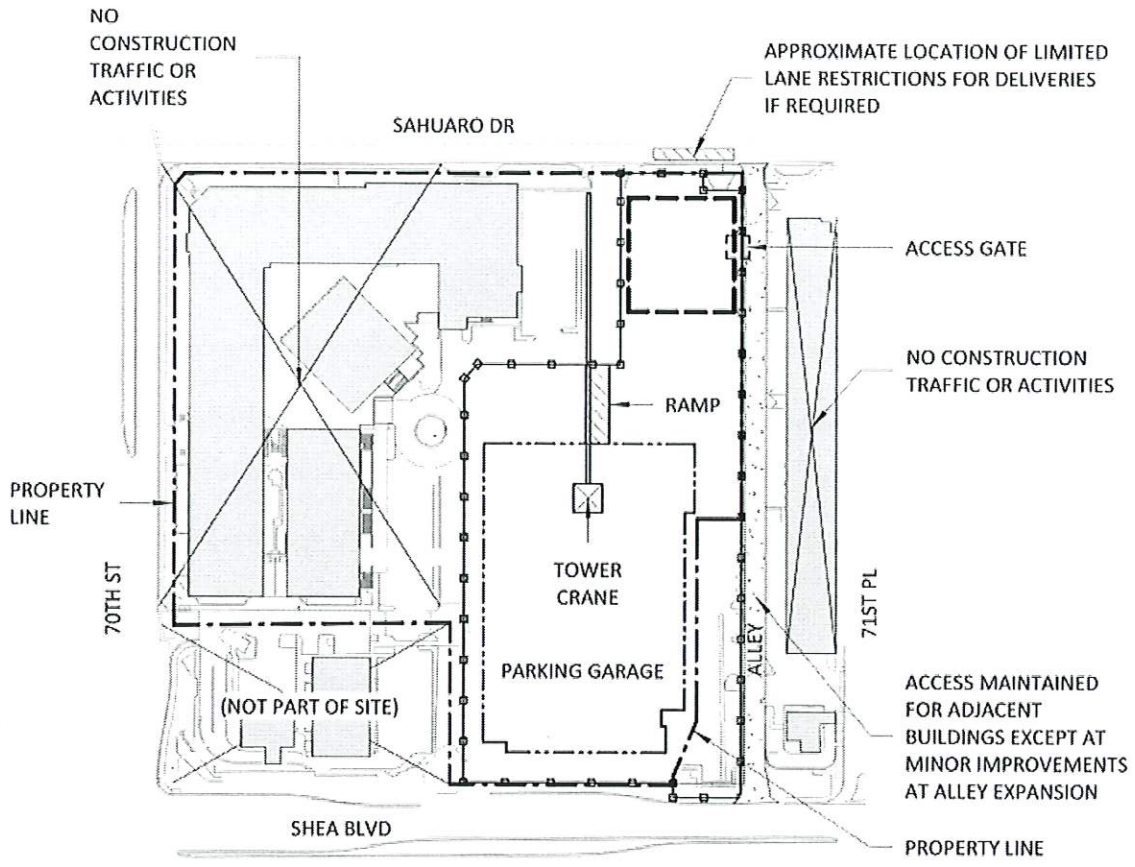


Exhibit "E"
Page 5 of 6

Phase Three

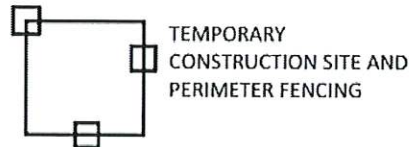
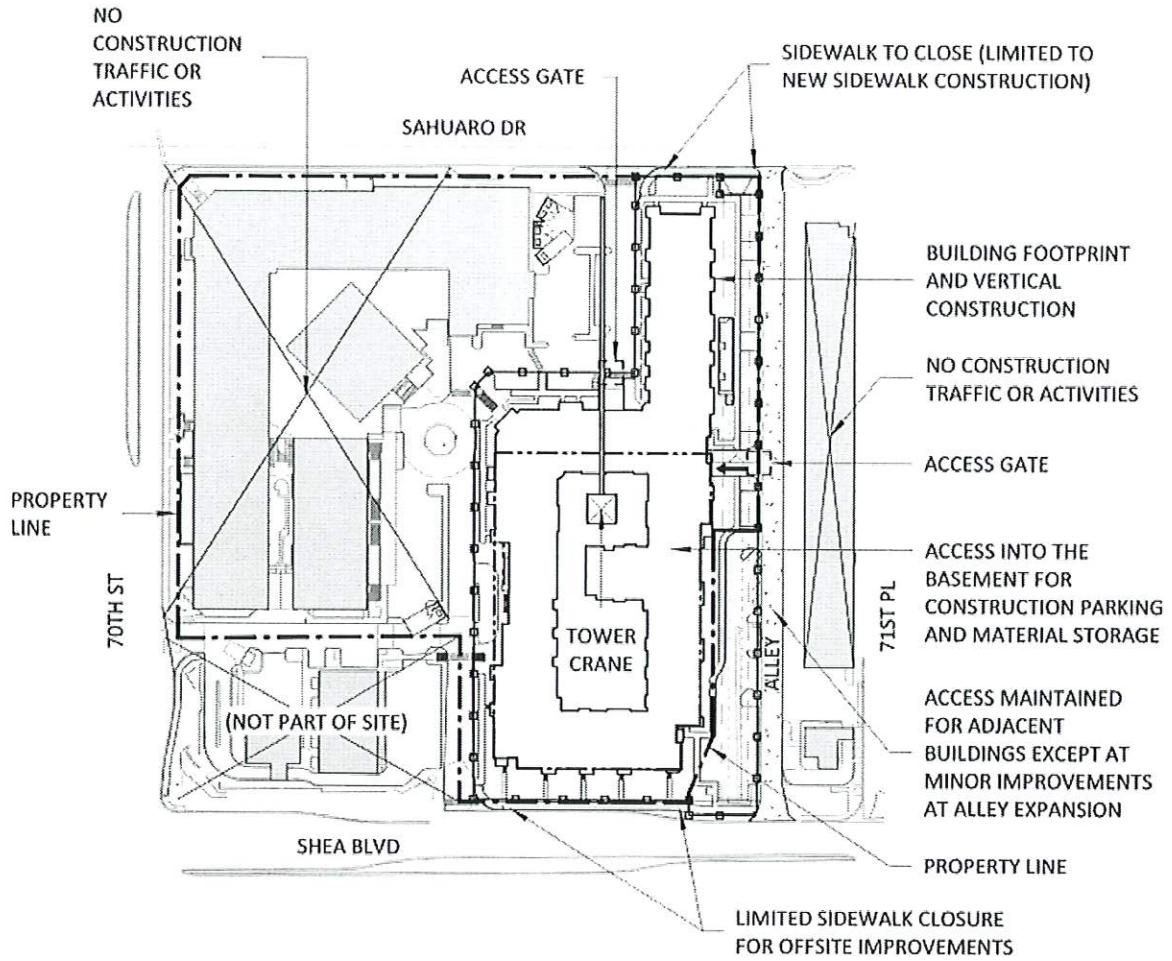


Exhibit "F"

POWER OF ATTORNEY

SPECIAL POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

That, _____ ("Developer") has made, constituted and appointed, and by these presents does hereby make, constitute and appoint and the Zoning Administrator of the City of Scottsdale, Arizona, an Arizona municipal corporation ("City") its true and lawful Attorney-in-Fact, for it and in its name, place and stead, to execute and deliver any and all documents or instruments in connection with any application to rezone certain real property that is subject to and as is set forth in Section 3.11 of the Development Agreement between Developer and the City.

Developer hereby gives and grants unto its said Attorney-in-Fact full power, discretion and authority to do and perform all and every act and thing whatsoever requisite and necessary to be done in and about the premises, as fully to all intents and purposes as it might or could do if personally present, hereby ratifying and confirming all that its said Attorney-in-Fact shall lawfully do or cause to be done by virtue of these presents. This special power of attorney shall be deemed to be coupled with an interest.

[DEVELOPER]

By: _____
Name: _____
Its: President

STATE OF ARIZONA)
) ss.
County of Maricopa)

The foregoing instrument was acknowledged before me this ___ day of _____, 202___, by _____, an Authorized Representative of _____, who executed the foregoing on behalf of the _____, being authorized to do so for the purposes therein contained.

My Commission Expires:

Notary Public

Exhibit "G"

CHANGE OF ADDRESS FORM

When Recorded Return To:

CITY OF SCOTTSDALE
ONE STOP SHOP RECORDS
7447 East Indian School Road, Suite 100
Scottsdale, AZ 85251

C.O.S. Contract No. 2024-XXX-COS
(Cosanti Commons)
(Resolution No. XXXX)

ADDRESS CHANGE NOTICE

The undersigned authorized party under that certain Development Agreement between City of Scottsdale, an Arizona municipal corporation ("City"), and High Street Residential, Inc., a Delaware corporation, City of Scottsdale Contract No. 2024-XXX-COS (the "Development Agreement") recorded at document No. _____ of the public records of Maricopa County, Arizona hereby gives notice to the City that all future notices (until a subsequent Address Change Notice is recorded) under the Development Agreement shall be given to the persons and addresses shown on the Development Agreement and that such future notices need not be given to any other person or address, including any person or address specified in any prior Address Change Notice. City shall be conclusively entitled to rely on this notice.

Dated: _____, 20__.

_____,
a _____

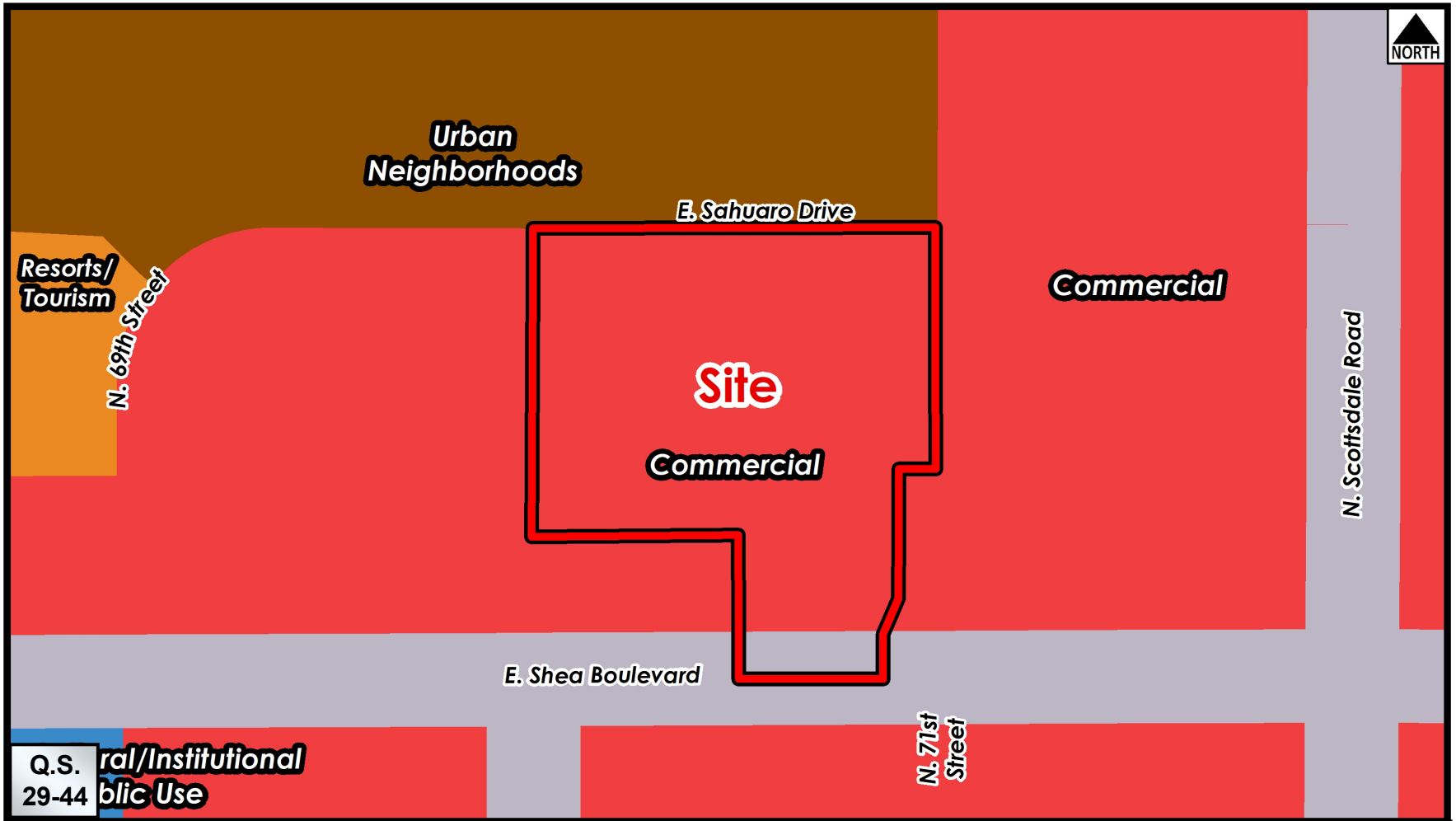
By: _____
Its: _____

STATE OF ARIZONA)
) ss.
County of Maricopa)

The foregoing instrument was acknowledged before me this ___ day of _____,
20__, by _____, _____ of a _____.

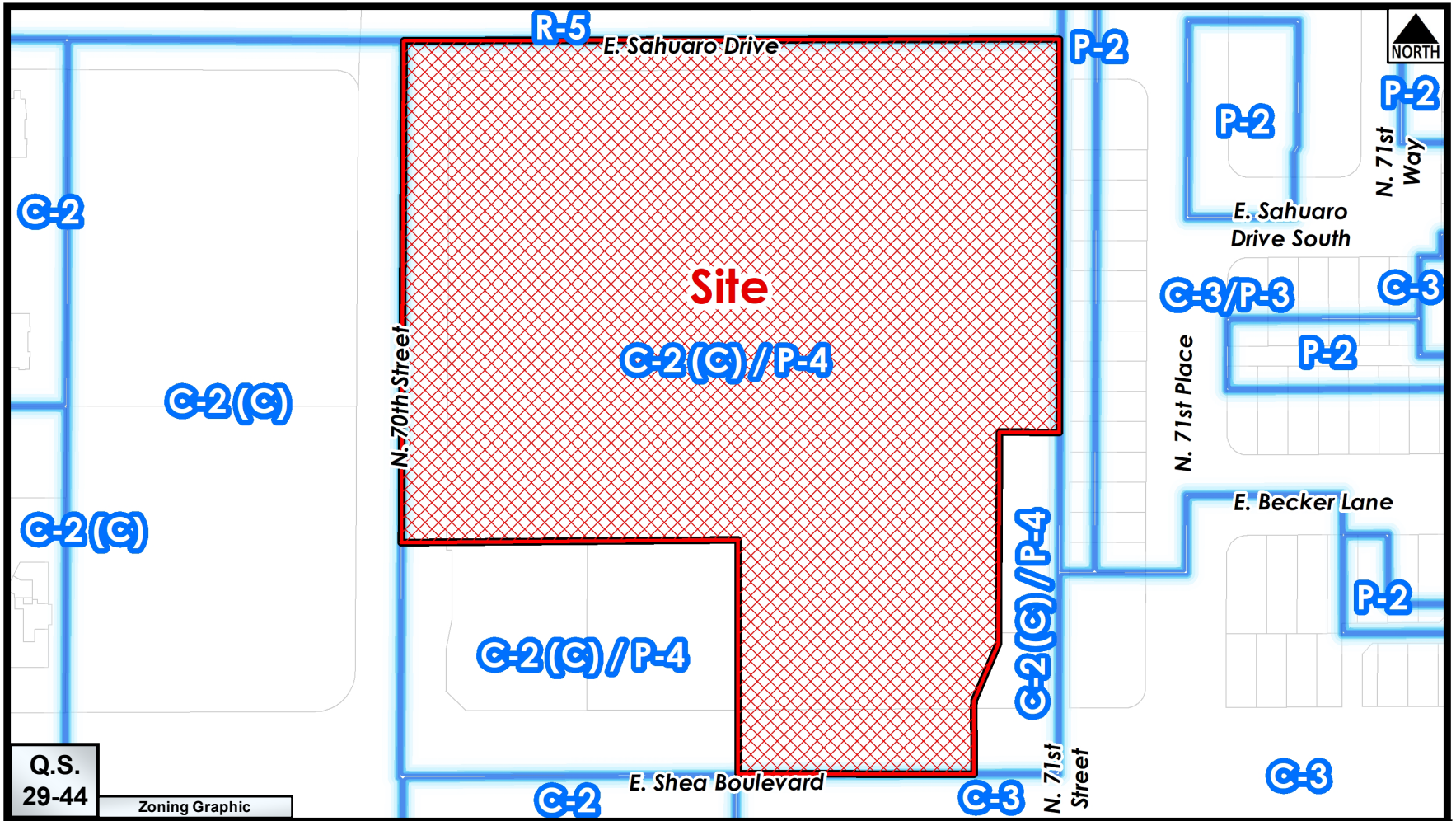
My Commission Expires:

_____,
Notary Public



Existing General Plan 2035 Future Land Use Map
 +/- 8.6 gross acres of Commercial

2-GP-2023 & 6-ZN-2023



Q.S.
29-44

Zoning Graphic

Existing Zoning

2-GP-2023 & 6-ZN-2023

TRAFFIC IMPACT ANALYSIS SUMMARY
Cosanti Commons
NEC 70th Street & Shea Boulevard
6-ZN-2023

Summary Prepared by Stephanie Croker, COS Traffic Engineering
Traffic Impact Study Prepared by Shelly A. Sorensen, Lokahi, dated 4/16/2024
Traffic Impact Study Status: ACCEPTED
Date Summary Prepared: 4/23/2024

Existing Conditions:

Site Location –

Existing Development – The site is currently developed with two commercial buildings zoned C-2. The building on the northwest corner of the site is expected to remain. There are also two exception parcels in the southwest corner of the site.

Street Classifications –

- Shea Boulevard is classified as a Major Arterial
- Scottsdale Road is classified as a Major Arterial.
- 70th Street south of Shea Boulevard is classified as a Minor Arterial.
- 70th Street north of Shea Boulevard and all other study roadways are unclassified local roadways.

Existing Street Conditions –

- The Scottsdale Road and Shea Boulevard intersection is signalized with three lanes in each direction of travel and dedicated left-turn lanes. Left-turn movements operate as protected-only for all directions.
- The 70th Street and Shea Boulevard intersection is signalized. Shea Boulevard has three lanes in each direction with dedicated left- and right-turn lanes at 70th Street. Northbound vehicles are offered dual left-turn lanes and a shared through/right-turn lane. Southbound traffic makes use of a left-turn lane, two through lanes, and a right-turn lane. Eastbound/westbound left-turn movements are protected-only while northbound/southbound is split-phased operation.
- The 71st Place and Shea Boulevard intersection is signalized. Shea Boulevard has three lanes in each direction with dedicated left-turn lanes. The northbound approach is wide enough to accommodate two lanes of traffic but is unmarked. Southbound traffic utilize a shared left-turn/through lane and a channelized right-turn lane. Left-turn movements for all approaches are permissive only.
- The 70th Street and Sahuaro Drive intersection is an all-way STOP intersection. Eastbound and westbound traffic are single lane approaches while northbound and southbound provide a shared left-turn/through and a dedicated right-turn lane.
- Each of the existing driveway intersections along Shea Boulevard, 70th Street, and Sahuaro Drive are expected to remain as existing.

Existing Volumes –

- There are 35,985 daily vehicles on Shea Boulevard, west of Scottsdale Road
- There are 38,400 daily vehicles on Scottsdale Road, north of Shea Boulevard.
- There are 36,500 daily vehicles on Scottsdale Road, south of Shea Boulevard.

Existing Speed Limits –

- Scottsdale Road has a 40-mph speed limit.
- Shea Boulevard has a 40-mph speed limit.

Collision Information – From the 2022 Traffic Volume & Collision Report:
 Scottsdale Road & Shea Boulevard -
 70,400 vpd, 15.5 collisions per year (rank 20), 0.60 collision rate (rank 63)
 Shea Boulevard from 70th Street to Scottsdale Road -
 40,000 vpd, 6.5 collisions per year (rank 69), 1.78 collision rate (rank 74)

Proposed Development:

Description - The proposed development plan consists of replacing the existing retail plaza with a 196-unit multifamily development.

Site Access – Site access will remain unchanged. No new access points will be constructed.

TRIP GENERATION COMPARISON TABLE:

	Daily Total	AM Peak Hour			PM Peak Hour		
		In	Out	Total	In	Out	Total
Proposed - LUC 221, Multifamily Mid Rise 196 UNITS	1,321	19	59	78	63	37	100
TOTAL PROPOSED	1,321	19	59	78	63	37	100
Existing - LUC 821, Strip Retail Plaza 45,810 SF	3,093	49	30	79	117	121	238
Existing - LUC 934, High Turnover Restaurant 2,990 SF	1,396	68	65	133	51	48	99
TOTAL EXISTING	4,489	117	95	212	168	169	337
DIFFERENCE	-3,168	-98	-36	-134	-105	-132	-237
% DIFFERENCE	-71%	-84%	-36%	-63%	-63%	-78%	-70%

Traffic Analysis:

Intersection Level of Service – There are many traffic movements that are at capacity or failing in the 2026 horizon year analyzed. The poor LOS is due to the grown regional traffic volumes on the surrounding roadway network. Cosanti Commons capacity analysis indicates the future background level of service will be maintained with the addition of the site and will not have a major impact on the future operational conditions. The maintained LOS are listed below:

70th Street & Shea Boulevard

- LOS E overall AM
- LOS F eastbound left-turn AM and PM
- LOS F eastbound through AM
- LOS E westbound left-turn AM
- LOS F northbound left-turn AM and PM

- LOS E southbound left-turn AM and PM
- 71st Place & Shea Boulevard
- LOS F northbound left-turn/through PM
 - LOS F southbound left-turn/through AM and PM

Scottsdale Road & Shea Boulevard

- LOS E overall AM and PM
- LOS E or worse eastbound left-turn AM and PM
- LOS E eastbound through and through/right-turn AM
- LOS E or worse westbound left-turn AM and PM
- LOS E through and through/right-turn PM
- LOS F northbound left-turn AM and PM
- LOS E southbound left-turn PM
- LOS E southbound through and through/right-turn PM

Additional Traffic Volumes Generated by the Proposed Development –

- 400 vehicles per day (vpd) on Shea Boulevard west of 70th Street
- 300 vpd on Shea Boulevard east of Scottsdale Road
- 300 vpd on Scottsdale Road north of Shea Boulevard
- 320 vpd on Scottsdale Road south of Shea Boulevard

Additional Information:

The areas surrounding the Scottsdale Road & Shea Boulevard intersection are primarily retail. There are some multi-family developments directly north of the site.

Summary:

A Traffic Impact and Mitigation Analysis (“TIMA”) was submitted for the project. The approval of the zoning district change for the proposed multifamily residential will result in an estimated 1,321 trips generated per day to and from the project site. The development is estimated to generate 78 a.m. peak hour trips, and 100 p.m. peak hour trips. This represents a decrease of 3,168 daily trips over the existing retail and restaurant.

Traffic Engineering staff have the following comments/concerns:

- Signal timing adjustments are part of regular maintenance operations.

Staff's Analysis of the Development Review Board Criteria

The Development Review Board shall review the Development Plan elements and make a recommendation to the Planning Commission, based on the following considerations:

1. The design contained in the DP is compatible with development in the area that it may directly affect, and the DP provides a benefit to the city and adjacent neighborhoods.
 - *The proposed site design uses existing vehicular access points. Additionally, pedestrian connections are provided internally, to adjacent commercial centers in the area, and to the public right-of-way, as a benefit to the city and adjacent neighborhoods.*
 - *The proposed residential building has been located to provide appropriate setbacks and landscape buffers to the public roadways and to the existing adjacent commercial buildings. The integration of new dwelling units and the existing commercial within the center will create a more sustainable, long-lasting development.*
 - *Most of the existing and proposed parking is located within below-ground parking garages which will reduce the potential impervious area on the site and eliminate visibility and associated impacts on adjacent properties.*
 - *Building massing is respectfully designed to integrate with the surrounding building heights and is now limited to 3-stories (formerly stepped from 3 to 4-stories) and architectural design is influenced by the existing context. The architectural design includes stucco, masonry, cast stone, metal elements, parapet roofs, and earth tone finishes that tie into the existing development in the area. Visual interest is incorporated through projections and recessed areas along the façade, various window shading elements, balcony designs, and roof overhangs.*
2. The DP is environmentally responsive, incorporates green building principles, contributes to the city's design guidelines and design objectives, and that any deviations from the design guidelines must be justified by compensating benefits of the DP.
 - *The site is designed to maximize efficient use of space by vertically stacking residential floor area, rather than spreading it horizontally across the property, which results in more landscaping and open space areas. Although the PUD district only requires 10% of the site to be open space, approximately 25% of the site will be open space, including pedestrian hardscape, commercial and residential courtyards, and landscape. Frontage open space along E. Shea Boulevard, N. 70th Street, and E. Sahuaro Drive will be enhanced by new trees and landscaping.*
 - *Most of the parking for the site has been provided in a fully integrated below-grade structure to minimize impervious surfaces, reduce the heat-island effect, and fully screen parking from view. The proposed site design significantly reduces the amount of surface parking and asphalt on site.*
 - *Planting species and pavement selection will reflect sensitivity to the desert climate and strategies to reduce usage of water. The landscaping will utilize native and drought tolerant plant material and preserve native plants wherever practicable. Landscape materials will primarily consist of trees and shrubs that complement the Southwest and provide year-round color.*
 - *The design of proposed building on the site uses effective building techniques, such as solar shading, landscaping, recessed windows, building articulation, material selection and paint colors, to effectively integrate the site with the surrounding area and promote the unique*

character of the Sonoran Desert. Shade elements are proposed for most of the windows of the proposed buildings and other elements such as floor and roof overhangs, balcony extensions and other horizontal and vertical design elements will create shade for glazed portions of the façade. In addition, the proposed development will be designed to comply with the International Green Construction Code (IGCC).

3. The DP will not significantly increase solar shading of adjacent land in comparison with a development that could be developed under the existing zoning district.
 - *The DP includes a new residential building that is 42 feet tall (formally 48 feet tall), compared to the existing zoning district which allows 36 feet in height. The proposed building will be taller than the existing buildings in the area, however, will be setback approximately 46 feet from E. Shea Boulevard, approximately 337 feet from N. 70th Street, buffered by the existing commercial buildings, approximately 39 feet from E. Sahuaro Drive, and approximately 50 feet from the alleyway due to existing drainage facilities and associated easements. There are not anticipated impacts related to solar shading.*
4. The DP promotes connectivity between adjacent and abutting parcels and provides open spaces that are visible from the public right-of-way and useful to the development.
 - *The proposed development includes a new 8-foot-wide sidewalk along E. Shea Boulevard, enhanced landscaping along all the streetscapes, and provides several pedestrian connections to the public sidewalks as well as connections internal to the site, allowing for easy connectivity to adjacent developments and on-site developments*

Additional Information for:
Cosanti Commons (aka Sundown Commons)
Case: 2-GP-2023 & 6-ZN-2023

PLANNING/DEVELOPMENT

1. **DEVELOPMENT CONTINGENCIES** Each element of this zoning case—including density/intensity, lot/unit placement, access and other development contingencies—may be changed as more information becomes available to address public health, safety and welfare issues related to drainage, open space, infrastructure and other requirements.
2. **DEVELOPMENT REVIEW BOARD.** The Planning Commission directs the Development Review Board's attention to:
 - a. Increasing the size of the 2nd row of trees along E. Shea Boulevard from 48" box trees to 54" box trees.
 - b. Providing tree coverage on both sides of the new 8' wide sidewalk along E. Shea Boulevard where feasible.

**SCOTTSDALE AIRPORT ADVISORY COMMISSION
MEETING NOTICE AND **AMENDED**
AGENDA**



**Wednesday, February 21, 2024
5:00 p.m.
Scottsdale Airport Aviation Business Center
Stearman/Thunderbird Meeting Room
15000 N. Airport Drive, Second floor
Scottsdale, AZ**



MARKED AGENDA

****AGENDA ITEM 2 REWORDED****

AIRPORT ADVISORY COMMISSION

Peter Mier, Chair

Michael Goode, Vice-Chair

April Beauboeuf

Ken Casey

Charles McDermott

David Reid

John Spalj

Call to Order – 5:00P.M.

Roll Call

**VICE-CHAIR GOODE AND COMMISSIONER CASEY ATTENDED TELEPHONICALLY,
COMMISSIONER SPALJ WAS ABSENT.**

Pledge of Allegiance CHAIR MIER

Aviation Director's Report

The public body may not propose, discuss, deliberate, or take legal action on any matter in the summary unless the specific matter is properly noticed for legal action.

**AVIATION DIRECTOR MASCARO WELCOMED EVERYONE TO THE FEBRUARY 21, 2024,
MEETING. DIRECTOR MASCARO REPORTED THAT THE AIRPORT WAS PLEASED WITH
THE WM PHOENIX OPEN EVENT AND OPERATIONS WERE BUSIER FOR THE GOLF THAN
FOR BARRETT JACKSON. HE MENTIONED THE WEATHER MAY HAVE BEEN A FACTOR.**


Approval of Minutes

Regular Meeting: January 17, 2024

**COMMISSIONER MCDERMOTT MADE A MOTION TO APPROVE THE JANUARY 17, 2024,
MEETING MINUTES AS PRESENTED. COMMISSIONER REID SECONDED THE MOTION
WHICH CARRIED 6/0 WITH CHAIR MIER, VICE-CHAIR GOODE, COMMISSIONERS
BEAUBOEUF, CASEY, MCDERMOTT AND REID VOTING IN THE AFFIRMATIVE.**

Public Comment NONE

Citizens may complete one Request to Speak “Public Comment” card per night and submit it to Aviation Staff. Public Comment time is reserved for citizen comment regarding non-agendized items. No official action can be taken on these items. Public Comment is limited to a total of 15 minutes at the beginning and 15 minutes at the end of the meeting. **Speakers are limited to three minutes to address the Commission during “Public Comment.”**

 Persons with a disability may request a reasonable accommodation by contacting Airport Administration (480-312-2321). Requests should be made 24 hours in advance or as early as possible to allow time to arrange accommodation. For TTY Users, the Arizona Relay Service (1-800-367-8939) may contact the Aviation Department (480-312-2321).

REGULAR AGENDA

ITEMS 1-9

How the Regular Agenda Works: The Commission takes a separate action on each item on the Regular Agenda. If you wish to address the Commission regarding any or all of the items on the Regular Agenda, please complete a Comment Card for each topic you wish to address and submit it to Aviation Staff. Speakers will be given three minutes to speak per item. Additional time may be granted to speakers representing two or more persons. Cards for designated speakers and the persons they represent must be submitted together. **Comment cards must be submitted before public testimony has begun on any Regular Agenda or Public Hearing item.**

1. Discussion and Possible Action regarding application for Airpark Aeronautical Business permit for Alpha Jet Charter, Inc. to conduct Aircraft Charter Services at Scottsdale Airport. Staff contact: Kelli Kuester, Aviation Outreach & Planning Coordinator, 480-312-8482, kkuester@scottsdaleaz.gov
COMMISSIONER MCDERMOTT MADE A MOTION TO APPROVE THE APPLICATION FOR AN AIRPARK AERONAUTICAL BUSINESS PERMIT FOR ALPHA JET CHARTER, INC TO CONDUCT AIRCRAFT CHARTER SERVICES AT SCOTTSDALE AIRPORT. COMMISSIONER REID SECONDED THE MOTION WHICH CARRIED 6/0 WITH CHAIR MIER, VICE-CHAIR GOODE, COMMISSIONERS BEAUBOEUF, CASEY, MCDERMOTT AND REID VOTING IN THE AFFIRMATIVE.
- **REWORDED****
2. Discussion and Possible Action for a Recommendation to the Planning Commission and City Council regarding cases 6-ZN-2023 and 2-GP-2023, requests by owner for a Zoning District Map Amendment from Central Business (Conditional), Parking District (C-2 (C) P-4) and Central Business (Conditional) (C-2 (C)) to Planned Unit Development, Planned Shared Development (PUD PSD) zoning with a Development Plan and a Minor General Plan Amendment to the City of Scottsdale General Plan 2035 to change the land use designation from Commercial to Mixed Use Neighborhoods to allow for a mixed use development including 240 multi-family residential units within a four-story building and +/- 79,200 square feet of existing commercial area within one and two story buildings on a +/- 8.6 acre site located at 7000 E. Shea Boulevard. Staff contact: Katie Posler, Senior Planner, 480-312-2703, kposler@scottsdaleaz.gov , Applicant: John Berry, 480-385-2727 jb@berryriddle.com .
COMMISSIONER REID MADE A MOTION TO RECOMMEND TO THE PLANNING COMMISSION

AND CITY COUNCIL REGARDING CASE 6-ZN-2023 AND 2-GP-2023, REQUESTS BY OWNER FOR A ZONING DISTRICT MAP AMENDMENT. COMMISSIONER MCDERMOTT SECONDED THE MOTION WHICH CARRIED 6/0 WITH CHAIR MIER, VICE-CHAIR GOODE, COMMISSIONERS BEAUBOEUF, CASEY, MCDERMOTT AND REID VOTING IN THE AFFIRMATIVE.

3. Discussion and possible action to approve the Five-Year Airport Capital Improvement Program for Fiscal Years 24/25 through 28/29. Staff contact: Kelli Kuester, Aviation Outreach & Planning Coordinator, 480-312-8482, kkuester@scottsdaleaz.gov
COMMISSIONER MCDERMOTT MADE A MOTION TO APPROVE THE FIVE-YEAR AIRPORT CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEARS 24/25 THROUGH 28/29.
COMMISSIONER BEAUBOEUF SECONDED THAT MOTION WHICH CARRIED 6/0 WITH CHAIR MIER, VICE-CHAIR GOODE, COMMISSIONERS BEAUBOEUF, CASEY, MCDERMOTT AND REID VOTING IN THE AFFIRMATIVE.
4. Discussion and input regarding Monthly Operations Report
Staff contact: Matthew Johnson, Operations Supervisor, 480-312-7609, mljohnson@scottsdaleaz.gov
5. Discussion and input regarding Airport and Airpark Aeronautical Business Permit Additions, Cancellations and Revocations. Staff contact: Kelli Kuester, Aviation Outreach & Planning Coordinator, 480-312-8482, kkuester@scottsdaleaz.gov
6. Discussion and input regarding Monthly Financial Report for December 2023
Staff contact: Kelli Kuester, Aviation Outreach & Planning Coordinator, 480-312-8482, kkuester@scottsdaleaz.gov
7. Discussion and input regarding Public Outreach Programs and Planning Projects
Staff contact: Kelli Kuester, Aviation Planning & Outreach Coordinator, 480-312-8482, kkuester@scottsdaleaz.gov
8. Administrative report from the Aviation Director, or designee, regarding the status of pending aviation-related items. Staff contact: Gary P. Mascaro, Aviation Director, 480-312-7735, gmascaro@scottsdaleaz.gov
9. Discussion and possible action to modify the Airport Advisory Commission Meeting Schedule and Commission Item Calendar. Staff contact: Gary P. Mascaro, Aviation Director, 480-312-7735, gmascaro@scottsdaleaz.gov
NO ACTION

Public Comment NONE

Citizens may complete one Request to Speak "Public Comment" card per night and submit it to Aviation Staff. Public Comment time is reserved for citizen comment regarding non-agendized items. No official action can be taken on these items. Public Comment is limited to a total of 15 minutes at the beginning and 15 minutes at the end of the meeting. **Speakers are limited to three minutes to address the Commission during "Public Comment."**

Future Agenda Items NO ACTION

Discussion and possible action to add Commissioner requested item on a future agenda.

Adjournment 6:07 P.M.

COMMISSIONER MCDERMOTT MADE A MOTION TO ADJOURN, COMMISSIONER REID SECONDED THE MOTION WHICH CARRIED 6/0 WITH CHAIR MIER, VICE-CHAIR GOODE, COMMISSIONERS BEAUBOEUF, CASEY, MCDERMOTT AND REID VOTING IN THE AFFIRMATIVE.

SCOTTSDALE

DEVELOPMENT REVIEW BOARD MEETING

MEETING NOTICE AND **MARKED** AGENDA



DEVELOPMENT REVIEW BOARD

Betty Janik, Councilwoman/Chair
Barney Gonzales, Planning Commissioner
Ali Fakih, Design Member
Jeff Brand, Design Member

Michal Ann Joyner, Vice Chair,
Development Member
David Mason, Development Member
Ed Peaser, Design Member

Thursday, March 21, 2024

One or more members of the Development Review Board may be attending the meeting by telephone, video, or internet conferencing, pursuant to A.R.S. §38-431(4).

The City Hall Kiva (Kiva) is open to the public during Development Review Board meetings. Seating in the Kiva will be available on a first come, first served basis. Development Review Board meetings are also televised on Cox Cable Channel 11 and streamed online at [ScottsdaleAZ.gov](https://www.scottsdaleaz.gov) (search "live stream") to allow the public to listen/view the meeting in progress.

1:00 P.M.

DEVELOPMENT REVIEW BOARD MEETING

City Hall Kiva Forum, 3939 N. Drinkwater Boulevard

Call to Order – 1:00 PM

Roll Call – All members present; Board Member Fakih attended remotely

Public Comment – Non-Agendized Items

Citizens may address the members of the Development Review Board during Public Comment. Public Comment time is reserved at the beginning of the meeting for citizens to comment on non-agendized items that are within the Development Review Board's jurisdiction and is limited to a total of 15 minutes. Arizona State law prohibits the Development Review Board from discussing or taking any action on these non-agendized items. Speakers may submit a blue "Request to Speak" card in person prior to the beginning of the meeting. Public testimony is limited to three (3) minutes per speaker.


Written comment is also being accepted for non-agendized items and may be submitted in-person at the hearing or electronically [at the Development Review Board website](https://www.scottsdaleaz.gov). Written comments submitted electronically will be emailed to the Development Review Board Members.

Administrative Report – Brad Carr, AICP, LEED-AP

1. Identify supplemental information, if any, related to the March 21, 2024 Development Review Board agenda items, and other correspondence.

Minutes

2. Approval of the March 7, 2024 Development Review Board [Regular Meeting Minutes](#).
Motion by Vice Chair Joyner to approve, 2nd by Board Member Brand. Motion passed 7-0.

 Persons with a disability may request a reasonable accommodation by contacting staff at 480-312-7767. Requests should be made 24 hours in advance, or as early as possible to allow time to arrange accommodation. For TTY users, the Arizona Relay Service (1-800-367-8939) may contact staff.

ACTION ITEMS

How the Action Agenda Works: The Development Review Board may take one vote to act on all items on the Continuance Agenda and/or Consent Agenda or may remove individual items for further discussion as appropriate. The Development Review Board takes separate action on each item on the Regular Agenda.

Persons interested in speaking on any agenda item may **submit a blue “Request to Speak” card in person prior to the beginning of public testimony.** Those wishing to speak are customarily given three minutes to speak on each item. Additional time may be granted to a designated speaker representing two or more persons (please submit cards together). Persons interested in submitting a written comment on any item may **submit a yellow “Written Comments” card in person prior to the beginning of public testimony or may submit electronically [at the Development Review Board website](#) no later than 90 minutes prior to the meeting.**

REGULAR AGENDA

3. [6-ZN-2023 \(Cosanti Commons\)](#)

Pursuant to the requirements of the Planned Unit Development (PUD) zoning district, Zoning Ordinance Sec. 5.5003., the applicant is requesting a recommendation from the Development Review Board to the Planning Commission and City Council regarding the proposed Development Plan for a zoning district map amendment from Central Business (Conditional), Parking District (C-2 (C) P-4) zoning to Planned Unit Development, Planned Shared District (PUD PSD) zoning for a proposed mixed-use development including 240 multi-family residential units and existing commercial buildings on a +/- 8.6-acre site located at 7000 E. Shea Boulevard.

Staff Contact is Katie Posler, 480-312-2703

Applicant Contact is John Berry, (480) 385-2753

Motion by Board Member Brand to recommend approval to the Planning Commission and City Council regarding the proposed Development Plan for case 6-ZN-2023, including updates to the Development Plan to eliminate the fourth floor of the proposed building, 2nd by Vice Chair Joyner. Motion passed 6-0, with Board Member Fakh recusing.

Adjournment – 1:54 PM

SCOTTSDALE

PLANNING COMMISSION MEETING

MEETING NOTICE AND MARKED AGENDA



PLANNING COMMISSION

Renee Higgs, Chair
Joe Young, Vice Chair
George Ertel
William Scarbrough

Barney Gonzales
Christian Serena
Diana Kaminski

Wednesday, April 24, 2024

One or more members of the Planning Commission may be attending the meeting by telephone, video, or internet conferencing, pursuant to A.R.S. §38-431(4).

5:00 P.M.

PLANNING COMMISSION MEETING

City Hall Kiva Forum, 3939 N. Drinkwater Boulevard

Call to Order – 5:07 PM

Roll Call – All present

Public Comment

Public Comment time is reserved for citizens to comment on non-agendized items that are within the Planning Commission's jurisdiction and is limited to a total of 15 minutes. No official Planning Commission action can be taken on these items. **Speakers may submit a comment card to address the Planning Commission and are limited to three minutes.**

Written comments, is also being accepted for non-agendized items and may be submitted in-person at the hearing or electronically by [clicking here](#). Written comments submitted electronically will be emailed to the Commission Members.

Administrative Report – Tim Curtis

Minutes

1. Approval of the March 13, 2024 [Regular Meeting Minutes](#).

Vice Chair Young made a motion to approve the March 13, 2024 regular meeting minutes. Second by Commissioner Gonzales, the motion carried unanimously by a vote of seven (7) to zero (0).

ACTION ITEMS

How the Action Agenda Works: The Planning Commission may take one vote to act on all items on the Continuance Agenda and one vote on all items on the Consent Agenda, or may remove items for further discussion as appropriate. The Planning Commission takes separate action on each item on the Regular



PERSONS WITH A DISABILITY MAY REQUEST A REASONABLE ACCOMMODATION BY CONTACTING STAFF AT (480-312-7767).

REQUESTS SHOULD BE MADE 24 HOURS IN ADVANCE, OR AS EARLY AS POSSIBLE TO ALLOW TIME TO ARRANGE ACCOMMODATION. FOR TTY USERS, THE ARIZONA RELAY SERVICE (1-800-367-8939) MAY CONTACT STAFF AT (480-312-7767).

Agenda. Persons interested in commenting on any item may complete a Comment Card for each item and submit it to Staff. Those wishing to speak are customarily given three minutes to speak on each item. Additional time may be granted to a designated speaker representing two or more persons (please submit cards together). **Comment cards must be submitted before public testimony has begun on any item.**

CONSENT AGENDA

2. [3-UP-2024 \(Temporary Vehicle Storage Conditional Use Permit\)](#)
Request for approval of a Conditional Use Permit for Vehicle Storage on a +/- 3-acre site with Highway Commercial (C-3) zoning. Staff contact person is Keith Niederer, 480-312-2953.
Applicant contact person is Kurt Waldier, (480) 429-3061.
3. [4-AB-2023 \(Morning Vista Abandonment\)](#)
Request by owner to abandon the eastern 20-foot fee-simple half-street right-of-way, located along N. 85th Street, adjacent to western boundary of 8505 E. Morning Vista Road (parcel number 216-70-007G), with Single-Family Residential District, Environmentally Sensitive Lands, Foothills Overlay (R1-190/ESL/FO) zoning designation. Staff contact person is Jesus Murillo, 480-312-7849. **Applicant contact person is Bob Olshan, (480) 385-2727.**
4. [9-UP-2012#3 \(The District \(aka Maya Day + Night Club\) - CUP Amendment\)](#)
Request by owner for approval of an amendment to an existing conditional use permit (9-UP-2012#2) to add a subgrade bar under and near the existing pool area for a property with Downtown/Downtown Multiple-Use, Type 3, Planned Block Development, Downtown Overlay (D/DMU-3 PBD DO) zoning, located at 4420 N. Saddlebag Trail. Staff contact person is Greg Bloemberg, 480-312-4306. **Applicant contact person is Adam Gerhard, (414) 514-5065.**

Items No. 2 & 4; Moved to Regular Agenda.

Item No. 3; Commissioner Scarbrough made a motion for recommendation of approval to City Council for case 4-AB-2023 per the staff recommend stipulations and after finding that the abandonment is consistent and conforms with the adopted General Plan. Second by Commissioner Ertel, the motion carried unanimously by a vote of seven (7) to zero (0).

REGULAR AGENDA

5. [2-GP-2023 \(Cosanti Commons \(AKA Sundown Commons\)\)](#)
Request by owner for a minor General Plan Amendment to the City of Scottsdale General Plan 2035 to change the land use designation from Commercial to Mixed Use Neighborhoods on a +/- 8.6 gross acre site located at 7000 E. Shea Boulevard. Staff contact person is Katie Posler, 480-312-2703. **Applicant contact person is John Berry, (480) 385-2753.**
6. [6-ZN-2023 \(Cosanti Commons \(aka Sundown Commons\)\)](#)
Request by owner for a Zoning District Map Amendment from Central Business (Conditional), Parking District (C-2 (C) / P-4) zoning to Planned Unit Development, Planned Shared Development Overlay (PUD PSD) zoning, including approval of a Development Plan with Amended Development Standards for a new mixed-use development, consisting of approximately 79,200 square feet of existing commercial buildings and a new 3-story, approximately 345,000 square foot, multi-family residential building with approximately 196 units on a +/- 8.6 gross acre



PERSONS WITH A DISABILITY MAY REQUEST A REASONABLE ACCOMMODATION BY CONTACTING STAFF AT (480-312-7767).

REQUESTS SHOULD BE MADE 24 HOURS IN ADVANCE, OR AS EARLY AS POSSIBLE TO ALLOW TIME TO ARRANGE ACCOMMODATION. FOR TTY USERS, THE ARIZONA RELAY SERVICE (1-800-367-8939) MAY CONTACT STAFF AT (480-312-7767).

site located at 7000 E. Shea Boulevard. Staff contact person is Katie Posler, 480-312-2703.

Applicant contact person is John Berry, (480) 385-2753.

Item No. 2; Commissioner Scarbrough made a motion for recommendation of approval to City Council for case 3-UP-2024 per the staff recommend stipulations and after finding that the Conditional Use Permit criteria have been met. Second by Commissioner Serena, the motion carried unanimously by a vote of six (6) to one (1) with Commissioner Gonzales dissenting.

Item No. 4; Vice Chair Young recused himself from this item. Commissioner Scarbrough made a motion for recommendation of approval to City Council for case 9-UP-2012#3 per the staff recommend stipulations and after finding that the Conditional Use Permit criteria have been met. Second by Commissioner Kaminski, the motion failed by a vote of three (3) to three (3) with Commissioner Gonzales, Commissioner Ertel and Commissioner Serena dissenting.

Items No. 5 & 6; Commissioner Ertel made a motion for recommendation of approval to City Council for cases 2-GP-2023 and 6-ZN-2023 per the staff recommend stipulations and that the proposed Zoning District Map Amendment is consistent and conforms with the adopted Scottsdale General Plan 2035 and that the Planned Unit Development (PUD) district criteria have been met. Second by Vice Chair Young, the motion carried unanimously by a vote of six (6) to one (1) with Commissioner Serena dissenting.

Adjournment – 6:46 PM



PERSONS WITH A DISABILITY MAY REQUEST A REASONABLE ACCOMMODATION BY CONTACTING STAFF AT (480-312-7767).

REQUESTS SHOULD BE MADE 24 HOURS IN ADVANCE, OR AS EARLY AS POSSIBLE TO ALLOW TIME TO ARRANGE ACCOMMODATION. FOR TTY USERS, THE ARIZONA RELAY SERVICE (1-800-367-8939) MAY CONTACT STAFF AT (480-312-7767).

SCOTTSDALE

CITY COUNCIL MEETING



***** AMENDED *** MEETING NOTICE AND AGENDA**

[REWORDED ITEM No. 17]

COUNCIL

David D. Ortega, Mayor
Tammy Caputi
Tom Durham
Barry Graham

Betty Janik
Kathleen S. Littlefield
Solange Whitehead

Tuesday, June 4, 2024

City Council meetings are also televised on Cox Cable Channel 11 and streamed online at ScottsdaleAZ.gov (search "live stream"). Unless an exception is made, or unless otherwise noted, the Council will not begin discussion on any new items after 10:00 p.m. Items that are not heard will be continued to the next scheduled Regular City Council meeting (June 25, 2024).

In-person spoken public comment is being accepted on Items 1 through 20. To sign up to speak on these items, please click [here](#).

In-Person spoken public comment is also being accepted on non-agendized items that are within the Council's jurisdiction. Scottsdale citizens, business owners, and/or property owners may speak on items that are within the Council's jurisdiction but are not on the agenda, with a total of 15 minutes at the beginning and 15 minutes at the end of the meeting dedicated to comment on non-agendized items. To sign up to speak in-person on a non-agendized item that is within the Council's jurisdiction, please click [here](#).

Requests for in-person public comment may be submitted online or at the City Council meeting. Registration for in-person public comment is available online by completing a Request to Speak form. In-Person Public Comment Request to Speak forms for Consent, Regular, and Non-Agendized items must be submitted online no later than 90 minutes before the start of the meeting. Additionally, in-person meeting attendees may submit a Request to Speak form utilizing the kiosk located in the foyer area of City Hall for each agenda item they wish to address. Forms must be submitted and received before the Mayor announces the agenda item.

Written public comment may be submitted in-person by completing a yellow written public comment card or electronically by completing a Written Public Comment form. Written public comment received during the meeting will be shared with the Council. Written comments that are submitted electronically at least 90 minutes before the meeting will be emailed to the Council and posted online prior to the meeting. A written public comment may be submitted electronically by clicking [here](#).

5:00 P.M.

MARKED AGENDA

REGULAR CITY COUNCIL MEETING

City Hall Kiva Forum, 3939 N. Drinkwater Boulevard



PERSONS WITH A DISABILITY MAY REQUEST A REASONABLE ACCOMMODATION BY CONTACTING THE CITY CLERK'S OFFICE AT (480-312-2412). REQUESTS SHOULD BE MADE 24 HOURS IN ADVANCE, OR AS EARLY AS POSSIBLE TO ALLOW TIME TO ARRANGE ACCOMMODATION. FOR TTY USERS, THE ARIZONA RELAY SERVICE (1-800-367-8939) MAY CONTACT THE CITY CLERK'S OFFICE (480-312-2412).

FOR ADDITIONAL INFORMATION VISIT: WWW.SCOTTSDALEAZ.GOV/COUNCIL/MEETING-INFORMATION

ATTACHMENT #15

Call to Order – 5:00 P.M.

Roll Call – All Present (City Manager Jim Thompson arrived at 5:22 P.M.)

One or more members of the Council may be attending the Council Meeting by telephone, video, or Internet conferencing, pursuant to A.R.S. §38-431(4).

Pledge of Allegiance – Councilwoman Caputi

Mayor's Report

– Mayor Ortega called attention to the ongoing wars in foreign countries as they fight to protect their democracy and freedom and asked for a moment of silent reflection for these war-torn countries and for the safety of our military personnel.

– Mayor Ortega thanked Councilwoman Whitehead for her dedicated service as Vice Mayor over the last eight months and welcomed the new Vice Mayor, Councilmember Graham.

– Mayor Ortega announced an opening on the City's Development Review Board and discussed the required qualifications for applicants, how to apply, and that applications must be received by Friday, June 14, 2024.

City Manager's Report

- **Fast Five Video Update**

Note: The Council may make comments or ask questions to the presenter(s); however, no Council action will be taken.

– Acting City Manager Bill Murphy introduced a “Fast Five” video produced by the City's Communications Office which provided updates on several City events and offerings.

Possible Executive Session

Notice is hereby given that, at any time during tonight's meeting, the Council may make a motion to recess into Executive Session to discuss and consult with the attorneys and representatives of the public body to obtain legal advice on any applicable item on tonight's agenda. If authorized by a majority vote of the Council, the Executive Session will be held immediately after the vote and will not be open to the public. A.R.S. §38-431.03(A)(3). The public meeting will resume following the Executive Session.

Public Comment – Dan Ishac discussed concerns related to certain councilmembers and the Sustainability Plan. Mason Gates discussed concerns regarding budget over-runs. Vice Mayor Graham responded to comments made by Dan Ishac.

Public Comment time is reserved for Scottsdale citizens, business owners, and/or property owners to comment on non-agendized items that are within the Council's jurisdiction. No official Council action can be taken on these items. Advocacy for or against a candidate or ballot measure during a Council meeting is not allowed pursuant to State law and is therefore not deemed to be within the Council's jurisdiction.

Public Comment time is also the designated time for presenting a citizen petition. There is no limit on the number of petitions a citizen may present; however, each citizen is limited to a total time of three minutes to present and speak to the petition(s). A Request to Speak [form](#) must be submitted together with the petition(s) before the Mayor announces the second Public Comment period.

Speakers may address the Council once under Public Comment at the beginning or the end of the meeting, but not both. Public Comment is limited to a total of 15 minutes at the beginning and 15 minutes at the end of the meeting. **Speakers are limited to three minutes to address the Council during “Public Comment.”**

MINUTES

Request: Approve the following Council meeting minutes from May 2024:

- a. [Special Meeting Minutes of May 6, 2024](#)
- b. Executive Session Minutes of May 6, 2024
- c. [Regular Meeting Minutes of May 6, 2024](#)

Councilwoman Janik made a motion to approve the Special Meeting Minutes of May 6, 2024; Executive Session Minutes of May 6, 2024; and the Regular Meeting Minutes of May 6, 2024. Councilwoman Whitehead seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Graham; and Councilmembers Caputi, Durham, Janik, Littlefield, and Whitehead voting in the affirmative.

CONSENT AGENDA ITEMS 1-16

How the Consent Agenda Works: The Council may take one vote to act on all of the items on the Consent Agenda or may remove items for further discussion. Items not removed from the Consent Agenda will be considered in one motion. Items removed for clarification or discussion by the Council will be acted on as appropriate.

– There was no public comment on the Consent Agenda items.

– Vice Mayor Graham requested additional information on Item 15 [Shawn Fuller v. City of Scottsdale et al., Appeal].

– Before a presentation on Item 15 was made, Mayor Ortega made a motion to call the question, which does not require a second per the City’s Council Rules of Procedure. The motion carried 5/2, with Mayor Ortega and Councilmembers Caputi, Durham, Janik, and Whitehead voting in the affirmative and Councilmembers Graham and Littlefield dissenting.

– Councilmember Durham made a motion to approve Consent Agenda Items 1 through 16. Councilwoman Whithead seconded the motion, which carried 6/1, with Mayor Ortega; Vice Mayor Graham; and Councilmembers Caputi, Durham, Janik, and Whitehead voting in the affirmative and Councilwoman Littlefield dissenting.

CONSENT AGENDA

1. [Clayton House by Wedgewood Weddings Liquor License \(26-LL-2024\)](#) – **Approved on Consent.**

Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 12 (restaurant) State liquor license for an existing location with a new owner.

Location: 3719 N. 75th Street

Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov

2. [Western Spirit: Scottsdale’s Museum of the West Liquor License \(27-LL-2024\)](#) – **Approved on Consent.**

Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 5 (government) State liquor license for a new location and owner.

Location: 3830 N. Marshall Way

Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov

3. **Sushiholic Scottsdale Liquor License (28-LL-2024) – Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 12 (restaurant) State liquor license for an existing location with a new owner.
Location: 1455 N. Scottsdale Road, Suite 115
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
4. **Beginner’s Luck Liquor License (29-LL-2024) – Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 12 (restaurant) State liquor license for an existing location with a new owner.
Location: 7240 E. Main Street, Suite C-100
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
5. **Temporary Vehicle Storage Conditional Use Permit (3-UP-2024) – Approved on Consent.**
Request: Find that the conditional use permit criteria have been met and adopt **Resolution No. 13135** approving a conditional use permit for vehicle storage on a ±3.11-acre site with Highway Commercial (C-3) zoning.
Location: 8740 E. Frank Lloyd Wright Boulevard
Staff Contact(s): Erin Perreault, Planning, Economic Development, and Tourism Executive Director, 480-312-7093, eperreault@scottsdaleaz.gov
6. **Morning Vista Abandonment (4-AB-2023) – Approved on Consent.**
Request: Adopt **Resolution No. 13134** authorizing the abandonment of the eastern 20-foot fee-simple half-street right-of-way located along No. 85th Street, adjacent to the western boundary of Parcel No. 216-70-007G with Single Family Residential District, Environmentally Sensitive Lands, Foothills Overlay (R1-190/ESL/FO) zoning, totaling approximately 12,400 square-feet of right-of-way.
Location: 8505 E. Morning Vista Road (Parcel No. 216-70-007G)
Staff Contact(s): Erin Perreault, Planning, Economic Development, and Tourism Executive Director, 480-312-7093, eperreault@scottsdaleaz.gov
7. **MODUS Development 6-Unit Final Plat (9-PP-2022) – Approved on Consent.**
Request: Approve the final plat for a new residential subdivision, comprised of six lots and one tract on a ±1.06-acre site with Townhouse Residential (R-4) zoning.
Location: 7801 E. San Miguel Avenue
Staff Contact(s): Erin Perreault, Planning, Economic Development, and Tourism Executive Director, 480-312-7093, eperreault@scottsdaleaz.gov
8. **Public Safety Radio Site Intergovernmental Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 13133** authorizing Agreement No. 2024-083-COS with Scottsdale Unified School District No. 48 to continue operating a public safety radio site at Desert Mountain High School.
Location: 12575 E. Via Linda
Staff Contact(s): Erin Perreault, Planning, Economic Development, and Tourism Executive Director, 480-312-7093, eperreault@scottsdaleaz.gov
9. **Solid Waste Transfer Station Expansion and Renovation Preconstruction Phase Services Contract – Approved on Consent.**
Request: Adopt **Resolution No. 13128** authorizing Construction Manager at Risk Contract No. 2024-081-COS with Cambridge Companies, Inc., in an amount not to exceed \$212,218, to provide preconstruction phase services for the expansion and renovation of the Solid Waste Transfer Station.
Location: 8417 E. Union Hills Drive
Staff Contact(s): Dan Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov

10. **Water Line Right-of-Way Agreement – Approved on Consent.**

Request: Adopt **Resolution No. 13131** to authorize:

1. Agreement No. 2024-087-COS with the Arizona State Land Department to renew land rights for an existing water line.
2. The appropriate disbursing agents of the City to pay \$5,530 to the Arizona State Land Department in accordance with the right-of-way agreement.
3. The City Manager, or designee, to execute any other documents and take such other actions as necessary to carry out the purpose of this Resolution.

Location: Jomax Road alignment from 62nd Street to Scottsdale Road

Staff Contact(s): Dan Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov

11. **Sport Courts, Fields, Fencing, Lighting, and Associated Amenities Job Order Contract Extensions – Approved on Consent.**

Request: Adopt **Resolution No. 13132** authorizing the following job order contract extensions for one-year time extensions, in an amount not to exceed \$2,500,000 per contract, for sport courts, fields, fencing, lighting, and associated amenities at various project locations throughout the City on an as needed basis:

1. Contract No. 2022-083-COS-A1 with DBA Construction, Inc.
2. Contract No. 2022-084-COS-A1 with Elite Sports Builders, LLC

Staff Contact(s): Dan Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov

12. **Community Fishing Program Intergovernmental Agreement – Approved on Consent.**

Request: Adopt **Resolution No. 13084** to authorize:

1. Agreement No. 2024-057-COS with the Arizona Game and Fish Commission, in an amount not to exceed \$103,738 over the agreement's five-year term, unless amended to account for a more than 3% price increase from fish vendors, to support a community fishing program at Chaparral Park Lake.
2. The Community Services Assistant Executive Director, or designee, to execute any other documents and take such other actions as necessary to carry out the intent of this Resolution.

Location: 5401 N. Hayden Road

Staff Contact(s): Nick Molinari, Community Services Assistant Executive Director, 480-312-1011, nmolinar@scottsdaleaz.gov

13. **Scottsdale Fourth of July Celebration Event Funding – Approved on Consent.**

Request: Adopt **Resolution No. 13122** to authorize:

1. Funding, not to exceed \$35,000, from the portion of the Fiscal Year (FY) 2024/25 Tourism Development Fund that is allocated in the FY 2024/25 Tentative Operating Budget toward event retention and development for the Scottsdale Fourth of July Celebration.
2. New Event Funding Agreement No. 2024-079-COS with M Culinary, LLC, for the Scottsdale Fourth of July Celebration.

Staff Contact(s): Steve Geiogamah, Tourism Development Manager, 480-312-4013, sgeiogamah@scottsdaleaz.gov

14. **Neighborhood Advisory Commission Sunset Review Recommendation – Approved on Consent.**

Request: Accept the Audit Committee's recommendation and authorize the continuation of the Neighborhood Advisory Commission.

Staff Contact(s): Lai Cluff, Acting City Auditor, 480-312-7851, lcluff@scottsdaleaz.gov

15. **Shawn Fuller v. City of Scottsdale, et al., Appeal – Approved on Consent.**

Request: Adopt **Resolution No. 13152** authorizing the appeal of any judgement, ruling, or other action taken in *Shawn Fuller v. City of Scottsdale, et al.*, and of any adverse decision to a higher court.

Staff Contact(s): Sherry Scott, City Attorney, 480-312-2405, sscott@scottsdaleaz.gov

16. **Purchase of Property-Casualty Insurance for the Period of July 1, 2024, to June 30, 2025 – Approved on Consent.**

Request: Adopt **Resolution No. 13142** to authorize:

1. The purchase of property-casualty insurance, including general liability, law enforcement liability, vehicle liability, public officials' errors and omissions, property, workers' compensation, cyber liability, aviation drone, and airport liability insurance for Fiscal Year (FY) 2024/25.
2. The Risk Management Director, or designee, to execute such documents and take all other actions and sign all other documents necessary and proper to purchase the policies authorized by this Resolution for FY 2024/25.

Staff Contact(s): George Woods, Risk Management Director, 480-312-7040, gwoods@scottsdaleaz.gov

REGULAR AGENDA **ITEMS 17-20**

How the Regular Agenda Works: The Council takes action on each item on the Regular Agenda.

***17. **Cosanti Commons aka Sundown Commons (2-GP-2023, 6-ZN-2023, and 3-DA-2023)**

Request: At the request of the applicant, continue to the August 20, 2024 City Council meeting.

Staff Contact(s): Erin Perreault, Planning, Economic Development, and Tourism Executive Director, 480-312-7093, eperreault@scottsdaleaz.gov

Mayor Ortega noted this item was being continued to the August 20, 2024 City Council meeting. This was the first continuance and was granted as a matter of right per the City's Council Rules of Procedure, as the request was submitted to the City Clerk at least two business days prior to the Council Meeting.

18. **Public Hearing on the Proposed Fiscal Year (FY) 2024/25 Property Tax Levy**

Requests:

1. Solicit public testimony on the proposed FY 2024/25 property tax levy.
2. By a roll call vote, approve a motion to levy the proposed property taxes, taxes to be assessed by ordinance on June 25, 2024.

Presenter(s): Sonia Andrews, City Treasurer

Staff Contact(s): Ana Lia Johnson, Acting Budget Director, 480-312-7893, anjohnson@scottsdaleaz.gov

– City Treasurer Sonia Andrews gave a PowerPoint presentation on the proposed Fiscal Year 2024/25 Property Tax Levy.

– Mayor Ortega opened the public hearing on this item.

– There was no public comment on this item.

– Mayor Ortega closed the public hearing on this item.

– Councilwoman Janik made a motion to levy the proposed property taxes, taxes to be assessed by ordinance on June 25, 2024. Councilwoman Caputi seconded the motion, which carried 7/0, by roll call vote, with Mayor Ortega; Vice Mayor Graham; and Councilmembers Caputi, Durham, Janik, Littlefield and Whitehead voting in the affirmative.

19. [Public Hearing on Proposed Fiscal Year \(FY\) 2024/25 Municipal Streetlight Improvement District Expenses and Property Tax Levy \(by District\)](#)

Requests:

1. Solicit public testimony on the proposed FY 2024/25 Municipal Streetlight Improvement District proposed expenses and tax levy.
2. Approve a motion to adopt the annual statements and estimates of expenses and levy the proposed FY 2024/25 Municipal Streetlight Improvement District taxes, by district, taxes to be assessed by ordinance on June 25, 2024.

Presenter(s): Anna Henthorn, Accounting Director

Staff Contact(s): Anna Henthorn, Accounting Director, 480-312-7805, ahenthorn@scottsdaleaz.gov

– Accounting Director Anna Henthorn gave a PowerPoint presentation on the proposed Fiscal Year 2024/25 Municipal Streetlight Improvement District Expenses and Property Tax Levy (by District).

– Mayor Ortega opened the public hearing on this item.

– There was no public comment on this item.

– Mayor Ortega closed the public hearing on this item.

– Councilwoman Whitehead made a motion to adopt the annual statements and estimates of expenses and levy the proposed FY 2024/25 Municipal Streetlight Improvement District taxes, by district, taxes to be assessed by ordinance on June 25, 2024. Councilmember Durham seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Graham; and Councilmembers Caputi, Durham, Janik, Littlefield, and Whitehead voting in the affirmative.

20. [Final Public Hearing on the Fiscal Year \(FY\) 2024/25 Budget](#)

Request: Solicit public testimony on the FY 2024/25 Operating Budget and Capital Improvement Plan, as tentatively approved on May 14, 2024.

Presenter(s): Sonia Andrews, City Treasurer

Staff Contact(s): Ana Lia Johnson, Acting Budget Director, 480-312-7893, anjohanson@scottsdaleaz.gov

– City Treasurer Sonia Andrews gave a PowerPoint presentation on the proposed Fiscal Year 2024/25 Budget.

– Mayor Ortega opened the public hearing on this item.

– James Rubatt, Scottsdale resident, spoke in opposition to the proposed budget.

– Mayor Ortega closed the public hearing on this item.

Public Comment – None

Public Comment time is reserved for Scottsdale citizens, business owners, and/or property owners to comment on non-agendized items that are within the Council's jurisdiction. No official Council action can be taken on these items. Advocacy for or against a candidate or ballot measure during a Council meeting is not allowed pursuant to State law and is therefore not deemed to be within the Council's jurisdiction.

Public Comment time is also the designated time for presenting a citizen petition. There is no limit on the number of petitions a citizen may present; however, each citizen is limited to a total time of three minutes to present and speak to the petition(s). A Request to Speak [form](#) must be submitted together with the petition(s) before the Mayor announces the second Public Comment period.

Speakers may address the Council once under Public Comment at the beginning or the end of the meeting, but not both. Public Comment is limited to a total of 15 minutes at the beginning and 15 minutes at the end of the meeting. **Speakers are limited to three minutes to address the Council during “Public Comment.”**

CITIZEN PETITIONS

ITEM 21

Citizen Petitions: This portion of the agenda is reserved for the submission and/or consideration of citizen petitions. There is no limit on the number of petitions a citizen may submit; however, **each citizen is limited to a total time of three minutes to speak to his/her petition(s)**. A Request to Speak [form](#) must be submitted, together with the petition(s), **before** the second Public Comment period begins.

21. Receipt of Citizen Petitions – None

Request: Accept and acknowledge receipt of citizen petitions. Any member of the Council may make a motion, to be voted on by the Council, to: (1) Direct the City Manager to agendize the petition for further discussion; (2) direct the City Manager to investigate the matter and prepare a written response to the Council, with a copy to the petitioner; or (3) take no action.

Staff Contact(s): Ben Lane, City Clerk, 480-312-2411, blane@scottsdaleaz.gov

– Mayor Ortega adjourned the Regular Meeting.

Adjourn the City Council Regular Meeting and Convene the City Council Special Meeting – 6:04 P.M.

CITY COUNCIL SPECIAL MEETING

Public Comment: In-Person Spoken comment is being accepted on the item on the Special Meeting Agenda. To sign up to speak on the item, please click [here](#). **Request to speak forms must be submitted no later than 90 minutes before the start of the meeting.** Additionally, In-Person meeting attendees may submit a Request to Speak form utilizing the kiosk located in the foyer area of City Hall for each agenda item they wish to address. Forms must be submitted and received before the Mayor announces the agenda item.

Written public comment may be submitted in-person by completing a yellow written public comment card or electronically by completing a Written Public Comment form. Written public comment received during the meeting will be shared with the Council. Written comments that are submitted electronically at least 90 minutes before the meeting will be emailed to the Council and posted online prior to the meeting. A written public comment may be submitted electronically by clicking [here](#).

SPECIAL MEETING AGENDA

ITEM 1

1. [Final Adoption of Fiscal Year \(FY\) 2024/25 Budget Estimates and Five-Year Capital Improvement Plan](#)

Requests:

1. Adopt **Ordinance No. 4642** setting the final budget estimates for the FY 2024/25 Budget as tentatively approved on May 14, 2024; adopting the final FY 2024/25 Job Classification Plan and Job Classification Pay Table in conformity with Scottsdale Revised Code Sections 14-20 through 14-24; and authorizing or approving, as applicable, certain salary adjustments included in the Final Budget for City employees and Charter Officers and setting the salaries of the Presiding Judge and Associate Judges.
2. Adopt **Ordinance No. 4643** approving the Capital Improvement Plan for the period beginning July 1, 2024 and ending June 30, 2029.

Presenter(s): Sonia Andrews, City Treasurer

Staff Contact(s): Ana Lia Johnson, Acting Budget Director, 480-312-7893, anjohanson@scottsdaleaz.gov

– Councilwoman Janik made a motion to:

1. Adopt Ordinance No. 4642 setting the final budget estimates for the Fiscal Year (FY) 2024/25 Budget as tentatively approved on May 14, 2024; adopting the final FY 2024/25 Job Classification Plan and Job Classification Pay Table (Option 2) in conformity with Scottsdale Revised Code Sections 14-20 through 14-24; and authorizing or approving, as applicable, certain salary adjustments included in the Final Budget for City employees and Charter Officers and setting the salaries of the Presiding Judge and Associate Judges.
2. Adopt Ordinance No. 4643 approving the Capital Improvement Plan for the period beginning July 1, 2024 and ending June 30, 2029.

Councilwoman Whitehead seconded the motion, which carried 6/1, with Mayor Ortega; and Councilmembers Caputi, Durham, Janik, Littlefield, and Whitehead voting in the affirmative and Vice Mayor Graham dissenting.

– Mayor Ortega adjourned the Special Meeting.

Adjourn the City Council Special Meeting and Convene the Community Facilities District Meetings – 6:43 P.M.

COMMUNITY FACILITIES DISTRICT MEETINGS:

- DC Ranch Community Facilities District Board of Directors
(Cancellation Notice Page 10)
- [McDowell Mountain Ranch Community Facilities District Board of Directors](#)
(Agenda Page 11)
- [Via Linda Road Community Facilities District Board of Directors](#)
(Agenda Page 13)
- [Scottsdale Waterfront Commercial Community Facilities District Board of Directors](#)
(Agenda Page 15)

**NOTICE OF PUBLIC MEETING OF THE
BOARD OF DIRECTORS OF
DC RANCH COMMUNITY FACILITIES DISTRICT
OF SCOTTSDALE, ARIZONA**

NOTICE OF MEETING CANCELLATION

Notice is hereby given that the meeting of the Board of the Directors of the DC Ranch Community Facilities District scheduled to be held on Tuesday, June 4, 2024 at 5:00 p.m. or immediately following the meeting of the Scottsdale City Council, in the City Hall Kiva Forum, 3939 N. Drinkwater Boulevard has been cancelled.

The meeting of the Board of the Directors of DC Ranch Community Facilities District will be rescheduled to be held on Tuesday, June 25, 2024 at 5:00 p.m. or immediately following the meeting of the Scottsdale City Council, in the City Hall Kiva Forum, 3939 N. Drinkwater Boulevard.

Mayor Ortega noted this meeting was cancelled at the request of staff and will be considered on June 25, 2024.

**NOTICE OF PUBLIC MEETING OF THE
BOARD OF DIRECTORS OF
McDOWELL MOUNTAIN RANCH
COMMUNITY FACILITIES DISTRICT
OF SCOTTSDALE, ARIZONA**

Pursuant to A.R.S. Section 38-431.02, notice is hereby given to the general public that a special meeting of the McDowell Mountain Ranch Community Facilities District of Scottsdale, Arizona, open to the public, will be held on Tuesday, June 4, 2024 at 5:00 p.m. or immediately following the meeting of the Scottsdale City Council, in the City Hall Kiva Forum, 3939 N. Drinkwater Boulevard.

Community Facilities Districts Board of Directors meetings are also televised on Cox Cable Channel 11 and streamed online at ScottsdaleAZ.gov (search "live stream") to allow the public to listen/view the meeting in progress.

In-person spoken comment is being accepted on Item 4. To sign up to speak on this item, please click [here](#). Public testimony is limited to three (3) minutes per speaker. Registration for In-Person public comment is available online by completing a Request to Speak form. In-Person Public Comment Request to Speak forms must be submitted no later than 90 minutes before the start of the meeting. Additionally, In-Person meeting attendees may submit a Request to Speak form utilizing the kiosk located in the foyer area of City Hall for each agenda item they wish to address. Forms must be submitted and received before the Chair announces the agenda item.

Written public comment may be submitted in-person by completing a yellow written public comment card or electronically by completing a Written Public Comment form. Written public comment received during the meeting will be shared with the Board of Directors. Written comments that are submitted electronically at least 90 minutes before the meeting will be emailed to the Board of Directors and posted online prior to the meeting. A written public comment may be submitted electronically by clicking [here](#).

The agenda for the meeting is as follows:

1. Call to Order – **6:45 P.M.**
All present. It was noted for the record that all board members and executive officers were present for the McDowell Mountain Ranch Community Facilities District Board Meeting.
2. Approval of Minutes of Tuesday, June 13, 2023 – **Board Member Whitehead made a motion to approve the Minutes of Tuesday, June 13, 2023. Board Member Durham seconded the motion, which carried 7/0, with Chair Ortega and Board Members Caputi, Durham, Graham, Janik, Littlefield, and Whitehead voting in the affirmative.**
3. Adopt **Resolution No. 73**, approving the proposed Fiscal Year 2024/25 McDowell Mountain Ranch Community Facilities District budget and providing for other statutory requirements – **Board Member Whitehead made a motion to adopt Resolution No. 73, approving the proposed McDowell Mountain Ranch Community Facilities District budget and providing for other statutory requirements, including ordering a public hearing. Board Member Caputi seconded the motion, which carried 7/0, with Chair Ortega and Board Members Caputi, Durham, Graham, Janik, Littlefield, and Whitehead voting in the affirmative.**
4. Conduct a Public Hearing on the Fiscal Year 2024/25 McDowell Mountain Ranch Community Facilities District budget – **A public hearing was conducted. There was no public comment.**
5. Adopt **Resolution No. 74**, adopting the final Fiscal Year 2024/25 McDowell Mountain Ranch Community Facilities District budget – **Board Member Littlefield made a motion to adopt Resolution No. 74, adopting the final Fiscal Year 2024/25 McDowell Mountain Ranch Community Facilities District budget. Board Member Janik seconded the motion, which carried 7/0, with Chair Ortega and Board Members Caputi, Durham, Graham, Janik, Littlefield, and Whitehead voting in the affirmative.**

6. Adjournment – 6:47 P.M.
Chair Ortega adjourned the McDowell Mountain Ranch Community Facilities District Board Meeting.



Persons with a disability may request a reasonable accommodation by contacting Gina Kirklin at 480-312-5006. Requests should be made 24 hours in advance, or as early as possible, to allow time to arrange the accommodation. For TTY users, the Arizona Relay Service (1-800-367-8939) may contact Gina Kirklin at 480-312-5006.

**NOTICE OF PUBLIC MEETING OF THE
BOARD OF DIRECTORS OF
VIA LINDA ROAD COMMUNITY FACILITIES DISTRICT
OF SCOTTSDALE, ARIZONA**

Pursuant to A.R.S. Section 38-431.02, notice is hereby given to the general public that a special meeting of the Via Linda Road Community Facilities District of Scottsdale, Arizona, open to the public, will be held on Tuesday, June 4, 2024 at 5:00 p.m. or immediately following the meeting of the Scottsdale City Council, in the City Hall Kiva Forum, 3939 N. Drinkwater Boulevard.

Community Facilities Districts Board of Directors meetings are also televised on Cox Cable Channel 11 and streamed online at ScottsdaleAZ.gov (search "live stream") to allow the public to listen/view the meeting in progress.

In-person spoken comment is being accepted on Item 4. To sign up to speak on this item, please click [here](#). Public testimony is limited to three (3) minutes per speaker. Registration for In-Person public comment is available online by completing a Request to Speak form. In-Person Public Comment Request to Speak forms must be submitted no later than 90 minutes before the start of the meeting. Additionally, In-Person meeting attendees may submit a Request to Speak form utilizing the kiosk located in the foyer area of City Hall for each agenda item they wish to address. Forms must be submitted and received before the Chair announces the agenda item.

Written public comment may be submitted in-person by completing a yellow written public comment card or electronically by completing a Written Public Comment form. Written public comment received during the meeting will be shared with the Board of Directors. Written comments that are submitted electronically at least 90 minutes before the meeting will be emailed to the Board of Directors and posted online prior to the meeting. A written public comment may be submitted electronically by clicking [here](#).

The agenda for the meeting is as follows:

1. Call to Order – **6:48 P.M.**
All present. It was noted for the record that all board members and executive officers were present for the Via Linda Road Community Facilities District Board Meeting.
2. Approval of Minutes of Tuesday, June 13, 2023 – **Board Member Durham made a motion to approve the Minutes of Tuesday, June 13, 2023. Board Member Whitehead seconded the motion, which carried 7/0, with Chair Ortega and Board Members Caputi, Durham, Graham, Janik, Littlefield, and Whitehead voting in the affirmative.**
3. Adopt **Resolution No. 57**, approving the proposed Fiscal Year 2024/25 Via Linda Road Community Facilities District budget and providing for other statutory requirements – **Board Member Whitehead made a motion to adopt Resolution No 57, approving the proposed Fiscal Year 2024/25 Via Linda Road Community Facilities District budget and providing for other statutory requirements, including ordering a public hearing. Board Member Janik seconded the motion, which carried 7/0, with Chair Ortega and Board Members Caputi, Durham, Graham, Janik, Littlefield, and Whitehead voting in the affirmative.**
4. Conduct a Public Hearing on the Fiscal Year 2024/25 Via Linda Road Community Facilities District budget – **A public hearing was conducted. There was no public comment.**
5. Adopt **Resolution No. 58**, adopting the final Fiscal Year 2024/25 Via Linda Road Community Facilities District budget – **Board Member Janik made a motion to adopt Resolution No. 58, adopting the final Fiscal Year 2024/25 Via Linda Road Community Facilities District budget. Board Member Whitehead seconded the motion, which carried 7/0, with Chair Ortega and Board Members Caputi, Durham, Graham, Janik, Littlefield, and Whitehead voting in the affirmative.**

6. **Adjournment – 6:50 P.M.**
Chair Ortega adjourned the Via Linda Road Community Facilities District Board Meeting.



Persons with a disability may request a reasonable accommodation by contacting Gina Kirklin at 480-312-5006. Requests should be made 24 hours in advance, or as early as possible, to allow time to arrange the accommodation. For TTY users, the Arizona Relay Service (1-800-367-8939) may contact Gina Kirklin at 480-312-5006.

**NOTICE OF PUBLIC MEETING OF THE
BOARD OF DIRECTORS OF
SCOTTSDALE WATERFRONT COMMERCIAL
COMMUNITY FACILITIES DISTRICT
OF SCOTTSDALE, ARIZONA**

Pursuant to A.R.S. Section 38-431.02, notice is hereby given to the general public that a special meeting of the Scottsdale Waterfront Commercial Community Facilities District of Scottsdale, Arizona, open to the public, will be held on Tuesday, June 4, 2024 at 5:00 p.m. or immediately following the meeting of the Scottsdale City Council, in the City Hall Kiva Forum, 3939 N. Drinkwater Boulevard.

Community Facilities Districts Board of Directors meetings are also televised on Cox Cable Channel 11 and streamed online at ScottsdaleAZ.gov (search "live stream") to allow the public to listen/view the meeting in progress.

In-person spoken comment is being accepted on Item 4. To sign up to speak on this item, please click [here](#). Public testimony is limited to three (3) minutes per speaker. Registration for In-Person public comment is available online by completing a Request to Speak form. In-Person Public Comment Request to Speak forms must be submitted no later than 90 minutes before the start of the meeting. Additionally, In-Person meeting attendees may submit a Request to Speak form utilizing the kiosk located in the foyer area of City Hall for each agenda item they wish to address. Forms must be submitted and received before the Chair announces the agenda item.

Written public comment may be submitted in-person by completing a yellow written public comment card or electronically by completing a Written Public Comment form. Written public comment received during the meeting will be shared with the Board of Directors. Written comments that are submitted electronically at least 90 minutes before the meeting will be emailed to the Board of Directors and posted online prior to the meeting. A written public comment may be submitted electronically by clicking [here](#).

The agenda for the meeting is as follows:

1. Call to Order – **6:51 P.M.**
All present. It was noted for the record that all board members and executive officers were present for the Scottsdale Waterfront Commercial Community Facilities District Board Meeting.
2. Approval of Minutes of Tuesday, June 13, 2023 – **Board Member Whitehead a motion to approve the Minutes of Tuesday, June 13, 2023. Board Member Janik seconded the motion, which carried 7/0, with Chair Ortega and Board Members Caputi, Durham, Graham, Janik, Littlefield, and Whitehead voting in the affirmative.**
3. Adopt **Resolution No. 44**, approving the proposed Fiscal Year 2024/25 Scottsdale Waterfront Commercial Community Facilities District budget and providing for other statutory requirements – **Board Member Janik made a motion to adopt Resolution 44, approving the proposed Fiscal Year 2024/25 Scottsdale Waterfront Commercial Community Facilities District budget and providing for other statutory requirements, including ordering a public hearing. Board Member Whitehead seconded the motion, which carried 7/0, with Chair Ortega and Board Members Caputi, Durham, Graham, Janik, Littlefield, and Whitehead voting in the affirmative.**
4. Conduct a Public Hearing on the Fiscal Year 2024/25 Scottsdale Waterfront Commercial Community Facilities District budget – **A public hearing was conducted. There was no public comment.**
5. Adopt **Resolution No. 45**, adopting the final Fiscal Year 2024/25 Scottsdale Waterfront Commercial Community Facilities District budget and ordering a tax levy – **Board Member Durham made a motion to adopt Resolution No. 45, adopting the final Fiscal Year 2024/25 Scottsdale Waterfront Commercial Community Facilities District budget and ordering a tax levy. Board Member Whitehead seconded the motion, which carried 7/0, with Chair Ortega and Board Members Caputi, Durham, Graham, Janik, Littlefield and Whitehead voting in the affirmative.**

6. Adjournment – **6:52 P.M.**
Chair Ortega adjourned the Scottsdale Waterfront Commercial Community Facilities District Board Meeting.



Persons with a disability may request a reasonable accommodation by contacting Gina Kirklin at 480-312-5006. Requests should be made 24 hours in advance, or as early as possible, to allow time to arrange the accommodation. For TTY users, the Arizona Relay Service (1-800-367-8939) may contact Gina Kirklin at 480-312-5006.

SCOTTSDALE

CITY COUNCIL MEETING

***** AMENDED *** MEETING NOTICE AND AGENDA**

[ADDED ITEM No. 21A]



COUNCIL

David D. Ortega, Mayor
Tammy Caputi
Tom Durham
Barry Graham

Betty Janik
Kathleen S. Littlefield
Solange Whitehead

Tuesday, August 20, 2024

City Council meetings are also televised on Cox Cable Channel 11 and streamed online at ScottsdaleAZ.gov (search "live stream"). Unless an exception is made, or unless otherwise noted, the Council will not begin discussion on any new items after 10:00 p.m. Items that are not heard will be continued to the next scheduled Regular City Council meeting (August 21 or September 10, 2024).

In-person spoken public comment is being accepted on Items 1 through 22. To sign up to speak on these items, please click [here](#).

In-Person spoken public comment is also being accepted on non-agendized items that are within the Council's jurisdiction. Scottsdale citizens, business owners, and/or property owners may speak on items that are within the Council's jurisdiction but are not on the agenda, with a total of 15 minutes at the beginning and 15 minutes at the end of the meeting dedicated to comment on non-agendized items. To sign up to speak in-person on a non-agendized item that is within the Council's jurisdiction, please click [here](#).

Requests for in-person public comment may be submitted online or at the City Council meeting. Registration for in-person public comment is available online by completing a Request to Speak form. In-Person Public Comment Request to Speak forms for Consent, Regular, and Non-Agendized items must be submitted online no later than 90 minutes before the start of the meeting. Additionally, in-person meeting attendees may submit a Request to Speak form utilizing the kiosk located in the foyer area of City Hall for each agenda item they wish to address. Forms must be submitted and received before the Mayor announces the agenda item.

Written public comment may be submitted in-person by completing a yellow written public comment card or electronically by completing a Written Public Comment form. Written public comment received during the meeting will be shared with the Council. Written comments that are submitted electronically at least 90 minutes before the meeting will be emailed to the Council and posted online prior to the meeting. A written public comment may be submitted electronically by clicking [here](#).

5:00 P.M.

MARKED AGENDA

REGULAR CITY COUNCIL MEETING

City Hall Kiva Forum, 3939 N. Drinkwater Boulevard



PERSONS WITH A DISABILITY MAY REQUEST A REASONABLE ACCOMMODATION BY CONTACTING THE CITY CLERK'S OFFICE AT (480-312-2412). REQUESTS SHOULD BE MADE 24 HOURS IN ADVANCE, OR AS EARLY AS POSSIBLE TO ALLOW TIME TO ARRANGE ACCOMMODATION. FOR TTY USERS, THE ARIZONA RELAY SERVICE (1-800-367-8939) MAY CONTACT THE CITY CLERK'S OFFICE (480-312-2412).

FOR ADDITIONAL INFORMATION VISIT: WWW.SCOTTSDALEAZ.GOV/COUNCIL/MEETING-INFORMATION

ATTACHMENT #16

Call to Order – 5:01 P.M.

Roll Call – All Present

One or more members of the Council may be attending the Council Meeting by telephone, video, or Internet conferencing, pursuant to A.R.S. §38-431(4).

Pledge of Allegiance – Councilwoman Littlefield

Mayor's Report

– Mayor Ortega called attention to the ongoing wars in foreign countries as they fight to protect their democracy and freedom and asked for a moment of silent reflection for these war-torn countries and for the safety of our military personnel.

– Mayor Ortega asked for a moment of silence in memory of former Councilmember Robert Pettycrew. Councilmember Pettycrew was a graduate of Coronado High School and served on the City Council from 1994 to 2002.

City Manager's Report

- **Fast Five Video Update**

Note: The Council may make comments or ask questions to the presenter(s); however, no Council action will be taken.

– City Manager Jim Thompson introduced a “Fast Five” video produced by the City's Communications Office which provided updates on several City events and offerings.

Possible Executive Session

Notice is hereby given that, at any time during tonight's meeting, the Council may make a motion to recess into Executive Session to discuss and consult with the attorneys and representatives of the public body to obtain legal advice on any applicable item on tonight's agenda. If authorized by a majority vote of the Council, the Executive Session will be held immediately after the vote and will not be open to the public. A.R.S. §38-431.03(A)(3). The public meeting will resume following the Executive Session.

Public Comment – Sharon Schiffhauer presented a citizen petition regarding additional bicycle lanes. Jason and Stephanie Allen presented a citizen petition regarding neighborhood trails in the Desert Foothills Community area. Steven Sutton spoke regarding safety concerns with the dog park at Chaparral Park.

Public Comment time is reserved for Scottsdale citizens, business owners, and/or property owners to comment on non-agendized items that are within the Council's jurisdiction. No official Council action can be taken on these items. Advocacy for or against a candidate or ballot measure during a Council meeting is not allowed pursuant to State law and is therefore not deemed to be within the Council's jurisdiction.

Public Comment time is also the designated time for presenting a citizen petition. There is no limit on the number of petitions a citizen may present; however, each citizen is limited to a total time of three minutes to present and speak to the petition(s). A Request to Speak [form](#) must be submitted together with the petition(s) before the Mayor announces the second Public Comment period.

Speakers may address the Council once under Public Comment at the beginning or the end of the meeting, but not both. Public Comment is limited to a total of 15 minutes at the beginning and 15 minutes at the end of the meeting. **Speakers are limited to three minutes to address the Council during “Public Comment.”**

MINUTES

Request: Approve the following Council meeting minutes from June 2024:

- a. [Regular Meeting Minutes of June 4, 2024](#)
- b. [Special Meeting Minutes of June 18, 2024](#)
- c. Executive Session Minutes of June 18, 2024

Councilwoman Janik made a motion to approve the Regular Meeting Minutes of June 4, 2024; Special Meeting Minutes of June 18, 2024; and the Executive Session Minutes of June 18, 2024.

Councilmember Durham seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Graham; and Councilmembers Caputi, Durham, Janik, Littlefield, and Whitehead voting in the affirmative.

CONSENT AGENDA ITEMS 1-21A

How the Consent Agenda Works: The Council may take one vote to act on all of the items on the Consent Agenda or may remove items for further discussion. Items not removed from the Consent Agenda will be considered in one motion. Items removed for clarification or discussion by the Council will be acted on as appropriate.

– Mayor Ortega opened public comment on the Consent Agenda items.

– Lee Kauftheil, Scottsdale resident, spoke in opposition to Item 21 [Camping in Public Places Code Amendment], noting the code amendment was unnecessary.

– Mayor Ortega closed public comment on the Consent Agenda items.

– Vice Mayor Graham requested additional information on Item 14 [Gravity Sewer – Tournament Players Club (TPC) Golf Course to North Pumpback Station Project Construction Phase Contract Modification].

– Councilwoman Janik requested additional information on Item 10 [Shea Boulevard Intersection Improvements – Loop 101 to 136th Street Construction Bid].

– Councilwoman Janik made a motion to approve Consent Agenda Items 1 through 21A. Councilmember Durham seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Graham; and Councilmembers Caputi, Durham, Janik, Littlefield, and Whitehead voting in the affirmative.

CONSENT AGENDA

1. [Velvet Taco Liquor License \(38-LL-2024\)](#) – Approved on Consent.

Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 12 (restaurant) State liquor license for an existing location with a new owner.

Location: 4166 N. Scottsdale Road

Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov

2. [Patricia's Pizza By The Italian Daughter Liquor License \(40-LL-2024\)](#) – Approved on Consent.

Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 12 (restaurant) State liquor license for a new location and owner.

Location: 32607 N. Scottsdale Road, Suite 107

Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov

3. **[Game Show Battle Rooms Liquor License \(41-LL-2024\)](#) – **Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 7 (beer and wine bar) State liquor license for a new location and owner.
Location: 15040 N. Northsight Boulevard, Suite 102
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov**
4. **[Etta Scottsdale Liquor License \(42-LL-2024\)](#) – **Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 12 (restaurant) State liquor license for an existing location with a new owner.
Location: 15301 N. Scottsdale Road, Suite A1-100
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov**
5. **[Scottsdale House Inc., Bingo License \(1-BI-2024\)](#) – **Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Revenue for a bingo license for Scottsdale House Inc.
Location: 4800 N. 68th Street
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov**
6. **[Mack Innovation Park Scottsdale Old Highway Abandonment \(1-AB-2024\)](#) – **Approved on Consent.**
Request: Adopt **Resolution No. 13190** authorizing the abandonment of 130 feet of right-of-way located on Parcel Nos. 215-07-021A and 215-07-022E with Industrial Park, Planned Community District, Environmentally Sensitive Lands (I-1 PCD ESL) zoning.
Location: Near the southeast corner of the Loop 101 and N. Pima Road
Staff Contact(s): Erin Perreault, Planning and Development Services Director, 480-312-7093, eperreault@scottsdaleaz.gov**
7. **[Storyrock 3 – Phase 2 Final Plat \(5-PP-2016#16\)](#) – **Approved on Consent.**
Request: Approve the final plat for Storyrock 3 – Phase 2, which is a replat of Tract Y of the Storyrock 3 – Phase 1 final plat, into 21 lots and 9 tracts with Planned Community District Environmentally Sensitive Lands (PCD ESL) zoning with Single Family Residential District comparable zonings (R1-35 ESL and R1-43 ESL) on a ±23 acre site.
Location: Northeast corner of N. 128th Street and E. Pinnacle Peak Road alignment
Staff Contact(s): Erin Perreault, Planning and Development Services Director, 480-312-7093, eperreault@scottsdaleaz.gov**
8. **[Storyrock 3 – Phase 3 Final Plat \(5-PP-2016#17\)](#) – **Approved on Consent.**
Request: Approve the final plat for Storyrock 3 – Phase 3, which is a replat of Tract Z of the Storyrock 3 – Phase 1 final plat, into 26 lots and 9 tracts with Planned Community District Environmentally Sensitive Lands (PCD ESL) zoning with Single Family Residential District comparable zonings (R1-35 ESL and R1-43 ESL) on a ±31 acre site.
Location: Northeast corner of N. 128th Street and E. Pinnacle Peak Road alignment
Staff Contact(s): Erin Perreault, Planning and Development Services Director, 480-312-7093, eperreault@scottsdaleaz.gov**
9. **[Wildcat Hill Final Plat \(1-PP-2019#2\)](#) – **Approved on Consent.**
Request: Approve the final plat for a 122-lot residential subdivision with amended development standards, on a ±353 acre site with Single Family Residential, Environmentally Sensitive Lands (R1-70 ESL) zoning designation.
Location: Southeast corner of N. Cave Creek Road and E. Bartlett Dam Road
Staff Contact(s): Erin Perreault, Planning and Development Services Director, 480-312-7093, eperreault@scottsdaleaz.gov**

10. **[Shea Boulevard Intersection Improvements – Loop 101 to 136th Street Construction Bid](#) – **Approved on Consent.**
Request: Adopt **Resolution No. 13163** to authorize:
 1. Construction Bid Award No. IFB-042024-164 with AJP Electric, Inc., in the amount of \$3,243,450.50, for construction phase services for the Shea Boulevard Intersection Improvements – Loop 101 to 136th Street Capital Improvement Project (SG06).
 2. The City Manager and City Treasurer, or their designees, to take such actions and execute such documents as necessary to carry out the intent of this Resolution.**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
– City Engineer Alison Tymkiw gave a PowerPoint presentation on the proposed Shea Boulevard Intersection Improvements – Loop 101 to 136th Street Construction Bid.**
11. **[Arizona Department of Transportation Certification Acceptance Agreement](#) – **Approved on Consent.**
Request: Adopt **Resolution No. 13185** authorizing Agreement No. 2024-132-COS with the Arizona Department of Transportation to allow the City to administer Federal-aid Highway Program Projects funded by the Federal Highway Administration within the City of Scottsdale.
Staff Contact(s): Dan Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov**
12. **[Recyclable Materials Intergovernmental Agreement](#) – **Approved on Consent.**
Request: Adopt **Resolution No. 13173** to authorize:
 1. Agreement No. 2024-129-COS with the City of Phoenix to deliver recyclables to Phoenix’s materials recovery facilities for processing and disposition of recyclable materials and establishing a price schedule effective July 1, 2024.
 2. The City Manager, or designee, to approve and execute such documents to renew Agreement No. 2024-129-COS and modify the pricing schedule as set forth therein.**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov**
13. **[77th Street Emergency Access Extension Project Grant Agreement](#) – **Approved on Consent.**
Request: Adopt **Resolution No. 13174** to authorize:
 1. Agreement No. 2024-130-COS with the United States Department of Housing and Urban Development (HUD), accepting a federal grant award, in the amount of up to \$1.8 million in HUD Community Project Funds, for the 77th Street Emergency Access Extension Project.
 2. The City Manager, or designee, to execute any other documents and take such other actions as necessary to carry out the intent of this Resolution.**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov**
14. **[Gravity Sewer – Tournament Players Club \(TPC\) Golf Course to North Pumpback Station Project Construction Phase Contract Modification](#) – **Approved on Consent.**
Request: Adopt **Resolution No. 13175** authorizing Construction Manager at Risk Contract No. 2023-201-COS-A2 with Achen-Gardner Construction, LLC, in an amount not to exceed \$10,670,201.24, to provide phase three construction phase services for the Gravity Sewer – TPC Golf Course to the North Pumpback Station Project.
Location: South of Bell Road and on the West Side of Pima Road
Staff Contact(s): Dan Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
– City Engineer Alison Tymkiw gave a presentation on the proposed Gravity Sewer – Tournament Players Club (TPC) Golf Course to North Pumpback Station Project Construction Phase Contract Modification.**

15. **Super Unnatural Event Funding – Approved on Consent.**

Request: Adopt **Resolution No. 13194** to authorize:

1. Funding, not to exceed \$20,000, from the portion of the Tourism Development Fund that is allocated in the Fiscal Year 2024/25 Operating Budget toward event retention and development for the Super Unnatural event.
2. New Event Funding Agreement No. 2024-138-COS with RelentlessBeats LLC doing business as Relentless Beats.

Staff Contact(s): Rachel Smetana, Tourism & Events Director, 480-312-2890, rsmetana@scottsdaleaz.gov

16. **Arabian National Breeder Finals Event Funding – Approved on Consent.**

Request: Adopt **Resolution No. 13195** to authorize:

1. Funding, not to exceed \$43,750, from the portion of the Tourism Development Fund that is allocated in the Fiscal Year 2024/25 Operating Budget toward event retention and development for the Arabian National Breeder Finals event.
2. New Event Funding Agreement No. 2024-139-COS with Arabian Horse Association of Arizona.

Staff Contact(s): Rachel Smetana, Tourism & Events Director, 480-312-2890, rsmetana@scottsdaleaz.gov

17. **Crime Lab Forensic Services Grant – Approved on Consent.**

Request: Adopt **Resolution No. 13165** to authorize:

1. Agreement No. 2024-123-COS with the Arizona Criminal Justice Commission to accept a grant, in the amount of \$90,000, related to Crime Lab Forensic Services.
2. The City Manager, or designee, to execute Agreement No. 2024-123-COS.
3. A Budget Transfer, of up to \$90,000, from the adopted Fiscal Year 2024/25 Future Grants Budget and/or Grant Contingency Budget to a newly created cost center to record the related grant activity.

Staff Contact(s): Jeff Walther, Chief of Police, 480-312-1900, jwalther@scottsdaleaz.gov

18. **Computer Aided Dispatch (CAD) Software Services Contract Extension – Approved on Consent.**

Request: Adopt **Resolution No. 13198** authorizing Contract No. 2023-167-COS-A1 with Intergraph Corporation, through its Hexagon Safety, Infrastructure and Geospatial Division (Hexagon), for an additional one-year extension period beyond the five years administratively authorized for CAD software and software support services through Administrative Solicitation and Contract No. 20SS039.

Staff Contact(s): Jeff Walther, Chief of Police, 480-312-1900, jwalther@scottsdaleaz.gov

19. **City Auditor's Fiscal Year (FY) 2024/25 Audit Plan – Approved on Consent.**

Request: Approve the City Auditor's FY 2024/25 Audit Plan, as recommended by the Council's Audit Committee at its June 24, 2024 meeting.

Staff Contact(s): Lai Cluff, Acting City Auditor, 480-312-7851, lcluff@scottsdaleaz.gov

20. **Audit Committee Recommendation for the Library Board Sunset Review – Approved on Consent.**

Request: Accept the Audit Committee's recommendation and authorize the continuation of the Library Board.

Staff Contact(s): Lai Cluff, Acting City Auditor, 480-312-7851, lcluff@scottsdaleaz.gov

21. **Camping in Public Places Code Amendment – Approved on Consent.**

Request: Adopt **Ordinance No. 4644** amending Scottsdale Revised Code, Chapter 19, Offenses-Miscellaneous, Article I, In General, Section 19-21, Camping in public places.

Staff Contact(s): Luis Santaella, Deputy City Attorney, 480-312-2405, lsantaella@scottsdaleaz.gov

*****21A. Winifred Terrell Rogers, Jr. v. City of Scottsdale Settlement Agreement – Approved on Consent.**

Request: Adopt **Resolution No. 13211** to authorize:

1. Agreement No. 2024-148-COS with Plaintiff Winifred Terrell Rogers, Jr., in the amount of \$60,000, to settle all claims in *Winifred Terrell Rogers, Jr. v. City of Scottsdale*, Case No. CV2024-015813, currently pending in the Superior Court of the State of Arizona, County of Maricopa.
2. The City Manager, City Treasurer, City Attorney, and their respective staff, to execute any other documents and take such other actions as necessary to carry out the purpose of this Resolution.

Staff Contact(s): Sherry Scott, City Attorney, 480-312-2405, sscott@scottsdaleaz.gov

REGULAR AGENDA **ITEM 22**

How the Regular Agenda Works: The Council takes action on each item on the Regular Agenda.

22. Cosanti Commons aka Sundown Commons (2-GP-2023, 6-ZN-2023, and 3-DA-2023)

Requests:

1. Adopt **Resolution No. 13137** authorizing a minor amendment to the Scottsdale General Plan 2035 to change the land use designation from Commercial to Mixed-Use Neighborhoods on a ±8.6 gross acre site.
2. Adopt **Ordinance No. 4639** amending the City of Scottsdale Zoning Ordinance (Ordinance No.455) for the purpose of changing the zoning on the “District Map” to zoning approved in Case No. 6-ZN-2023 from Central Business (Conditional), Parking District (C-2 (C) / P-4) zoning to Planned Unit Development, Planned Shared Development Overlay (PUD PSD) zoning, including approval of a Development Plan with amended development standards for a mixed-use development, consisting of approximately 79,200 square feet of existing commercial buildings and a new 3-story, approximately 345,000 square foot, multi-family residential building with approximately 196 units on a ±8.6 gross acre site.
3. Adopt **Resolution No. 13138** declaring the document entitled “*Cosanti Commons Minor General Plan Amendment and Rezoning Development Plan*” to be a public record.
4. Adopt **Resolution No. 13139** authorizing Development Agreement No. 2024-084-COS with High Street Residential, Inc.

Location: 7000 E. Shea Boulevard

Presenter(s): Katie Posler, Senior Planner

Staff Contact(s): Erin Perreault, Planning and Development Services Director, 480-312-7093, eperreault@scottsdaleaz.gov

Note: The applicant has requested to continue Item No. 22 Cosanti Commons aka Sundown Commons (2-GP-2023, 6-ZN-2023, and 3-DA-2023) to the December 3, 2024 City Council meeting. This is the applicant’s second continuance request, and it is not granted as a matter of right. The Council may vote to approve the second continuance request or may elect for the case to be presented.

– Mayor Ortega noted the applicant requested a continuance to the December 3, 2024 City Council Meeting.

– Applicant Representative John Berry, with Berry Riddell, LLC, gave a presentation related to the applicant’s continuance request.

– Councilwoman Janik made a motion to continue the item to the December 3, 2024 City Council Meeting. Mayor Ortega seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Graham; and Councilmembers Caputi, Durham, Janik, Littlefield, and Whitehead voting in the affirmative.

Public Comment – None

Public Comment time is reserved for Scottsdale citizens, business owners, and/or property owners to comment on non-agendized items that are within the Council's jurisdiction. No official Council action can be taken on these items. Advocacy for or against a candidate or ballot measure during a Council meeting is not allowed pursuant to State law and is therefore not deemed to be within the Council's jurisdiction.

Public Comment time is also the designated time for presenting a citizen petition. There is no limit on the number of petitions a citizen may present; however, each citizen is limited to a total time of three minutes to present and speak to the petition(s). A Request to Speak [form](#) must be submitted together with the petition(s) before the Mayor announces the second Public Comment period.

Speakers may address the Council once under Public Comment at the beginning or the end of the meeting, but not both. Public Comment is limited to a total of 15 minutes at the beginning and 15 minutes at the end of the meeting. **Speakers are limited to three minutes to address the Council during "Public Comment."**

CITIZEN PETITIONS

ITEM 23

Citizen Petitions: This portion of the agenda is reserved for the submission and/or consideration of citizen petitions. There is no limit on the number of petitions a citizen may submit; however, **each citizen is limited to a total time of three minutes to speak to his/her petition(s)**. A Request to Speak [form](#) must be submitted, together with the petition(s), **before** the second Public Comment period begins.

23. Receipt of Citizen Petitions

Request: Accept and acknowledge receipt of citizen petitions. Any member of the Council may make a motion, to be voted on by the Council, to: (1) Direct the City Manager to agendize the petition for further discussion; (2) direct the City Manager to investigate the matter and prepare a written response to the Council, with a copy to the petitioner; or (3) take no action.

Staff Contact(s): Ben Lane, City Clerk, 480-312-2411, blane@scottsdaleaz.gov

– A citizen petition presented by Sharon Schiffhauer regarding additional bicycle lanes was accepted and acknowledged.

– Vice Mayor Graham made a motion to direct the City Manager to investigate the matter and prepare a written response to the Council, with a copy to the petitioner. Councilwoman Whitehead seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Graham; and Councilmembers Caputi, Durham, Janik, Littlefield, and Whitehead voting in the affirmative.

– A citizen petition presented by Jason and Stephanie Allen regarding neighborhood trails in the Desert Foothills Community area was accepted and acknowledged.

– Councilwoman Whitehead made a motion to direct the City Manager to investigate the matter and prepare a written response to the Council with a focus on the existing trails including an overlay of existing trails and new trails, and with a copy to the petitioner. Councilwoman Janik seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Graham; and Councilmembers Caputi, Durham, Janik, Littlefield, and Whitehead voting in the affirmative.

Adjournment – 5:43 P.M.

– Vice Mayor Graham made a motion to adjourn the Regular Meeting. Councilwoman Janik seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Graham; and Councilmembers Caputi, Durham, Janik, Littlefield, and Whitehead voting in the affirmative.



BERRY | **RIDDELL**
LLC

6750 E. Camelback Rd., Suite 100
Scottsdale, AZ 85251
480.385.2727
berryriddell.com

mh@berryriddell.com

Direct: 480-385-2753

May 30, 2024

Via email: kposler@scottsdaleaz.gov

Katie Posler

Senior Planner

City of Scottsdale - Current Planning

Re: Cosanti Commons – Continuance Request

Dear Katie,

Pursuant to the 2024 Rules of Council Procedure, paragraph 9.2, we respectfully request continuance of the Cosanti Commons cases, 2-GP-2023, 6-ZN-2023, and 3-DA-2023, to the August 20, 2024 City Council hearing. Thank you.

Very truly yours,

A handwritten signature in blue ink that reads "Michele Hammond".

Michele Hammond
Principal Planner

cc: John Berry (via email)
Erin Perreault (via email)
Ben Lane (via email)

Action Taken: Item Continued to the August 20, 2024 City Council Meeting

ATTACHMENT #17



6750 E. Camelback Rd., Suite 100
Scottsdale, AZ 85251
480.385.2727
berryriddell.com

mh@berryriddell.com
Direct: 480-385-2753

August 2, 2024

Via email: kposler@scottsdaleaz.gov

Katie Posler
Senior Planner
City of Scottsdale - Current Planning

Re: Cosanti Commons – Continuance Request

Dear Ms. Posler,

We respectfully request a continuance of the Cosanti Commons cases, 2-GP-2023, 6-ZN-2023, and 3-DA-2023, to the December 3, 2024 City Council hearing. Thank you.

Very truly yours,

A handwritten signature in blue ink that reads "Michele Hammond".

Michele Hammond
Principal Planner

cc: John Berry (via email)
Erin Perreault (via email)
Ben Lane (via email)



CITIZEN REVIEW & NEIGHBORHOOD INVOLVEMENT REPORT

Sundown Commons

October 06, 2023

Overview

This Citizen Review Report is being performed in association with a request for a Zoning District Map Amendment from C-2 to PUD-PSD and a minor General Plan Amendment from Commercial to Mixed-Use Neighborhoods land use designation on an approximately 8.53+/- acre site located on the north side of Shea Boulevard between 70th Street and 71st Place. The proposed project would create and updated, unified mixed-use development consisting of residential units and some of the existing commercial/retail uses in the center. This Citizen Review Report will be updated throughout the process.

The entire project team is sensitive to the importance of neighborhood involvement and creating a positive relationship with property owners, residents, business owners, homeowners associations, and other interested parties. Communication with these parties will be ongoing throughout the process. Work on compiling a list of impacted and interested stakeholders and neighborhood outreach began prior to the application filing and will also continue throughout the process. Communication with impacted and interested parties has taken place with verbal, written, and electronic contact.

Community Involvement

The outreach team has been communicating with neighboring property owners, businesses, and community members by telephone, and one-on-one meetings since October 2022.

Surrounding property owners, HOAs and other interested parties were noticed via first class mail regarding the project. The distribution of this notification adhered to the City's new **1,250' radius** mailing requirements as specified in the Citizen Review Checklist. This notification contained information about the project, as well as contact information for the development team. This contact person will continue to provide, as needed, additional information and the opportunity to give feedback. The notification also contained information regarding a neighborhood

ATTACHMENT #18

Open House that was held on June 19, 2023 for those who wished to learn more about the project. The site and time was posted with the Early Notification Sign prior to the Open House.

10 interested people attended the Open House. Attendees were mixed in their opinions on the project. Several attendees had this project confused with a different project that had been previously approved near this location. However, other questions and comments arose regarding height, traffic, and housing needs in the area. These questions were all answered by the development team to the best of their ability.

As a result of the input from the Open House and follow up neighborhood comments, the proposal was revised to reduce the proposed density, reduce the 4th story element, and to increase pedestrian connectivity from the proposed residential development to the existing commercial development.

The development team will continue to be accessible by phone and email subsequent to the Open House to ensure that surrounding property owners and neighbors have ongoing opportunities to comment and ask questions. A vital part of the outreach process is to allow people to express their concerns and understand issues and attempt to address them in a professional and timely manner. Again, the entire team realizes the importance of the neighborhood involvement process and is committed to communication and outreach for the project.

Attachments:

Notification Letter
Notification List
Affidavit of Posting
Sign-in Sheets
Comment Cards



May 31, 2023

Notice of Neighborhood Meeting

Dear Neighbor:

We are pleased to inform you of an upcoming request (973-PA-2022) by High Street Residential to redevelop a struggling strip retail center and create an updated, unified mixed-use community located on the north side of Shea Boulevard between 70th Street and 71st Place. The project would include the addition of approximately 276 residences on an 8.53+/- acre parcel. Only a portion of the existing commercial center would be converted to a residential use. Among other benefits, this new residential would support the existing small businesses in the shopping center and in the area by bringing in new customers within walking distance. The official request is for a Zoning District Map Amendment from Commercial (C-2) to Planned Unit Development with Planned Shared Development overlay (PUD- PSD) and a minor General Plan Amendment from Commercial to Mixed-Use Neighborhoods land use designation.

You are invited to attend an open house to discuss this revitalization proposal. The open house will be held on **Monday, June 19, 2023** from **5 p.m. to 6 p.m.** in the Meeting Room of the nearby Holiday Inn Express, located at **7350 E. Gold Dust Avenue**.

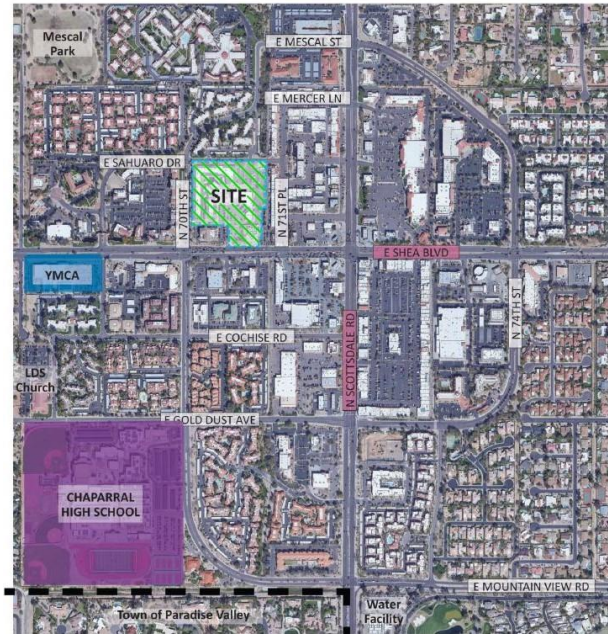
If you have any questions, please contact the neighborhood outreach team at 602-957-3434 or info@technicalolutionsaz.com. The City of Scottsdale Project Coordinator for the project is Katie Posler, who can be reached at 480-312-2703 or KPosler@ScottsdaleAZ.gov.

Thank you.

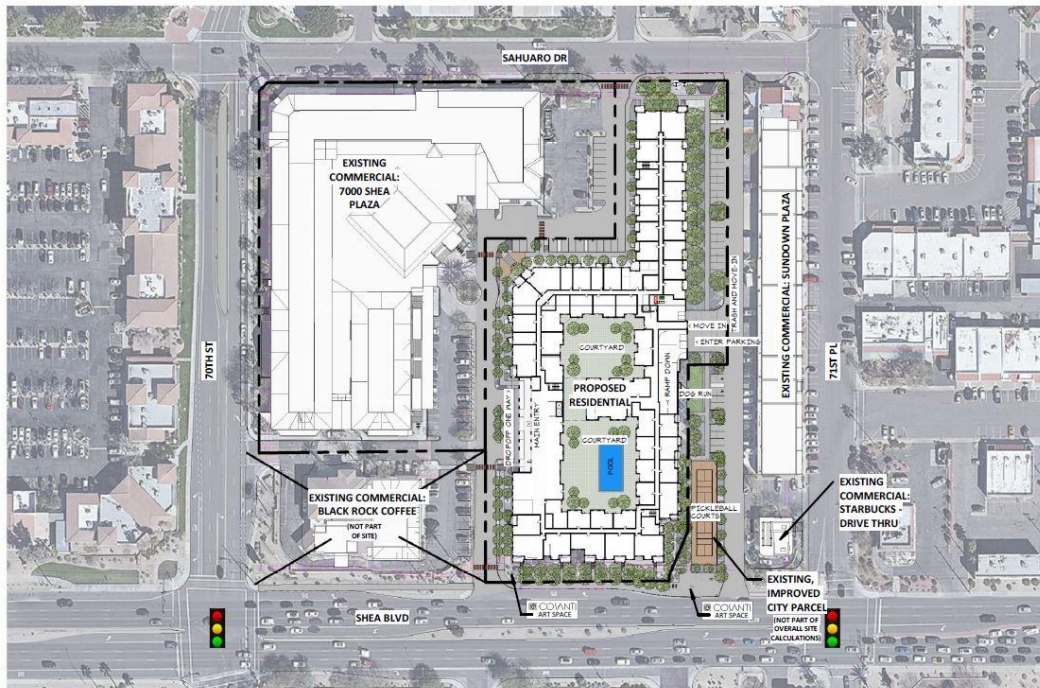
Sincerely,

Susan Bitter Smith
President

VICINITY MAP



SITE PLAN



Scale: 1" = 100'-0"

Owner	MAIL_ADDR1	MAIL_CITY	MAIL_STATE	MAIL_ZIP
10301 70TH STREET 101 LLC	7918 E DESERT COVE AVE	SCOTTSDALE	AZ	85260
10822 N SCOTTSDALE L L C		SCOTTSDALE	AZ	85255
10822 N SCOTTSDALE LLC	10040 E HAPPY VALLEY RD	SCOTTSDALE	AZ	85255
1792126 ALBERTA LTD	159 AUBURN SHORES WAY SE	CALGARY	AB	T3M 2G3
1859419 ALBERTA LTD	28-53122 RANGE ROAD 14	PARKLAND COUNTY	AB	T7Y 2T3
217 PVCONDO LLC	9033 E EASTER PL STE 112	CENTENNIAL	CO	80112
3T PROPERTIES & INVESTMENT COMPANY	1137 ROOSEVELT AVE	TRACY	CA	95376
6885 COCHISE RD LLC	14760 E PARADISE DR	FOUNTAIN HILLS	AZ	85268
6885 E COCHISE UNIT 242 LLC	7054 E COCHISE RD STE B200	PARADISE VALLEY	AZ	85253
6945 E COCHISE UNIT 106 LLC	1621 WASHINGTON	HARPER	KS	67058
7008 GOLD DUST LLC	6349 N 78TH ST UNIT 90	SCOTTSDALE	AZ	85250
7116 RE LLC	7116 E BECKER LN	SCOTTSDALE	AZ	85254
7128 SAHUARO LLC	4340 E INDIAN SCHOOL RD STE 21-576	PHOENIX	AZ	85018
ABRAHAMI LAURA RENEE	10301 N 70TH ST 232	PARADISE VALLEY	AZ	85253
ACHESON STEVEN J	10301 N 70TH ST	PARADISE VALLEY	AZ	85253
ADWIN KAREN D	10301 N 70TH ST 135	SCOTTSDALE	AZ	85253
ADY FAIQ/HEND F	28111 SAN NICHOLAS DR	RANCHO PAOLOS VERDES	CA	90275
AESTHETIC COLLECTIVE LLC	4630 E BECK LN	FAIR OAKS	CA	95628
AGEEBRIGGS INVESTMENT ENTERPRISES LLC	6920 E SHEA UNIT 201	SCOTTSDALE	AZ	85254
AGUA CALIENTE LOT OWNERS ASSN	11000 N SCOTTSDALE RD STE 240	SCOTTSDALE	AZ	85254
AGUA CALIENTE LOT OWNERS ASSOCIATION	11000 N SCOTTSDALE RD STE240	SCOTTSDALE	AZ	85254
AIELLO POLLY A	10301 N 70TH ST UNIT 107	PARADISE VALLEY	AZ	85253
ALAMIN TUHFAH	6945 E COCHISE RD UNIT 130	PARADISE VALLEY	AZ	85253
ALAYEV PROPERTIES LLC	1006 E TUCKEY LN	PHOENIX	AZ	85014
ALLIANCE 6868 E BECKER LANE LLC	1717 DEERFIELD RD 300S	DEERFIELD	IL	60015
ANDERSON TERRI L	6945 E COCHISE RD	PARADISE VALLEY	AZ	85253
ANDREW JOHN D		SCOTTSDALE	AZ	85253
ARC RENTALS FIVE LLC	PO BOX 6347	SCOTTSDALE	AZ	85261
ARIZONA CANCER FOUNDATION FOR CHILDREN	7010 E COCHISE RD	SCOTTSDALE	AZ	85253
ARTISAN ARCHES INC	57 FAIRLANE	LAGUNA NIGUEL	CA	92677
ASHMAN AMIT	1635 AUSTIN AVE	LOS ALTOS	CA	94024
AUSTIN DEAN CO LLC	10630 N SCOTTSDALE RD	SCOTTSDALE	AZ	85254
AVA INVESTMENTS LLC	12808 N VIA DEL SOL	FOUNTAIN HILLS	AZ	85268
AWEIDA JAMIE A		SCOTTSDALE	AZ	85253
AZZARELLO MICHAEL J	6940 E COCHISE RD UNIT 1007	PARADISE VALLEY	AZ	85253
BANK OF AMERICA ARIZONA	101 N TRYON ST	CHARLOTTE	NC	28255
BAPTISTE-WILLIAMS NICHOLAS	6940 E COCHISE RD UNIT 1020	PARADISE VALLEY	AZ	85253
BARBARA HUCKEMEYER REVOCABLE TRUST	6945 E COCHISE RD UNIT 116	PARADISE VALLEY	AZ	852531480

BARBARA SULLIVAN LIVING TRUST		SCOTTSDALE	AZ	85253
BARCELONA CONDOMINIUM LLC	16441 N 91ST ST	SCOTTSDALE	AZ	85260
BASKIN SOLOMONT FAMILY TRUST		SCOTTSDALE	AZ	85251
BAUGHMAN EMORY G JR/ARLENE	8005 NE 102 CIR	VANCOUVER	WA	98662
BEAUTY METHOD SALON SUITES LLC	10401 N SCOTTSDALE RD STE 165	SCOTTSDALE	AZ	85253
BELTRAN SALOME JR/SHELLEY R	86 PEACE DR	WATSONVILLE	CA	95076
BERAN FAMILY TRUST	9723 E LARKSPUR DR	SCOTTSDALE	AZ	85260
BERGEVIN DAVID WADE	PO BOX 4510	PASCO	WA	99302
BETTY DAISY FAMILY TRUST	6940 E COCHISE RD UNIT 1012	PARADISE VALLEY	AZ	85253
BIERMAN IRREVOCABLE TRUST		PHOENIX	AZ	85028
BIG KAHUNA 10261 LLC	10632 N SCOTTSDALE RD STE B165	SCOTTSDALE	AZ	85254
BIG KAHUNA 10261 LLC	10335 N SCOTTSDALE RD	PARADISE VALLEY	AZ	85258
BLEYHL MICHAEL A	6940 E COCHISE RD UNIT 1002	PARADISE VALLEY	AZ	85253
BLYTHE JOSEPH/ANNE	4138 E MERCER LN	PHOENIX	AZ	85028
BOHLENDER TABER ROSE	10301 N 70TH ST UNIT 223	PARADISE VALLEY	AZ	85253
BOZARTH KEN		SCOTTSDALE	AZ	85253
BRE/ESA P PORTFOLIO LLC	PO BOX 49550	CHARLOTTE	NC	28277
BREDEL MARKUS/CLAUDIA	7318 KINGS MOUNTAIN PL	VESTAVIA HILLS	AL	35242
BRIESTENSKY LADISLAV/EVA TR	42540 W JAILHOUSE ROCK	MARICOPA	AZ	85238
BRINKMANN VERNON O/LINDA R TR	3 PURSUIT # 125	ALISO VIEJO	CA	92656
BRITTANY P EHRENFREUND REVOCABLE TRUST	10301 N 70TH ST UNIT 226	PARADISE VALLEY	AZ	85253
BROSLOUS BRYAN	6940 E COCHISE RD UNIT 1040	SCOTTSDALE	AZ	85253
BROWN THELMA J	10301 N 70TH ST UNIT 118	PARADISE VALLEY	AZ	85253
BRUDEVOLD GORDON A/BRUDEVOLD JOAN L	3 ROSS VIEW CLOSE SE	MEDICINE HAT	AB	T1B3J4
BRUNO KYLE F	1952 BITTERSWEET DR	SAINT ANNE	IL	60964
BRUNO MICHAEL J	348 HOPKINS RD	WILLIAMSVILLE	NY	14221
BRUNO PETER A	19240 N 90TH PL	SCOTTSDALE	AZ	85255
BUNESS LENORE/DONALD	146 BLACKDOME CRES	KANATA	ON	K2T1A7
BURLESON WILLIAM/TESS	4557 E VIA LOS CABALLOS	PHOENIX	AZ	85028
BURNS CHRYSYAL	2882 32ND AVE WEST	VANCOUVER	BC	V6L 2B6
BURNS PETER J/JILL A	6945 E COCHISE RD UNIT 143	PARADISE VALLEY	AZ	852531486
C&T WINDMILL LLC	7125 E MERCER LN	SCOTTSDALE	AZ	85254
CAMDEN USA INC	PO BOX 27329	HOUSTON	TX	77227
CAMMARATA CAROL ANN	10301 N 70TH ST UNIT 128	PARADISE VALLEY	AZ	85253
CANDELE PROPERTY INVESTMENTS LLC	4623 E PERSHING AVE	PHOENIX	AZ	85032
CANDELE PROPERTY INVESTMENTS LLC	11224 N SAINT ANDREWS WAY	SCOTTSDALE	AZ	85254
CAPPITELLI PHILIP JOHN/LILJA KELSEE VILENE	433 W JOHNSON ST APT 815	MADISON	WI	83703
CAROLE A KANE LIVING TRUST	520 RACE PL	OAKDALE	NY	11769
CAS JOSHUA LLC	9319 N 94TH WY STE 300	SCOTTSDALE	AZ	85258

CASTOR PLAZA LLC	7127 E SAHUARO DR 201	SCOTTSDALE	AZ	85254
CATHERINE M FLETCHALL FAMILY LIVING TRUST	10301 N 70TH ST UNIT 133	PARADISE VALLEY	AZ	852531459
CCC PUEBLO NORTE TRUST	PO BOX 3075	MCKINNEY	TX	75070
CFS CAPITAL LLC	201-595 HOWE ST	VANCOUVER	BC	V6C2T5
CHALLENGER PROPERTIES XXIX LLC	9319 N 94TH WY 300	SCOTTSDALE	AZ	85258
CHANAN LESLIE BETH/GERALD	6940 E COCHISE RD UNIT 1006	SCOTTSDALE	AZ	85253
CHARLES G MOSLEY LIVING TRUST	3512 OVERLOOK DR	LANGLEY	WA	98260
CHEE JOSEPH A SR/BETTY J TR		KAILUA KONA	HI	967409521
CHILLS GOLF LLC	4009 E ROCKWOOD DR	PHOENIX	AZ	85050
CHORBAJIAN LEVON	2918 JORDAN ST	FLUSHING	NY	11358
CHRISTENSEN CALLIE/MIKE	516 N 100 W	BLANDING	UT	84511
CHRISTINE M BRORNAHAN LIVING TRUST	6940 E COCHISE RD 1003	PARADISE VALLEY	AZ	85253
CHRONISTER JOHN	10444 N 69TH ST UNIT 103	PARADISE VALLEY	AZ	85253
CIRCLE K STORES INC	1130 W WARNER RD BLDG	TEMPE	AZ	85284
CLAIROLD LLC	297 ODYSSEY LN	MILPITAS	CA	95035
COCHISE IN PARADISE LLC	8283 N HAYDEN RD STE 229	SCOTTSDALE	AZ	85258
COCHISE OFFICE PARK ASSOCIATES	10505 N 69TH ST 400	SCOTTSDALE	AZ	85254
COLBOURN AMY	6940 E COCHISE RD UNIT 1016	PARADISE VALLEY	AZ	85253
CORBETT PATRICK J III/CAROL S	19245 HAYDEN ST	BROOKFIELD	WI	53045
CORDOVA ROSA MARIA/CESAR HUGO	4426 E WALTANN LN	PHOENIX	AZ	85032
CREECH HANNAH		PARADISE VALLEY	AZ	85253
CS PROPERTY LLC	4721 E COCHISE DR	PHOENIX	AZ	85028
CSIM AGUA CALIENTE TITLE HOLDER LLC	20 S CLARK ST 3000	CHICAGO	IL	60603
CVIJETIC MARIJA	7008 E GOLD DUST AVE 223	PARADISE VALLEY	AZ	85253
D3 LLC	10632 N SCOTTSDALE RD STE 119	SCOTTSDALE	AZ	85254
DAVIS GORDON F/MARY E	770 KOONCE RD	HERMITAGE	PA	16148
DAWSON JERRY D/SHARON V TR	22135 N VERDE VIEW RD	PAULDEN	AZ	86334
DBW 401K LLC	5895 N 75TH ST	SCOTTSDALE	AZ	85250
DEBRA ANN JACKSON LIVING TRUST	6945 E COCHISE RD UNIT 104	PARADISE VALLEY	AZ	85253
DEITER RODNEY	7008 E GOLD DUST AVE APT 112	PARADISE VALLEY	AZ	85253
DEKANTER SETTE PROPERTIES L L C	6945 E SAHUARO DR 125	SCOTTSDALE	AZ	85254
DEL SOL SCOTTSDALE APARTMENTS LLC	660 NEWPORT CENTER DR STE 1300	NEWPORT BEACH	CA	92660
DELANO HENRIETTA	10301 N 70TH ST UNIT 230	PARADISE VALLEY	AZ	85253
DENNIS KYLE JACOB/BRUCE		PARADISE VALLEY	AZ	85253
DHINGRA JOANNE	9 BIRCH HILL LN	OAKVILLE	ON	L6K2P1
DIANA K PECHMAN TRUST	6945 E COCHISE RD UNIT 117	PARADISE VALLEY	AZ	852531481
DKER 2007 LLC/MARSA DORON/GOSS MONICA	16050 N 76TH ST STE 103	SCOTTSDALE	AZ	85260
DOLL PLAZA LLC	102 CATTAIL CT	FAYETTEVILLE	GA	30215
DOMB FAMILY TRUST	6816 E BLOOMFIELD RD	SCOTTSDALE	AZ	85259

DONALD A POCHOWSKI TRUST	10444 N 69TH ST 131	PARADISE VALLEY	AZ	85253
DORAN WILLIAM A	10301 N 70TH ST UNIT 104	PARADISE VALLEY	AZ	85253
DORAN WILLIAM A	10301 N 70TH ST UNIT 205	SCOTTSDALE	AZ	85253
DOROTHY E MAGLIOZZI 2018 IRREVOCABLE TRUST	30 FARM RD	MARLBOROUGH	MA	1752
DROZE JONATHON T	10301 N 70TH ST UNIT 138	PARADISE VALLEY	AZ	85253
DUARTE DENISE L	10444 N 69TH ST 229	SCOTTSDALE	AZ	85253
DUPRAY MARK H/ASHLEE A	2822 W WHITMAN CT	ANTHEM	AZ	85086
DYKUMA PROPERTY HOLDINGS LLC	5450 BROMELY DR	OAK PARK	CA	91377
EAG TRUST	7718 N VIA CAMELLO DEL NORTE	SCOTTSDALE	AZ	85258
EECKHOUT TALIA VAN DEN	6945 E COCHISE RD UNIT 129	PARADISE VALLEY	AZ	85253
EFUNE HILTON/MELANIE TR	7140 E BLUEBIRD LN	PARADISE VALLEY	AZ	85253
EMMONS PATRICK/LISA M	1560 TORO PL	EL DORADO HILLS	CA	95762
ENDRES DEVELOPMENT LLC	6850 E MCDOWELL RD UNIT 54	SCOTTSDALE	AZ	85257
ESPOSITO LIVING TRUST	11052 E CINDER CONE TRL	SCOTTSDALE	AZ	85262
ETC SHEA LLC	6945 E SAHUARO DR STE 120	SCOTTSDALE	AZ	852546723
ETHEL JOSEPHINE SCANTLAND FOUNDATION	206 N JACKSON ST	GLENDALE	CA	91206
EXECUTIVE PLAZA LLC	2 N CENTRAL AVE	PHOENIX	AZ	85004
EZ TITLE & REGISTRATION INC	1910 S PRIEST DR UNIT 103	TEMPE	AZ	85281
FELKINS CYNTHIA	11895 W 22ND PL	LAKEWOOD	CO	802151111
FENDRICK THERESA/DETIEGE CELESTE	6945 E COCHISE RD 133	SCOTTSDALE	AZ	85253
FIDLER TERESA	30237 SPRAY DR	CANYON LAKE	CA	92587
FIDUCCIA ROBERT C	6940 E COCHISE RD 1005	SCOTTSDALE	AZ	85253
FIDUCCIA WILLIAM C	6940 E COCHISE RD UNIT 1035	SCOTTSDALE	AZ	85253
FINE BUILDERS INC	605 SHADYCROFT DR	LITTLETON	CO	80120
FORUM-PUEBLO NORTE INC	PO BOX 3075	MCKINNEY	TX	75070
FOUR HORSEMEN AND A ROSE INC	10678 E GOLD DUST AVE	SCOTTSDALE	AZ	85258
FRAMER TRUST	6900 E GOLD DUST AVE	PARADISE VALLEY	AZ	85253
FREEMAN ZACKARY D	10301 N 70TH ST UNIT 209	PARADISE VALLEY	AZ	85253
FRIEDERS KARLA	6519 E CARON DR	PARADISE VALLEY	AZ	85253
FTT TOTAL WINE CENTER LLC	3573 E SUNRISE DR STE 125	TUCSON	AZ	85718
GARLAND MICHAEL/ROSEMARY	6945 E COCHISE RD UNIT 144	PARADISE VALLEY	AZ	85253
GARZA GROUP LLC	1756 BLACK RIVER DR	RIO RANCHO	NM	87144
GASTELUM AMELIA A		PARADISE VALLEY	AZ	85253
GCX PROPERTIES LLC	5575 RIM RD	RIO RANCHO	NM	87144
GENZALE FRANK/SUE	16642 SYLVESTER RD SW	SEATTLE	WA	98166
GEORGE ALBERT LUND TRUST	1136 UNDINE ST	BELLINGHAM	WA	98229
GEORGIU JOHN IOAN/ADRIANA ELENA	98 31ST AVE	MILTON	WA	98354
GILL RANJNA K	6885 E CHOCHISE RD 241	PARADISE VALLEY	AZ	85253
GLONEK SCOTTSDALE PROPERTIES LLC	11242 N 50TH ST	SCOTTSDALE	AZ	85254

GONZALEZ-LOZANO EDGBERT	10301 N 70TH ST UNIT 208	PARADISE VALLEY	AZ	85253
GORBY KEITH A		SCOTTSDALE	AZ	85258
GRAHAM GREG/MASS MARYANN	648 E DELGADO DR	PALATINE	IL	60074
GRANITE SOLUTIONS LLC	10040 E SHANGRI LA RD	SCOTTSDALE	AZ	85260
GRASKEMPER CHARLOTTE BAI	1901 W MADISON ST	PHOENIX	AZ	85009
GRATTAN BERNADETTE	6940 E COCHISE RD 1015	SCOTTSDALE	AZ	85253
GREAT AMERICAN HAMBURGER CO	9491 E CALLE DE LAS	SCOTTSDALE	AZ	852554340
GREAVES ANDREW PETER/CRUZ ANA LILIA GARCIA	7008 E GOLD DUST AVE APT 207	PARADISE VALLEY	AZ	85253
GREENLAW PATRICK	6940 E COCHISE RD UNIT 1014	PARADISE VALLEY	AZ	85253
GUGINO JO ANNE C	10301 N 70TH ST UNIT 202	PARADISE VALLEY	AZ	85253
HAASE JODI A/HEATHER	17470 N PACESETTER WAY	SCOTTSDALE	AZ	85255
HADDON JIMMIE/JOANNE E	10444 N 69TH ST APT 213	PARADISE VALLEY	AZ	85253
HAGELSTEIN ERIC B TR	9019 BARR PL	NORTH BERGEN	NJ	7047
HAGEN DALE N/MARILYN J TR	6945 E COCHISE 122	SCOTTSDALE	AZ	85253
HARRELL REBECCA A	6940 E COCHISE RD UNIT 1011	PARADISE VALLEY	AZ	852531405
HARTMAN JACQUELYN B		PARADISE VALLEY	AZ	85253
HEATON YVONNE N	6885 E COCHISE 241	SCOTTSDALE	AZ	85253
HEIGHTS PROPERTIES	6179 E BROADWAY	TUCSON	AZ	85711
HELENE G APTEKAR LIVING TRUST	2142 GLASCO TPKE	WOODSTOCK	NY	12498
HENRY S FONG AND DONNA Y FONG TRUST	10301 N 70TH ST UNIT 244	PARADISE VALLEY	AZ	85253
HEUS CYNTHIA R	12317 E ALTADENA AVE	SCOTTSDALE	AZ	85259
HIMMELMAN ROBERT/GEORGANN	6940 E COCHISE RD UNIT 1028	SCOTTSDALE	AZ	85253
HINZ DWAYNE JEROLD/NADIA LISA	67 JUMPING POUND TERRACE	COCHRANE	AB	T4C0K2
HOARAU ZIVA HENRIETTE	PO BOX 5028	SCOTTSDALE	AZ	852615028
HOFFSCHNEIDER JOSHUA M	6940 E COCHISE RD UNIT 1033	SCOTTSDALE	AZ	85253
HOLTON HALEY A/TIMOTHY	6945 E COCHISE RD UNIT 145	PARADISE VALLEY	AZ	85253
HOWELL ELIZABETH C	6945 E COCHISE RD 140	SCOTTSDALE	AZ	85253
HUMPHREY DENNIS F/PAMELA J		PARADISE VALLEY	AZ	85253
IJ PROPERTIES LLC	1545 E UNIVERSITY DR	MESA	AZ	85203
INGRASSIA ANGELO	693 SUMMIT DR	WEBSTER	NY	14580
IRA RESOURCES INC	6825 S LA JOLLA BLVD	LA JOLLA	CA	92037
IRVIN JAMES M	10301 N 70TH ST UNIT 137	PARADISE VALLEY	AZ	85253
J & M DRINKWATER LLC	7715 E MONTEBELLO AVE	SCOTTSDALE	AZ	85250
JACKSON MARCIA	6885 E COCHISE RD APT 240	PARADISE VALLEY	AZ	85253
JAIVEER SANDHU LLC	2303 CHERRY RIDGE LN	COLUMBIA	MO	65203
JAMES J STAFFORD REVOCABLE TRUST	10301 N 70TH ST 204	SCOTTSDALE	AZ	85253
JANE AND SLOBODAN POPOVIC TRUST	7878 E GAINEY RANCH RD	SCOTTSDALE	AZ	85258
JANOWIAK ALAN MITCHELL JR	7008 E GOLD DUST AVE APT 131	PARADISE VALLEY	AZ	85253
JASPER BOND SERVICES INC	7220 N 16TH ST STE K	PHOENIX	AZ	85020

JAYLYNN PROPERTIES LLC	11380 E SORREL LN	SCOTTSDALE	AZ	85259
JENNIFER L ELLINGSON TRUST	6945 E COCHISE RD UNIT 120	PARADISE VALLEY	AZ	85253
JMJ CORONADO LLC	2627 MANHATTAN BEACH BLVD STE 212	REDONDO BEACH	CA	90278
JOHNSON GARRETT	6940 E COCHISE RD UNIT 1024	PARADISE VALLEY	AZ	85253
JORDEN TIMOTHY R/LAURA M	11402 N 76TH PL	SCOTTSDALE	AZ	85260
JULA INTERNATIONAL LLC	5104 E CALLE DEL MEDIO	PHOENIX	AZ	85018
JURVAKAINEN EDWARD A/KRISTINE M	5305 W TANYA LN	SPOKAN	WA	99208
KAGR2 SCOTTSDALE 10900 LLC	800 W MADISON ST 400	CHICAGO	IL	60607
KAGR2 SCOTTSDALE COCHISE LLC	800 W MADISON ST 400	CHICAGO	IL	60607
KARAMIAN RAFFI	7181 E CAMELBACK RD	SCOTTSDALE	AZ	85251
KAREN THOMPSON DESIGNS LLC	14207 E COYOTE RD	SCOTTSDALE	AZ	852593788
KATALIN M NAGY LIVING TRUST	7008 E GOLD DUST AVE APT 145	PARADISE VALLEY	AZ	85253
KATHLEEN J KORZUN LIVING TRUST	10444 N 69TH ST APT 111	PARADISE VALLEY	AZ	85253
KELLEY JOHN	10444 N 69TH ST UNIT 114	PARADISE VALLEY	AZ	85253
KENNETH RALPH CAIN AND FRANCES JEAN CAIN LIVING TRUST	10301 N 70TH ST UNIT 143	PARADISE VALLEY	AZ	85253
KESTO FAROUK HERMIZ	10301 N 70TH ST UNIT 225	PARADISE VALLEY	AZ	85253
KETCIOS NICHOLAS L	10245 E SAHAURO DR	SCOTTSDALE	AZ	852596362
KEVIN MORAN 2018 TRUST	10444 N 69TH ST APT 212	PARADISE VALLEY	AZ	85253
KHOSHNOOD KHOSROW	10444 N 69TH ST 208	PARADISE VALLEY	AZ	85253
KIENG LOUNG-DOELLE FAMILY LIVING TRUST	10301 N 70TH ST UNIT 131	PARADISE VALLEY	AZ	85253
KIM HYON	10444 N 69TH ST UNIT 113	SCOTTSDALE	AZ	85253
KIMBERLEY M KOEPPE LIVING TRUST	10301 N 70TH ST UNIT 239	SCOTTSDALE	AZ	85253
KNISHINSKY AVIHU/MIRIAM	8527 E IRISH HUNTER TRL	SCOTTSDALE	AZ	85258
KNOBBE DENISE M TR	10814 N SCOTTSDALE RD	SCOTTSDALE	AZ	85254
KOHNKE DANYELLE	2020 ARTESIA BLVD APT 10	REDONDO BEACH	CA	90278
KOLB KENNETH A/LYNN S TR	6940 E COCHISE RD 1017	SCOTTSDALE	AZ	85253
KOLLIPOULOS STEVE/STAMATA	1210 ALEXANDER DR	WOODRIDGE	IL	60517
KOO ELIZABETH L		SCOTTSDALE	AZ	85249
KR ASSOCIATES LLC	12124 E WETHERSFIELD DR	SCOTTSDALE	AZ	85259
KRISTOPHER J BAKER TRUST	6940 E COCHISE RD UNIT 1027	PARADISE VALLEY	AZ	85253
KRUEGER JANET L/ROTONDO DION B		PARADISE VALLEY	AZ	85253
KUCERA KAYLA/TRENT	3015 N HAYDEN RD APT 1045	SCOTTSDALE	AZ	85251
KW TRUST	7725 W DREYFUS DR	PEORIA	AZ	85381
LAMARMAY LLC	7556 E CAMELBACK RD	SCOTTSDALE	AZ	85251
LANDIS CYCLERY INC	712 W. INDIAN SCHOOL RD	PHOENIX	AZ	85013
LANE DONALD R/HARRIS-LANE PANSY M	345 GOSLING WY	GLASSBORO	NJ	8028
LANZA KENNETH	PO BOX 4658	SAN CLEMENTE	CA	92674
LAR LIVING TRUST	1024 W HARVARD ST	ORLANDO	FL	32804
LASKERO DOMINIC J/DEANNA L	405 W BERKLEY LN	HOFFMAN ESTATES	IL	60169

LAUFER MARIE	10301 N 70TH ST UNIT 238	SCOTTSDALE	AZ	85253
LAVIA ELLEN	10301 N 70TH ST UNIT 120	PARADISE VALLEY	AZ	85253
LAWRENCE M CHUDNOW REVOCABLE TRUST	10444 N 69TH ST UNIT 108	PARADISE VALLEY	AZ	85253
LDAC HOLDINGS L L L P	10830 N SCOTTSDALE RD	SCOTTSDALE	AZ	85254
LDAC HOLDINGS LLLP	10830 N SCOTTSDALE RD	SCOTTSDALE	AZ	85254
LEAHY TIMOTHY J/LISA J	171 JANIE LN	PITTSFIELD	IL	62363
LEAR RITA MORIAMA LA NORA		PARADISE VALLEY	AZ	85253
LEHMAN MAXWELL T	6940 E COCHISE RD UNIT 1044	PARADISE VALLEY	AZ	85253
LEHMANN TED K	6940 E COCHISE RD UNIT 1023	PARADISE VALLEY	AZ	85253
LEJEUNE & COMPANY LLC	25258 N RANCH GATE RD	SCOTTSDALE	AZ	85255
LEWIS NANCY R TR	6390 W BLACKHAWK DR	GLENDALE	AZ	85308
LIBBEY GREG/BLYTHE	1320 N 63RD ST	WAUWATOSA	WI	53213
LONGORIA ERIC MICHAEL/BRITTANY	1307 BASALT RIDGE LOOP	CASTLE ROCK	CO	80108
LOPEZ SHAWNA	10301 N 70TH ST UNIT 237	PARADISE VALLEY	AZ	85253
LOXAS JOHN G/MARGARET	4141 CALUMET AVE	HAMMOND	IN	46320
LOXAS JOHN/MARGARET	4141 CALUMET AVE	HAMMOND	IN	463201132
LPS LLC	15627 N 41ST PL	PHOENIX	AZ	85032
LTK ENTERPRISES LLC	12091 E MESCAL ST	SCOTTSDALE	AZ	85259
LUAU TRUST	10632 N SCOTTSDALE RD STE 565	SCOTTSDALE	AZ	85254
M & D GROUP LLC	11333 N 92ND ST UNIT 1132	SCOTTSDALE	AZ	85260
M4 PARADISO LLC	4450 MACARTHUR BLVD	NEWPORT BEACH	CA	92660
MAGNAN AMANDA JEAN	10301 N 70TH ST UNIT 228	PARADISE VALLEY	AZ	85253
MAGNUSSEN KRISTINE A	1613 HUCKLEBERRY CIR	ISSAQUAH	WA	98029
MAGS HAM BUN INC	12494 180TH ST	MILACA	MN	56353
MANSOURIAN NOZAR	11449 N 129TH WY	SCOTTSDALE	AZ	85259
MARCIAS JESUS/LAURA A	10444 N 69TH ST UNIT 115	SCOTTSDALE	AZ	85253
MARKSON PROPERTIES LLC	20802 N GRAYHAWK DR UNIT 1133	SCOTTSDALE	AZ	85255
MARSALIS ROMANNIE L/SULLIVAN AMANDA	10301 N 70TH ST UNIT 206	PARADISE VALLEY	AZ	85253
MATCHEY-WICKS TRUST	24 W ALICEN CT	PHOENIX	AZ	850212489
MCADOO LORI J	6940 E COCHISE RD UNIT 1026	PARADISE VALLEY	AZ	85253
MCAULEY VINCENT P	7008 E GOLD DUST AVE	SCOTTSDALE	AZ	85253
MCCLUSKY NIJOLE	10301 N 70TH ST 220	SCOTTSDALE	AZ	85253
MCINTYRE GUY F JR/CARLENE M	3189 SERRA CT	FAIRFIELD	CA	94534
MCKINNEY CAROL L	4401 HONOAPIILANI HWY APT A504	LAHAINA	HI	96761
MCVEY AMANDA	6940 E COCHISE RD UNIT 1043	PARADISE VALLEY	AZ	852531417
MERCER SHOPS LLC	14224 E ROCKVIEW RD	SCOTTSDALE	AZ	85262
MERITAGE HOMES OF ARIZONA INC	8800 E RAINTREE STE 300	SCOTTSDALE	AZ	85260
MFE INC	195 WILD CHEROKEE RIDGE RD	SUNRISE BEACH	MO	65079
MICELI LEONARD/MARISSA	11605 N SAGUARO BLVD	FOUNTAIN HILLS	AZ	85268

MICHAEL A AND DONNA M CANNIZZO REV TRUST	5316 E PALO BREA LN	CAVE CREEK	AZ	85331
MIDDLETON DENISE	2355 POLK 202	SAN FRANCISCO	CA	94109
MIELCAREK URSZULA/ARTHUR	6940 E COCHISE RD UNIT 1030	PARADISE VALLEY	AZ	85253
MILLER BRIAN L/KRISTINA		SCOTTSDALE	AZ	85253
MILLER MELISSA DORI	6940 E COCHISE RD UNIT 1004	SCOTTSDALE	AZ	85253
MINAMYER DEBORAH MICHELE	6945 E COCHISE RD 136	SCOTTSDALE	AZ	85253
MISSEN JAMES G/ROBERTA M	6945 E COCHISE DR	SCOTTSDALE	AZ	85253
MITCHELL DELLA/ALLEN CHAD K	10444 N 69TH ST APT 116	PARADISE VALLEY	AZ	85253
MOBEDMEHDIABADI SHIRIN/DINYAR	78 FERGUS AVE	RICHMOND HILL	ON	L4E 3C1
MODZELESKI LACEY		PARADISE VALLEY	AZ	85253
MONTELENA PARTNERS LLC	4250 N DRINKWATER BLVD 4TH	SCOTTDALE	AZ	85251
MOODY SARAH M	540 N MAY 1082	MESA	AZ	85201
MORALES MONICA R		PARADISE VALLEY	AZ	85253
NAJMI FAMILY TRUST	7381 E WOODSAGE LN	SCOTTSDALE	AZ	85258
NAOMI SALPETER LIVING TRUST		PARADISE VALLEY	AZ	85253
NATALIA SHIBANOVA FAMILY TRUST	5920 GULLSTRAND ST	SAN DIEGO	CA	92122
NEEL PAUL E/CINDY K	12641 N 70TH PL	SCOTTSDALE	AZ	852545315
NEW 7000 EAST SHEA LLC	7800 E UNION AVE STE 800	DENVER	CO	80237
NEWBURY KIMBERLY/BLANCHETTE JOSEPH	30807 N 152ND ST	SCOTTSDALE	AZ	85262
NGUYEN NGOC BICH THI	10816 N SCOTTSDALE RD	SCOTTSDALE	AZ	85254
NICE STUFF HOLDING COMPANY LLC	7031 E DREYFUSS AVE	SCOTTSDALE	AZ	85254
NICK XENOS LIVING TRUST	8528 LOVELAND LN	PALOS HILLS	IL	60465
NIEBLER SUZANNE B	10444 N 69TH ST 106	SCOTTSDALE	AZ	85253
NOLAN DEBORAH	10301 N 70TH ST UNIT 126	PARADISE VALLEY	AZ	85253
NOWLIN FREDERICKA L	6945 E COCHISE RD UNIT 132	PARADISE VALLEY	AZ	85253
NRES PROPERTIES LLC	2115 N 90TH PL	CHANDLER	AZ	85224
NVHQ LLC	430 W WARNER RD 118	TEMPE	AZ	85284
OBRIEN CHRIS A	10301 N 70TH ST 227	SCOTTSDALE	AZ	85253
OKEEFE CAROL ANN		PARADISE VALLEY	AZ	85253
OLIVERA IVANOVSKA LIVING TRUST	7008 E GOLD DUST AVE UNIT 128	PARADISE VALLEY	AZ	85253
PALERMO PISTICCI INVESTMENTS LLC	29740 N 69TH ST	SCOTTSDALE	AZ	85266
PALUSCIO MICHAEL/MARCARIO DANIELLE	1405 E KERRY LN	PHOENIX	AZ	85024
PANOS GEORGE A/XENOS PETER	10211 87TH CT	PALOS HILLS	IL	60465
PAPIRNICK ROBERT J	6940 E COCHISE RD STE 1034	PARADISE VALLEY	AZ	85253
PARADISE VALLEY PLAZA LLC	2610 E NISBET RD	PHOENIX	AZ	85032
PARADISE VALLEY PLAZA OWNERS ASSOCIATION	10405 N SCOTTSDALE RD	SCOTTSDALE	AZ	85253
PARK ALFRED A/PEREZ JESSICA A	7605 MOUNTAIN RD NE	ALBUQUERQUE	NM	87110
PARK ALFRED/PEREZ JESSICA	7605 MOUNTAIN RD NORTHEAST	ALBUQUERQUE	NM	87110
PARKVIEW TRIO LLC		SCOTTSDALE	AZ	85258

PARSONS MICHAEL/DAWN	29805 N CANDLEWOOD DR	SAN TAN VALLEY	AZ	85143
PASKET CYNTHIA M	10301 N 70TH ST 144	SCOTTSDALE	AZ	85253
PATEL AKTA	13632 KINGS CANYON CT	FONTANA	CA	92336
PEDICELLI ALVARO	6945 E COCHISE RD UNIT 109	SCOTTSDALE	AZ	852831480
PELEG YARON/LIAT	1187 S BERNARDO	SUNNYVALE	CA	94087
PENDING	PENDING	PENDING		
PEREZ GEORGE H/VERONICA G	PO BOX 819	BERNALILLO	NM	87004
PETERSON KATHERINE	10301 N 70TH ST UNIT 221	PARADISE VALLEY	AZ	85253
PETERSON RICHARD A	6945 E COCHISE RD 137	SCOTTSDALE	AZ	852531485
PHELPS NATHAN J	6940 E COCHISE RD UNIT 1010	SCOTTSDALE	AZ	85253
PIERCE ALEXANDRA	10301 N 70TH ST UNIT 215	PARADISE VALLEY	AZ	852531460
PIERCE PETER P/MARY A TR	5103 E PALO BREA LN	CAVE CREEK	AZ	85331
POSEIDON VENTURES BEACH COTTAGE TITLE HOLDING TRUST	21 UPPER RAGSDALE DR STE 202	MONTEREY	CA	93940
POULOS ALEXIS M W/ALEXANDER G	3542 W ACOMA DR	PHOENIX	AZ	85053
PRESLEY DAVID JO/GLORIA JANE	8277 N DIVISION AVE	COMSTOCK PARK	MI	49321
PRESTIGE CLEANERS INC	7126 E SAHARO DR	SCOTTSDALE	AZ	85254
PRESTIGE CLEANERS INC	7126 E SAHUARO DR	SCOTTSDALE	AZ	85254
PRICE LARRY L/SUSAN M		PARADISE VALLEY	AZ	85253
PUCKETT JESSICA	6945 E COCHISE RD UNIT 123	PARADISE VALLEY	AZ	85253
PV PLAZA LLC	10433 N 44TH PL	PHOENIX	AZ	85028
QUINTANA SHANNON N/BILL M	6796 SOLTERRA VISTA PKWY	SAN DIEGO	CA	92130
RADCW INVESTORS LIMITED PARTNERSHIP	17973 N 99TH ST	SCOTTSDALE	AZ	85255
RAE PAULA		SCOTTSDALE	AZ	85253
RAHN CHRISTINE E	10444 N 69TH ST 231	SCOTTSDALE	AZ	85253
RAISANEN SUSAN DOROTHY	10444 N 69TH ST UNIT 205	PARADISE VALLEY	AZ	85253
RAMADANI ALBAN/ALIU YLLKA		PARADISE VALLEY	AZ	85253
RASTKHIZ MEHDI		SCOTTSDALE	AZ	85258
RASTKHIZ TARA	7401 N SCOTTSDALE RD UNIT 28	PARADISE VALLEY	AZ	85253
REEVES LAONE C/PRUITT CHRISTOPHER/VALERIE	10301 N 70TH ST 117	PARADISE VALLEY	AZ	85253
REGER DAVID/NON TR	914 HARRISON AVE	CLAREMONT	CA	91711
RHCC PROPERTIES LLC	3535 E CANNON DR	PHOENIX	AZ	85028
RICHARD M AND DANIELLE M ALVAREZ RANDDS TRUST	7285 PALM AVE	SEBASTOPOL	CA	95472
RIORDAN CHARLES TANNER	6940 E COCHISE RD UNIT 1021	PARADISE VALLEY	AZ	85253
RIVERA CHRISTINA VIRGINIA	10444 N 69TH ST UNIT 204	PARADISE VALLEY	AZ	85253
RJCB INVESTMENT LLC	26782 N 73RD ST	SCOTTSDALE	AZ	85266
ROACH DALE/BRENDA	3 LYNX MEADOWS COURT NW	CALGARY	AB	T3L2M1
ROBERT A VALLELUNGA LIVING TRUST	3948 E MORRISON RANCH PKWY	GILBERT	AZ	85296
ROCHE SEAN CHRISTOPHER		PARADISE VALLEY	AZ	85253
RODDIMEYER III LLC	7123 E BLUEBIRD LN	PARADISE VALLEY	AZ	85253

ROGER TOMALTY AND MARY HOADLEY FAMILY TRUST	10301 N 70TH ST UNIT 127	SCOTTSDALE	AZ	85253
ROGERS CAROL BUSH	6945 E COCHISE RD 147	SCOTTSDALE	AZ	85253
ROLAND & BILLS R & B RENTALS L L C	7118 E SAHUARO DR	SCOTTSDALE	AZ	85254
ROLAND NAFTULE REVOCABLE TRUST	1643 MACADAMIA DR	FALLBROOK	CA	92028
ROSEMINA REAL ESTATE LLC	4826 W EL CORTEZ PL	PHOENIX	AZ	85083
ROSEMONTE PARC 4261 LLC	12621 N TATUM BLVD	PHOENIX	AZ	85032
ROTA JOSEPH/CAROLYN TR	3419 N 146TH DR	GOODYEAR	AZ	85338
RUDIC ZOEY Z		PARADISE VALLEY	AZ	85253
S & F INVESTMENTS	10040 E HAPPY VALLEY RD 47	SCOTTSDALE	AZ	85255
S & R CO LP	4221 WINFIELD SCOTT PLZ	SCOTTSDALE	AZ	85251
SABA BROTHERS RENTALS LLC	3270 N COLORADO ST	CHANDLER	AZ	85225
SAHUARO SHOPS LLC	14224 E ROCKVIEW RD	SCOTTSDALE	AZ	85262
SAIA FAMILY LIMITED PARTNERSHIP	2120 E 6TH ST STE 16	TEMPE	AZ	85281
SAMPSON WADE B	6940 E COCHISE RD UNIT 1025	PARADISE VALLEY	AZ	85253
SANDALO 1013 LLC	12653 E POINSETTIA DR	SCOTTSDALE	AZ	85259
SANDALO PROPERTY LLC	523 W ORANGEWOOD AVE	PHOENIX	AZ	85021
SATTERFIELD BARRY	6940 E COCHISE RD UNIT 1042	PARADISE VALLEY	AZ	85253
SAXON WAYNE/JEANNE	6900 E GOLD DUST AVE	PARADISE VALLEY	AZ	85253
SCAPPATURA JOANNE	10444 N 69TH ST 104	SCOTTSDALE	AZ	85253
SCHAAB KATHERYN E	20100 N 78TH PL 2167	SCOTTSDALE	AZ	85255
SCHERER CHRISTINA		PARADISE VALLEY	AZ	85253
SCHIMKAT JERRELL J	PO BOX 24	PIERRE	SD	57501
SCHMITT ANDREW/ASHLEY	7618 E VIA DE LINDO	SCOTTSDALE	AZ	85258
SCHUMANN FAMILY TRUST	10444 N 69TH ST APT 216	PARADISE VALLEY	AZ	852531467
SCIANDRA JODI		SCOTTSDALE	AZ	85260
SCOTTSDALE CITY OF		SCOTTSDALE	AZ	85251
SCOTTSDALE COCHISE MEDICAL PROPERTIES LLC	800 W MADISON ST 400	CHICAGO	IL	60607
SCOTTSDALE SALON STUDIOS LLC	2331 E AVIENDA DEL SOL	PHOENIX	AZ	85024
SEAMAN DUANE E/ADA E	1516 DEWITT AVE E	MATTOON	IL	61938
SEARWAY CARL B	3032 DAKOTA ST	OAKLAND	CA	946023208
SEC SHEA SCOTTSDALE LLC	10441 N SCOTTSDALE RD	SCOTTSDALE	AZ	85253
SEITER KIMBERLY	10301 N 70TH ST UNIT 235	PARADISE VALLEY	AZ	85253
SENDER VENTURES LLC	6507 E PARADISE DR	SCOTTSDALE	AZ	85254
SEVENTY-FIRST PLACE LLC	10433 N 44TH PL	PHOENIX	AZ	85028
SHEA CENTER LLC	1036 MUNRAS AVE	MONTEREY	CA	93940
SHEA CORPORATE CENTER CONDOMINIUM ASSOCIATION	6945 E SAHUARO DR STE 125	SCOTTSDALE	AZ	85254
SHEKELS HOLDINGS LLC	1345 N ARM DR	MOUND	MN	55364
SHELTON MARTI E	1653 OGREEN CIR	MURFREESBORO	TN	37129
SHOOK DONALD L & KAREN LYNN	9747 E CLINTON	SCOTTSDALE	AZ	85260

SHUHONG CHANG FAMILY TRUST	6510 S HAZELTON LN UNIT 127	TEMPE	AZ	85283
SHURGARD STORAGE CENTERS INC	PO BOX 25025	GLENDALE	CA	912015025
SIJIC NATASHA	7008 E GOLDDUST AVE 228	SCOTTSDALE	AZ	85253
SNYDER SUSAN L TR/JLB INVESTMEN	2398 E CAMELBACK RD	PHOENIX	AZ	85016
SOBRINO NELSON/LAURA A	6940 E COCHISE RD UNIT 1032	SCOTTSDALE	AZ	85253
SOFER BARI		PARADISE VALLEY	AZ	85253
SPALJ SUSAN A	3009 WINTERGREEN DR	IOWA CITY	IA	52240
SPIRITUAL ASSEMBLY OF THE BAHAIS		SOTTSDALE	AZ	85255
STEPHEN BEAN AND SUSAN WONG-BEAN LIVING TRUST	6945 E COCHISE RD UNIT 124	PARADISE VALLEY	AZ	85253
STEWART PENNY		PARDISE VALLEY	AZ	85253
SUNDOWN BECKER LLC	10433 N 44TH PL	PHOENIX	AZ	85028
T&O OFFICE PARTNERS LLC	6920 E SHEA BLVD STE 203	SCOTTSDALE	AZ	85254
TAUBMAN PROPERTIES LLC	39606 N 1ST ST	PHOENIX	AZ	85086
TB COCHISE LLC	9149 N 70TH ST	PARADISE VALLEY	AZ	85253
THOMPSON FAMILY TRUST	1804 HELIX PL	SPRING VALLEY	CA	91977
THURSTON MOLLY/DAVID	6945 E COCHISE RD UNIT 128	PARADISE VALLEY	AZ	85253
TIGHE HAROLD F/LILLIAN M/JULIA WALSH	6 DUNBAR RD 6K	MONTICELLO	NY	12701
TOBARI INVESTMENTS LLC	6945 E SAHUARO DR A-1	SCOTTSDALE	AZ	85254
TRAVAGLIANTI VICTOR/MARIA TR	4722 E JAEGER RD	PHOENIX	AZ	85050
TROJAN DEVELOPMENT ASSOCIATES III LLC	43 PANORAMIC WY	WALNUT CREEK	CA	94595
TRUE BLUE CAR WASH LLC	9375 E SHEA BLVD STE 120	SCOTTSDALE	AZ	85260
TURNER SHIRLEY P/ROGERS CHARLENE E	6900 E GOLD DUST 114	SCOTTSDALE	AZ	85253
TWO DOCS PROPERTY MANAGEMENT LLC	6311 S ROANOKE ST	GILBERT	AZ	85298
TYLER-SOMOLOVA TRUST	4318 E ROMA AVE	PHOENIX	AZ	85018
UKU GBOYEGA P		SCOTTSDALE	AZ	85253
UNTHANK CHRISTOPHER/TINA M	7120 E MERCER LN	SCOTTSDALE	AZ	85254
VALLEY NATL BANK OF PHOENIX	PO BOX 1919	WICHITA FALLS	TX	76307
VANTAGE RETIREMENT PLANS LLC	20860 N TATUM BLVD STE 240	PHOENIX	AZ	85050
VARGAS YOLANDA C/ROMERO DANIEL M	10301 N 70TH ST UNIT 203	PARADISE VALLEY	AZ	852531459
VERTEX INVESTMENTS LLC	7869 E PARADISE LN UNIT 7	SCOTTSDALE	AZ	85260
VITELLI SALVATORE/MARIA TR	29740 N 69TH ST	SCOTTSDALE	AZ	852668502
VLG BUILDING LLC	6320 E REDFIELD RD	SCOTTSDALE	AZ	85254
WADE JOLYNN A		SCOTTSDALE	AZ	85253
WAIT ENTERPRISES LLC	10629 N 71ST PL	SCOTTSDALE	AZ	85254
WAJNGURT CLARA/LEVY DAVID EDWARD	6909 172ND ST	FRESH MEADOWS	NY	113653319
WAND BRIAN J	6940 E COCHISE RD UNIT 1009	PARADISE VALLEY	AZ	85253
WARGO AGNES A	10301 N 70TH ST 240	SCOTTSDALE	AZ	85253
WE SIX PROPERTIES LLC	6945 E SAHUARO DR UNIT 110	SCOTTSDALE	AZ	85254
WEINSTEIN FAMILY TRUST		PARADISE VALLEY	AZ	85253

WEINSTEIN FAMILY TRUST/POLYCAMP TRUST COMPANY	74156 VIA PELLESTRINA	PALM DESERT	CA	92260
WEISSINGER NORBERT/USANI	6900 E GOLD DUST AVE UNIT 121	PARADISE VALLEY	AZ	85253
WHARTON MATTHEW JAMES ESTATE OF/DAVIS TANYA LYNN	809 CAREY RD APT G	OCEANSIDE	CA	92058
WHITE MELANIE	4232 E DESERT MARIGOLD DR	CAVE CREEK	AZ	85331
WIEBERS FAMILY TRUST	6514 E ASTER DR	SCOTTSDALE	AZ	85254
WILCOX BURG PATTI	6308 E DALE LN	CAVE CREEK	AZ	85331
WILENCHIK JAMI	10301 N 70TH ST 231	PARADISE VALLEY	AZ	85253
WILHELMS ALEXANDER H	11119 ALTERRA PKWY APT 1320	AUSTIN	TX	78758
WILLERT JOHN R	1088 QUAIL CT UNIT 335	PEWAUKEE	WI	53072
WINGET CAROL	1810 101ST PL NE	BELLEVUE	WA	98004
WITKOWSKI KIRK	10301 N 70TH ST UNIT 102	PARADISE VALLEY	AZ	85253
WR A SHEA AND SCOTTSDALE LLC	1501 W BELL DRD	PHOENIX	AZ	85023
XENOS NICK/KATHY	8528 LOVELAND LN	PALOS HILLS	IL	60465
YANG ZHONGHUE/CHEN JING		CAVE CREEK	AZ	85331
YORK KENNETH J/JEANNE D	10301 N 70TH ST UNIT 105	PARADISE VALLEY	AZ	85253
YOUNG MENS CHRISTIAN ASSN	350 N 1ST AVE	PHOENIX	AZ	85003
YUAN KAI LING	6945 E COCHISE RD UNIT 127	PARADISE VALLEY	AZ	85253
Z GOOD FAMILY HOLDINGS LLC	33221 N 61ST PL	SCOTTSDALE	AZ	85262
ZADIKOV ELIRAN ELI	10301 N 70TH ST UNIT 234	PARADISE VALLEY	AZ	85253
ZANINI DARLA S	4025 CONNETICUT AVE NW UNIT 204	WASHINGTON	DC	20008
ZICCARELLI ANTONIO & MIRELLA	12375 E POINSETTIA DR	SCOTTSDALE	AZ	85259



Affidavit of Posting

Required: Signed, Notarized originals.

Recommended: E-mail copy to your project coordinator.

Project Under Consideration Sign (White)

Public Hearing Notice Sign (Red)

Case Number: 973-PA-2022

Project Name: _____

Location: NWC Shea & 70th St

Site Posting Date: 06/09/23

Applicant Name: Technical Solutions

Sign Company Name: Dynamite Signs

Phone Number: 480-585-3031

I confirm that the site has been posted as indicated by the Project Manager for the case as listed above.

Meghan Ruggett
Applicant Signature

06/09/23
Date

Return completed original notarized affidavit AND pictures to the Current Planning Office no later than 14 days after your application submittal.

Acknowledged before me on 6-09-23



Marybeth Conrad
Notary Public

My commission expires: 10-25-24

City of Scottsdale -- Current Planning Division

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

Early Notification of Project Under Consideration

Neighborhood Open House Meetings:

Date: Monday, June 19, 2023

Time: 5:00-6:00 PM

Location: Holiday Inn Express (7350 E. Gold Dust Avenue)-Meeting Room.
Open House Contact - info@TechnicalSolutionsAZ.com

Site Address: North side of Shea Blvd between 70th Street and 71st Place
Project Overview:

- Request: The request is for a Zoning District Map Amendment from Commercial (C-2) to Planned Unit Development with Planned Shared Development overlay (PUD- PSD) and a minor General Plan Amendment from Commercial to Mixed-Use Neighborhoods land use designation for the purpose of converting a portion of the existing commercial use to a residential use to create a unified, mixed-use community.
- Site Acreage: 8.529+/-
- Site Zoning: C-2

Applicant/Contact:

John Berry
480-385-2727
info@berryriddell.com

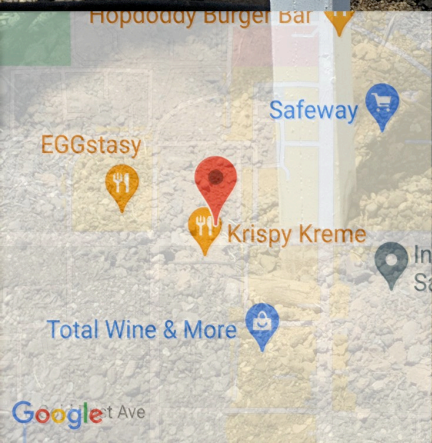
City Contact:

Katie Posler
480-312-2703
KPosler@ScottsdaleAZ.gov

Pre-Application #: 973-PA-2022

Posting Date: 6/09/2023

Penalty for removing or defacing sign prior to date of last hearing. Applicant Responsible for Sign Removal.



Jun 9, 2023 12:50:01 PM
7000 East Shea Boulevard
Scottsdale
Maricopa County
Arizona

Sundown Commons
Community Input Card

PRINT NAME Susan Raisanen
ADDRESS 10444 N 69th St #205 CITY Scottsdale ZIP 85253
PHONE 602-738-7232 EMAIL susanraisanen@hotmail.com

PLEASE TELL US YOUR THOUGHTS & SUGGESTIONS REGARDING THE PROPOSED PROJECT:

I do not want that lot built into more residences in
an already very densely populated area. We do not
need more square footage packing everywhere we go.
The roads cannot handle it. Plus rentals instead
of ownership eventually become trashy. Please
go, develop somewhere in the desert far away
from here.

Technical Solutions • 5111 N. Scottsdale Rd., Suite 260 Scottsdale, AZ 85250 • Phone: (602) 957-3434 • Fax: (602) 955-4505

Sundown Commons
Community Input Card

PRINT NAME Melanie White
ADDRESS _____ CITY _____ ZIP _____
PHONE 480-200-3201 EMAIL mela@melanieaz.com

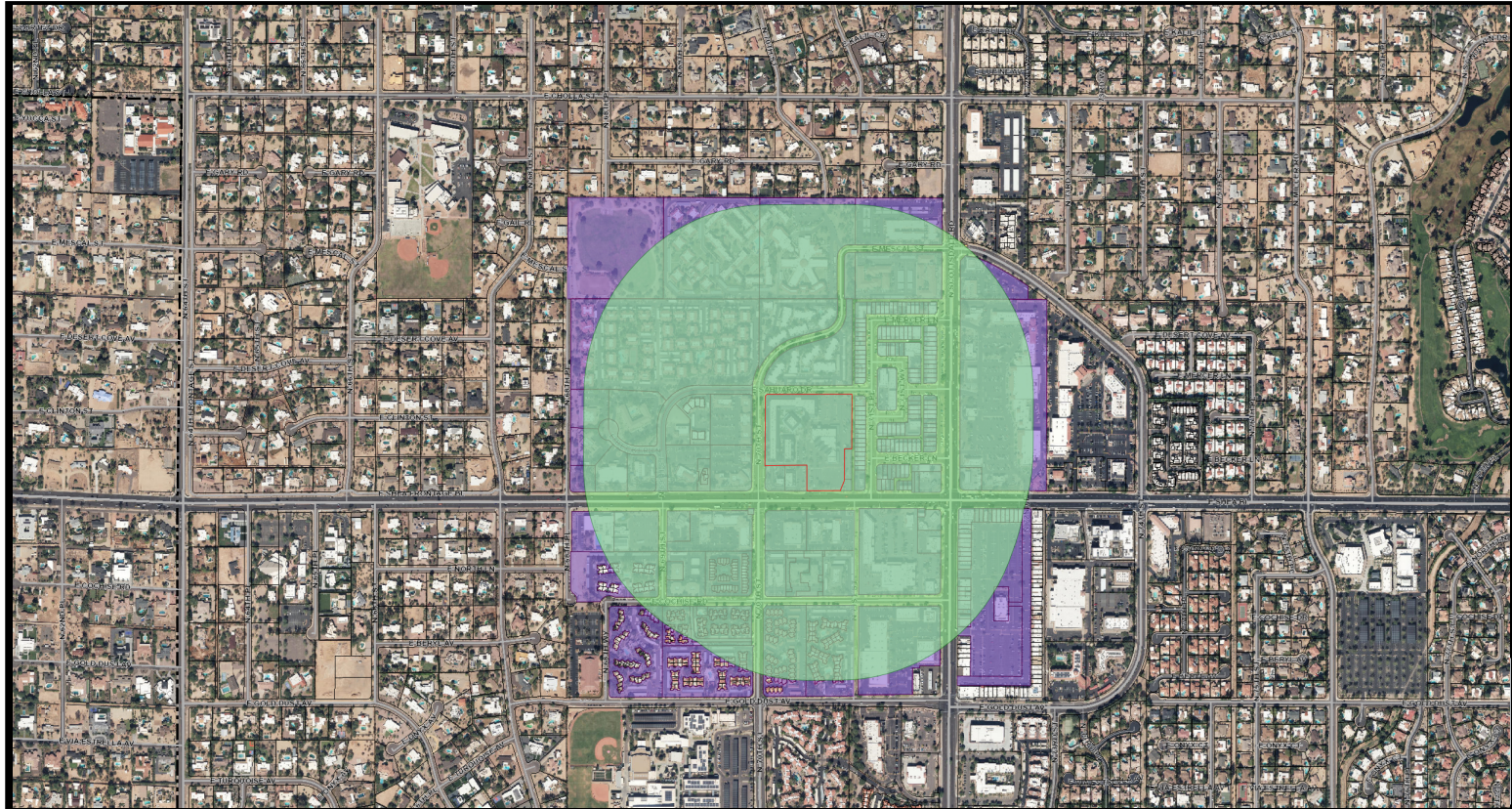
PLEASE TELL US YOUR THOUGHTS & SUGGESTIONS REGARDING THE PROPOSED PROJECT:

I do not like more + more rental units
going up in this corner. My concern is traffic + I
do not like how high the stories are + we already
have seen many many multifamily rental units
approved + being built + I think we need to preserve
some ~~of~~ of the charm + originality of Scottsdale.

Technical Solutions • 5111 N. Scottsdale Rd., Suite 260 Scottsdale, AZ 85250 • Phone: (602) 957-3434 • Fax: (602) 955-4505

City Notifications – Mailing List Selection Map

Cosanti Commons (AKA Sundown Commons)



Additional Notifications:

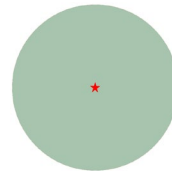
Interested Parties List
Adjacent HOA's
P&Z E-Newsletter
Facebook
Nextdoor.com
City Website-Projects in the hearing process

Pulled Labels
November 15, 2024

Map Legend:



Site Boundary



Properties within 1250-foot

Postcards: 455

2-GP-2023 & 6-ZN-2023

Case Name: Sundown Commons Case Number: 2-GP-2023 & 6-ZN-2023

rebecca.harrell@att.net <rebecca.harrell@att.net>

Wed 8/30/2023 1:27 PM

To: Posler, Kathryn <KPosler@Scottsdaleaz.gov>

⚠️External Email: Please use caution if opening links or attachments!

Katie,

Thank you for returning my call yesterday. As mentioned, I live in a townhome close by the proposed mixed use project at N. 70th Street and E. Sahuaro Drive.

I am opposed to this project because of residential density in the area. This will increase with the new mixed use project at Gold Dust and Scottsdale Road.

Here are a few reasons why I do not believe this project will be good for the neighborhood.

- The neighborhood experiences frequent residential Internet outages from Cox Communications. When the neighborhood has an outage, it usually lasts for several hours. With more residential users, I worry it could get worse.
- There was/is some kind of sewer problem at the CVS store on Scottsdale Road and Shea. For months, the bad smell was noticeable when you walk in the store. It is better, but you can still faintly smell it.
- With more residential units, response time for essential services (Police, ambulance, fire) will be longer.
- There have been many bad wrecks in the neighborhood. With more people living in the area around Scottsdale Road and Shea, it will only get worse. Earlier this year, a student from Chaparral High School was hit by a car crossing Shea at 70th Street. Also, there was a bad car wreck at Gold Dust and Scottsdale Road (fatalities). On 70th Street from Shea to Scottsdale Road there are numerous "no U turn" signs which people ignore. These signs are important because of the traffic on the side streets attempting to turn onto 70th Street. Chaparral High School is a block away. Students are walking on 70th Street at various times of day; so people ignoring the "no U turn" are putting themselves, traffic turning onto 70th Street and students walking in a dangerous situation. Additionally, more people will be turning onto Mescal Street from southbound Scottsdale Road. Mescal is narrow, so drivers have to slow down quite a bit to make the turn. Therefore, the chance of getting rear ended by fast drivers on Scottsdale Road is high.

Thank you for allowing me to express my thoughts about the Sundown Commons project, Case Number: 2-GP-2023 & 6-ZN-2023.

Sincerely,

Rebecca Harrell
6940 E. Cochise Rd, Unit 1011
Scottsdale, AZ 85253
(480) 205-4601

Posler, Kathryn

From: NoReply
Sent: Thursday, July 27, 2023 2:40 PM
To: Posler, Kathryn
Subject: Sundown Commons



I DO NOT want to see this area rezoned and more high-density multifamily put there. Scottsdale is hemorrhaging with too many rentals as it is. This is a very crowded intersection! It is terrible to see the beautiful old charm of Scottsdale have so many rental multifamily. This should stay commercial zoning and bring in unique retail or change signage in a way to promote the businesses. NO ONE WANTS TO SEE MORE HIGH-DENSITY RENTAL UNITS. My understanding is that high-density multifamily have already approved in that area and not even built yet. Again, the charm of Scottsdale is that it is spread out and not building on top of building. Things like restaurants and live music or stores is more what this area needs. I love how this area is walkable to commercial and shopping and you're taking that all away. -- sent by Lisa j Reek (case# 2-GP-2023)



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Posler, Kathryn

From: NoReply
Sent: Thursday, July 27, 2023 1:11 PM
To: Posler, Kathryn
Subject: Sundown Commons



Hi, I've emailed before. I live in the area of this. I DO NOT want to see this rezoned and more high-density multifamily put there. It is already a very crowded intersection and so many high-density multifamily have been approved in that area and not even built yet. It is terrible to see the beautiful old charm of Scottsdale have so many rental multifamily. We have no idea how this will impact us because they are all seemingly being built at once. This should stay commercial zoning and bring in unique and great retail or change signage and a way to promote the businesses more. NO ONE WANTS TO SEE MORE HIGH-DENSITY RENTAL UNITS. THERE IS ENOUGH AND IT MAKES IT SEEM THEY ARE JUST OUT FOR MONEY. BY PACKING IN AS MANY HOMES AS POSSIBLE IN THE SMALLEST AMOUNT OF AREA. Things like restaurants and night clubs or stores is more what this area needs. I love how this area is walkable to commercial and shopping and you're taking that all away. -- sent by Melanie White (case# 6-ZN-2023)



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Request (973-PA-2022) Feedback

Melanie White <mel@melanieaz.com>

Fri 6/23/2023 10:50 AM

To:Posler, Kathryn <KPosler@Scottsdaleaz.gov>

⚠External Email: Please use caution if opening links or attachments!

Hi Katie,

I got a notice for a new project being proposed referenced above (973-PA-2022).

I do not think this should be rezoned to be multifamily. This already is a crowded intersection and adding 276 residences would cause it to become more congested. In addition, another project was just approved on Scottsdale and Gold Dust for the live/work multifamily. And another on Shea and Gold Dust, And with all the additional apartments going up around that area and up and down Scottsdale Rd. Our city is becoming Apartment galore and detracts from the charm of Scottsdale and eliminates the mountain views with the higher density/higher buildings. I think we should find ways if they call them "struggling strip malls", to get some retail in and bring attraction to commercial and retailers that are unique and add to Scottsdale's charm as opposed to adding more and more multifamily rental units.

Thank you,
Melanie

MELANIE WHITE

REALTOR®, GRI, CLHMS, C2EX, SRES

My Home Group Real Estate

480.200.3201

Mel@MelanieAZ.com

MelanieAZ.com

8360 E Raintree Dr #120

Scottsdale, AZ 85260

Cosanti Commons

NoReply <noreply@scottsdaleaz.gov>

Mon 4/15/2024 8:27 PM

To:Posler, Kathryn <kposler@ScottsdaleAZ.gov>



I am opposed to the addition of 196 residential units in this development. There is a big residential development going in directly south of this parcel of land not to mention the approval of the former hotel that is now an apartment complex. Traffic is already very busy at the Scottsdale and Shea intersection and you want to add 196 MORE units. When is enough enough? I thought we were trying to sustainably develop Scottsdale in regards to water etc. How does former commercial properties transitioned to over 400 residences come close to being water conscious? I thought that is why the Coyotes complex was one that the Mayor was opposing for these reasons. -- sent by laura jorden (case# 6-ZN-2023)



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7000 E Shea mulifamily proposal

NoReply <noreply@scottsdaleaz.gov>

Tue 4/16/2024 10:55 AM

To:Posler, Kathryn <kposler@ScottsdaleAZ.gov>



This proposal is ridiculous and irresponsible especially when concerning water conservation and traffic control. The area is already overcrowded. I've lived off of Shea and Sundown Dr. since 1996. Does anyone proposing this ludicrous idea live in this area? Where are people going to grocery shop? Safeway is already overpriced and understaffed. Does anyone our city government CARE about SCOTTSDALE anymore? Or just the almighty dollar it brings thanks to those who have worked here for years and paid taxes to make it a beautiful, unique area in which to live. -- sent by Cindy Dalgarn (case# 6-ZN-2023)



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FW: Who is responsible for the placement of developer notification signs behind trees and parallel to the street? Is this a City policy to post signs that no one can see?

From: Susan Wood <samw1222@aol.com>

Sent: Saturday, August 12, 2023 11:24 AM

To: Curtis, Tim <tcurtis@scottsdaleaz.gov>

Subject: Re: Who is responsible for the placement of developer notification signs behind trees and parallel to the street? Is this a City policy to post signs that no one can see?

⚠ External Email: Please use caution if opening links or attachments!

Thanks Mr. Curtis.

I would be nice if the City Council and staff could discuss placing the signs perpendicular to the street, instead of parallel.

On Thursday, August 10, 2023, 5:02:49 PM MST, Curtis, Tim <tcurtis@scottsdaleaz.gov> wrote:

Susan,

Thank you for the email. The white “early notification” signs are the responsibility of the applicant and they typically hire a sign company to install the signs. The city has provided standardized [description](#) regarding the size and color and information to be provided on these signs, which typically notify the time and location of the Applicant-hosted Open House prior to submitting any formal rezoning application. From time to time we have discussions regarding the various multiple public outreach methods, including postcards, signs, website, e-newsletters, and social media.

These types of signs are the largest signs that are posted on properties regarding development projects. Different properties have different challenges for sign posting, including but not limited to property lines, utility easements, traffic visibility conflicts, obstruction of business identification signs, landscaping, and sign clutter in general. Under the circumstances with this project, we have suggested to the applicant that they hold another open house and provide a new white sign in a different location. We haven’t heard back from the applicant team yet regarding this suggestion.

Thank you again and let me know if you have any other questions.

Tim Curtis

Director of Current Planning

City of Scottsdale

From: Susan Wood <samw1222@aol.com>

Sent: Thursday, August 10, 2023 8:15 AM

To: City Council <CityCouncil@scottsdaleaz.gov>; Thompson, Jim <JThompson@Scottsdaleaz.gov>; Cluff, Bryan <BCluff@Scottsdaleaz.gov>; Yaron, Adam <AYaron@Scottsdaleaz.gov>; Curtis, Tim <tcurtis@scottsdaleaz.gov>; Perreault, Erin <EPERREAULT@scottsdaleaz.gov>

Subject: Who is responsible for the placement of developer notification signs behind trees and parallel to the street? Is this a City policy to post signs that no one can see?

⚠ External Email: Please use caution if opening links or attachments!

City Council members and Planning staff:

Who is responsible for the location of notification signs? Does the City install them, or do the developer's agents install them?

The signs are always installed parallel to the street, behind bushes and other obstacles.

Wouldn't it make more sense to install the signs perpendicular to the street? Why is this method of "notification" acceptable?

Here is an example in this video:

<https://www.youtube.com/watch?v=WzHKOCcfLeU>

Susan Wood

resident Cactus Acres

Fw: Cosanti Apts. Wednesday Planning Commission

Posler, Kathryn <KPosler@Scottsdaleaz.gov>

Tue 4/23/2024 10:14 AM

To: Michele Hammond <mh@berryriddell.com>

FYI, thanks!

From: Susan <sleeper499@protonmail.com>

Sent: Monday, April 22, 2024 1:38 PM

To: Kelly, John <jkelly@scottsdaleaz.gov>

Subject: Fw: Cosanti Apts. Wednesday Planning Commission

⚠ External Email: Please use caution if opening links or attachments!

Dear Joe:

Please get this message to each member of the commission as well as staff representative. Thanks for your help

I am vehemently opposed to building Cosanti Commons at 7000 Shea. Scottsdale is saturated with out of control rapid growth. That intersection cannot hold any more traffic regardless of time of day. Too many new people, too many cars, too much chaos.

Susan Leeper

Scottsdale resident since 1992

Sent with [Proton Mail](#) secure email.

----- Forwarded Message -----

From: Susan <sleeper499@protonmail.com>

Date: On Monday, April 22nd, 2024 at 1:23 PM

Subject: Fw: Cosanti Apts.

To: jyoung@scottsdaleaz.gov <jyoung@scottsdaleaz.gov>

Dear Sir:

I am vehemently opposed to building Cosanti Commons at 7000 Shea. Scottsdale is saturated with out of control rapid growth. That intersection cannot hold any more traffic regardless of time of day. Too many new people, too many cars, too much chaos.

Susan Leeper

Scottsdale resident since 1992

Sent with [Proton Mail](#) secure email.

Fw: Planning Commission Public Comment

Posler, Kathryn <KPosler@Scottsdaleaz.gov>

Tue 4/23/2024 11:51 AM

To: Michele Hammond <mh@berryriddell.com>

FYI, thanks!

From: Curtis, Tim <tcurtis@scottsdaleaz.gov>

Sent: Tuesday, April 23, 2024 11:41 AM

To: Posler, Kathryn <KPosler@Scottsdaleaz.gov>

Subject: FW: Planning Commission Public Comment

From: WebServices <WebServices@scottsdaleaz.gov>

Sent: Tuesday, April 23, 2024 10:26 AM

To: Planning Commission <Planningcommission@scottsdaleaz.gov>

Subject: Planning Commission Public Comment

Importance: High

Name: Daniel Ishac

Address: 13530 E Onyx Ct, Scottsdale, AZ 85259

Email: dfi.scottsdale@gmail.com

Phone:

Comment:

Consanti/Sundown Commons is a great example of an infill project that greatly improves an aging/unattractive property to provide better commercial and residential opportunities. This type of location will allow people to work, shop and play without having to drive. And it certainly helps to address the housing shortage. The developer has done a nice job balancing aesthetics (setback, landscaping/etc.) with what is needed for a successful project. The PC should support and pass the proposed amendments. Thank you.

Fw: Planning Commission Public Comment

Posler, Kathryn <KPosler@Scottsdaleaz.gov>

Tue 4/23/2024 11:52 AM

To: Michele Hammond <mh@berryriddell.com>

FYI, thanks!

From: Curtis, Tim <tcurtis@scottsdaleaz.gov>

Sent: Tuesday, April 23, 2024 11:42 AM

To: Posler, Kathryn <KPosler@Scottsdaleaz.gov>

Subject: FW: Planning Commission Public Comment

From: WebServices <WebServices@scottsdaleaz.gov>

Sent: Tuesday, April 23, 2024 10:51 AM

To: Planning Commission <Planningcommission@scottsdaleaz.gov>

Subject: Planning Commission Public Comment

Importance: High

Name: Jessica Batory

Address: 9475 E Laurel Ln, Scottsdale AZ 85260

Email: jessicabatory@gmail.com

Phone: (630) 660-8019

Comment:

I'm writing in strong opposition of the Cosanti Commons (AKA Sundown Commons) requests 2-GP-2023 and 6-ZN-2023. Please listen to voting residents and stop approving more developer agendas until we can ensure long term success for Scottsdale. Traffic and water concerns are plenty in this area. I understand these are challenging times but we must be thoughtful in moving our beautiful city forward with responsible long term plans. Thank you for your consideration.

Fw: Planning Commission Public Comment

Posler, Kathryn <KPosler@Scottsdaleaz.gov>

Tue 4/23/2024 2:28 PM

To: Michele Hammond <mh@berryriddell.com>

FYI, thanks!

From: Curtis, Tim <tcurtis@scottsdaleaz.gov>

Sent: Tuesday, April 23, 2024 2:25 PM

To: Posler, Kathryn <KPosler@Scottsdaleaz.gov>

Subject: FW: Planning Commission Public Comment

From: WebServices <WebServices@scottsdaleaz.gov>

Sent: Tuesday, April 23, 2024 2:18 PM

To: Planning Commission <Planningcommission@scottsdaleaz.gov>

Subject: Planning Commission Public Comment

Importance: High

Name: Don Henninger

Address: 8202 E. Del Camino Dr. Scottsdale, AZ, 85258

Email: donh@scottsdale.com

Phone: (480) 650-2025

Comment:

I am writing in support of the Sundown Commons project at for 7000 E Shea. Its developers have responded to the feedback received in ways that make this project a plus for our city.

Fw: Planning Commission Public Comment

Posler, Kathryn <KPosler@Scottsdaleaz.gov>

Mon 4/22/2024 12:08 PM

To: Michele Hammond <mh@berryriddell.com>

FYI, thanks!

From: WebServices <WebServices@scottsdaleaz.gov>

Sent: Monday, April 22, 2024 10:47 AM

To: Planning Commission <Planningcommission@scottsdaleaz.gov>

Subject: Planning Commission Public Comment

Importance: High

Name: Melanie White

Address: 11260 N 92nd St

Email: melaniewhiteaz@gmail.com

Phone: (480) 200-3201

Comment:

Please do not approve Cosanti Commons. There are so many new apartments approved in too short of time to know the impact of our great city. The rental market is not nearly as strong due to an overbuild in apartments. Renters are not nearly as invested in the community and we have way too many rentals. At least make them owner occupied.

Fw: Planning Commission Public Comment

Posler, Kathryn <KPosler@Scottsdaleaz.gov>

Mon 4/22/2024 4:51 PM

To: Michele Hammond <mh@berryriddell.com>

FYI, thanks!

From: Curtis, Tim <tcurtis@scottsdaleaz.gov>

Sent: Monday, April 22, 2024 4:49 PM

To: Posler, Kathryn <KPosler@Scottsdaleaz.gov>

Subject: FW: Planning Commission Public Comment

From: WebServices <WebServices@scottsdaleaz.gov>

Sent: Monday, April 22, 2024 4:32 PM

To: Planning Commission <Planningcommission@scottsdaleaz.gov>

Subject: Planning Commission Public Comment

Importance: High

Name: Lisa j Reek

Address: 16420 N Thompson Peak Parkway 1003

Email: lisa.reek@xerox.com

Phone: (480) 390-1574

Comment:

I am against the building of more apartments on Scottsdale and Shea. I am against the 196 apartments proposed for 7000 E. Shea, Cosanti Commons

Fw: Planning Commission Public Comment

Posler, Kathryn <KPosler@Scottsdaleaz.gov>

Tue 4/23/2024 10:13 AM

To: Michele Hammond <mh@berryriddell.com>

FYI, thanks!

From: Projectinput <Projectinput@Scottsdaleaz.gov>

Sent: Tuesday, April 23, 2024 7:47 AM

To: Posler, Kathryn <KPosler@Scottsdaleaz.gov>

Subject: FW: Planning Commission Public Comment

Public comment for cosanti.

From: WebServices <WebServices@scottsdaleaz.gov>

Sent: Monday, April 22, 2024 7:27 PM

To: Planning Commission <Planningcommission@scottsdaleaz.gov>

Subject: Planning Commission Public Comment

Importance: High

Name: Mary Cavanaugh

Address: 9555 E Raintree Dr # 2062

Email: cavanaugh20.mc@gmail.com

Phone: (480) 689-7683

Comment:

I know you would be making a grave mistake by ruling in the developing of apartments. Please vote no to more housing in this area. It is already congested and would not help with traffic congestion and overcrowding. I lived in this area in the past so I know from experience that this would not be in the interest to people already living in this area.

Fw: Planning Commission Public Comment

Posler, Kathryn <KPosler@Scottsdaleaz.gov>

Mon 4/22/2024 12:08 PM

To: Michele Hammond <mh@berryriddell.com>

FYI, thanks!

From: WebServices <WebServices@scottsdaleaz.gov>

Sent: Monday, April 22, 2024 7:57 AM

To: Planning Commission <Planningcommission@scottsdaleaz.gov>

Subject: Planning Commission Public Comment

Importance: High

Name: susan wood

Address: Yucca St.

Email: samw1222@aol.com

Phone: (480) 540-4648

Comment:

It is obvious that this project will be approved in an effort to urbanize the Shea corridor. Thousands of apartments have been approved since 2021, and have not been built. So we have not yet seen the impact these projects will have on the residents quality of life. The Transportation planning engineers will claim that the roads have plenty of capacity to absorb this additional traffic. But they are using old data - the most recent traffic counts were compiled in 2021-2022. They predict 5 car trips per each apartment. That means this project will generate 1000 car trips per day. Please stop approving more apartments.



REQUEST TO SPEAK



"As a member of the Scottsdale community, I will genuinely listen; speak respectfully; and be accountable for my words and actions."

Request to Speak cards must be submitted to the City Staff **BEFORE** public testimony begins.

Public testimony is limited to three (3) minutes per speaker.

Additional time **MAY** be granted to speakers representing two or more persons.

Cards for designated speakers and the person(s) they represent must be submitted together.

NAME (print) IVAN FRITZ MEETING DATE 4-24-24

NAME OF GROUP/ORGANIZATION (if applicable) COSANTI FOUNDATION

ADDRESS _____ ZIP _____

PHONE _____ E-MAIL ADDRESS _____

I WISH TO SPEAK ON AGENDA ITEM # 5+6 I WISH TO DONATE MY TIME TO _____

I WISH TO SPEAK DURING "PUBLIC COMMENT"* CONCERNING _____

*Citizens may complete one Request to Speak "Public Comment" card per meeting and submit it to the City Staff. "Public Comment" time is reserved for citizen comments regarding non-agendized items. The Board/Commission may hear "Public Comment" testimony, but is prohibited by state law from discussing items which are not listed on the agenda.

This card constitutes a public record under Arizona law.



REQUEST TO SPEAK

5

"As a member of the Scottsdale community, I will genuinely listen; speak respectfully; and be accountable for my words and actions."

Request to Speak cards must be submitted to the City Staff **BEFORE** public testimony begins.

Public testimony is limited to three (3) minutes per speaker.

Additional time **MAY** be granted to speakers representing two or more persons.

Cards for designated speakers and the person(s) they represent must be submitted together.

NAME (print) PATRICIA BADENOCH MEETING DATE 4-24-24

NAME OF GROUP/ORGANIZATION (if applicable) N/A

ADDRESS 5027 N. 71 Place Scottsdale AZ ZIP 85253

PHONE 480.949.9549 E-MAIL ADDRESS quardbadenoch@cox.net

I WISH TO SPEAK ON AGENDA ITEM # 5 I WISH TO DONATE MY TIME TO _____
2-GP-2023 Cosaut Commons

I WISH TO SPEAK DURING "PUBLIC COMMENT"* CONCERNING _____

*Citizens may complete one Request to Speak "Public Comment" card per meeting and submit it to the City Staff. "Public Comment" time is reserved for citizen comments regarding non-agendized items. The Board/Commission may hear "Public Comment" testimony, but is prohibited by state law from discussing items which are not listed on the agenda.

This card constitutes a public record under Arizona law.



WRITTEN COMMENTS



This card is used to submit written comments to the Board or Commission.
Written comment cards may be submitted to the Staff at any time. Cards submitted after public testimony has begun will be provided to the Board or Commission at the conclusion of the testimony for that item.

NAME (print) Susan Wood MEETING DATE 4/24/24

NAME OF GROUP/ORGANIZATION (if applicable) _____

ADDRESS 9630 E Yucca St ZIP 85260

HOME PHONE 4805404648 WORK PHONE _____

E-MAIL ADDRESS(optional) samw1222@aol.com

AGENDA ITEM # 5+6 Cosanti SUPPORT OPPOSE

COMMENTS (additional space is provided on the back) _____

I am concerned about Traffic. This project
will bring over 1000 new car trips/day,
see attached Tables of Traffic Counts

Shea Blvd. is between 83% and 132% capacity within 2 miles of the project

2022 Segment Collision Rates and Volumes, Sorted by Location

2022 Average Segment Collision Rate = 1.17 collisions per million vehicle miles

PRIMARY STREET	FROM	TO	VOLUME	CAPACITY	V/C RATIO
MOUNTAIN VIEW	SCOTTSDALE	HAYDEN	5800	34000	0.17
MOUNTAIN VIEW	HAYDEN	90TH	9500	34000	0.28
MOUNTAIN VIEW	90TH	92ND	9700	34000	0.29
MOUNTAIN VIEW	92ND	96TH	6000	14000	0.43
MOUNTAIN VIEW	96TH	VIA LINDA	10400	14000	0.74
MOUNTAIN VIEW	VIA LINDA	117TH	6300	14000	0.45
MOUNTAIN VIEW	117TH	124TH	900	14000	0.06
SHEA	64TH	70TH	47600	48000	0.99
SHEA	70TH	SCOTTSDALE	40000	48000	0.83
SHEA	SCOTTSDALE	HAYDEN	40700	48000	0.85
SHEA	HAYDEN	101 FREEWAY	46800	48000	0.98
SHEA	101 FREEWAY	90TH	63400	48000	1.32
SHEA	90TH	92ND	52900	48000	1.10
SHEA	92ND	96TH	44300	48000	0.92
SHEA	96TH	VIA LINDA	39500	48000	0.82

2022 Segment Collision Rates and Volumes, Sorted by Location

2022 Average Segment Collision Rate = 1.17 collisions per million vehicle miles

PRIMARY STREET	FROM	TO	VOLUME	CAPACITY	V/C RATIO
MOUNTAIN VIEW	SCOTTSDALE	HAYDEN	5800	34000	0.17
MOUNTAIN VIEW	HAYDEN	90TH	9500	34000	0.28
MOUNTAIN VIEW	90TH	92ND	9700	34000	0.29
MOUNTAIN VIEW	92ND	96TH	6000	14000	0.43
MOUNTAIN VIEW	96TH	VIA LINDA	10400	14000	0.74
MOUNTAIN VIEW	VIA LINDA	117TH	6300	14000	0.45
MOUNTAIN VIEW	117TH	124TH	900	14000	0.06
SHEA	64TH	70TH	47600	48000	0.99
SHEA	70TH	SCOTTSDALE	40000	48000	0.83
SHEA	SCOTTSDALE	HAYDEN	40700	48000	0.85
SHEA	HAYDEN	101 FREEWAY	46800	48000	0.98
SHEA	101 FREEWAY	90TH	63400	48000	1.32
SHEA	90TH	92ND	52900	48000	1.10
SHEA	92ND	96TH	44300	48000	0.92
SHEA	96TH	VIA LINDA	39500	48000	0.82
SHEA	VIA LINDA	FRANK LLOYD WRIGHT	28200	48000	0.59
SHEA	FRANK LLOYD WRIGHT	124TH	43600	48000	0.91
SHEA	124TH	130TH	39900	48000	0.83
SHEA	130TH	136TH	34700	48000	0.72
SHEA	136TH	142ND	29500	48000	0.61
CHOLLA	64TH	SCOTTSDALE	1600	14000	0.11
CHOLLA	92ND	96TH	1200	14000	0.09
CACTUS	64TH	SCOTTSDALE	29700	32000	0.93
CACTUS	SCOTTSDALE	HAYDEN	36800	32000	1.15
CACTUS	HAYDEN	84TH	32600	32000	1.02
CACTUS	84TH	101 FREEWAY	25100	32000	0.78
CACTUS	101 FREEWAY	94TH	19600	32000	0.61
CACTUS	94TH	96TH	13600	32000	0.43
CACTUS	96TH	100TH	8400	14000	0.60
CACTUS	100TH	104TH	5500	14000	0.39
CACTUS	104TH	FRANK LLOYD WRIGHT	4000	14000	0.29
SWEETWATER	SCOTTSDALE	HAYDEN	4200	14000	0.30
SWEETWATER	89TH	94TH	2400	14000	0.17
SWEETWATER	94TH	96TH	1900	28000	0.07
SWEETWATER	96TH	100TH	2000	14000	0.14
SWEETWATER	100TH	104TH	1700	14000	0.12
SWEETWATER	104TH	FRANK LLOYD WRIGHT	1600	14000	0.11
THUNDERBIRD/REDFIELD	SCOTTSDALE	76TH	14900	24000	0.62
REDFIELD	76TH	HAYDEN	13600	21000	0.65
THUNDERBIRD	90TH	92ND	4900	28000	0.18
THUNDERBIRD	92ND	94TH	4500	28000	0.16
THUNDERBIRD	94TH	96TH	4000	28000	0.14
THUNDERBIRD	96TH	FRANK LLOYD WRIGHT	3400	28000	0.12
RAINTREE	HAYDEN	NORTHSIGHT	15400	34000	0.45
RAINTREE	NORTHSIGHT	101 FREEWAY	27500	34000	0.81
RAINTREE	101 FREEWAY	90TH/REDFIELD	28800	34000	0.85
RAINTREE	90TH/REDFIELD	92ND	20400	34000	0.60

2022-2020 Intersection Traffic Volume Comparison, Sorted bt Descending Percent Change

The intersection volume at Scottsdale Rd. & Shea increased 77% between 2020 and 2022

N/S STREET	E/W STREET	22 VOLUME	20 VOLUME	% CHANGE	RANK
SCOTTSDALE	SHEA	70400	39700	77%	1
VIA LINDA	MOUNTAIN VIEW	32800	24000	37%	2
PIMA	VIA DE VENTURA	33400	26100	28%	3
100TH	SWEETWATER	5400	4300	26%	4
64TH	MCDOWELL	57200	45900	25%	5
HAYDEN	CACTUS	56200	45400	24%	6
SCOTTSDALE	CACTUS	77300	62500	24%	7
HAYDEN	VIA DE VENTURA	42500	34400	24%	8
SCOTTSDALE	SWEETWATER	48000	39300	22%	9
SCOTTSDALE	CHAPARRAL	41000	34500	19%	10
SCOTTSDALE	THUNDERBIRD	60700	51700	17%	11
PIMA	LEGACY	48700	41500	17%	12
HAYDEN	MCCORMICK	33300	28400	17%	13
HAYDEN	SWEETWATER	21800	18700	17%	14
PIMA	HUALAPAI	35600	31100	14%	15



2022-2020 Intersection Traffic Volume Comparison, Sorted bt Descending Percent Change

N/S STREET	E/W STREET	22 VOLUME	20 VOLUME	% CHANGE	RANK
SCOTTSDALE	SHEA	70400	39700	77%	1
VIA LINDA	MOUNTAIN VIEW	32800	24000	37%	2
PIMA	VIA DE VENTURA	33400	26100	28%	3
100TH	SWEETWATER	5400	4300	26%	4
64TH	MCDOWELL	57200	45900	25%	5
HAYDEN	CACTUS	56200	45400	24%	6
SCOTTSDALE	CACTUS	77300	62500	24%	7
HAYDEN	VIA DE VENTURA	42500	34400	24%	8
SCOTTSDALE	SWEETWATER	48000	39300	22%	9
SCOTTSDALE	CHAPARRAL	41000	34500	19%	10
SCOTTSDALE	THUNDERBIRD	60700	51700	17%	11
PIMA	LEGACY	48700	41500	17%	12
HAYDEN	MCCORMICK	33300	28400	17%	13
HAYDEN	SWEETWATER	21800	18700	17%	14
PIMA	HUALAPAI	35600	31100	14%	15
THOMPSON PEAK	FRANK LLOYD WRIGHT	46400	40600	14%	16
SCOTTSDALE	BUTHERUS	55400	49500	12%	17
56TH	CAREFREE	19400	17500	11%	18
SCOTTSDALE	MAYO	52900	48200	10%	19
THOMPSON PEAK	LEGACY	18600	17000	9%	20
FRANK LLOYD WRIGHT	RAINTREE	30500	27900	9%	21
GRANITE REEF	OAK	4800	4400	9%	22
FRANK LLOYD WRIGHT	THUNDERBIRD	29100	26800	9%	23
101 FREEWAY	CACTUS	40600	37800	7%	24
94TH	LEGACY	13200	12400	6%	25
HAYDEN	GRAYHAWK	18200	17200	6%	26
68TH	THOMAS	37800	35800	6%	27
PIMA	THOMPSON PEAK	47600	45200	5%	28
56TH	DYNAMITE	14800	14100	5%	29
THOMPSON PEAK	MCDOWELL MTN RANCH	33200	31700	5%	30
100TH	FRANK LLOYD WRIGHT	36000	34400	5%	31
HAYDEN	101 FREEWAY	35300	33900	4%	32
SCOTTSDALE	101 FREEWAY	63600	61400	4%	33
SCOTTSDALE	MOUNTAIN VIEW	46900	45400	3%	34
90TH	VIA LINDA	46300	45300	2%	35
94TH	CACTUS	29400	28800	2%	36
96TH	THUNDERBIRD	5500	5400	2%	37
SCOTTSDALE	GREENWAY-HAYDEN	45700	45000	2%	38
124TH	VIA LINDA	16400	16200	1%	39
101 FREEWAY	BELL	33800	33400	1%	40
64TH	DYNAMITE	11800	11700	1%	41
FRANK LLOYD WRIGHT	CACTUS	31100	30900	1%	42
ALMA SCHOOL	DYNAMITE	20200	20200	0%	43
SCOTTSDALE	DEER VALLEY	38000	38000	0%	44
SCOTTSDALE	INDIAN SCHOOL	45700	45700	0%	45
SCOTTSDALE	GRAYHAWK	37200	37200	0%	46
68TH	INDIAN SCHOOL	50200	50200	0%	47
MILLER	CAMELBACK	31700	31700	0%	48
PIMA	THOMAS	42400	42400	0%	49
92ND/100TH	FRANK LLOYD WRIGHT	34900	34900	0%	50

Mathew Avrhami
7373 E. Doubletree Ranch Rd. Ste. 200
Scottsdale, AZ 85258
(602) 690-4500

April 24, 2024

Scottsdale Planning & Development Dept.
Attn: Planning Commission
3939 N. Drinkwater Blvd.
Scottsdale, AZ 85251

RE: Cosanti Commons Development Rezoning Proposal

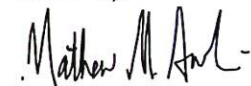
Dear Planning Commissioners,

I am a Scottsdale resident, but unfortunately cannot attend tonight's meeting. I want to express my support for the proposed Cosanti Commons residential development. I live nearby in McCormick Ranch and frequent the restaurants and retail shops near Scottsdale and Shea on a regular basis.

I believe this area is prime for redevelopment and believe the surrounding commercial and retail uses need new quality residential housing for support so these businesses can continue to be successful. I also like the idea of residential development within a mixed-use context which creates a walkable environment for the new residents. The proposed project will go a long way in revitalizing this area of Scottsdale and bring quality housing to an area that hasn't been a focus for new development investment dollars for quite some time.

I hope you will support this project.

Sincerely,

A handwritten signature in black ink that reads "Mathew M. Avrhami". The signature is written in a cursive style with a horizontal line at the end.

Mathew Avrhami

McWilliams, Jason

From: WebServices
Sent: Tuesday, April 23, 2024 12:31 PM
To: Planning Commission
Subject: Planning Commission Public Comment

Importance: High

Name: Michele Stephens
Address: 12982 N 116th Pl, Scottsdale, AZ 85259
Email: mstephens1717@gmail.com
Phone: (858) 997-4878

Comment:

As a resident of Scottsdale who lives near Shea Blvd I am writing to respectfully ask you to vote AGAINST the Cosanti Commons rezoning which would allow 196 residential units. The area is already very dense and Shea Blvd is extremely congested at all hours of the day. Including these extra units will further add to the traffic and congestion on Shea. There are enough apartments in that area of Scottsdale with plenty of vacancy. Please do not allow more. Thank you.

COSANTI COMMONS - NO

From Melanie White <mel@melanieaz.com>

Date Mon 8/12/2024 4:13 PM

To Posler, Kathryn <Kposler@scottsdaleaz.gov>

⚠External Email: Please use caution if opening links or attachments!

I've emailed numerous times on other projects and feel like every other month I'm getting a notice of the city wanting to build more apartments. When are they going to stop approving more apartments? Not one person I know of wants more apartments being built and we have no idea how this change will affect us when they are way over approved and not even been built yet.

I've lost all hope in our city council and the way they keep approving this.

It does not seem city council takes any comments into account and they almost all just approve them anyway.

I've emailed before. I live in the area of this. I DO NOT want to see this rezoned and more high-density multifamily put there. It is already a very crowded intersection and so many high-density multifamily have been approved in that area and not even built yet. It is terrible to see the beautiful old charm of Scottsdale have so many rental multifamily. We have no idea how this will impact us because they are all seemingly being built at once. This should stay commercial zoning and bring in unique and great retail or change signage and a way to promote the businesses more. **NO ONE WANTS TO SEE MORE HIGH-DENSITY RENTAL UNITS. THERE IS ENOUGH AND IT MAKES IT SEEM THEY ARE JUST OUT FOR MONEY. BY PACKING IN AS MANY HOMES AS POSSIBLE IN THE SMALLEST AMOUNT OF AREA.** Things like restaurants and live music or stores is more what this area needs. I love how this area is walkable to commercial and shopping and you're taking that all away.

MELANIE WHITE

REALTOR®, GRI, CLHMS, C2EX, SRES

My Home Group Real Estate

480.200.3201

Mel@MelanieAZ.com

MelanieAZ.com

8360 E Raintree Dr #120

Scottsdale, AZ 85260