

**Correspondence Between
Staff and Applicant**



BURCH & CRACCHIOLO

EDWIN C. BULL
DIRECT LINE: 602.234.9913
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December 12, 2011

Connie Padian, Scottsdale Planning Administrator
CITY OF SCOTTSDALE
7447 East Indian School Road
Scottsdale AZ 85251

Dear Connie,

Because the "commercial uses" provision of the 1996 Development Agreement that is recorded at 19960580896 is contrary to the City Council's 2011 approvals of Ordinance No. 3974 and Resolution Nos. 8835 and 8850 for multi-family development of the approximately 6 acres site generally known as "The Residences at Zocallo Plaza", it is my understanding the City will not enforce the 1996 Development Agreement on the 6 acres site. Presuming you agree, please confirm by signing below.

Thank you.

Very truly yours,
BURCH & CRACCHIOLO, P.A.

Edwin C. Bull
For the Firm

ECB/meb

As Planning Administrator-City of Scottsdale, I agree with the above and acknowledge that the City will not enforce the 1996 Development Agreement against the approximately 6 acres.

Connie Padian
Connie Padian, Planning Administrator

12/12/11
Date

cc: Jeff Newburg
John Berry



Burch & Cracchiolo, P.A.
702 E. Osborn Rd., Suite 200 • Phoenix, AZ 85014
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BCATTORNEYS.COM

Michele Hammond

Re: TIMA

m: tove.white@kimley-horn.com
Sent: Tuesday, June 21, 2011 9:57 AM
To: PPorell@ScottsdaleAZ.Gov
Cc: jeff@broadmooraz.com; Michele Hammond; todd.bowden@capreserv.com.; PKercher@Scottsdaleaz.Gov; skip@lnarchitects.com
Subject: RE: Barcelona Apartment Project - TIMA requirement clarification answer

Paul:

Thank you for your reconsideration (and for taking my call). Per our discussion this morning,

1. the City will require a Category 2 Traffic Impact and Mitigation Analysis for this project
2. the City will allow Kimley-Horn to complete the TIMA; it does not need to be completed through the City's on-call consultant process.

Tove

Tove Christina White, P.E.
 Kimley-Horn & Associates, Inc.
 7878 N. 16th Street, Suite 300
 Phoenix, Arizona 85020
 Main Phone: (602) 944-5500
 Direct Line: (602) 906-1101
 Mobile: (602) 568-2721
 Fax: (602) 944-7423
 E-Mail: Tove.White@Kimley-Horn.com

From: White, Tove
Sent: Monday, June 20, 2011 6:06 PM
To: 'Porell, Paul'
Subject: Barcelona Apartment Project - TIMA requirement clarification request

The currently proposed use of the property has a lower daily trip generating potential than the existing allowed use. Unless I am missing it, Section 5-1 Traffic Impact Studies, of the City's Design Standards and Policies Manual (DSPM), does not specifically address the situation that may be created by this rezoning application:

a proposed development that is anticipated to generate less daily trips than it would under the existing allowed use, and is anticipated to generate more than 100 vehicle trips per hour in the peak period of adjacent street traffic.

I have attached a preliminary trip generation comparison exhibit for your consideration and would appreciate your direction as to:

1. What category of traffic impact and mitigation analysis (TIMA) do you anticipate requiring to support this application?

6/24/2011

10-ZN-2011
 1st: 8/17/2011

2. Will you allow Kimley-Horn to complete the TIMA (as opposed to one of the City's on-call TIMA consultants) so long as we follow the process, scoping, and format guidance provided in the DSPM?

Thank you for the clarification.

Tove Christina White, P.E.
Kimley-Horn & Associates, Inc.
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Direct Line: (602) 906-1101
Mobile: (602) 568-2721
Fax: (602) 944-7423
E-Mail: Tove.White@Kimley-Horn.com

Michele Hammond

From: Vandevord, Mary [MVandevord@Scottsdaleaz.gov]
Sent: Monday, August 15, 2011 9:15 AM
To: Michele Hammond
Subject: RE: Barcelona GPA and Rezoning (multi-family)

Sure!

From: Michele Hammond [mailto:mh@BerryDamore.com]
Sent: Monday, August 15, 2011 9:04 AM
To: Vandevord, Mary
Subject: Re: Barcelona GPA and Rezoning (multi-family)

Great. I will bring this email to my submittal if that's ok.

From: Vandevord, Mary [mailto:MVandevord@Scottsdaleaz.gov]
Sent: Monday, August 15, 2011 08:50 AM
To: Michele Hammond
Cc: Lamperez, Edmond <ELamperez@Scottsdaleaz.gov>; Perreault, Erin <EPERREULT@scottsdaleaz.gov>; Carr, Brad <bcarr@scottsdaleaz.gov>
Subject: RE: Barcelona GPA and Rezoning (multi-family)

Hi Michele-

Just wanted to let you know that Eddie is out on vacation and will be back Thursday. He will be able to run the analysis for you then. You can still submit everything else on Wednesday.

Mary Vandevord | AICP

Senior Planner
Long Range Planning Services
Community & Economic Development
City of Scottsdale, Arizona

7506 E Indian School Road
Scottsdale, AZ 85251
O: (480) 312-7902 F: (480) 312-7314
mvandevord@scottsdaleaz.gov

From: Michele Hammond [mailto:mh@BerryDamore.com]
Sent: Sunday, August 14, 2011 3:30 PM
To: Vandevord, Mary
Subject: Barcelona GPA and Rezoning (multi-family)

Hi Mary:

10-ZN-2011
1st: 8/17/2011

8/15/2011

Just wanted to let you know that the goal is to submit the application for the old Barcelona site/Zocallo Plaza on Wednesday. I need to have Eddie run the Analysis per the checklist list (#10 on the GP checklist). Can you give him a heads up for me? I will call on Monday morning. We are proposing 240 units on 6.42 acres. Hope you are doing well!!!

Michele Hammond

Principal Planner

BERRY & DAMORE, LLC

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