

**SCOTTSDALE CITY COUNCIL  
REGULAR MEETING AND WORK STUDY SESSION MINUTES  
TUESDAY, FEBRUARY 20, 2024**



**CITY HALL KIVA  
3939 N. DRINKWATER BOULEVARD  
SCOTTSDALE, AZ 85251**

**CALL TO ORDER**

Mayor David D. Ortega called to order a Regular Meeting and Work Study Session of the Scottsdale City Council at 5:02 P.M. on Tuesday, February 20, 2024 in the City Hall Kiva Forum.

**ROLL CALL**

Present: Mayor David D. Ortega; Vice Mayor Solange Whitehead; and Councilmembers Tammy Caputi, Tom Durham, Barry Graham, Betty Janik, and Kathy Littlefield (Councilwoman Littlefield participated electronically)

Also Present: City Manager Jim Thompson, City Attorney Sherry Scott, City Treasurer Sonia Andrews (arrived at 5:04 P.M.), Acting City Auditor Lai Cluff, and City Clerk Ben Lane

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Vice Mayor Whitehead.

**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.

Mayor Ortega noted the Scottsdale Arabian Horse Show is in progress this week through February 25, 2024 at WestWorld. There are many amazing programs with 2,300 Arabian horses participating.

Mayor Ortega announced Spring Training games would begin Saturday, February 24, 2024 at Scottsdale Stadium, Spring Training home of the San Francisco Giants.

**PRESENTATIONS/INFORMATION UPDATES**

- **Arizona Public Service (APS) Peak Solutions Rebate**  
Presenter(s): Brian Biesemeyer, Water Resources Executive Director and Tymothis Howitt, Account Manager, APS

**NOTE:** MINUTES OF CITY COUNCIL MEETINGS AND WORK STUDY SESSIONS ARE PREPARED IN ACCORDANCE WITH THE PROVISIONS OF ARIZONA REVISED STATUTES. THESE MINUTES ARE INTENDED TO BE AN ACCURATE REFLECTION OF ACTION TAKEN AND DIRECTION GIVEN BY THE CITY COUNCIL AND ARE NOT VERBATIM TRANSCRIPTS. DIGITAL RECORDINGS AND CLOSED CAPTION TRANSCRIPTS OF SCOTTSDALE CITY COUNCIL MEETINGS ARE AVAILABLE ONLINE AND ARE ON FILE IN THE CITY CLERK'S OFFICE.

**Note: The Council may make comments or ask questions to the presenter(s); however, no Council action will be taken.**

Water Resources Executive Director Brian Biesemeyer and Arizona Public Service (APS) Account Manager Tymothy Howitt and APS Account Executive Matthew Pool presented the APS Peak Solutions Rebate to the city of Scottsdale.

## **PUBLIC COMMENT**

Hiram Champlin provided a document (attached) to the City Council and spoke about a financial crime investigation involving the Scottsdale House Homeowners Association and requested additional police support be provided to aid in the investigation.

Lizbeth Congiusti provided a document (attached) to the City Council and spoke about the Pleasant Run Homeowners Association interaction with the Planning Department and requested restitution for attorney fees due to a permitting situation.

David Smith commented that the sales tax initiative to acquire land for the Preserve accomplished its purpose and requested the tax end.

Mason Gates spoke in opposition to road diets, road congestion, and the dangers to commuters.

Bob Lettieri spoke in opposition to road diets, road congestion, and noted he filed a citizen petition (attached) to remove six streets that are currently planned for reclassification in the Transportation Action Plan.

## **MINUTES**

**Request:** Approve the following Council meeting minutes from January 2024:

- a. **Special Meeting Minutes of January 23, 2024**
- b. Executive Session Minutes of January 23, 2024
- c. **Regular Meeting and Work Study Session Minutes of January 23, 2024**

## **MOTION AND VOTE - MINUTES**

Councilwoman Janik made a motion to approve the Special Meeting Minutes of January 23, 2024; Executive Session Minutes of January 23, 2024; and Regular Meeting and Work Study Session Minutes of January 23, 2024. Vice Mayor Whitehead seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Whitehead; and Councilmembers Caputi, Durham, Graham, Janik, and Littlefield voting in the affirmative.

## **CONSENT AGENDA**

1. **Voila French Bistro Liquor License (88-LL-2023)**  
**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:** 10135 E. Via Linda, Suite C120  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)

**2. 55 Resort at McCormick Ranch Liquor License (1-LL-2024)**

**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:** 9449 N. 90<sup>th</sup> Street

**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)

**3. Quail Crest Estates 2 Rezoning (11-ZN-2022)**

**Requests:**

1. Adopt **Ordinance No. 4622** approving a zoning district map amendment from Single-Family Residential, Environmentally Sensitive Lands (R1-130 ESL) to Single-Family Residential, Planned Residential Development, Environmentally Sensitive Lands (R1-70 PRD ESL) zoning and approval of a Development Plan with increased density and Amended Development Standards for lot area, lot width, and setbacks for a 12-lot subdivision on a ±20-acre site.
2. Adopt **Resolution No. 13001** declaring the document titled "*Quail Crest Estates 2 Development Plan*" to be a public record.

**Location:** Southeast corner of E. Pinnacle Vista Drive and N. 132<sup>nd</sup> Street

**Staff Contact(s):** Erin Perreault, Planning, Economic Development, and Tourism Executive Director, 480-312-7093, [eperreault@scottsdaleaz.gov](mailto:eperreault@scottsdaleaz.gov)

**\*\*\*4. Gravity Sewer – Tournament Players Club (TPC) Golf Course to North Pumpback Station Project Construction Phase Contract Amendment**  
(Moved to Regular Agenda Item No. 10A)

**5. Transportation Engineering Services Contract Extensions**

**Request:** Adopt **Resolution No. 13049** authorizing the following one-year contract extensions, in an amount not to exceed \$750,000 per contract, for on-call transportation engineering services:

1. Contract No. 2020-048-COS-A3 with Gavan & Barker, Inc.
2. Contract No. 2020-049-COS-A3 with Olsson, Inc. (formerly Premier Engineering Corporation)
3. Contract No. 2020-050-COS-A3 with Ritoch-Powell and Associates Consulting Engineers, Inc.

**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, [daworth@scottsdaleaz.gov](mailto:daworth@scottsdaleaz.gov)

**6. John Reddell, Jr. v. City of Scottsdale Settlement Agreement**

**Request:** Adopt **Resolution No. 13051** to authorize:

1. Agreement No. 2024-052-COS with John Reddell, Jr., in the amount of \$105,000, to settle all claims in *John Reddell, Jr. v. City of Scottsdale, et al.*, Case No. CV2022-053059, 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 such 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](mailto:sscott@scottsdaleaz.gov)

**7. Fiscal Year (FY) 2023/24 Capital Improvement Plan (CIP) Budget Adjustments and Cash Transfers**

**Request:** Adopt **Resolution No. 13028** authorizing FY 2023/24 CIP budget adjustments and cash transfers.

**Staff Contact(s):** Ana Lia Johnson, Acting Budget Director, 480-312-7893, [anjohnson@scottsdaleaz.gov](mailto:anjohnson@scottsdaleaz.gov)

**8. Monthly Financial Report**

**Request:** Accept the Fiscal Year 2023/24 Monthly Financial Report as of December 2023.

**Staff Contact(s):** Ana Lia Johnson, Acting Budget Director, 480-312-7893, [anjohnson@scottsdaleaz.gov](mailto:anjohnson@scottsdaleaz.gov)

**MOTION AND VOTE – CONSENT AGENDA**

There was no public comment on the Consent Agenda items.

Councilwoman Janik requested additional information on Item 8 [Monthly Financial Report].

City Treasurer Sonia Andrews gave a presentation on the Monthly Financial Report.

Vice Mayor Whitehead made a motion to approve Consent Agenda Items 1 through 8, noting Item 4 was moved to the Regular Agenda as Item 10A. Councilwoman Janik seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Whitehead; and Councilmembers Caputi, Durham, Graham, Janik, and Littlefield voting in the affirmative.

**REGULAR AGENDA**

**9. Rescinding Previously Adopted Resolutions related to funding to construct The Residence at Paiute**

**Request:** Adopt **Resolution No. 13052** to authorize:

1. The rescinding of previously adopted Resolution No. 12913.
2. A Fiscal Year 2023/24 return of \$6,570,000 of budget appropriation from the “*Construct The Residence at Paiute*” capital project to the Capital Grant Contingency budget.
3. A Fiscal Year 2023/24 return of \$7,909,173 from the “*Construct The Residence at Paiute*” capital project to the General Plan Initiatives designation in the General Fund operating fund balance.
4. The rescinding of previously adopted Resolution No. 12928.
5. A Fiscal Year 2023/24 return of \$5,316,186 from the Bond 2019 Project 25 – Replace Aging Building that Comprise Paiute Community Center to the General Plan Initiatives designation in the General Fund operating fund balance.

**Presenter(s):** Judy Doyle, Community Services Assistant Executive Director

**Staff Contact(s):** Judy Doyle, Community Services Assistant Executive Director, 480-312-2691, [jdoyle@scottsdaleaz.gov](mailto:jdoyle@scottsdaleaz.gov)

Community Services Assistant Executive Director Judy Doyle gave a PowerPoint presentation (attached) on the proposed Resolution No. 13052 rescinding funding to construct The Residence at Paiute.

Mayor Ortega opened public comment on this item.

Lee Kauffheil spoke in support of the project and requested the Council find another way to help those in need.

Neal Shearer spoke in support of the project and requested the City seek other means of moving forward with the project.

Mayor Ortega closed public comment on this item.

### **MOTION AND VOTE – ITEM 9**

Vice Mayor Whitehead made a motion to adopt Resolution No. 13052 to authorize:

1. The rescinding of previously adopted Resolution No. 12913.
2. A Fiscal Year 2023/24 return of \$6,570,000 of budget appropriation from the “Construct The Residence at Paiute” capital project to the Capital Grant Contingency budget.
3. A Fiscal Year 2023/24 return of \$7,909,173 from the “Construct The Residence at Paiute” capital project to the General Plan Initiatives designation in the General Fund operating fund balance.
4. The rescinding of previously adopted Resolution No. 12928.
5. A Fiscal Year 2023/24 return of \$5,316,186 from the Bond 2019 Project 25 – Replace Aging Building that Comprise Paiute Community Center to the General Plan Initiatives designation in the General Fund operating fund balance.

Councilmember Durham seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Whitehead; and Councilmembers Caputi, Durham, Graham, Janik, and Littlefield voting in the affirmative.

### **10. Old Town Scottsdale Character Area Plan – Phase 2 and The Downtown and Planned Block Development Zoning Districts Updates (5-GP-2021#2 and 1-TA-2021)**

#### **Requests:**

1. Adopt **Resolution No. 13008** authorizing a minor amendment to the Scottsdale General Plan 2035 by amending and updating the Old Town Character Area Plan.
2. Adopt **Ordinance No. 4629** amending the City of Scottsdale Zoning Ordinance (Ordinance No.455) for the purpose of amending Section 5.3000 (Downtown); Section 6.1200 (Downtown Overlay); Section 6.1300 (Planned Block Development Overlay District); Section 7.1200 (Special Public Improvements); and other applicable sections of the Zoning Ordinance to prospectively update specific names, definitions, district size requirements, sub-districts, use regulations, development types, Development Plan requirements, property development standards, the ability to grant discretionary bonus provisions and/or bonus development standards, and related citywide requirements as provided in Case No. 1-TA-2021.
3. Adopt **Resolution No. 13058** declaring the document entitled “*Old Town Zoning Districts Text Amendment*” to be a public record.

**Presenter(s):** Adam Yaron, Planning and Development Area Manager

**Staff Contact(s):** Erin Perreault, Planning, Economic Development, and Tourism Executive Director, 480-312-7093, [eperreault@scottsdaleaz.gov](mailto:eperreault@scottsdaleaz.gov)

Planning and Development Area Manager Adam Yaron gave a PowerPoint presentation (attached) on the proposed Old Town Scottsdale Character Area Plan – Phase 2 and The Downtown and Planned Block Development Zoning Districts Updates.

There was no public comment on this item.

### **MOTION AND VOTE – ITEM 10**

Vice Mayor Whitehead made a motion to:

1. Adopt Resolution No. 13008 authorizing a minor amendment to the Scottsdale General Plan 2035 by amending and updating the Old Town Character Area Plan.
2. Adopt Ordinance No. 4629 amending the City of Scottsdale Zoning Ordinance (Ordinance No.455) for the purpose of amending Section 5.3000 (Downtown); Section 6.1200 (Downtown Overlay); Section 6.1300 (Planned Block Development Overlay District); Section 7.1200 (Special Public Improvements); and other applicable sections of the Zoning Ordinance to prospectively update specific names, definitions, district size requirements, sub-districts, use regulations, development types, Development Plan requirements, property development standards, the ability to grant discretionary bonus provisions and/or bonus development standards, and related citywide requirements as provided in Case No. 1-TA-2021.
3. Adopt Resolution No. 13058 declaring the document entitled “Old Town Zoning Districts Text Amendment” to be a public record.

Mayor Ortega seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Whitehead; and Councilmembers Caputi, Durham, Graham, Janik, and Littlefield voting in the affirmative.

#### **\*\*\*10A. Gravity Sewer – Tournament Players Club (TPC) Golf Course to North Pumpback Station Project Construction Phase Contract Amendment**

**Request:** Adopt **Resolution No. 13040** to authorize:

1. Construction Manager at Risk Contract No. 2023-201-COS-A1 with Achen Gardner Construction, LLC, in an amount not to exceed \$18,301,994, to provide phase two construction phase services for the Gravity Sewer – TPC Golf Course to the North Pumpback Station Project.
2. A Fiscal Year 2023/24 Capital Budget Transfer, of up to \$7,787,000, from the Rio Verde/128<sup>th</sup> Street Transmission Mains project (WG01) to the Greenway Hayden Loop Sewer Improvements project (VJ01) to be funded by sewer rates.
3. A Fiscal Year 2023/24 Capital Budget Transfer, of up to \$6,000,000, from the New Pumpback project (VJ05) to the Greenway Hayden Loop Sewer Improvements project (VJ01) to be funded by sewer rates.
4. A Fiscal Year 2023/24 Capital Budget Transfer, in the amount of \$3,267,000, from the Water Campus Vadose Well Construction project (WH01) to the Greenway Hayden Loop Sewer Improvements project (VJ01) to be funded by sewer rates.
5. A Fiscal Year 2023/24 Capital Budget Transfer, in the amount of \$528,900, from the East Dynamite Area Transmission Main project (WD01) to the Greenway Hayden Loop Sewer Improvements project (VJ01) to be funded by sewer rates.
6. A Fiscal Year 2023/24 Capital Budget Transfer, in the amount of \$7,417,100, from the State Land Near Legend Trails II project (WF04) to the Greenway Hayden Loop Sewer Improvements project (VJ01) to be funded by sewer rates.
7. The City Treasurer and City Manager, or their designees, to take such actions and execute such documents as necessary to carry out the intent of this Resolution.

**Location:** South of Bell Road and on the West Side of Pima Road

**Presenter(s):** Alison Tymkiw, City Engineer and Brian Biesemeyer, Water Resources Executive Director

**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555,  
[daworth@scottsdaleaz.gov](mailto:daworth@scottsdaleaz.gov)

City Engineer Alison Tymkiw and Water Resources Executive Director Brian Biesemeyer gave a PowerPoint presentation (attached) on the proposed Gravity Sewer – Tournament Players Club (TPC) Golf Course to North Pumpback Station Project Construction Phase Contract Amendment.

There was no public comment on this item.

### **MOTION AND VOTE – ITEM 10A**

Mayor Ortega made a motion to adopt Resolution No. 13040 to authorize:

1. Construction Manager at Risk Contract No. 2023-201-COS-A1 with Achen Gardner Construction, LLC, in an amount not to exceed \$18,301,994, to provide phase two construction phase services for the Gravity Sewer – TPC Golf Course to the North Pumpback Station Project.
2. A Fiscal Year 2023/24 Capital Improvement Plan (CIP) budget transfers of up to \$25,000,000 from the Rio Verde/128th Street Transmission Mains (WG01), New Pumpback (VJ0S), Water Campus Vadose Well Construction (WH01), East Dynamite Area Transmission Main (WD01), and State Land Near Legend Trails II (WF04) capital projects to the Greenway Hayden Loop Sewer Improvements (VJ0I) capital project to be funded by Sewer Rates.

Vice Mayor Whitehead seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Whitehead; and Councilmembers Caputi, Durham, Graham, Janik, and Littlefield voting in the affirmative.

### **PUBLIC COMMENT**

Brent Bieser commented on an ongoing zoning issue at the northeast corner of Vista and Scottsdale Roads. Mr. Bieser stated he would be bringing the issue to the Board of Adjustment.

Lee Kauffheil commented on transportation congestion and an example of Braess' paradox, in which larger roads increase congestion because everyone drives on that road instead of other available routes.

### **CITIZEN PETITIONS**

#### **11. 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 agendaize 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](mailto:blane@scottsdaleaz.gov)

### **MOTION AND VOTE – ITEM 11**

Mayor Ortega made a motion to direct the City Manager to investigate the matter related to possibly removing six streets that are currently planned for reclassification in the Transportation Action Plan and prepare a written response to the Council, with a copy to the petitioner. Vice Mayor Whitehead seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Whitehead; and Councilmembers Caputi, Durham, Graham, Janik, and Littlefield voting in the affirmative.

### **WORK STUDY SESSION**

#### **PUBLIC COMMENT**

No public comments were received.

- \*\*\*1. **Preliminary Fiscal Year (FY) 2024/25 Budget Outlook and Capital Improvement Plan (CIP) Updates**  
(Item removed at the request of staff)

Mayor Ortega noted for the record that the Work Study item was removed at the request of staff since a quarterly report related to the Budget and Capital Improvement Plan was provided at the last City Council Meeting on February 6, 2024.

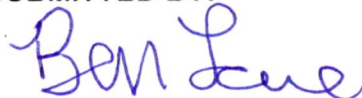
**MOTION AND VOTE – ADJOURNMENT**

Vice Mayor Whitehead made a motion to adjourn the Regular Meeting and Work Study Session. Councilmember Graham seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Whitehead; and Councilmembers Caputi, Durham, Graham, Janik, and Littlefield voting in the affirmative.

**ADJOURNMENT**

Mayor Ortega adjourned the Regular Meeting and Work Study Session at 7:37 P.M.

**SUBMITTED BY:**



**Ben Lane, City Clerk**

Officially approved by the City Council on March 19, 2024



## CERTIFICATE

I hereby certify that the foregoing Minutes are a true and correct copy of the Minutes of the Regular Meeting and Work Study Session of the City Council of Scottsdale, Arizona, held on the 20<sup>th</sup> day of February 2024.

I further certify that the meeting was duly called and held, and that a quorum was present.

**DATED** this 19<sup>th</sup> day of March 2024.



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**Ben Lane, City Clerk**

2/20/2024 Scottsdale City Council Meeting

My name is Hiram Champlin and I'd first like to thank you for the opportunity to speak about what many consider to be a great injustice. I own a home in the Scottsdale House complex located at 4800 N 68<sup>th</sup> St.

Scottsdale House is a condominium community of 263 homes located on 40 acres that was built in the 1960's and I am on the board of our Homeowners Association.

In December of 2022 we reported a crime to your police department. The alleged crime was the theft of over \$1.6 million from our HOA by the General Manager and the Bookkeeper. We completed the detailed embezzlement packet at the request of the detective and six subpoenas were issued to banks and credit card companies in April of last year. Since then, nothing has been done on the case from our perspective. We are told that one of the banks has not responded to the subpoena and that all we can do is wait, even though it's been 10 months since they received the subpoena.

We filed an employee dishonesty claim at roughly the same time we filed the police report. We proved that claim and have collected over \$700,000 starting in February of last year. The insurance company did not dispute any of our claim. Our policy only went back two years which prevented us from collecting more. My point is that if we can prove our case in a matter of months to an insurance company why is justice taking so long with the Scottsdale Police?

Let me be clear, I have nothing but admiration for Detective Steven Negron, but it is apparent that he has work overload, and it is hurting our investigation.

The purpose of my talk tonight is to respectfully ask the City Council to add more support to our case. It is not right that after 14 long months the 500 plus victims of Scottsdale House, most of whom are elderly, are still waiting for justice with no end in sight.

Thank you.

Hiram Champlin  
(580)548-6580  
HHChamplin@gmail.com

January 23,2024

Honorable Mayor Ortega and City Council Members,

Pleasant Run Home Owners Association volunteer Board represents a 195-townhome community in Scottsdale with a finite operating budget funded by homeowners' dues only. A six-month delay consisting of sporadic communications, baseless issues and information requests from City of Scottsdale's Planning Department's denial of one patio extension permit #2350-23 resulted in an \$11,675 financial hardship for our 2023 budget.

Without Mayor Ortega's assistance facilitating a meeting with Planning Department, we would not have the permit resolution of approved with "no change to the process" of our original permit request. Our HOA Board should not have had to hire attorneys to defend/explain why the patio request met the requirements. It is our Board's fiduciary responsibility to respectfully submit our legal expenses created by the Planning Department permit debacle to City Council for a favorable consideration of financial reimbursement or relief.

### **Planning Department Baseless Issues**

Ordinances- Planning Department employee, Jesus Murillo, stated permit is denied until the HOA can show that it is meeting the required frontage, common, and private open space requirements by Ordinance. He provided cases dating back to 1971 to be researched. He gave our Board no phone or meeting clarification opportunities.

This request required our Board to hire outside council for the necessary research and permitting of one patio. This also, in our opinion, demonstrated an apparent disregard to Pleasant Run HOA's established CCR's available for his review which grants our authority to approve encroachments that has secured previous permit approvals with prejudice and no contention for 180 patios of our 195 homes for 45 years.

In addition, the planning department was informed that Pleasant Run property is in City of Scottsdale Zoning R-4R which has no open space requirements.

How is this ordinance request conducive to the Planning Department's Mission Statement "Our goal is to make Scottsdale's development process helpful, speedy and smooth"?

### **Communication Issues**

The review process started in May 2023. HOA Board facilitated eight emails, hired outside counsel, received two voicemails to "refer to planning emails", lack of resolution and communication prompted our appeal to Mayor Ortega for his assistance in October.

City Attorney responded December 2023 our permit request "was not one typically issued by the City" and the "application is atypical and inconsistent with normal policies requiring more time."

Again, 180 of our 195 townhomes have patios permitted by City. Permit #2350-23 was approved after our meeting request "with no changes to process of our original permit request." City Attorney responded with an inaccurate assessment of situation.

We thank you in advance for a favorable conclusion and support of our community in our request for the City of Scottsdale Planning Department to shoulder some of the financial responsibility incurred at Pleasant Run HOA expense due to Planning's great failure in meeting its Mission Statement and requiring unnecessary information from us, their delayed communications, ongoing denial of a permit that required "no curing" for approval in the end and offered no resolution or meeting until Mayor Ortega intervened.

Respectfully,

Lizbeth Congiusti, Pleasant Run HOA Architecture Committee Chair (480-510-7906)

Janice Edwards, Pleasant Run HOA Board President (520-609-4833)

Dan Neumeister, Pleasant Run HOA Treasurer (530-680-5752)

Enclosures:

December 11 letter from Eric Anderson, Senior Assistant City Attorney

December 13 letter to Mayor David Ortega and Tim Curtis

Email from Jesus Murillo

September 5 letter from Mulcahy Law Firm

October 12 letter from Mulcahy Law Firm



City Attorney's Office

3939 N. Drinkwater Blvd  
Scottsdale, AZ 85251

PHONE 480-312-2405  
FAX 480-312-2548

December 11, 2023

Lizbeth Congiusti, Pleasant Run HOA Architecture Committee Chair  
Janice Edwards, Pleasant Run HOA Board President  
Dan Neumeister, Pleasant Run HOA Treasurer

Pleasant Run Board Members,

Your letter of December 13, 2023 [sic] has been forwarded to the City's Legal Department for response. We have met and discussed this matter with the Planning Department. While it is nice to note that your homeowner ultimately received the permit that he sought, we disagree that there was a lack of communication by the City. City records indicate regular communication by Planning staff regarding this matter.

I will also note that the permit sought by your homeowner was not one typically issued by the City as installation of structures such as patios across lot lines is inconsistent with regular City policies and practices. It was through the research efforts of the assigned Planner that the City was able to issue a permit in this instance.

As members of a governing board that likely receives architectural requests, I am sure that you can appreciate that when an application is presented that is atypical and inconsistent with normal policies and practices, additional time may be needed for processing. The City appreciates the homeowner and the Board members for their patience while the details were sorted out. However, the letter that you have submitted does not meet the legal requirements for a valid claim against the City and the City cannot provide reimbursement for your stated fees.

Thank you and please wish the homeowner good luck with the new patio.

Sincerely,

A handwritten signature in blue ink, appearing to read "Eric C. Anderson", is written over the word "Sincerely,".

Eric C. Anderson, Senior Assistant City Attorney  
Scottsdale City Attorney's Office

December 13, 2023

Mayor David D. Ortega  
3939 N. Drinkwater Blvd  
Scottsdale, AZ 85251  
[dortega@ScottsdaleAZ.gov](mailto:dortega@ScottsdaleAZ.gov)

Tim Curtis, Current Planning Director  
7447 E. Indian School Road  
Scottsdale, AZ 85251  
[tcurtis@ScottsdaleAZ.gov](mailto:tcurtis@ScottsdaleAZ.gov)

The Honorable David D. Ortega, Mayor of Scottsdale  
Tim Curtis, Current Planning Director

Mayor Ortega, Pleasant Run Homeowners Association Board would like to express their sincere gratitude for your support facilitating a resolution meeting with the City of Scottsdale's Planning Department. Your assistance brought closure to a six month delayed response for permit approval due to the Planning Department's lack of communication after our efforts of multiple emails, phone calls and several legal correspondences requesting a review of their determination.

Our 45 year old community, where 180 of our 195 townhomes have patios secured by Homeowner's Association established CCR's and our authority to approve encroachments in compliance with City of Scottsdale Zoning R-4R and has secured previous permit approvals with prejudice and no contention. Even with this history, the Planning Department made issue and denied permit approval for 7393 Pleasant Run/Plan #2350-23 without returning our inquiries. Mr. Curtis, we found this experience not conducive with your department's on-line Mission Statement, "Our goal is to make Scottsdale's development process helpful, speedy and smooth."

Unfortunately, this mismanagement and continued delay responding to our efforts by the Planning Department caused an unnecessary, non-appropriated financial hardship to our 2023 budget incurring over \$11,675 in legal fees before Planning responded to the Mayor's meeting request, acknowledging we were in compliance and the permit should **never** have been denied.

On behalf of the Pleasant Run community, that has experienced two years of increased HOA fees to fund appropriations for increases in our expenses due to inflation, it is our fiduciary responsibility to respectfully submit our legal expenses incurred for this Planning permit debacle. We are confident after our concern is reviewed, monies should be reimbursed by check or perhaps through in-kind credit to Pleasant Run HOA water bill.

Thank you in advance, gentlemen, for your continued support of our community. We would welcome any opportunity to discuss a reimbursement prior to attending a City Council meeting.

Respectfully,

Lizbeth Congiusti, Pleasant Run HOA Architecture Committee Chair (480-510-7906)  
Janice Edwards, Pleasant Run HOA Board President (520-609-4833)  
Dan Neumeister, Pleasant Run HOA Treasurer (530-680-5752)

Enclosures

It is important to note that a, b, and c have always been done. This is not a change to the process. As to 'd', only one property out of 180 has a roof, and this was approved many years ago. It would not be approved today by the HOA. **In Summary, the HOA made no changes to its process, and the City agreed, negating the entire reason for the 6 month delay.**

Dan Neumeister  
PRHOA Board Member and Treasurer

**From:** Murillo, Jesus <JMurillo@ScottsdaleAz.Gov>  
**Sent:** Monday, October 30, 2023 11:27 AM  
**To:** Justin DeLuca <jdeluca@mulcahylawfirm.com>; Curtis, Tim <tcurtis@scottsdaleaz.gov>  
**Cc:** Beth Mulcahy <bmulcahy@mulcahylawfirm.com>; Dan Neumeister <dan.neumeister@yahoo.com>; Karen Benson <KBenson@integrityfirstpm.com>  
**Subject:** RE: PLAN # 2350-23 - Pleasant Run Association, Inc.

Hello Beth, Justin, and the Pleasant Run HOA Members,

Thank you for your patience, and please allow this email to be staff's formal response to this email and the attached letter.

Staff has met with your team and agrees with the analysis of the letter and the meeting. Staff believes that your team also agrees to the manner in which the common open space shall be encroached.

As stated in the letter and our conversation, the HOA has the authority to allow the encroachment into the Tracts "A," "C," and "D," and with the approval of an encroachment easement, staff can approve such encroachments. Future encroachments, or amendments to the existing encroachments, will be reviewed by both parties as per to the following points:

- a. The encroachment will receive approval by the Pleasant Run HOA,
- b. The Pleasant Run HOA will grant the resident an easement,
- c. The easement will be provided to the City with submittal and plan review of the encroachment submittal,
- d. The encroachments shall not be enclosed (provide a roof element).

I will provide a copy of these elements in the folder for this community so that future reviewers shall have reference of these points.

I have stamped approved the subject request, plan check 2350-23, and have requested the signature from the other two approved departments (drainage and building reviewers). The owner should receive the approval email shortly.

Again, thank you for your patience with me.

Sincerely,

Jesús



MULCAHY LAW FIRM, P.C.

Beth Mulcahy\*  
Haidyn DiLorenzo\*\*  
Justin DeLuca\*\*

[info@mulcahylawfirm.com](mailto:info@mulcahylawfirm.com)

SENT VIA REGULAR U.S. MAIL AND EMAIL: [tcurtis@ScottsdaleAZ.gov](mailto:tcurtis@ScottsdaleAZ.gov)

September 5, 2023

City of Scottsdale Planning and Development  
3939 North Drinkwater Boulevard  
Scottsdale, Arizona 85251

*Re: Pleasant Run Association, Inc.*

Dear Tim Curtis:

I represent Pleasant Run Association, Inc. ("Association"). It has come to the Association's attention that an owner within the community recently applied to the City of Scottsdale Planning Department ("Department") for a permit to construct a patio. I am contacting you to address the concerns raised by the Department regarding the Association's open space ordinance requirements.

It is my understanding that the permit was denied, and that the planning reviewer, Jesus Murillo, raised a concern regarding whether the Association's common area complies with open space ordinance requirements. Despite repeated attempts to obtain an update from Jesus Murillo, the Association has not been given any further information regarding this matter. It is my understanding that more than 90% of the Lots within the community have extended patios, and this concern has never been raised by the City in the past.

It is the Association's belief and understanding that the community is in compliance with applicable open space ordinance requirements per the Association's R-4R zoning<sup>1</sup>. The Association has more open space than any other community in the immediate area. As such, the Association is having a difficult time determining how this all of a sudden became an issue. If the Department has documentation to the contrary, please provide that to my office at your earliest convenience, including, but not limited to, the applicable open space requirements based on the Association's zoning, along with any documentation proving that the Association has failed to comply with those requirements.

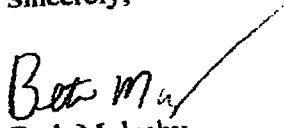
Based on the foregoing, the Association is requesting that you review this matter and overturn Jesus Murillo's decision, along with confirming that the Association remains in compliance with all natural open space requirements. We respectfully request a response, in writing, on or before September 19, 2023.

<sup>1</sup> If the Association's understanding of its zoning is inaccurate, please confirm the correct zoning designation.



Thank you for your time and anticipated cooperation.

Sincerely,

A handwritten signature in cursive script that reads "Beth Mulcahy". The signature is written in black ink and is positioned above the printed name.

Beth Mulcahy

BM/bb

cc. Pleasant Run Association, Inc.



**MULCAHY LAW FIRM, P.C.**

Beth Mulcahy\*  
Haidyn DiLorenzo\*\*  
Justin DeLuca\*\*

*[bmulcahy@mulcahylawfirm.com](mailto:bmulcahy@mulcahylawfirm.com)*  
*[hdilorenzo@mulcahylawfirm.com](mailto:hdilorenzo@mulcahylawfirm.com)*  
*[jdeluca@mulcahylawfirm.com](mailto:jdeluca@mulcahylawfirm.com)*

*Sent via email only: [JMurillo@ScottsdaleAz.Gov](mailto:JMurillo@ScottsdaleAz.Gov); [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)*

October 12, 2023

**Re: PLAN # 2350-23 – Pleasant Run Association, Inc.**

Dear Jesus Murillo:

As you know, I represent Pleasant Run Association, Inc. (“Association”). I am contacting you in an attempt to resolve the patio permitting issue raised by the City of Scottsdale Planning Department (“Department”) pertaining to PLAN # 2350-23 within the Department.

It is the Association’s belief and understanding that it is in compliance with all applicable open space and encroachment requirements and that it has complied with all requests from the Department. **As such, this Letter is requesting confirmation from the Department that this matter is resolved and the permit request under PLAN # 2350-23 has been granted by Friday October 20, 2023 at 5:00 p.m. MST.**

As stated in our October 3, 2023 email to you, under the Association’s Amended Declaration of Covenants, Conditions and Restrictions, recorded January 29, 1986 in Document No. 86-044793, records of Maricopa County (“CC&Rs”), the Board has the right to convey certain parcels of common areas to owners of lots that abut the common area for the purpose of constructing patios.

Pursuant to Article II, Section 1 of the Association’s CC&Rs, in relevant part,  
[e]very Owner shall have a right and easement of enjoyment to the Common Area which shall pass with the title to every Lot, subject to the following provisions . . . (e) [t]he right of the Association through its Board of Directors to convey certain parcels of common area to an Owner or Owners of lots that immediately abut the common area for the purpose of constructing driveways, patios, and/or walls on the individual lots.

Under the above provision of the CC&Rs, the Association is expressly granted the authority to deed Common Area property to owners for this exact purpose: to construct a patio.

It remains the Association's belief and understanding that the community is in compliance with applicable open space ordinance requirements per the Association's R-4R zoning. We again ask for confirmation of the correct zoning designation if the Association's understanding of its zoning classification is inaccurate.

You have stated that Department staff will count encroachments into the HOA-owned tract towards common open space if those encroachments are not fully enclosed and open to the air. We reiterate here that every existing patio extension within the Association is not fully enclosed and is open to the air. This can be confirmed on review of the Pictometry aerial view of the Association on the Maricopa County Assessor's website.

This issue has been ongoing for over six months now. We are frustrated that our requests for clarification or for a phone call to discuss what the city is looking for have been met with ambiguous requests for additional "analysis" from the Association, such as in your most recent email sent on October 8, 2023. We are looking to resolve this issue quickly and your unwillingness to provide us with specifics on what exactly the Department needs or to have a brief phone call to help move this matter along has delayed this process.

The Association is unsure why, after over 40 years, your Department is now raising this issue. There have been no issues with the Association's open space or encroachments in the past. Further, the Association has more open space than any other community in the immediate area, so there has been no reason to believe it was not in compliance with City requirements.

Due to the foregoing, we request that, by Friday, October 20, 2023 at 5:00 p.m. MST, you send to our firm confirmation that Ms. Lukasik's request for a permit under PLAN # 2350-23 has been granted and that the Association is in compliance with applicable zoning requirements regarding open space and encroachments. If we do not receive that confirmation, we will escalate this matter within the City, including to Mayor David Ortega and Planning Director Tim Curtis. If there remain specific items that the Department requires from the Association, please provide us with those specifics in writing prior to that same deadline. The Association is very motivated to resolve this issue in a timely manner.

Thank you.

Sincerely,

*/s/Beth Mulcahy*

Beth Mulcahy  
BM/jd

cc: Pleasant Run Association, Inc.

## Here is the Petition:

We, the undersigned, petition the Scottsdale City Council to amend the Transportation Action Plan (“TAP”) to remove six streets from the list of streets in Table S-2, which are currently planned for “reclassification”, (AKA “Road Diets”) in the TAP.

The six streets are:

1. 96th St from Via Linda to Shea.
2. McCormick Parkway from Scottsdale Rd. to Hayden Rd.
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4. 100th Street from FLW to FLW
5. Drinkwater Blvd. from Scottsdale Rd to Scottsdale Rd.
6. Goldwater Blvd. from Scottsdale Rd to Scottsdale Rd.

Reclassification in the TAP sets the stage for the “Road Diet” removal of car lanes in the future.

The residents have spoken loud and clear. They don’t want lanes removed from roads.

My name is Bob Lettieri and I have lived at McCormick Ranch for over 25 years.

As I meet and speak with residents in McCormick Ranch and Scottsdale Ranch, I have heard their voice concerns about the City Council's ridiculous idea of road diets, eliminating car lanes in favor of bicycle lanes in their neighborhoods.

So to address the neighbors' demand that the City Council stop making traffic worse, I am presenting a citizen's petition tonight, signed by more than 200 neighbors.

When Scottsdale residents are polled, they say that their number 1 concern is traffic. But the City continues to ignore them and fails to find solutions to the problem.

City Hall keeps making bad decisions that blight our town with plain-jane multi story apartments that will further congest traffic on our streets.

And to add insult to injury, the City Council has endorsed "road diets", to remove car lanes to add bicycle lanes.

I am afraid our quality of life is going to continue to deteriorate, if the City doesn't change their policy on road diets, and find solutions to fix our traffic problems.

We are requesting that the City Council consider our petition.

We, the undersigned, petition the Scottsdale City Council to amend the Transportation Action Plan ("TAP") to remove six streets from the list of streets in Table S-2, which are currently planned for "reclassification", (AKA "Road Diets") in the TAP.

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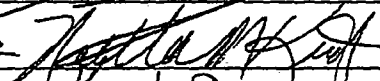
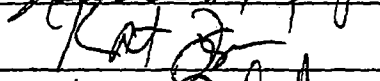
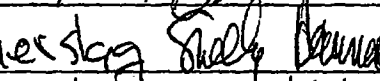
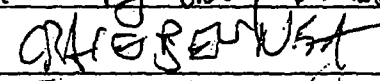
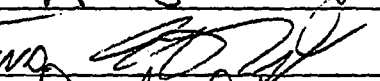
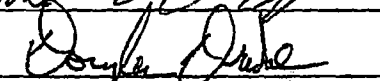
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Reclassification in the TAP sets the stage for the "Road Diet" removal of car lanes in the future. The residents have spoken loud and clear. They don't want lanes removed from roads.

Contact: Bob Lettieri

Signed Robert Lettieri Phone 602-316-5962

Address: 8921 N 87 Ct Scottsdale AZ 85258 Email: Bob.Lettieri@outlook.com

| Name              | Signature   | Address                                   | Date signed |
|-------------------|---|---|-------------|
| BRINN WRIGHT      |    | 16603 E AUCUMN SAGE DR                    | 2/8/24      |
| Npella Kuntz      |   | 9418 E Hidden Green Dr. 85262             | 2/8/24      |
| Kat Fischer       |   | 10260 E. White Feather Ln 85026           | 2/8/24      |
| Shelly Hammerstog |  | 2155 Silverstop Dr 85255                  | 2/8/24      |
| GRACE BENNETT     |  | 9955 E BAEANCIPE ROCK RD E 8524           |             |
| MICHAEL TURNER    |  | 22221 N CALLE ROYALE 85299                | 2/8/24      |
| DOUGLAS DRAKE     |  | 6929 E. MONTEPENA WAY SCOTTSDALE AZ 85266 | 2/8/2024    |

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Contact: Bob Lettieri

Signed Robert Lettieri 2/20/24 Phone 402-316-5962

Address: 8921 N 87 Ct Scottsdale 85258 Email: BobLettieri@outlook.com

| Name              | Signature                | Address   | Date signed |
|-------------------|--------------------------|---|-------------|
| Jill Dunicon      | <i>Jill Dunicon</i>      | 10448 N 98 <sup>th</sup> St Scottsdale 85258                | 2/8/24      |
| Jeanne Beusky     | <i>Jeanne Beusky</i>     | 10918 East Kolil Dr. Scottsdale 85259                       | 2/8/24      |
| Richard Hoffecker | <i>Richard Hoffecker</i> | 10448 N. 98 <sup>th</sup> St Scottsdale AZ 85258            | 2/8/2024    |
| DOUG STEWART      | <i>Doug Stewart</i>      | 9427 E. TOPERA DR SCOTTSDALE, AZ                            | 2/8/2024    |
| Terry Stewart     | <i>Terry Stewart</i>     | " " "   | "           |
| JANET LUCKY PERRY | <i>Janet Lucky Perry</i> | 23530 N. 75 <sup>th</sup> Place Scottsdale AZ               | 2/8/2024    |
| Stan Pelcher      | <i>Stan Pelcher</i>      | 16356 N. Thompson Peak Pkwy<br>Apt 1017N, Scottsdale, 85260 | 2/8/24      |

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Signed: Bob Lettieri Robert Lettieri Date: 2/20/24  
 Address: 8921 N. 87 Place. Email: BobLettieri@outlook.com  
 Ct

| Name                    | Signature                | Address                         | Date signed        |
|-------------------------|--------------------------|---------------------------------|--------------------|
| Rose Rossi              | <i>Rose Rossi</i>        | 34836 N. 99th Way               | 2-17-2024          |
| DAVE UNDERWOOD          | <i>Dave Underwood</i>    | 9457 E. CONQUISTADORES DR       | 2/17/24            |
| DAN WATERS              | <i>Dan Waters</i>        | 34836 N. 99th Way               | 2-17-24            |
| Kimberley Colvett       | <i>Kimberley Colvett</i> | 6511 N. 63rd Pl.                | 2-17-24            |
| Elliott Bagal           | <i>Elliott Bagal</i>     | 6511 N. 63rd PLACE              | 2/17/24            |
| EUGENE LEPIERRE         | <i>Eugene Lepierre</i>   | 4850 N. 65 ST SCT               | 2-17-24            |
| Jenifer Hopper          | <i>Jenifer Hopper</i>    | 7038 E. Pasadena                | 2-17-24            |
| <del>Bob Lettieri</del> | <del>Bob Lettieri</del>  | <del>7038 E. Pasadena Ave</del> | <del>2/19/24</del> |
| Lisa Barnitt            | <i>Lisa Barnitt</i>      | 7037 E. Pasadena Ave            | 2/19/24            |
| Robert Barnitt          | <i>Robert Barnitt</i>    | 7037 E Pasadena Ave             | 2/19/24            |



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 Address: 8921 N. 87 ~~Place~~ St Email: BobLettieri@outlook.com

| Name                    | Signature                    | Address  | Date signed        |
|-------------------------|------------------------------|--|--------------------|
| Mark Habelt             | <i>Mark Habelt</i>           | 6039 E. Harvard St. Scottsdale 85257             | 2/16/2024          |
| Mason Coates            | <i>Mason Coates</i>          | 6599 E. Thomas Rd #2001 Scottsdale AZ 85251      | 2/16/24            |
| Maureen McKellip        | <i>Maureen McKellip</i>      | 6418 E. Carolina Dr Scottsdale AZ 85254          | 2/16/24            |
| Reina Patocs            | <i>Reina Patocs</i>          | 2442 E Osborn Rd Phx Az                          | 2/16/24            |
| SALWA LAALAMI           | <i>SA</i>                    | 2622 E Yucca St                                  | 2/16/24            |
| <del>Kim Steadman</del> |                              |  |                    |
| Kimberley A. Steadman   | <i>Kimberley A. Steadman</i> | 34926 N. 144th Scottsdale, AZ 85262              | 2-16-24            |
| Kathleen Morlock        |                              | 7215 E Silverstone Dr #3023 Scottsdale, AZ 85255 |                    |
| <del>Alan Zaverka</del> |                              | <del>5100 E THOMAS RD SCOTTSDALE AZ 85258</del>  | <del>2/16/24</del> |
| David Hoover            | <i>David Hoover</i>          | 10411 E MARK LN, SCOTTSDALE AZ 85262             | 2/16/24            |

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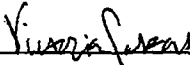

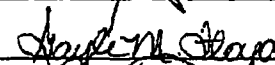

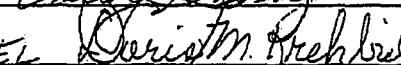
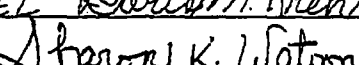
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Contact: Bob Lettieri

Signed Robert Lettieri Phone 602-316-5962

Address: 8921 N 87 Ct Email: Bob.Lettieri@outlook.com

| Name                | Signature   | Address    | Date signed |
|---------------------|---|------------|-------------|
| - Michael Szol      |    | Scottsdale | 2/10/24     |
| - Victoria Szol     |    | Scottsdale | 2/10/24     |
| - Melissa Loz       |   | Scottsdale | 2/11/24     |
| - Gayle Floyd       |  | Scottsdale | 2/12/2024   |
| - Carolyn R. Beyer  |  | "          | 2/12/2024   |
| - DORIS M. KREHBIEL |  | "          | 2-12-24     |
| - Sharon K. Watson  |  | Scottsdale | 2/12/24     |

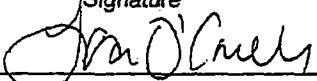









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 Address: 8921 N. 87<sup>th</sup> Place. Email: BobLettieri@outlook.com

| Name  | Signature   | Address                          | Date signed |
|---|---|----------------------------------|-------------|
| Loreen O'Connell  |    | 8613 E. San Alfredo Dr 85258     | 2/17/24     |
| Brandon O'Connell   |    | 8613 E. San Alfredo dr. 85258    | 2/17/24     |
| Robert Hannum   |    | 28939 N 111 <sup>th</sup> ST     | 2/17/24     |
| MARY Hannum   |    | 28939 N 111 <sup>th</sup> ST     | 2/17/24     |
| Mark Schuler  |   | 8311 E. Verde Vista #1062        | 2/17/24     |
| STEVE JOHNSON   |  | 7424 N. Via Camello Del          | 2/17/24     |
|  |   | 7424 N. Via Camello Del N/AE     | 2/17/24     |
| Tom Zawacki   |  | 7536 N. Via Camello Del Sur      | 2/17/24     |
| Shannon Ellermann   |  | 7654 N Via De Platina            | 2/17/2024   |
| Mark Tortorella   |  | 7291 N. Santa Rita Rd #246 85253 | 2/17/2024   |

JOCK I. WATSON  
SCOTTSDALE AZ  
2-12-24

BANNA L. SCOTIA  
KUMMA & SCOTIA SCOTTSDALE AZ  
2-12-24

GEORGE H. FEKAS  
L. H. WOOD 7616 N. VIA DE MARIANA SCOTTSDALE, AZ  
2-19-24

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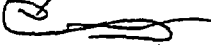

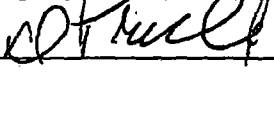
Signed

Robert Lettieri 2/20/24 Phone 402-316-5962

Address:

on file

Email:

| Name            | Signature   | Address                | #/002 | Date signed |
|-----------------|---|------------------------|-------|-------------|
| Gwen Ogle       |    | 7291 N. Scottsdale Rd  |       | 2-16-24     |
| John Valdes     | JOHN VALDES   | 7291 N. SCOTTSDALE     | #3005 | 2/16/24     |
| Thomas Prasil   |   | 7275 N Scottsdale      | #1007 | 2/16/24     |
| Sabrina Prasil  | Sabrina Prasil  | 7275 N Scottsdale      | #1007 | 2/16/24     |
| Caren Edelstein |  | 7291 N. Scottsdale     | #1009 | 2/16/24     |
| Ewa Bak         |  | 7291 N Scottsdale      | #2011 | 2/16/24     |
| Rosmary         |  | 7291 N. Scottsdale Rd. | #4013 |             |

over →

Name                      ~~Signature~~                      Address                      Signature                      Date

|                       |                      |                     |                      |         |
|-----------------------|----------------------|---------------------|----------------------|---------|
| Lynne VanGelder       | <del>Signature</del> | 782 E. Del Acero Dr | <del>Signature</del> | 2/17/24 |
| Charlie VanGelder     | <del>Signature</del> | "                   | <del>Signature</del> | 2/17/24 |
| Jan Bouba             | <del>Signature</del> | 8270 N. Hayden Dr.  | <del>Signature</del> | 2/17/24 |
| Bridget Mary Gassling | <del>Signature</del> | 809 E. Via Sonn.    | <del>Signature</del> | 2/17/24 |

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  6. Goldwater Blvd. from Scottsdale Rd to Scottsdale Rd.

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Contact: Bob Lettieri

Signed Robert Lettieri 2/20/24 Phone 602-316-5962  
 Address: 8921 N 87<sup>th</sup> Place Scottsdale 85258 Email: BdoLettieri@outlook.com

| Name                    | Signature                  | Address  | Date signed |
|-------------------------|----------------------------|--|-------------|
| James C. Toussaint      | <i>James C. Toussaint</i>  | 7107 E. Orange Blossom Ln Scottsdale 85253                       | 2-9-2024    |
| Lolita A. Toussaint     | <i>Lolita A. Toussaint</i> | 7107 E. Orange Blossom Ln Scottsdale 85253                       | 2-9-2024    |
| Rachel Marshall         | <i>R Marshall</i>          | 7014 E. Orange Blossom Ln <sup>Scottsdale</sup> Scottsdale 85253 | 2/9/2024    |
| RACE VEHIS              | <i>Race Vehis</i>          | 5035 N. 70th St <sup>Scottsdale</sup> Scottsdale 85253           |             |
| Susan Palmer            | <i>Susan Palmer</i>        | 5016 N. 71st St Scottsdale 85253                                 | 2/17/2024   |
| <del>Dennis Anger</del> | <del>Dennis Anger</del>    | <del>7040 E. Chaparral Rd. Scottsdale</del>                      |             |
| Dennis Anger            | <i>Dennis Anger</i>        | 7040 E. Chaparral Rd. Paradise Valley Az 85253                   | 2/17/2024   |
|                         |                            | Scottsdale 85253-7064  |             |

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Signed: Bob Lettieri Robert Lettieri Date: 2/20/24  
 Address: 8921 N. 87 ~~Place~~ Place. Email: BobLettieri@outlook.com

| Name              | Signature          | Address                                  | Date signed |
|-------------------|--------------------|--|-------------|
| Stephen Murkowitz | <i>[Signature]</i> | 9822 E. CLINTON ST. SCOTTSDALE, AZ 85260 | 2-11-24     |
| Beulah V Doughty  | <i>[Signature]</i> | 9834 E Clinton St Scottsdale AZ 85260    | 2-11-24     |
| Thomas Lavin      | <i>[Signature]</i> | 9831 E. CLINTON ST. SCOTTSDALE AZ 85260  | 2/11/24     |
| Ellen Lavin       | <i>[Signature]</i> | 9831 E. CLINTON ST. Scottsdale, AZ 85260 | 2/11/24     |
| Traud Hurley      | <i>[Signature]</i> | 9748 E CLINTON ST Scottsdale AZ 85260    | 2/11/24     |
| Leslie Ephraim    | <i>[Signature]</i> | 9733 E. CLINTON ST. Scottsdale, AZ 85260 |             |
| PUNJIT SHUKNIS    | <i>[Signature]</i> | 9719 E CLINTON ST Scottsdale AZ 85260    |             |
| AMARJA DESHPANDE  | <i>[Signature]</i> | 9719 E Clinton St. Scottsdale AZ 85260   |             |
| SHEWAN MOZDON     | <i>[Signature]</i> | 9722 E CLINTON ST. SCOTTSDALE AZ 85260   |             |
| Fara Rivas        | <i>[Signature]</i> | 9819 E Clinton St. Scottsdale AZ 85260   |             |



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Contact: Bob Lettieri

Signed Robert Lettieri Phone 602-316-5962

Address: 8921 N 87th Scottsdale 85258 Email: \_\_\_\_\_

| Name                         | Signature                    | Address                       | Date signed       |
|------------------------------|------------------------------|-------------------------------|-------------------|
| Paul Mustowicz               | <i>Paul Mustowicz</i>        | 9822 E Clinton St Scottsdale  | 2/7/24            |
| Nancy Doty                   | <i>Nancy Doty</i>            | 13422 N. 92nd street          | 2-7-24            |
| Patricia Lowman              | <i>Patricia Lowman</i>       | 7517 N-Via de Marana          | 2-2-24            |
| <del>Tami G. Smith</del>     | <del>T.G.S.</del>            | <del>7634 E Vista Dr.</del>   | <del>2-7-24</del> |
| <del>Ignacio del Valle</del> | <del>Ignacio del Valle</del> | <del>9275 N. 103rd Pkwy</del> | <del>2-7-24</del> |
| Ignacio L. del Valle         | <i>Ignacio del Valle</i>     | 9275 N. 103rd Pkwy            | 2-7-24            |
| Cathy David                  | <i>Cathy David</i>           | 118th & Shea, Scottsdale      | 2/7/24            |

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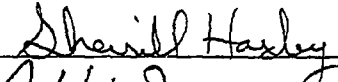
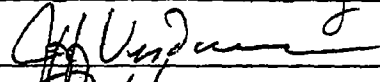
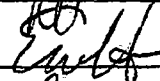
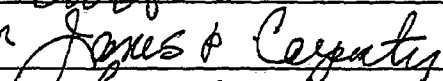
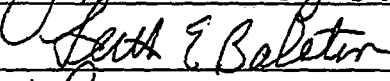
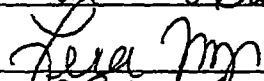
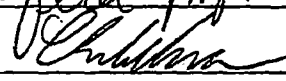
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Contact: Bob Lettieri

Signed Robert Lettieri Phone 602-316-5962

Address: 8921 N 87th Pl Scottsdale 85258 Email: \_\_\_\_\_

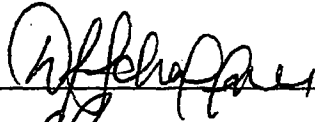
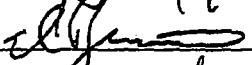


| Name               | Signature   | Address                              | Date signed |
|--------------------|---|--------------------------------------|-------------|
| SHERILL HAXBY      |    | 7336 E. Sunnyside Dr, Scottsdale     | 2-9-24      |
| Jeff Verdorn       |   | 6843 E Arroyo Ct, PV, AZ             | 2-9-24      |
| Era Murrell        |   | 22920 N. 44th Plx FL                 | 2-9-24      |
| JAMES P. CARPENTER |  | 10685 EAST SAHARA DR. SCOTTSDALE     | 2/9/2024    |
| Leith Baletta      |  | 6711 E Camelback Rd Scottsdale       | 2/9/2024    |
| Vera Hung          |  | 7204 E Sunnyside Dr Scottsdale       | 2/9/24      |
| Chris Schaffner    |  | 7346 E. Sunnyside Dr. Scottsdale, AZ | 2-9-24      |

Name

Signature

Address

Date signed

|                  |  |                             |           |
|------------------|--|-----------------------------|-----------|
| Deanna Schaffner |   | 7346 E Sunnyside Dr 85260   | 2-9-24    |
| IAN BENNETT      |   | 7231 E Sunnyside Dr 85260   | 2-12-2024 |
| Sheryl Bennett   |  | 7231 E. Sunnyside Dr. 85260 | 2/12/24   |
| Kimi Pickett     |   | 7303 E. PARADISE DR 85260   | 2/14/24   |

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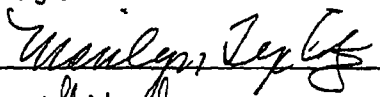
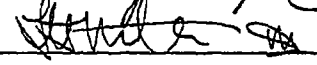
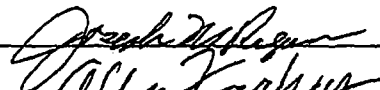
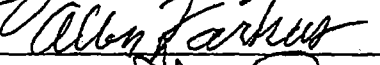



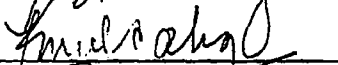

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 Address: 8921 N. 87 Place. Email: BobLettieri@outlook.com

| Name              | Signature   | Address                            | Date signed |
|-------------------|---|------------------------------------|-------------|
| MARILYN TEPLITZ   |    | 9625 E. CINNABAR 85258             | 2-14-24     |
| LINDSAY MILLER    |    | 9625 E CINNABAR AVE 85258          | 2-14-24     |
| JOSEPH M. REGAN   |    | 27538 N 67 <sup>th</sup> WAY 85266 | 2-14-2024   |
| ALLEN FARKAS      |    | 7970 E Camelback # 405 85251       | 2-14-24     |
| ANTHONY DeSanti   |   | 5449 N. 78 <sup>th</sup> ST. 85250 | 2-14-24     |
| Greg Breitbach    |  | 8446 E LARI Road Scotts            | 2-14-24     |
| Bernadette Bantly |  | 10296 E. Bella Vista Scottsdale    | 2/14/24     |
| Kathryn Mulcahy   |  | 9431 E Riviera Dr Scottsdale, AZ   | 85260       |
| Carol Wilicks     |  | 7666 Dia Elemental "               | 85258       |

| Print Name       | Signature               | Address / phone                                   | Date signed |
|------------------|-------------------------|---|-------------|
| Mark Kolman      | <i>Mark Kolman</i>      | 7512 N. Via Del Mar<br>Scottsdale AZ              | 2/9/24      |
| Sandra Kolman    | <i>Sandra Kolman</i>    | Scottsdale AZ                                     | 2/9/24      |
| STEPHEN DE MASSO | <i>Stephen De Masso</i> | 7524 N. Via De Marana<br>Scottsdale AZ            | 2/9/24      |
| JERRY ELLIENS    | <i>Jerry Elliens</i>    | 7524 N. Via De Marana<br>Scottsdale AZ 85258      | 2/9/24      |
| Lisa Lipsett     | <i>Lisa Lipsett</i>     | 8535 Eactus Rd<br>Scottsdale AZ 85260             | 2/9/24      |
| Chris Meltz      | <i>Chris Meltz</i>      | 8331 N. 85th Pl<br>Scottsdale AZ 85258            | 2/9/24      |
| Susan Wood       | <i>Susan Wood</i>       | 8335 E. Via de la Escalera<br>Scottsdale AZ 85258 | 2/9/24      |
| ED FLOWERS       | <i>Ed Flowers</i>       | 8166 S. Via De Donahu<br>Scottsdale               |             |
| DM SCHWARTZ      | <i>DM Schwartz</i>      | 7640 GILDENBERG DR<br>Scottsdale AZ               |             |
| Tom Deans        | <i>Tom Deans</i>        | 7627 N. Via Del Elemento<br>Scottsdale 85258      | 2/9/24      |
| NICOLA BOWEN     | <i>Nicola Bowen</i>     | 8773 E. Via De Encanto<br>Scottsdale 85258        |             |
| SPENCER BRUER    | <i>Spencer Bruer</i>    | 8773 E. Via De Encanto                            |             |
| Dale Freese      | <i>Dale Freese</i>      | 5000 N. 85th St<br>Scottsdale AZ 85258            |             |
| EILEEN SWARTZ    | <i>Eileen Swartz</i>    | Scottsdale 85258                                  | 2/12/24     |
| John Tulp        | <i>John Tulp</i>        |   | 2/12/24     |

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Signed: Robert Lettieri 2/20/24 Phone 602-316-5962  
 Address: 8921 N 87 Pl Scottsdale 85258 Email: \_\_\_\_\_

| Name                        | Signature                  | Phone Address                                 | Date signed |
|-----------------------------|----------------------------|---|-------------|
| - Marcela Ane               | <u>MA</u>                  | 8307 E. Via De La Luna Scottsdale AZ 85258    | 2/9/24      |
| - John L. Wake              | <u>John Wake</u>           | 7617 N. Via De Los Ninos, Scottsdale AZ 85258 | 2/9/24      |
| - Elizabeth Wake            | <u>Elizabeth Wake</u>      | 7617 N. Via de los Ninos Scottsdale 85258     | 2/9/24      |
| - <del>Ignacio</del> Patra  | <u>Patra</u>               | 7610 N. Via de Manana Scottsdale 85258        | 2/9/24      |
| - <del>Greg</del> Greg Neff | <u>Greg Neff</u>           | 7513 N. Via de MANANA Scottsdale 85258        | 2/9/24      |
| - Nancy Albright-Neff       | <u>Nancy Albright-Neff</u> | 7513 N. Via de MANANA Scottsdale 85258        |             |
| - Jane Evans                | <u>Jane Evans</u>          | 7508 N. Via de Manana Scottsdale 85258        |             |

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 Address: 8921 N. 87 Place Email: BobLettieri@outlook.com

Date: 2/20/24

| Name               | Signature       | Address                                 | Date signed   |
|--------------------|-----------------|---|---------------|
| Jannene BARNES     | Jannene Barnes  | 3214 N. Pinnule, Mesa AZ 85215          | 2/16/24       |
| Maira Rounds       | Maira Rounds    | 15872 N 18th St., Phoenix AZ 85023      | 2/16/24       |
| Sam Seidito        | Sam Seidito     | 6425 E. Cypress St. Scottsdale AZ 85257 | 2/6/24        |
| EDWARDS WHITEHURST |                 | 131 E. PHOENIX MARLBOROUGH AZ 85132     |               |
| BOB MARKHAM        | Bob Markham     | 7407 N. HAZARD AVE                      | 85253 2/17/24 |
| DAVE HAWKINS       | Dave Hawkins    | 9419 N 125th PL SCOTTSDALE 85259        | 2/17/24       |
| TOM BEETE          | Tom Beete       | 7812 E VIA SANRISA                      | 85258         |
| BILLY ANDRESKI     | Billy Andreski  | 10630 18th PL SCOTTSDALE AZ 85258       |               |
| Jim DeFazio        | Jim DeFazio     | 6960 E BALAN CINE ROAD AZ 85266         |               |
| GOLF G. NORMANN    | Golf G. Normann | 8526 E. COUNTRY CLUB SCOTTSDALE         | 2/19/24       |

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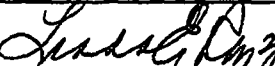
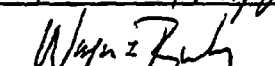

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Contact: Bob Lettieri

Signed Nancy Doty Brady Nancy Doty Brady Phone 303-598-0632

Address: 546 N. 78th St, Scottsdale 85250 Email: nancydoty@comcast.net

| Print Name        | Signature   | Address   | Date signed |
|-------------------|---|---|-------------|
| Debbie Antoniolli |    | 8126 E Santa Catalina Dr Scottsdale               | 2/10/2024   |
| Tessa Watson      |    | 2020 S N. 45th Pl Phoenix AZ 85050                | 2/10/2024   |
| CAROL CRATER      |   | 7537 E. Bridgeway Scottsdale 85040                | 2/10/2024   |
| ANSA (REANOR)     |  | 7740 E. Glenrosa <sup>Scottsdale</sup> Ave, 85257 | 2/10/2024   |
| LINDA E. RIZZO    |  | 9324 E. Woods Dr Scottsdale 85260                 | 2/10/24     |
| WAYNE L. BRADY    |  | 546 N. 78th St, Scottsdale, AZ 85250              | 2/10/24     |
| Allen Derscheid   |  | 10800 E. Cactus Rd #65 85259                      | 2/12/24     |



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Signed Robert Lettieri 2/20/24 Phone 602-316-5962

Address: 8921 N 87 Ct Scottsdale 85258 Email: \_\_\_\_\_

| Name              | Signature                | Address                                    | Date signed |
|-------------------|--------------------------|--|-------------|
| Dawn Rowe         | <i>Dawn R. Rowe</i>      | 5254 N. 78th St. Scottsdale                | 2/8/24      |
| Dona Oliver       | <i>Dona Oliver</i>       | 5404 E. 77th Street Scottsdale             | 2/8/24      |
| Linda Weinberger  | <i>Linda Weinberger</i>  | 14658 N. 98th Street Scottsdale            | 2/10/24     |
| Joy M. Baker      | <i>Joy M. Baker</i>      | 2550 S. Ellsworth Rd #1508 Mesa, AZ        | 2/10/24     |
| Nickie Kelley     | <i>Nickie Kelley</i>     | 14989 W Wilshire Dr. Goodyear AZ           | 2/10/24     |
| SALLY BLAK        | <i>Sally Blak</i>        | 6864 E. MIGHTY SAGUARO WY SCOTTSDALE       | 2/10/24     |
| Rochelle Friedman | <i>Rochelle Friedman</i> | 6871 E. MIGHTY SAGUARO WY SCOTTSDALE 85266 | 2/10/2024   |

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Contact: Bob Lettieri

Signed Robert Lettieri 2/20/24 Phone 602-316-5962

Address: 8921 N 87th St Scottsdale 85258 Email: \_\_\_\_\_

| Print Name        | Signature          | Address                                | Date signed |
|-------------------|--------------------|--|-------------|
| Shirley Dickman   | Shirley D. Dickman | 11500 E Cochise Rd #1020 Scottsdale    | 2/10/24     |
| Patty Harshburger | P. Harshburger     | 13519 E. Charter Oak Dr. Scottsdale    | 2/10/24     |
| JANICE SHINEMAN   | Janice N. Shiner   | 8676 E. AMBERSON SCOTTSDALE AZ         | 2/10/24     |
| Dena Rugel        | Dena Rugel         | 32649 N. 68th Pl. Scottsdale AZ        | 2/10/24     |
| Sheri Lopez       | Sheri Lopez        | 28150 N. Boulder View Dr Scottsdale AZ | 2/10/24     |
| LINDA BRENNAN     | Linda Brennan      | 33268 N 71st St. Scottsdale AZ         | 2/10-2024   |
| Diane M. Bloss    | Diane M. Bloss     | 7047 E. Canyon Wren Cir Scottsdale     | 2-10-24     |

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The six streets are:

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3. Hayden Road from McKellips to Indian School Rd.
4. 100th Street from FLW to FLW
5. Drinkwater Blvd. from Scottsdale Rd to Scottsdale Rd.
6. Goldwater Blvd. from Scottsdale Rd to Scottsdale Rd.

Reclassification in the TAP sets the stage for the "Road Diet" removal of car lanes in the future. The residents have spoken loud and clear. They don't want lanes removed from roads.

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Address: 8721 N 87 Ct Scottsdale 85258 Email: \_\_\_\_\_

| Print Name             | Signature                    | Address                                | Date signed |
|------------------------|------------------------------|--|-------------|
| Dianne Boemer          | <i>Dianne Boemer</i>         | 37002 N. Mule Train Road               | 2-10-24     |
| Kay Kimme              | <i>Kay Kimme</i>             | 37217 NE Greythorn Circle              | 2-10-24     |
| Emily Wagner           | <i>Emily Wagner</i>          | 6927 E. Sandra Ter.                    | 2-10-24     |
| Nichole Klootwyck      | <i>Nichole Klootwyck</i>     | 5443 E. Crocus Dr. Scottsdale          | 2-10-24     |
| JOAN R PARKER          | <i>Joan Parker</i>           | 10378 E Morning Star Dr, Scottsdale    | 2-10-24     |
| Martha Kimberly        | <i>Martha Kimberly</i>       | 23615 N 74th St Scottsdale             | 2-10-24     |
| Susan E. Glass-Johnson | <i>Susan E Glass-Johnson</i> | 11737 N. 124th Way<br>Scottsdale 85259 | 2/10/24     |

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Address: 8721 N 87th Scottsdale 85258 Email: \_\_\_\_\_

| Print Name         | Signature          | Address                                    | Date signed |
|--------------------|--------------------|--|-------------|
| Mary Abramson      | Mary Abramson      | 7500 E. Deer Valley #34 Scottsdale 85255   | 2/10/24     |
| ANSA TREANER       | Ann Jean           | 7740 E. Gloriosa #128 Scottsdale 85251     | 2/10/24     |
| MARILYN S. LAGESSE | Marilyn S. Lagesse | 8107 E San Miguel Ave Scottsdale 85250     | 2-10-24     |
| Reina Patocs       | Reina Patocs       | 7442 E Osborne rd phoenix AZ 85016         | 2/10/24     |
| KATHLEEN A. THOMAS | Kathleen A. Thomas | 23226 N. 74th Pl Scottsdale AZ 85255       | 2/10/24     |
| CATHERINE SMITH    | Catherine Smith    | 9385 E. Trailside View Scottsdale AZ 85355 | 2/10/24     |
| Kathleen Kelly     | Kathleen Kelly     | 7680 E Overlook Ln Scottsdale 85255        | 2/10/24     |

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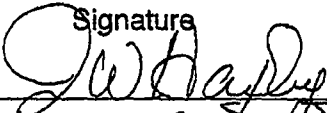
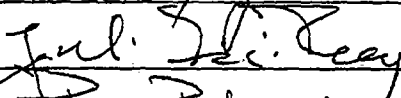
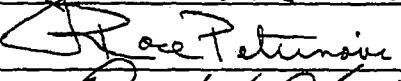
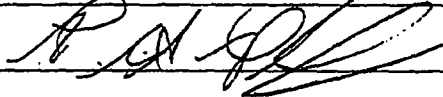
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Signed Robert Lettieri 2/20/24 Phone 602-316-5962

Address: 8921 N 87 Ct Scottsdale 85258 Email: \_\_\_\_\_

| Name             | Signature   | Address                              | Date signed |
|------------------|---|--------------------------------------|-------------|
| Jim Haxby        |    | 7336 E Sonny Side Dr. Scottsdale, AZ | 2/7/24      |
| Juli Feinberg    |   | 10115 E. Topaz Dr. Scottsdale, AZ    | 2/7/24      |
| Rose Petrinovic  |   | 13493 N. 101st WAY Scottsdale, AZ    | 2-7-24      |
| Peter Petrinovic |  | 13493 N. 101st WAY Scottsdale, AZ    | 2-7-24      |
|                  |   |                                      |             |
|                  |   |                                      |             |
|                  |   |                                      |             |



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Address: 8921 N 87 Ct Scottsdale 85258 Email: \_\_\_\_\_

| Name                  | Signature                    | Address   | Date signed |
|-----------------------|------------------------------|---|-------------|
| Maria Colazzo         | <i>Maria Colazzo</i>         | 18550 North 98th Way Scottsdale AZ 85255            | 2/8/24      |
| Deborah Oberhamer     | <i>Deborah Oberhamer</i>     | 11204 N. 117th St, Scottsdale, AZ 85259             | 2/8/24      |
| Haley Wauterhagen     | <i>Haley Wauterhagen</i>     | 10576 E Trip DR Scottsdale AZ 85258                 | 2-8-24      |
| Dandra L. Jolley      | <i>Dandra L. Jolley</i>      | 10326 E Bahia Dr. Scottsdale AZ 85258               | 2-8-24      |
| Robert L. Jolley, Jr. | <i>Robert L. Jolley, Jr.</i> | 10326 E Bahia Dr Scottsdale AZ 85258                | 2/8/24      |
| CARRIE COX            | <i>Cox</i>                   | 13326 E SORREL Lane Scottsdale                      | 2-8-24      |
| USA BOROWSKY          | <i>Sam Borowsky</i>          | 7703 E. Doubletree Ranch Rd 500 Scottsdale AZ 85258 | 2.8.24      |

COMMENT

**Sherry Butler** United States, Scottsdale  
Indian School and Miller cross streets

Feb 13, 2024

**Cynthia In McCormick Ranch** United States, Phoenix

Feb 08, 2024

No to reclassification and NO to spending our tax dollars on changing these streets!!!!

**Anonymous** United States, Scottsdale

Feb 06, 2024

tried this in my neighborhood~ very inconvenient for those of us who live along 68th st, our families, our friends, our clients. don't build big apartment complexes on a street, then "road diet" it~ DUHHHHH!

**Joe Regan** United States, Scottsdale

Feb 05, 2024

We should be working to enhance the vehicle bearing capacity of our street system to accommodate our nation leading growth rather than spending any time and money otherwise.

**Anonymous** United States, Scottsdale

Feb 05, 2024

Cross streets: 68th St & Thomas

**Nancy Doty** United States, Scottsdale

Feb 05, 2024

92nd and Sweetwater

**Tori Levitt** United States, Fountain Hills

Feb 05, 2024

There is nothing "broken" about these streets that need to be fixed! Enough is enough. Stop desecrating our streets.

**Frank Scalise** United States, Phoenix

Feb 05, 2024

Tatum & Bell, Phoenix

**Anonymous** United States, Scottsdale

Feb 05, 2024

NO ROAD DIETS!

**Annette Hartsockz** United States, Scottsdale

Feb 05, 2024

Vote NO to road diets. My cross streets are 104th St and Shea.

**Anonymous** United States, Prescott

Feb 05, 2024

Please remove these streets from your Transportation Action Plan! These cross over into my neighborhoods! I am a home owner and resident of McCormick Ranch and Scottsdale.  
Thank you.

**Joe Zimmerman** United States, Phoenix


Feb 05, 2024

8651 east gary road

**Robert Day** United States, Scottsdale

Feb 05, 2024

This is insanity. Will only lead to more crowded streets and reduced traffic flow.





Patricia Rennert United States, Scottsdale  
9210 N. 101st Pl

Feb 05, 2024

Anonymous United States, Phoenix  
96th St and Shea

Feb 05, 2024

Peter Petrinovic United States, Chandler

Feb 05, 2024

North 100th Street and FLW are my cross streets. Road diets on some of these streets, which I drive upon often, are likely to kill bicyclists on them.

Rose Petrinovic United States, Chandler  
FLW and N 100th St = cross streets

Feb 05, 2024

Dean Weitenhagen United States, Phoenix

Feb 05, 2024

Patsy, my wife, and I live at E Terra DR and 106th Street. We are against a Road Diet on 96th from Via Linda to Shea.... UNLESS it is transformed into a similar stretch of 96th from Shea north. It's beautiful.

Susan Ralsanen United States, Scottsdale

Feb 05, 2024

There's not enough room on the roads as it is. We've allowed in many more residents with the multi-family housing, and we need all the road space we can get.

Jim Byron United States, Phoenix

Feb 05, 2024

Full transparency is a minimum expectation I have of this council. The council has failed residents in this regard.

Diane Dwyer United States

Feb 05, 2024

Jomax & Scottsdale

Bob Pejman United States, Gilbert

Feb 05, 2024

I sometimes wonder who Road Diets really benefit in Scottsdale, since we rarely see bicycles use the bike lanes? But it does enrich the road construction companies and makes it more difficult for cars to navigate streets. It's one of the dumbest ideas in a city that is obviously in growth mode. Just look at the pipeline of 16,000 apartment units that have been approved but yet not built yet. That's about 25,000 more cars that will be occupying our roads soon. Given this, wise city leaders would widen roads, not narrow them!

Kathleen Krollick United States, Scottsdale

Feb 04, 2024

130th and Shea

Janet Kirkman United States, Scottsdale

Feb 04, 2024

Road dieting causes congestion. Do not do this, remove car lanes to add bike lanes.

Jeanne Viola-Balding United States, Gilbert

Feb 04, 2024

We wouldn't need road diets if the population (i.e. building more mega apartment complexes) were more controlled. There's lots of open space a bit further out from here where they can be built & still be accessible to our great city..

Esther Zack United States, Scottsdale

Feb 04, 2024

I live at Mountain View and 106th St.

**Kathleen G Sikes** United States, Scottsdale

Feb 04, 2024

I would appreciate it if the city council members would treat the residents with more respect by giving us more comprehensive explanations of why they do the things they do, especially regarding road diets

**Russell Deojay** United States, Scottsdale

Feb 04, 2024

No road diets in Scottsdale

**Dan Troop** United States, Phoenix

Feb 04, 2024

6619 E VERNON AVE

**Thomas Kube** United States, Scottsdale

Feb 04, 2024

I live at 124th and Via Linda and travel the impacted streets

**Bonnie Lewis** United States, Scottsdale

Feb 04, 2024

100th Street & Frank Lloyd Wright Blvd., Scottsdale

**Anne Gentuso** United States, Phoenix

Feb 04, 2024

Very dumb idea.

**Anonymous** United States, Phoenix

Feb 04, 2024

Please stop reducing traffic capacity on our streets with the road diets. Traffic is already bad enough as it is. If we follow the money we know why you are doing it.

**sharon erickson** United States, Scottsdale

Feb 04, 2024

Traffic is bad enough already...and really....how many people ride their bikes in summer???

**Carrie Lee Cox** United States, Scottsdale

Feb 04, 2024

13326 E Sorrel Ln, Scottsdale 85259  
136th & Shea

I do all my shopping near the 96th, via Linda and Shea area. This area is very congested with traffic and shrinking lanes would be a disaster!!!

**Rosemary Cudzewicz** United States, Scottsdale

Feb 04, 2024

Stop the road diets!!

**David White** United States

Feb 04, 2024

No more street diets and put a hold on number of new apartments!

**Bruce Linker** United States, Scottsdale

Feb 04, 2024

7959 E Desert Cove Ave, Scottsdale 85260 - Cross St: Hayden & Shea Blvd

**Stanley Pelcher** United States, Phoenix

Feb 04, 2024

We, the undersigned, petition the Scottsdale City Council to amend the Transportation Action Plan ("TAP") to remove the 6 streets below from the list of streets in TABLE S-2, which are currently planned for "reclassification" in the TAP.

Virginia A Bertoncino United States, Scottsdale

Feb 04, 2024

PLEASE stop approving the building of thousands of new apartment projects all over Scottsdale and then approving the narrowing of city streets all over Scottsdale. This kind of thinking is insanity. Stop the madness.

Diane Wadsworth Gray United States, Scottsdale

Feb 04, 2024

Scottsdale Rd/Shea Blvd

Frances Oberman United States, Scottsdale

Feb 04, 2024

Stop with the road diets and increased apartments

Ignacio del Valle United States, Tucson

Feb 04, 2024

9275 n. 103rd Place Scottsdale AZ 85258

Geoff Kull United States, Scottsdale

Feb 04, 2024

Increased housing units increases traffic and crowded roads. Reducing traffic flow by altering roads assures more congestion. It's hard to believe this is even under consideration given the crime and other major issues facing Scottsdale. Just as most Scottsdale residents don't want more apartments, we also do not want restrictive road narrowing compounding the problem.

Juli Feinberg United States, Scottsdale

Feb 04, 2024

I live close to 96th and Mountainview which is close to Via Linda, I am against road diets

Yvonne Cahill United States, Honolulu

Feb 04, 2024

Stop Road diets .

Jeanne Sullere United States, Gilbert

Feb 04, 2024

No road diets on 96th St from Via Linda to Shea

Mary Grammas United States, Phoenix

Feb 04, 2024

No road diets/ no further expansion of Scottsdale with apt bldgs and developments of more new bldgs especially for low income families

Karin Brown United States, Scottsdale

Feb 04, 2024

This will only increase the congestion & reduce safety!

MARILYN G TEPLITZ United States, Scottsdale

Feb 04, 2024

9625 E CINNABAR AVE

Tami A Smith United States, Phoenix

Feb 04, 2024

Scottsdale resident. Cyclist. We have sufficient biking paths and biking lanes. We do not need more road diets.

Janms Bloch United States, Paradise Valley

Feb 04, 2024

15225 n 100th St #1219

# Rescind Resolutions for The Residence at Paiute

City Council Meeting  
February 20, 2024

1

September 19, 2023

25 – Replace Aging Buildings that  
Comprise Paiute Community Center  
The Residence at Paiute

2

2

## September 19, 2023

### **Resolution No. 12928**

A FY 23/24 General Fund Transfer of \$5.3M from the General Plan Initiatives designation to Bond 2019 project 25 – Replace Aging Buildings that Comprise Paiute Community Center.

### **Resolution No. 12913**

Agreement with Maricopa County for \$6.6M ARPA Funds for construction of affordable housing and to provide bridge housing.

A FY 23/24 Capital Contingency Transfer of \$6.6M to new 'The Residence at Paiute' capital project.

A FY 23/24 General Fund Transfer of \$7.9M from the General Plan Initiatives designation to 'The Residence at Paiute' capital project.

3

3

## September 19, 2023

### **Resolution No. 12847**

Agreement with Maricopa County for \$1.8M HOME ARP Funds for construction of affordable housing and to provide bridge housing and administration of Tenant Based Rental Assistance.

A FY 23/24 Grant Fund Transfer of \$1.2M to 'The Residence at Paiute' capital project.

4

4

# Action

## **Adopt Resolution No. 13052 authorizing:**

1. Rescinding Resolution No. 12913, including:
  - a. Reversing the FY 2023/24 Capital Grant Contingency budget appropriation transfer of \$6,570,000 to a newly created CIP project titled "Construct The Residence at Paiute" to be funded by American Rescue Plan Act, Coronavirus State and Local Fiscal Recovery through Maricopa County.
  - b. Reversing the FY 2023/24 General Fund transfer of up to \$7,909,173 from the General Plan Initiatives designation in the General Fund operating fund balance to the to a newly created CIP project titled "Construct The Residence at Paiute."
2. Rescinding Resolution No. 12928 and reversing the FY 2023/24 General Fund transfer of \$5,316,186 to Bond 2019 Project 25 – Replace Aging Buildings that Comprise Paiute Community Center.

# 5-GP-2021#2 and 1-TA-2021: Phase 2 - Old Town Scottsdale Character Area Plan & Zoning Ordinance Update

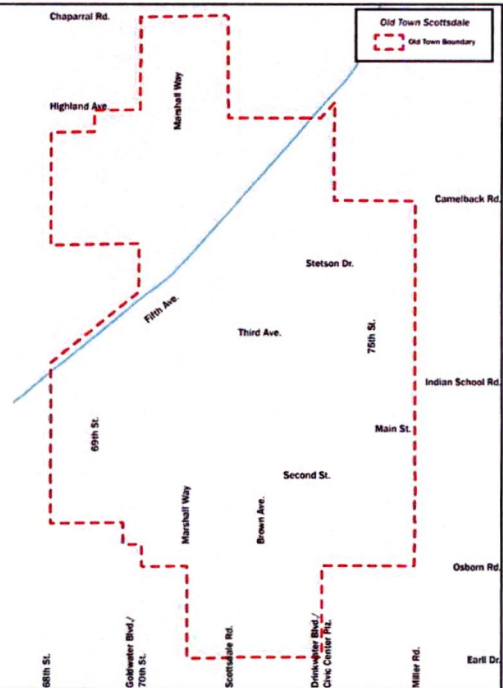
February 20, 2024

1

## Background

City Council direction to review, conduct public outreach and potentially update:

- The 2018 Old Town Scottsdale Character Area Plan
- The Scottsdale Zoning Ordinance sections related to Downtown and other affected sections, as applicable
- The Downtown Infill Incentive District
- Old Town Urban Design & Architectural Guidelines



2

## Timeline

- June 2021
  - General Plan 2035 Adopted by City Council
- August 2021
  - Old Town Updates Initiation
- September 2021
  - City Council Work Study Session
  - Planning Commission Non- Action
- November 2021
  - General Plan 2035 Ratified by Voters
- October – May 2022
  - 9 Open Houses
  - Self-Guided Open Houses
  - Property/Business Owner Focus Groups
  - Planning Commission Non-Action
  - City Council Work Study Session
- June – October 2022
  - Staff drafting updates to Plan and Ordinance
- November / December 2022
  - City Council One-On-Ones
  - Incorporated Comments Received
- January 2023
  - Release of Draft to public
  - 6 Open Houses
  - Self-Guided Open Houses
  - City Council Work Study Session
- September 2023
  - DIID & Plan Repeal
- October 2023
  - Phase 1 Updates

3

## Public Notification

### Email & Print:

- Property Owner Direct-Mail (2) +/- 5,000
- Scottsdale Update +/- 5,000
- Scottsdale P&Z Link +/- 4,000
- Old Town/Tourism +/- 1,300
- Economic Development +/- 3,000
- Scottsdale Progress +/- 25,000
- Scottsdale Independent +/- 25,000
- AZCentral +/- 65,000
- Facebook +/- 11,000

Total +/- 144,300

### Community Groups:

- COGS
- SCOTT
- Experience Scottsdale
- Scottsdale Chamber of Commerce
- Scottsdale Association of Realtors
- Scottsdale Leadership
- Old Town Merchants

4

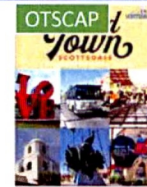
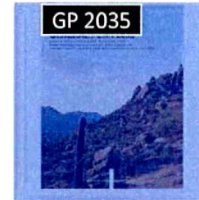


## Proposed Amendments and Public Input

- Old Town Scottsdale Character Area Plan (Phase 1 Adopted by Reso No. 12745 on 10/24/23)
- Zoning Ordinance
- DIID & Plan (Repealed by Reso No. 12746 on 9/5/23)
- Old Town Scottsdale Urban Design & Architectural Guidelines (Future Phase)

Proposed Draft Amendment

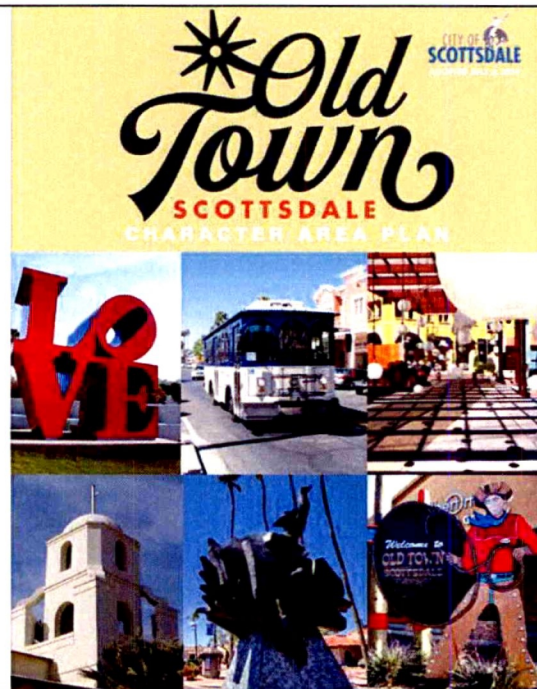
Proposed Draft Amendment Based on Public Input Received



5

## Outreach Topics

- Vision & Values
- Downtown Development Types
  - Building Heights - Base and Bonus
- Definition of Mixed-Use
- Development Flexibility
- Bonus Considerations
- Open Space
- Quality Development



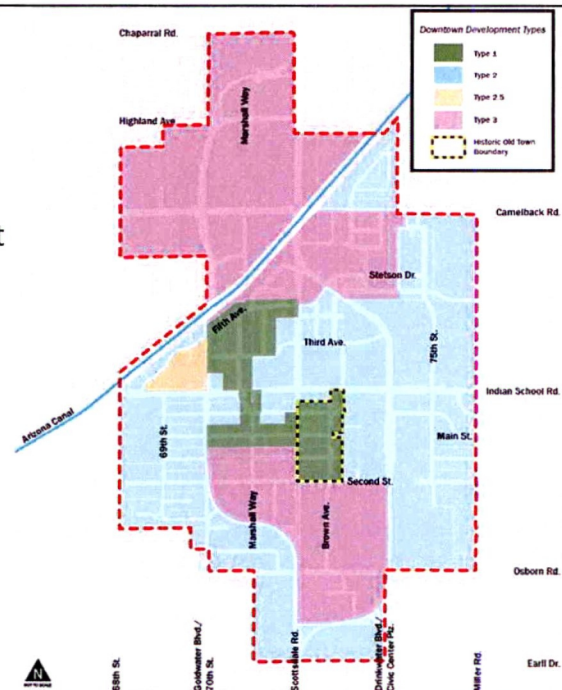
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## Development Types: Designations, locations, and transitions

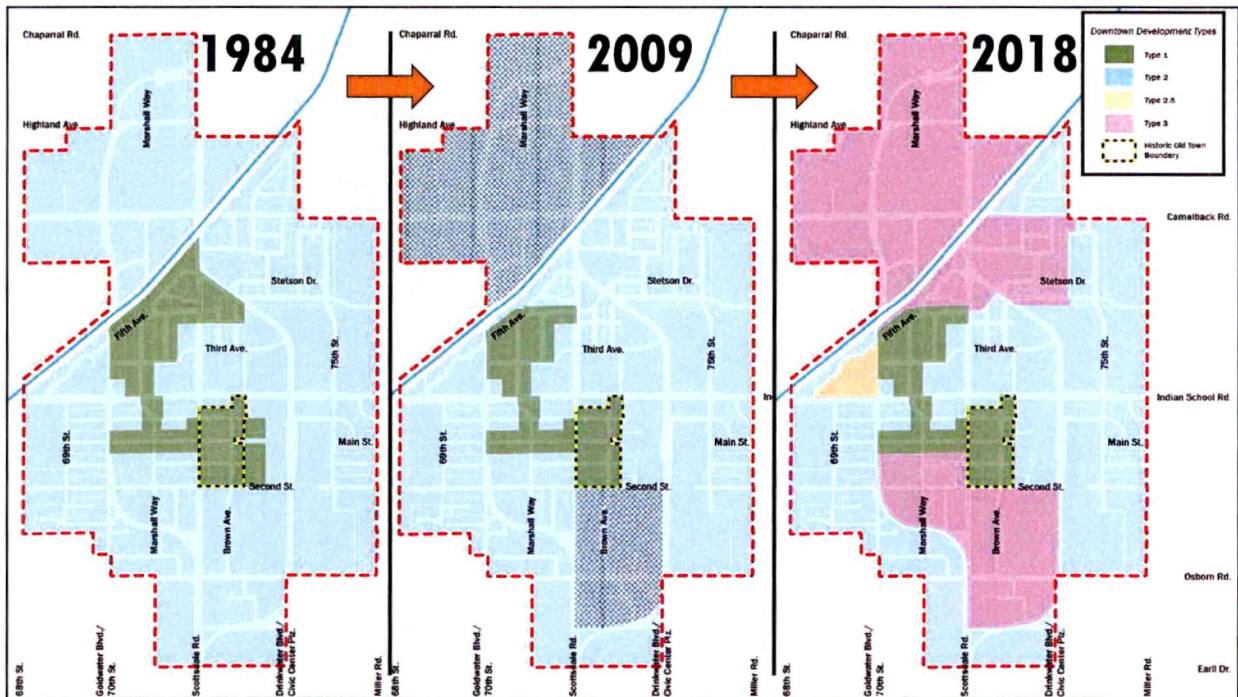
7

### Old Town Scottsdale Character Area Plan

- Development Types Guide:
  - Location & Intensity of Development
  - Building Height
  - Building Transitions



8



9

## Development Types – Public Outreach

### What we heard:

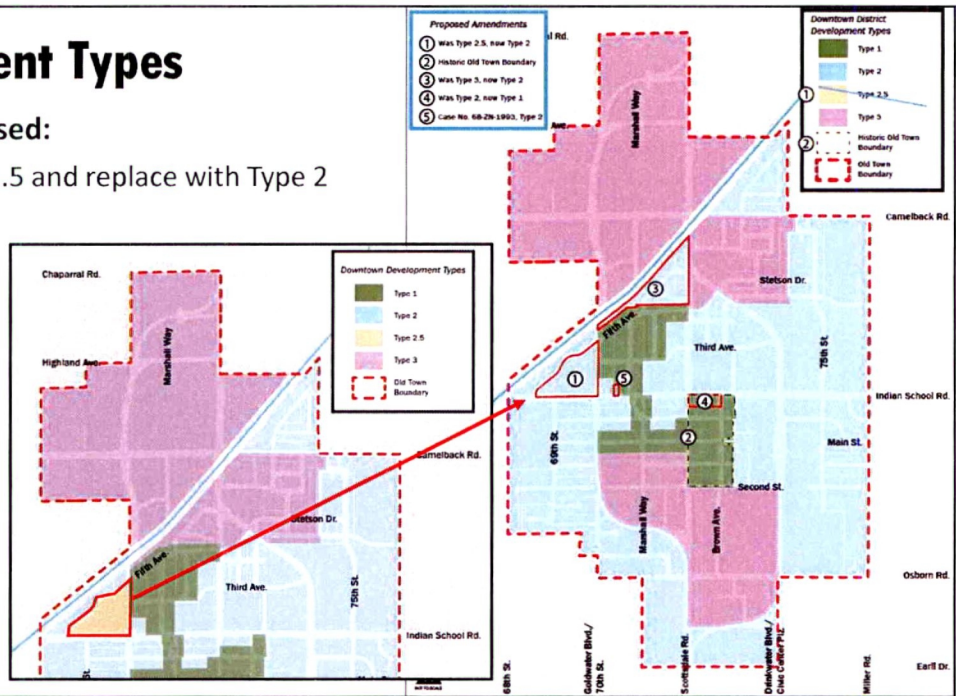
- Support for continuing the use of Development Types to guide development in Old Town
- Support to maintain the existing character of the Downtown Core and Historic Old Town.
- Support for providing more sensitive building transitions between Development Types – specifically, building transitions to the Type 1 Development Type
- Support for Type 2.5 to be removed

10

# Development Types

What is proposed:

- 1) Delete Type 2.5 and replace with Type 2

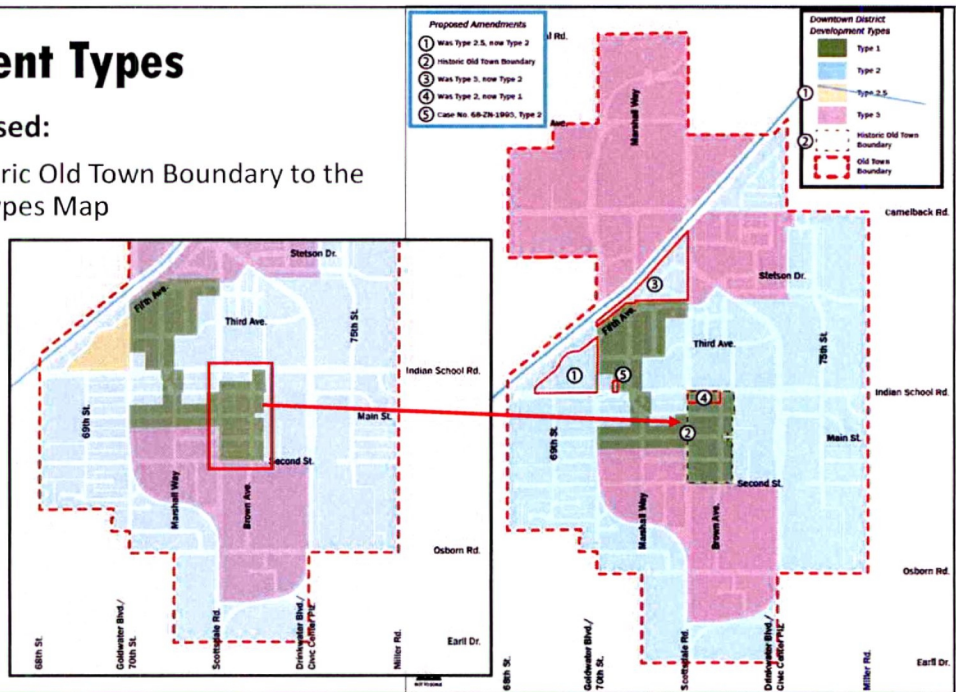


11

# Development Types

What is proposed:

- 2) Add the Historic Old Town Boundary to the Development Types Map



12

# Development Types

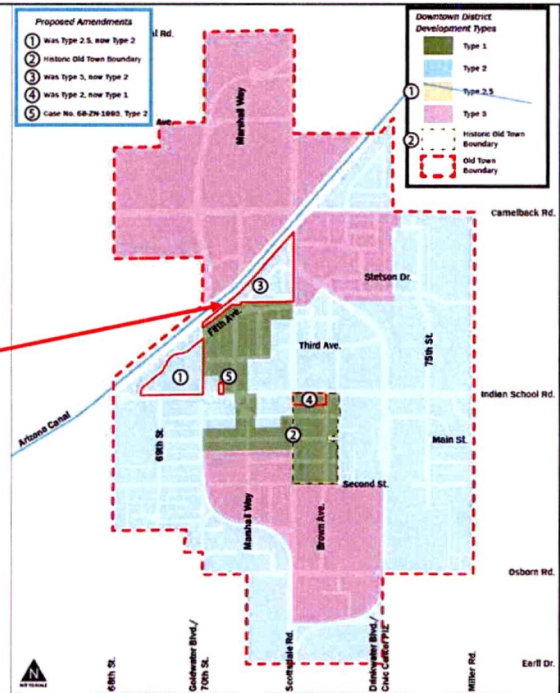
What is proposed:

3) Amend Type 3 areas near the Arizona Canal to be Type 2

2009 Development Type Map



2018 Development Type Map

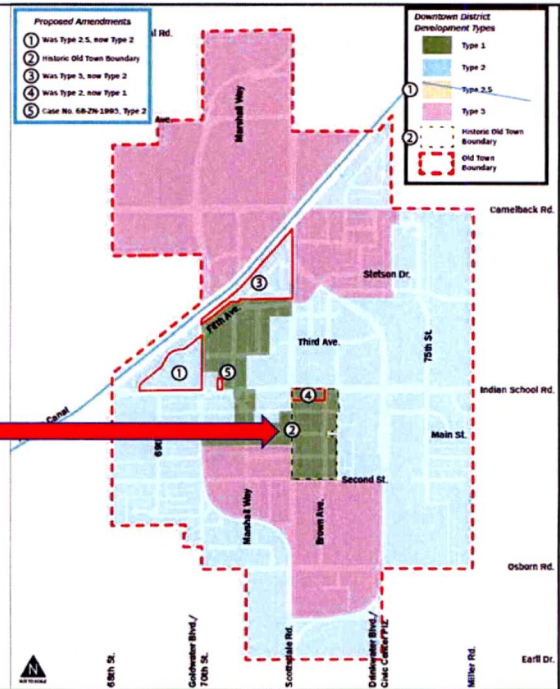
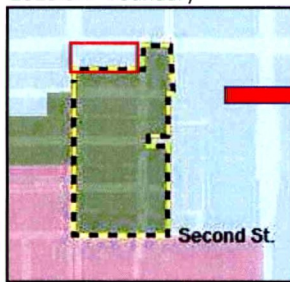


# Development Types

What is proposed:

4) Amend Type 2 area at southeast corner of Indian School and Scottsdale Roads to be Type 1

2018 CAP Boundary

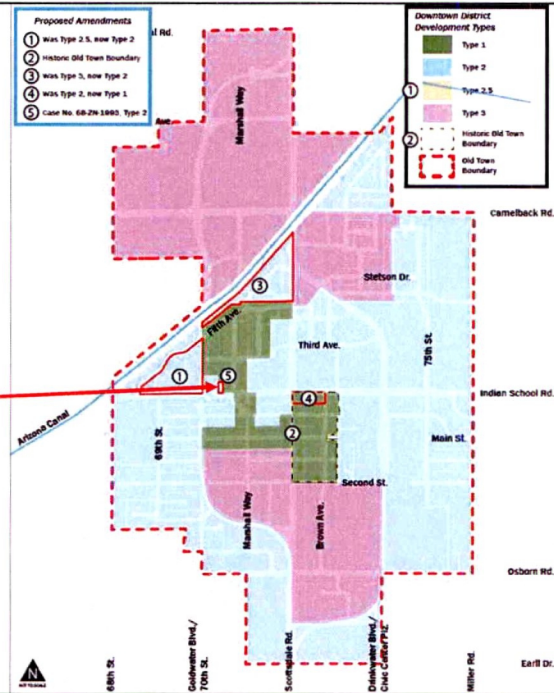


# Development Types

What is proposed:

5) Amend Type 1 area at northwest corner of Indian School Road and Marshall Way to be Type 2 – as per Case No. 68-ZN-1993

- Clean up item to reflect existing condition of property.

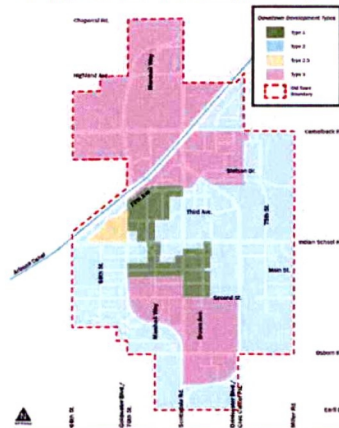


15

# Development Types – Zoning Ordinance

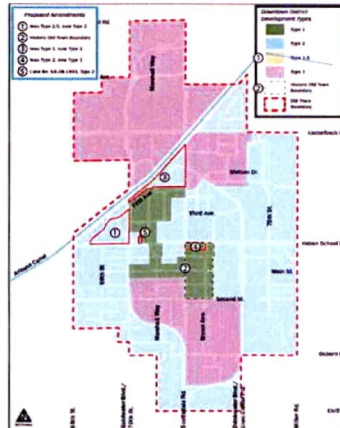
- Proposed amendments to Development Types Map Sec. 5.3006.A.3
  - Properties zoned Downtown District (D) prior to the effective date of the update changes being adopted, may elect to comply with either the Existing Downtown Development Types Map (Map 4) or the Future Downtown Development Types Map (Map 5)

Existing Downtown Development Types



Map 4

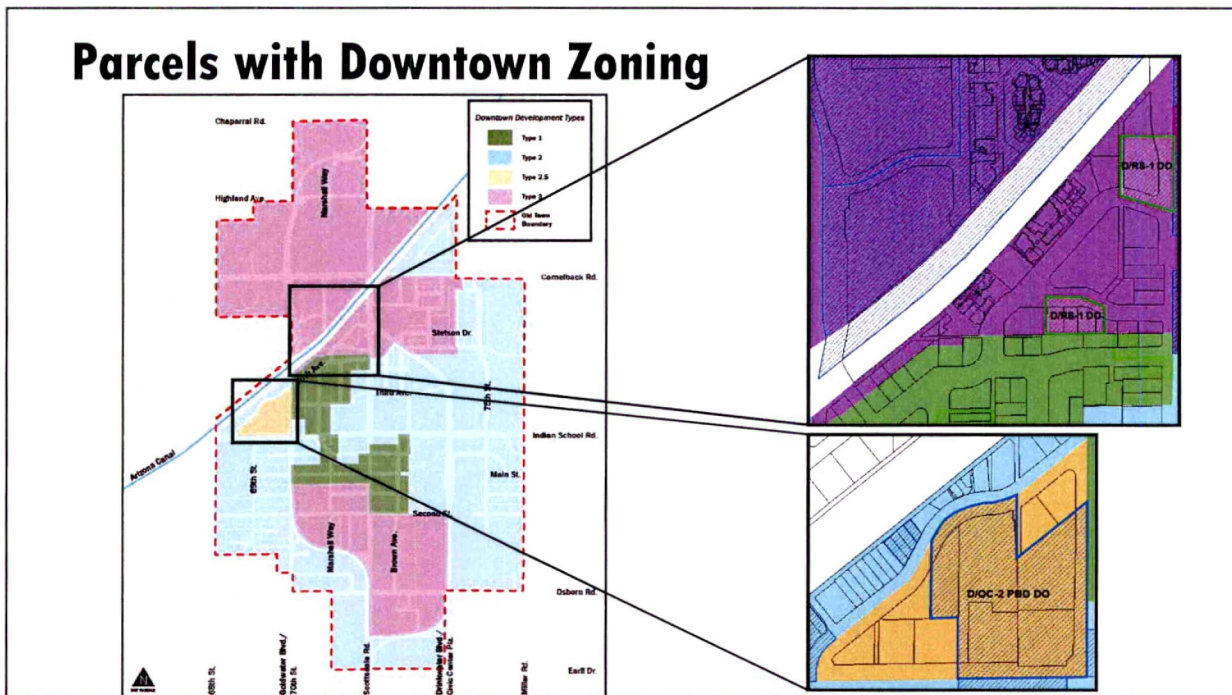
Future Downtown Development Types



Map 5

16

## Parcels with Downtown Zoning



17

### Topics Reviewed:

#### **Development Types: Designations, locations, and transitions**

- Delete Type 2.5 and replace with Type 2
- Add the Historic Old Town Boundary to the Development Types Map
- Amend Type 3 areas near the Arizona Canal to be Type 2
- Amend Type 2 area at southeast corner of Indian School/Scottsdale to be Type 1
- Amend Type 1 area at northwest corner of Indian School/Marshall Way to be Type 2
- Managing prospective amendments to preserve existing property rights

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## **Zoning Ordinance base and bonus development standards**

19

### **Base and Bonus Development Standards**

#### **What we heard:**

- Support for existing base height maximums
- Some support to maintain existing bonus maximum height standards – while others expressed that current bonus maximum height standards are too tall for the community

20



# Base and Bonus Development Standards

## What is proposed:

- Maintaining base building height maximums
- Amend maximum bonus building heights

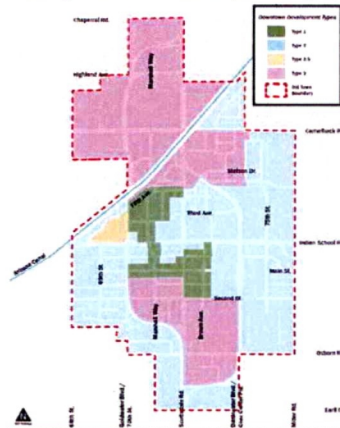
|                  | Base Maximum  | Bonus Available |
|------------------|---|-----------------|
| Downtown Overlay | 36'<br>26' for S-R Properties                       | No              |
| Type 1           | 40' in Historic Old Town<br>48' in all other Type 1 | No              |
| Type 2           | 66'   | Yes             |
| Type 2.5         | 66'   | Yes             |
| Type 3           | 84'   | Yes             |

| Gross Lot Area to be <u>equal to or greater than</u> : |                               |                                |                             |
|--|-------------------------------|--------------------------------|-----------------------------|
|  | 20,000 to 100,000 square feet | 100,000 to 200,000 square feet | 200,000 square feet or more |
| Type 2   | 78'                           | 90'                            | 90'                         |
| Type 2.5   | 78'                           | 90'                            | <del>120'</del> 102'        |
| Type 3   | 90'                           | <del>120'</del> 102'           | <del>150'</del> 115'        |

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# Development Types & Zoning Ordinance

Existing Downtown Development Types



Map 4

Future Downtown Development Types



Map 5

|                  | Base Maximum  | Bonus Available |
|------------------|---|-----------------|
| Downtown Overlay | 36'<br>26' for S-R Properties                       | No              |
| Type 1           | 40' in Historic Old Town<br>48' in all other Type 1 | No              |
| Type 2           | 66'   | Yes             |
| Type 2.5         | 66'   | Yes             |
| Type 3           | 84'   | Yes             |

| Gross Lot Area to be <u>equal to or greater than</u> : |                               |                                |                             |
|--|-------------------------------|--------------------------------|-----------------------------|
|  | 20,000 to 100,000 square feet | 100,000 to 200,000 square feet | 200,000 square feet or more |
| Type 2   | 78'                           | 90'                            | 90'                         |
| Type 2.5   | 78'                           | 90'                            | <del>120'</del> 102'        |
| Type 3   | 90'                           | <del>120'</del> 102'           | <del>150'</del> 115'        |

BASE

BONUS

\*These updates are anticipated to be prospective in nature in order to preserve any existing property rights

22

Topic Reviewed:  
**Zoning Ordinance base and bonus development standards**

23

**The consideration of development flexibility in  
the Plan, Zoning Ordinance, and Guidelines**

24

## Development Flexibility

### What we heard:

- Support for maintaining development flexibility provided within the Old Town Character Area Plan and the Zoning Ordinance
- Participants also expressed that noncontiguous parcels should not be considered for a Planned Block Development (PBD) request

25

## Development Flexibility

### What is proposed:

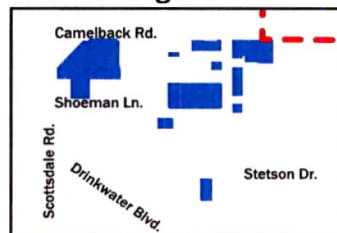
- Parcels within a proposed PBD must be contiguous

### Sec. 6.1303. Planned Block Development District size requirement.

A. Gross lot area minimum: twenty thousand (20,000) square feet.

B. Qualifying parcels: For development projects with multiple parcels, such parcels must be contiguous and under single ownership or control to meet the gross lot area minimum. Adjacent right-of-way width and alleys will be considered as contributing to the contiguity of parcels.

### Non-Contiguous PBD



### Contiguous PBD



26

Topics Reviewed:

**The consideration of development flexibility in the Plan, Zoning Ordinance, and Guidelines**

27

**Ensuring that bonus provisions within the Zoning Ordinance, if maintained, provide greater and better-defined public benefits**

28

## Bonus Provisions

### What we heard:

- Supported for public benefits as a consideration of bonus development standards and flexibility
- Participants favored public open space, major infrastructure improvements, and pedestrian amenities
- Support for expanding the definition of public improvements within the Zoning Ordinance, as well as adding new listed public benefits that would contribute to the provision of public safety in Old Town, renewable energy, and elevated quality design

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## Bonus Provisions

### What is proposed:

- PBD proposals that include requests for bonus development standards will be required to provide public open space
- The public open space area(s), and public access to the public open space area(s), shall be determined through a development agreement between the property owner and the City

| Gross Lot Area <i>equal to or greater than:</i> |                                |                             |
|---|--------------------------------|-----------------------------|
| 20,000 to 100,000 square feet                   | 100,000 to 200,000 square feet | 200,000 square feet or more |
| 0%  | 2.5%                           | 5%                          |



Type 3: >200k sq ft

30

## Bonus Provisions

### What is proposed:

- Public open space improvement to achieve public benefit requirement reduced from 18,000 to 10,000 square feet



+/- 10,000 sq ft space

Agreeing to provide special public improvements/public benefits allow development bonus standards to be considered – subject to City Council approval:

- Major Infrastructure Improvements
- Public Parking Areas
- Public Open Spaces (Minimum ~~18,000~~ 10,000 Square Feet)
- Cultural Improvements Program Contribution
- Enhanced Transit Amenities
- Pedestrian Amenities
- Workforce Housing
- Uncategorized improvements and/or other community benefits
- Contribution Costs for Bonus Development Standards are outlined in Section 7.1200 of the City's Zoning Ordinance.

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### Required Open Space With Bonus Requests

| Gross Lot Area equal to or greater than: |                                |                             |
|--|--------------------------------|-----------------------------|
| 20,000 to 100,000 square feet            | 100,000 to 200,000 square feet | 200,000 square feet or more |
| 0%                                       | 2.5%                           | 5%                          |



Type 3: >200k sq ft

### Adjust Minimum Requirement for Excess Open Space With Bonus Requests

Agreeing to provide special public improvements/public benefits allow development bonus standards to be considered – subject to City Council approval:

- Major Infrastructure Improvements
- Public Parking Areas
- Public Open Spaces (Minimum ~~18,000~~ 10,000 Square Feet)
- Cultural Improvements Program Contribution
- Enhanced Transit Amenities
- Pedestrian Amenities
- Workforce Housing
- Uncategorized improvements and/or other community benefits
- Contribution Costs for Bonus Development Standards are outlined in Section 7.1200 of the City's Zoning Ordinance.

32

Topics Reviewed:

**Ensuring that bonus provisions within the Zoning Ordinance, if maintained, provide greater and better-defined public benefits**


33

## **1/24/2024 PC Recommendation**

- Recommended approval 6-1, including the following recommendations:
  - Include language within the Zoning Ordinance that sunsets the Type 2.5 Development Type within the Downtown (D) zoning district, after the established time period for City Council to make a determination has expired,
  - Establish additional standards to qualify properties as contiguous in the application of the Planned Block Development (PBD) Overlay District, and
  - Clarify that Planned Block Development (PBD) Overlay District proposals that include requests for bonus development standards be required to provide public open space at the ground floor.

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**ScottsdaleAZ.gov search “Old Town Updates”**

What are you looking for? 

[Home Page](#) / [Planning and Development](#) / [Long Range Planning](#) / [Character Area Plans](#) / [Old Town Scottsdale Character Area Plan](#) / [Old Town Character Plan and Zoning Updates](#)

## Old Town Character Plan and Zoning Updates

Skip to:

[Background](#) [Process Status](#) [FAQ](#) [Reference Documents](#) [Contact](#)

**Project News:**

City Council's direction to reexamine and update the Old Town Scottsdale Character Area Plan and affected sections of the Zoning Ordinance that relate to Old Town, including the Downtown Infill Incentive District and Plan, is anticipated to be completed during the 2023/2024 fiscal year with smaller updates to affected policy or regulatory documents to allow greater transparency, public involvement, and ease of review to all considered amendments. As the smaller updates - or "Steps" - are considered by City Council, they will be posted here to allow review and comment.

**Step 1: Downtown Infill Incentive District Repeal - APPROVED**

- Case 1-B-2010#3: September 5, 2023 City Council Action Report

**Step 2: Old Town Scottsdale Character Area Plan (CAP) Phase 1 - APPROVED**

- Case 5-GP-2021: October 24, 2023 City Council Action Report

**Step 3: Old Town CAP Phase 2 & Planned Block Development Amendments**

- Cases 5-GP-2021#2 and 1-TA-2021: January 24, 2024 Planning Commission Report
- Cases 5-GP-2021#2 and 1-TA-2021: January 24, 2024 Planning Commission Marked Agenda
- Cases 5-GP-2021#2 and 1-TA-2021: February 20, 2024 City Council Action Report

[Provide input on Step 3: Cases 5-GP-2021#2 & 1-TA-2021](#)

**Contact Information**

**Email:**  
[OldTownUpdates@ScottsdaleAZ.gov](mailto:OldTownUpdates@ScottsdaleAZ.gov)

**Adam Yaron**  
 Planning & Development Area Manager, Long Range Planning  
 P: 480.352.1760

**Brad Carr, AICP**  
 Planning & Development Area Manager, Current Planning  
 P: 480.352.1711

**Reference Documents**

**Policy:**

Old Town Scottsdale Character Area Plan  
[Old Town Scottsdale Urban Design & Architecture Guidelines](#)

**Regulatory:**

[Zoning Ordinance](#)

**BACKGROUND**

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# 5-GP-2021#2 and 1-TA-2021: Phase 2 - Old Town Scottsdale Character Area Plan & Zoning Ordinance Update

February 20, 2024

36



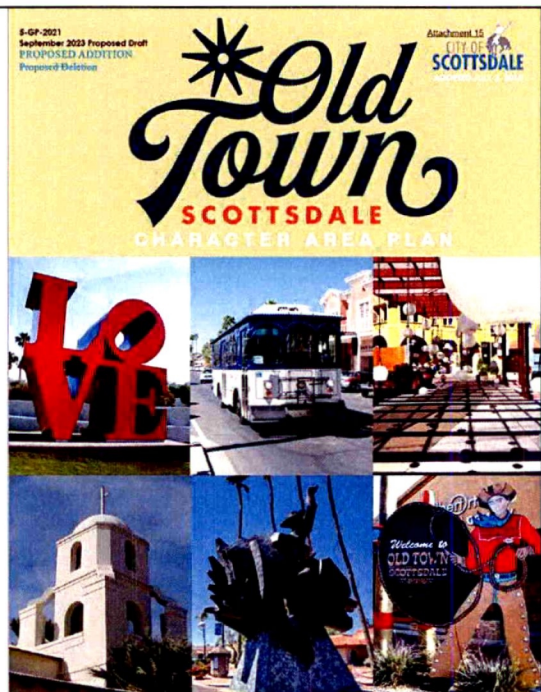


## Recommended Approach

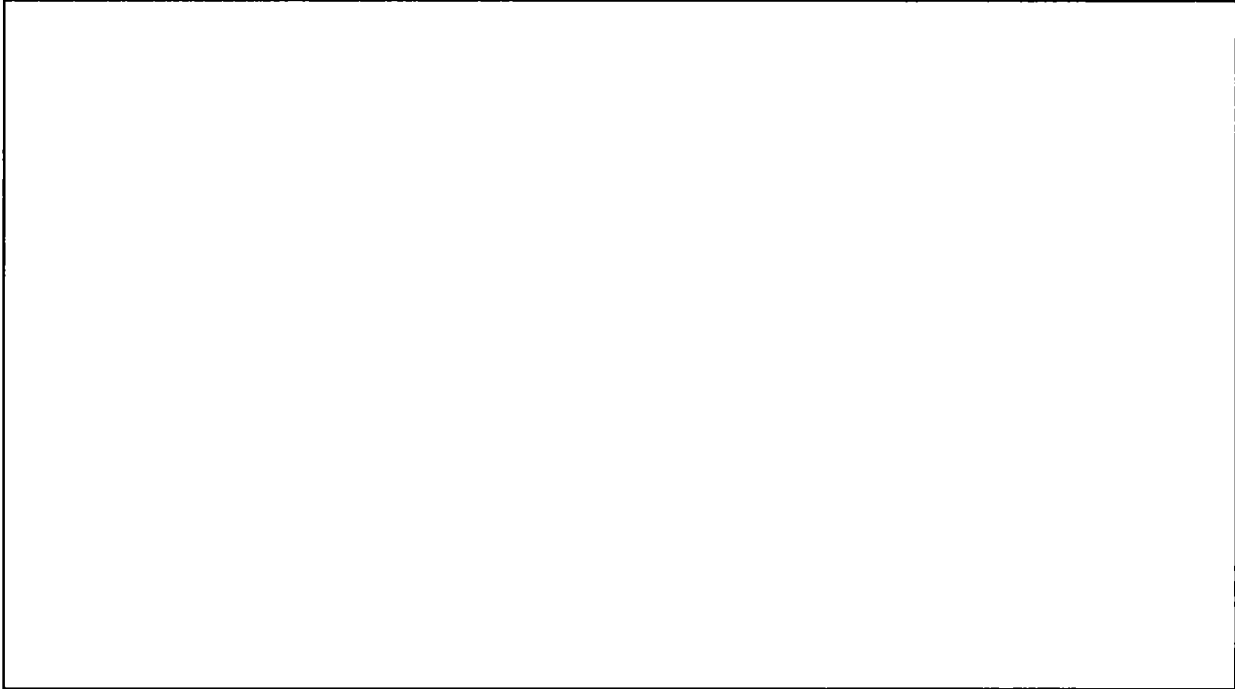
Make a recommendation to City Council to adopt Resolution No. 13008 adopting a minor amendment to the City of Scottsdale General Plan 2035, by amending and updating the Old Town Scottsdale Character Area Plan.

Make a recommendation to City Council to adopt Ordinance No. 4585 to amend the City of Scottsdale Zoning Ordinance (Ordinance No. 455) for the purpose of amending section 5.3000. (Downtown), Section 6.1200. (Downtown Overlay), Section 6.1300. (Planned Block Development Overlay District), Section 7.1200 (Special Public Improvements), and other applicable sections of the Zoning Ordinance.

Make a recommendation to City Council to adopt Resolution No. 12747 declaring "PBD Districts Text Amendment (1-TA-2021)" as a public record.



**Planning Commission  
Comments Received**



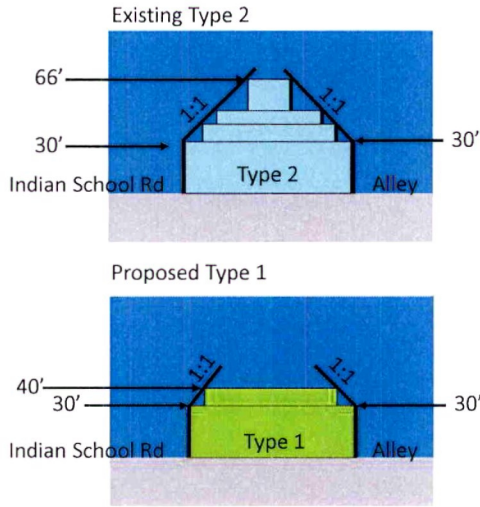
**Additional Uncategorized  
Public Comment Received**

41

**Backup**

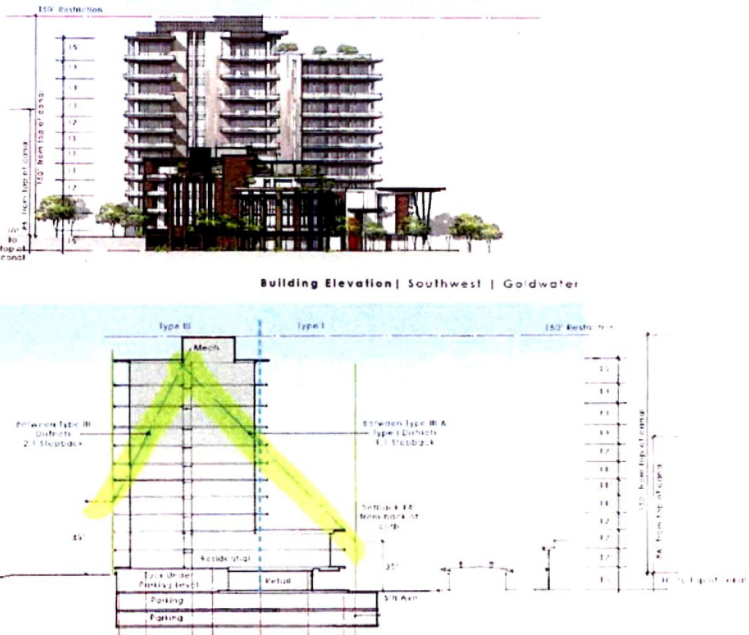
42

# Chase – Stepback Plane – Existing Zoning C-2 DO



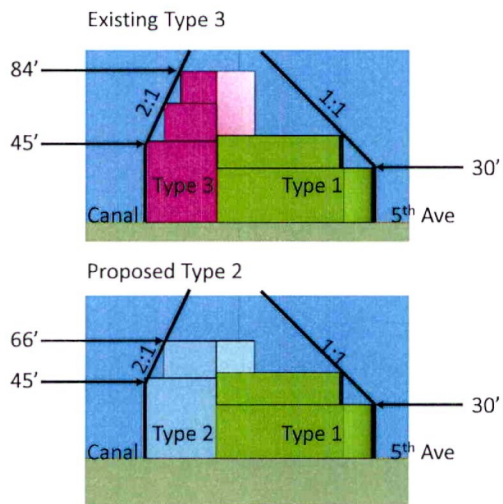
43

# Southbridge Two



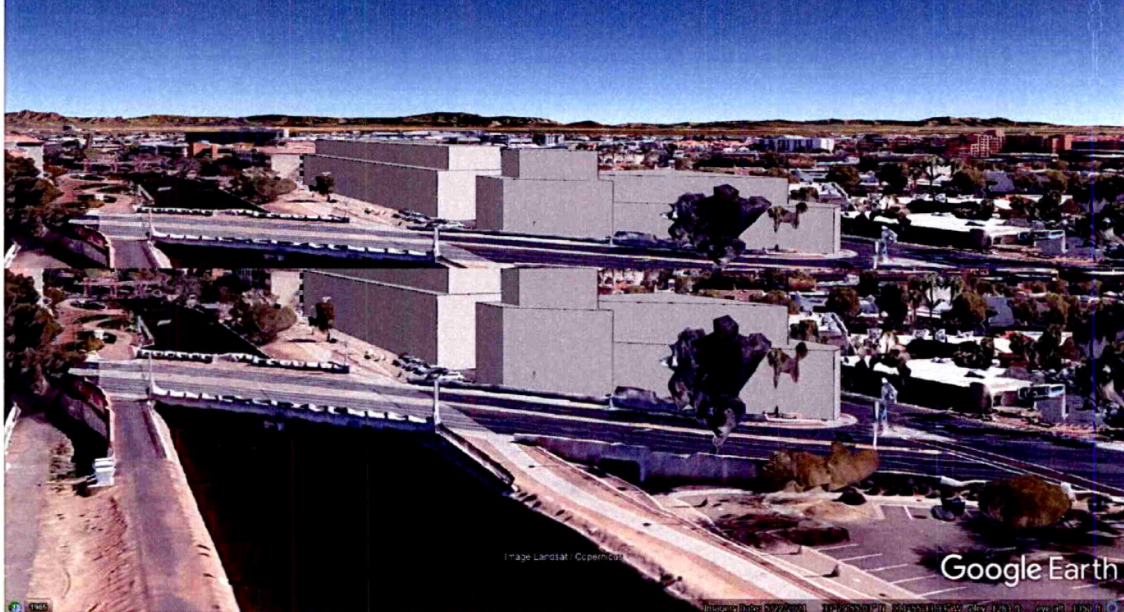
44

## Canal – Stepback Plane – Existing Zoning C-2 DO



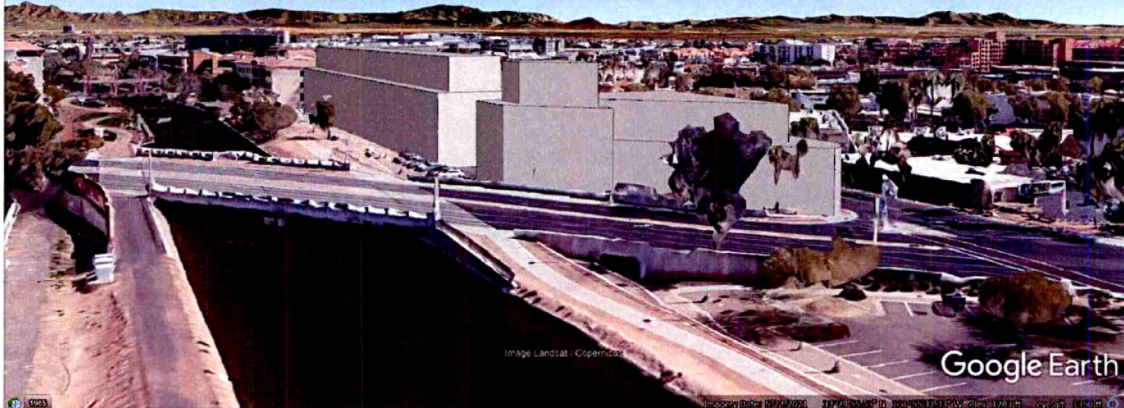
45

## Existing: Arizona Canal – Type 1 / Type 3 Split



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## Proposed: Arizona Canal – Type 1 / Type 2 Split



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## Benchmarking – Bonus Provisions Valleywide

**8 of 13 Cities allow for some type of flexibility in exchange for public benefits**

- Bonuses include increased Height, Density, and Floor Area Ratio

### **Common Public Benefits**

- Providing specific desired uses (i.e., hotel, retail, or dwelling units)
- Improved public infrastructure or amenities
- Elevated design / “Green” building
- Open Space and Landscaping
- Multi-Modal / Transit integration

**Benefit Valuation for most jurisdictions is at City Council’s discretion.  
(No rubric; however, Phoenix uses a point-based system)**

- Avondale
- Buckeye
- Chandler
- **Gilbert**
- Glendale
- **Goodyear**
- Mesa
- Peoria
- **Phoenix**
- Queen Creek
- Surprise
- Scottsdale
- Tempe

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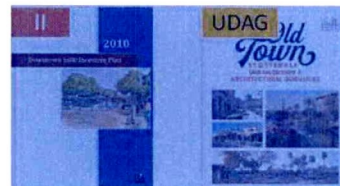
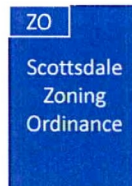
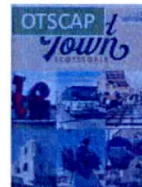
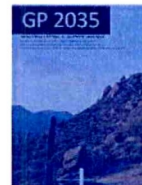
## Benchmarking – Bonus Provisions in Scottsdale

| Downtown (D)  | Planned Block Development (PBD)  | Planned Airport Core Development (PCP)  |
|---|--|---|
| <ul style="list-style-type: none"> <li>Bonuses include increased Gross Floor Area Ratio</li> </ul> <p><b>Public Benefits</b> (Table 5.3008.B.)</p> <ul style="list-style-type: none"> <li>List includes underground/ above-ground parking, incorporation of dwelling units, and/or historic preservation</li> <li>No Rubric</li> <li>Performance-based</li> </ul> | <ul style="list-style-type: none"> <li>Bonuses include increased Height, Density, and Gross Floor Area Ratio</li> </ul> <p><b>Public Benefits</b> (ZO Sec. 7.1200)</p> <ul style="list-style-type: none"> <li>Qualifying improvements list</li> <li>Development standards Rubric                             <ul style="list-style-type: none"> <li>Determines public improvements “value”</li> </ul> </li> <li>City Council Discretion</li> </ul> | <ul style="list-style-type: none"> <li>Bonuses include increased Height and Floor Area Ratio</li> <li>Conditioned upon less than 60% of reflective building material (for portions of the building above 104 feet) and a minimum of 28% open space.</li> </ul> <p><b>Public Benefits</b> (ZO Sec. 7.1200)</p> <ul style="list-style-type: none"> <li>Qualifying improvements list</li> <li>Development Standards Rubric                             <ul style="list-style-type: none"> <li>Determines public improvements “value”</li> </ul> </li> <li>City Council Discretion</li> </ul> |

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## Old Town Update Next Steps

- The consideration of development flexibility in the Zoning Ordinance (specific to the Downtown (D) zoning district)
- Re-examining bonus payment calculations in the Zoning Ordinance
- Non-Categorized Amendments that relate to Old Town within the Zoning Ordinance



*\*These updates are anticipated to be prospective in nature in order to preserve any existing property rights*

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# Proposed Amendments in Phase 2

## Old Town Scottsdale Character Area Plan (OTSCAP) Update

1. Creation of Existing and Future Development Types Map to support:
  - a. Development Type Changes
    - Type 3 to Type 2 (Keynote 3)  
69 parcels / 21 owners
    - Type 2.5 to 2 (Keynote 1)  
12 parcels / 5 owners
    - Type 2 to 1 (Keynote 4)  
8 Parcels / 1 owner

## Zoning Ordinance Update

1. Bonus Height Maximum Reduction (PBD)
2. Require open space when bonuses are requested (PBD)
3. Reduce public open space area needed to meet public benefit expectation when bonuses are requested (18,000 to 10,000 Sq. Ft.) (PBD)
4. Clean Up (minor changes) – Language Consistency and Readability

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## How Zoning & Development Area Types Affect The Ability to Request Bonus Standards

### Downtown Overlay (DO)

- Bonus requests not eligible without D/PBD

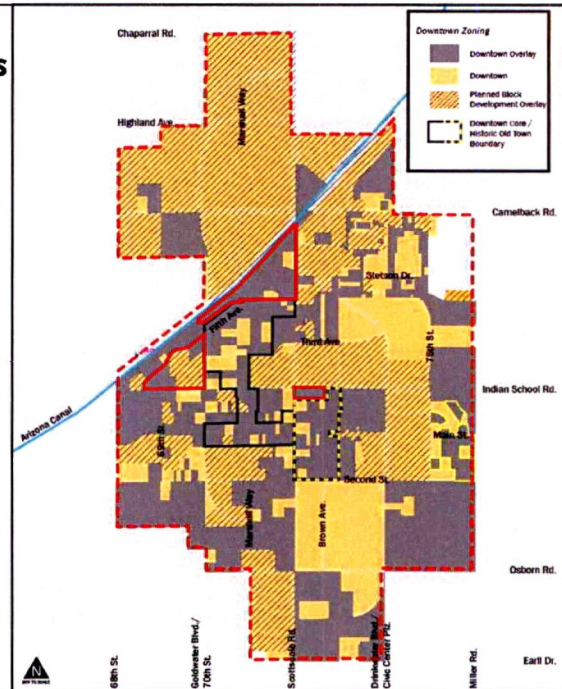
### Downtown (D) District

- Bonus requests not eligible without PBD

### Planned Block Development Overlay (PBD) District

- Bonus requests eligible as specified Development Type Map

| Gross Lot Area to be equal to or greater than: |                               |                                |                             |
|--|-------------------------------|--------------------------------|-----------------------------|
|  | 20,000 to 100,000 square feet | 100,000 to 200,000 square feet | 200,000 square feet or more |
| Type 2   | 78'                           | 90'                            | 90'                         |
| Type 2.5                                       | 78'                           | 90'                            | <del>80'</del> 102'         |
| Type 3   | 90'                           | <del>80'</del> 102'            | <del>80'</del> 115'         |



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# Existing Bonus Request Deadline

## Downtown Overlay (DO)

- DT & Bonus Application: September 30, 2024 (6M after adoption)
- DT & Bonus Decision: March 21, 2027 (3Y after adoption)

## Downtown (D) District

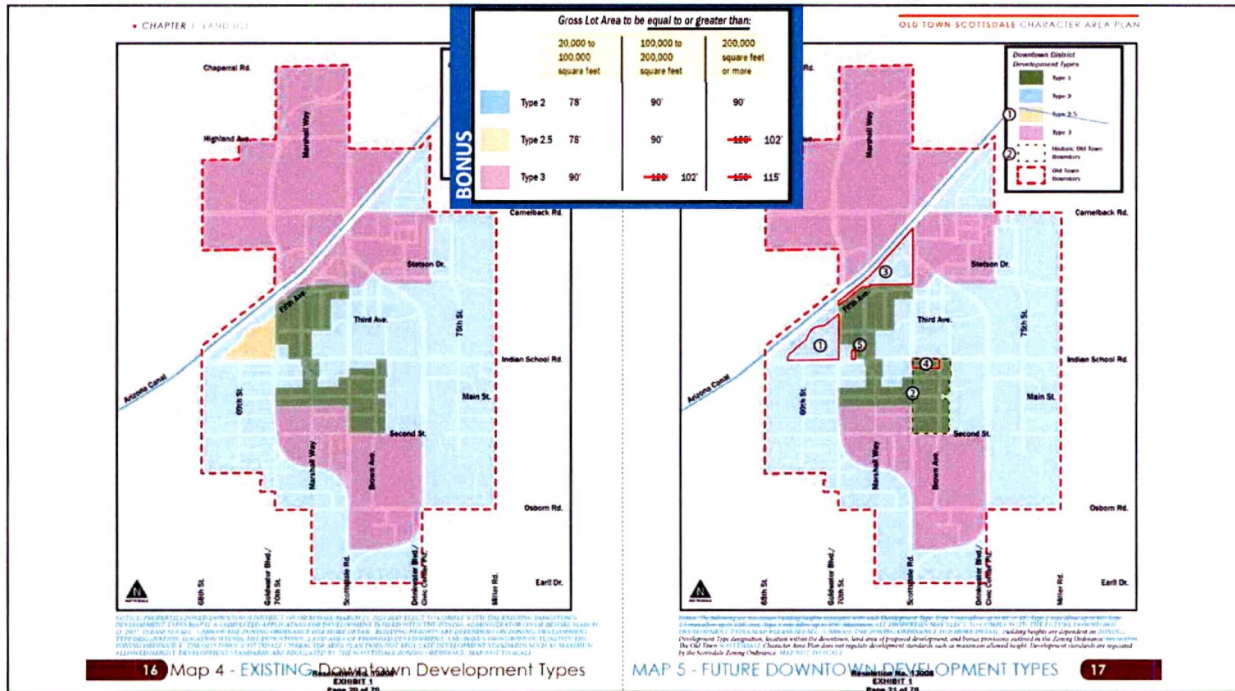
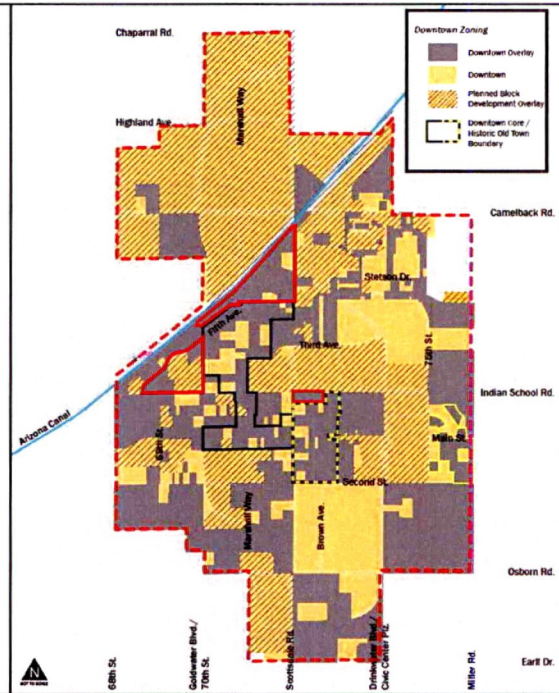
- DT Application: March 21, 2027 (3Y after adoption)
  - Bonus Application: September 30, 2024 (6M after adoption)
- DT Decision: March 21, 2028 (4Y after adoption)
  - Bonus Decision: March 21, 2027 (3Y after adoption)

## Planned Block Development Overlay (PBD) District

- DT & Bonus Application: March 21, 2027 (3Y after adoption)
- DT & Bonus Decision: March 21, 2028 (4Y after adoption)

| Gross Lot Area to be equal to or greater than: |                               |                                |                             |
|--|-------------------------------|--------------------------------|-----------------------------|
|  | 20,000 to 100,000 square feet | 100,000 to 200,000 square feet | 200,000 square feet or more |
| Type 2   | 78'                           | 90'                            | 90'                         |
| Type 2.5                                       | 78'                           | 90'                            | -400' 102'                  |
| Type 3   | 90'                           | -400' 102'                     | -500' 115'                  |

\*DT = Development Type



# Development Types

## What is proposed:

1) Delete Type 2.5 and replace with Type 2

- 12 Parcels
- 5 Property Owners

|          | Gross Lot Area to be equal to or greater than: |                                |                             |
|----------|--|--------------------------------|-----------------------------|
|          | 20,000 to 100,000 square feet                  | 100,000 to 200,000 square feet | 200,000 square feet or more |
| Type 2   | 78'  | 90'                            | 90'                         |
| Type 2.5 | 78'  | 90'                            | <del>100'</del> 102'        |
| Type 3   | 90'  | <del>100'</del> 102'           | <del>100'</del> 115'        |

### Existing D/PBD Zoning

Application: March 21, 2027  
CC Decision: March 21, 2028

### Bonus Standards

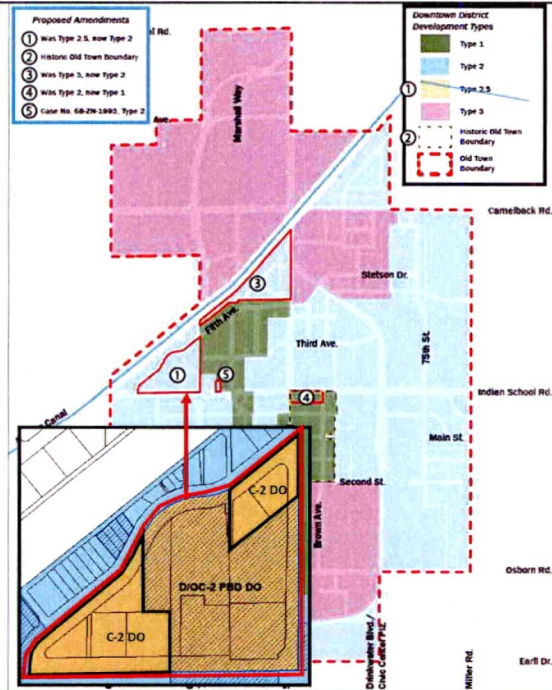
Application: March 21, 2027  
CC Decision: March 21, 2028

### Properties Seeking D/PBD Zoning

Application: September 30, 2024  
CC Decision: March 21, 2027

### Bonus Standards

Application: September 30, 2024  
CC Decision: March 21, 2027



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# Development Types

## What is proposed:

3) Amend Type 3 areas near the Arizona Canal to be Type 2

- 69 Parcels
- 21 Property Owners

|          | Gross Lot Area to be equal to or greater than: |                                |                             |
|----------|--|--------------------------------|-----------------------------|
|          | 20,000 to 100,000 square feet                  | 100,000 to 200,000 square feet | 200,000 square feet or more |
| Type 2   | 78'  | 90'                            | 90'                         |
| Type 2.5 | 78'  | 90'                            | <del>100'</del> 102'        |
| Type 3   | 90'  | <del>100'</del> 102'           | <del>100'</del> 115'        |

### Existing D Zoning

Application: March 21, 2027  
CC Decision: March 21, 2028

### Bonus Standards

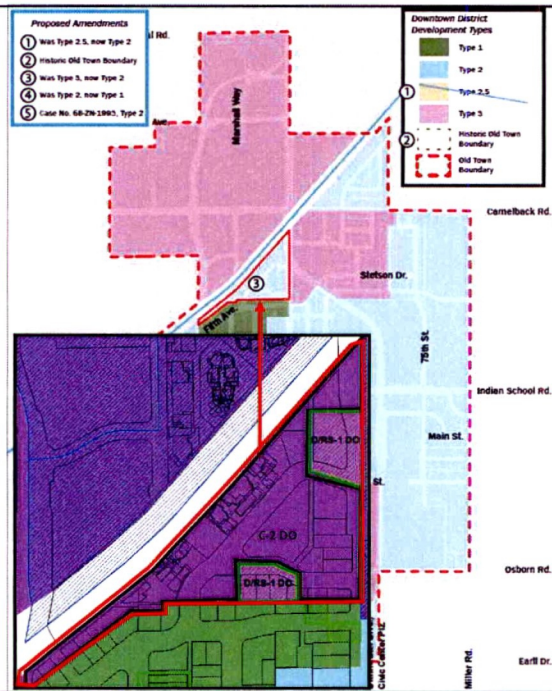
Application: September 30, 2024  
CC Decision: March 21, 2027

### Properties Seeking D/PBD Zoning

Application: September 30, 2024  
CC Decision: March 21, 2027

### Bonus Standards

Application: September 30, 2024  
CC Decision: March 21, 2027



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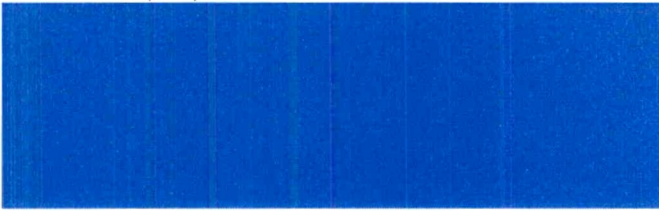
# Development Types

What is proposed:

4) Amend Type 2 area at southeast corner of Indian School and Scottsdale Roads to be Type 1

- 8 Parcels
- 1 Property Owner

| Gross Lot Area to be equal to or greater than: |                               |                                |                             |
|--|-------------------------------|--------------------------------|-----------------------------|
|  | 20,000 to 100,000 square feet | 100,000 to 200,000 square feet | 200,000 square feet or more |
| Type 2   | 78'                           | 90'                            | 90'                         |
| Type 2.5                                       | 78'                           | 90'                            | <del>100'</del> 102'        |
| Type 3   | 90'                           | <del>100'</del> 102'           | <del>100'</del> 115'        |

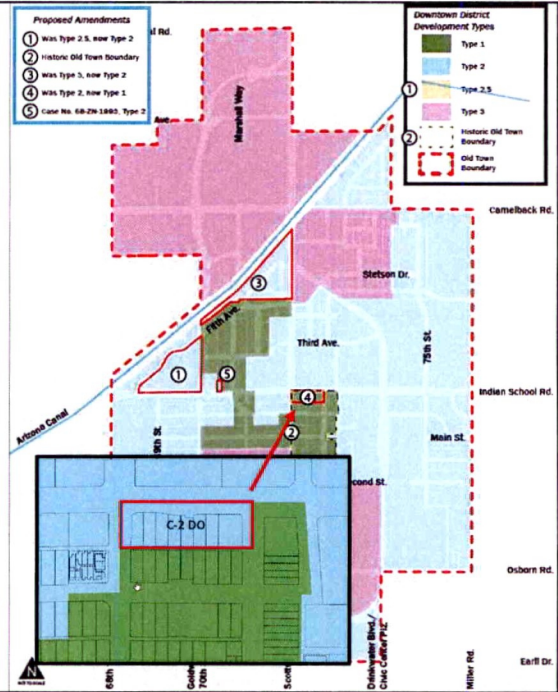


### Properties Seeking D/PBD Zoning

Application: September 30, 2024  
CC Decision: March 21, 2027

### Bonus Standards

Application: September 30, 2024  
CC Decision: March 21, 2027



Ver. 3.2

**A. Prior Development Types.**

- Properties zoned Type 1.5 before December 31, 2012. Changes to properties zoned Type 1.5 after December 31, 2012 shall comply with the regulations of the Type 2 development type.
- Properties zoned Downtown Medical - Type 2 and Downtown Regional Use - Type 2 before May 22, 2018. Changes to properties zoned Downtown Medical - Type 2 and Downtown Regional Use - Type 2 after May 22, 2018 shall comply with the regulations of the Type 3 development type.
- Properties zoned Downtown District prior to March 21, 2024. Properties zoned Downtown District prior to March 21, 2024 may elect to comply with the Existing Downtown Development Types Map within the Old Town Plan and the existing regulations set forth in Sec. 5.3006 provided that a completed development application is filed on or before March 21, 2027. Said application must be diligently pursued such that a decision upon the application by the City Council is rendered no later than March 21, 2028. If no decision has been rendered by the City Council by that date, the development application shall be deemed withdrawn and any further development application for such property shall comply with the Future Downtown Development Types Map within the Old Town Plan and the then current regulations set forth in Sec. 5.3006.
- Properties not zoned Downtown District prior to March 21, 2024. Properties that are not zoned Downtown District prior to March 21, 2024 shall comply with the Future Downtown Development Types Map within the Old Town Plan and the then current regulations set forth by Sec. 5.3006. Provided, however, that any development application for a property for a zoning district map amendment change to Downtown District determined to be administratively complete before September 30, 2024 may elect to comply with the Existing Downtown Development Types Map within the Old Town Plan and the existing regulations set forth by Sec. 5.3006. Said application must be diligently pursued such that a decision regarding rezoning by the City Council is rendered no later than March 21, 2027. If no decision has been rendered by the City Council by that date, the development application shall be deemed withdrawn and any further development application for such property shall comply with the Future Downtown Development Types Map within the Old Town Plan and the then current regulations set forth in Sec. 5.3006.

**B. Density-Gross-Floor-Area-Ratio (GFAR)-and-Building-Height-Maximum-Density, building height, and gross floor area ratio (GFAR) maximums.**

- Density and GFAR maximum are shown in Table 5.3006.B-Density shall not exceed fifty (50) dwelling units per acre of gross lot area.
- The building height maximum is shown in Table 5.3006.B - except as provided in Subsection 5.3006.B-3. Building height(s) shall not exceed the building height maximum set forth in Table 5.3006.B. for the applicable Downtown District development type. Building height maximum shall be inclusive of all rooftop appurtenances. The additional height regulations of Article VII. shall not apply.

Resolution No. 12747  
Exhibit A  
Page 39 of 117

1. Bonus density shall not exceed the density set forth in the Development Plan approved by the City Council.
42. No building shall exceed the maximum shown on Table 6.1310.C Bonus building height(s) shall not exceed the building height maximums set forth in Tables 6.1310.D.1 and 6.1310.D.2 for the applicable Downtown District development type. The additional height regulations of Article VII shall not apply.
  - a. Properties zoned Planned Block Development Overlay District prior to March 21, 2024. Properties zoned Planned Block Development Overlay District prior to March 21, 2024 may elect to submit a zoning district map amendment and request the existing bonus building height maximums set forth in Table 6.1310.D.1, provided that a completed development application is filed on or before March 21, 2027. Said application must be diligently pursued such that a decision upon the application by the City Council is rendered no later than March 21, 2028. If no decision has been rendered by the City Council by that date, the development application shall be deemed withdrawn and any further development application for such property shall comply with the future bonus building height maximums set forth in Table 6.1310.D.2.

| Development Type | Building Height Maximum <sup>(1)</sup>                      |   |   |
|------------------|---|---|---|
|                  | PBD gross lot area equal to or greater than                 |   |   |
|                  | 20,000 and less than 100,000 square feet                    | 100,000 and less than 200,000 square feet                   | 200,000 square feet or more                                 |
| Type 1 Area      | No additional height above the Base Building Height Maximum | No additional height above the Base Building Height Maximum | No additional height above the Base Building Height Maximum |
| Type 2 Area      | 78 feet   | 90 feet   | 90 feet   |
| Type 2.5 Area    | 78 feet   | 90 feet   | 102 feet  |
| Type 3 Area      | 90 feet   | 120 feet  | 150 feet  |

Note:  
 (1) Excludes rooftop appurtenances.  
 a. Maximum height for rooftop appurtenances: 6 feet.  
 b. Maximum coverage for rooftop appurtenances: 20% of the rooftop.  
 c. Minimum setback for rooftop appurtenances: 15 feet from all sides of the building.

- b. Properties not zoned Planned Block Development Overlay District prior to March 21, 2024. Properties that are not zoned Planned Block Development Overlay District prior to March 21, 2024 may elect to submit a zoning district map

Ver. 3.2  
 amendment request with the future bonus building height maximums set forth in Table 6.1310.D.2. Provided, however, that any development application for a property for a zoning district map amendment change to Planned Block Development Overlay District determined to be administratively complete before September 30, 2024 may elect to submit a zoning district map amendment and request the existing bonus building height maximums set forth in Table 6.1310.D.1. Said application must be diligently pursued such that a decision regarding rezoning by the City Council is rendered no later than March 21, 2027. If no decision has been rendered by the City Council by that date, the development application shall be deemed withdrawn and any further development application for such property shall comply with the future bonus building height maximums set forth in Table 6.1310.D.2.

| Development Type | Building Height Maximum <sup>(1)</sup>                      |   |   |
|------------------|---|---|---|
|                  | PBD gross lot area equal to or greater than                 |   |   |
|                  | 20,000 and less than 100,000 square feet                    | 100,000 and less than 200,000 square feet                   | 200,000 square feet or more                                 |
| Type 1 Area      | No additional height above the Base Building Height Maximum | No additional height above the Base Building Height Maximum | No additional height above the Base Building Height Maximum |
| Type 2 Area      | 78 feet   | 90 feet   | 90 feet   |
| Type 2.5 Area    | 78 feet   | 90 feet   | 102 feet  |
| Type 3 Area      | 90 feet   | 102 feet  | 115 feet  |

Note:  
 (1) Excludes rooftop appurtenances.  
 a. Maximum height for rooftop appurtenances: 6 feet.  
 b. Maximum coverage for rooftop appurtenances: 20% of the rooftop.  
 c. Minimum setback for rooftop appurtenances: 15 feet from all sides of the building.

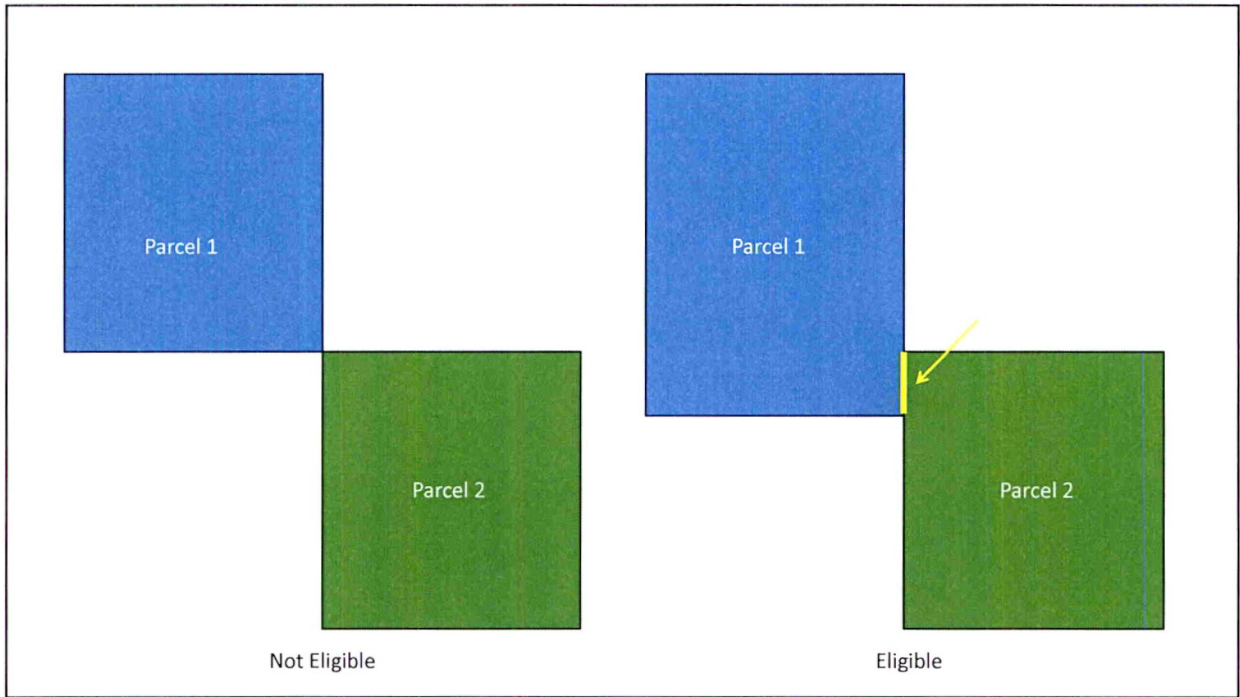
23. No GFAR shall exceed the GFAR maximum shown on Table 6.1310.C GFAR shall not exceed the GFAR maximum set forth in Table 6.1310.D.3 for the applicable Downtown District development type.

| Development Type | GFAR Maximum |
|------------------|--------------|
| Type 1 Area      | 2.5          |
| Type 2 Area      | 3            |
| Type 2.5 Area    | 3            |

12-11.34. Diminution in value; just compensation

(Caution: 1998 Prop. 105 applies)

- A. If the existing rights to use, divide, sell or possess private real property are reduced by the enactment or applicability of any land use law enacted after the date the property is transferred to the owner and such action reduces the fair market value of the property the owner is entitled to just compensation from this state or the political subdivision of this state that enacted the land use law.
- B. This section does not apply to land use laws that:
  1. Limit or prohibit a use or division of real property for the protection of the public's health and safety, including rules and regulations relating to fire and building codes, health and sanitation, transportation or traffic control, solid or hazardous waste, and pollution control;
  2. Limit or prohibit the use or division of real property commonly and historically recognized as a public nuisance under common law;
  3. Are required by federal law;
  4. Limit or prohibit the use or division of a property for the purpose of housing sex offenders, selling illegal drugs, liquor control, or pornography, obscenity, nude or topless dancing, and other adult oriented businesses if the land use laws are consistent with the constitutions of this state and the United States;
  5. Establish locations for utility facilities;
  6. Do not directly regulate an owner's land; or
  7. Were enacted before the effective date of this section.
- C. This state or the political subdivision of this state that enacted the land use law has the burden of demonstrating that the land use law is exempt pursuant to subsection B.
- D. The owner shall not be required to first submit a land use application to remove, modify, vary or otherwise alter the application of the land use law to the owner's property as a prerequisite to demanding or receiving just compensation pursuant to this section.
- E. If a land use law continues to apply to private real property more than ninety days after the owner of the property makes a written demand in a specific amount for just compensation to this state or the political subdivision of this state that enacted the land use law, the owner has a cause of action for just compensation in a court in the county in which the property is located, unless this state or political subdivision of this state and the owner reach an agreement on the amount of just compensation to be paid, or unless this state or political subdivision of this state amends, repeals, or issues to the landowner a binding waiver of enforcement of the land use law on the owner's specific parcel.
- F. Any demand for landowner relief or any waiver that is granted in lieu of compensation runs with the land.
- G. An action for just compensation based on diminution in value must be made or forever barred within three years of the effective date of the land use law, or of the first date the reduction of the existing rights to use, divide, sell or possess property applies to the owner's parcel, whichever is later.
- H. The remedy created by this section is in addition to any other remedy that is provided by the laws and constitution of this state or the United States and is not intended to modify or replace any other remedy.
- I. Nothing in this section prohibits this state or any political subdivision of this state from reaching an agreement with a private property owner to waive a claim for diminution in value regarding any proposed action by this state or a political subdivision of this state or action requested by the property owner.



# Item 10A

## Gravity Sewer – Tournament Players Club (TPC) Golf Course to North Pumpback Station Project Construction Phase Contract Amendment

City Council  
February 20, 2024

1

### 1. First purpose of this action:

Authorize the second Guaranteed Maximum Price (GMP2) for construction phase services of the first segment of the Gravity Sewer – TPC Golf Course to the North Pumpback Station.

### 2. Second purpose of this action:

Request FY 2023/24 budget transfers of up to \$25,000,000 to the Greenway Hayden Loop Sewer Improvement (VJ01) capital project

2

2

- On December 4, 2023, Council approved CMAR construction phase services Contract 2023-201-COS (GMP1) with Achen Gardner Contracting, LLC for purchase of long lead materials.
- This award is for CMAR construction phase services contract modification 2023-201-COS-A1 with Achen Gardner Contracting LLC, in the amount of \$18,301,994.00 (GMP2).
- A third GMP will be presented to council later in 2024 to complete the pipeline into the North Pumpback Station

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3



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## Reasons for Cost Increases

- Original budget set with the Council approved 2021 Infrastructure Improvement Plan (IIP)
- Budget was based on 2019-2020 estimated project costs and dollars
- Accelerated inflation in sewer construction costs
- Increased size of sewer due to development demand

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5

## Enterprise – Water Resources Capital Cost Increase

Overall Construction – 7.8% per year since 2018

Electrical gear (transformers/regulators) – 30.7%  
(2021 – 2022)

AC equipment – 23.4% (2021 – 2022)

Plastic Construction Products – 17.9% (2021 –  
2022)

CPI and Construction relative  
to Jan 2018  
September values



Note: Bureau of Labor Statistics as published in October 2022



6

6



## Reasons for Cost Increases

- Higher than planned density requiring larger pipeline sizes
- Added complexity of the project - Alignment through the TPC Champions golf course, under the CAP levee, and a crowded infrastructure corridor

7

7

## Project Budget

| <b>Greenway Hayden Loop Sewer Improvements (VJ01)</b> |              |
|---|--------------|
| Original Budget                                       | \$5,949,000  |
| Request for Additional Budget                         | 25,000,000   |
| Net Project Budget                                    | \$30,949,000 |

8

8

## Transfer Impacts

| Capital Improvement Project Name                             | Adjustments  | Transfer Impact  |
|--|--------------|--|
| Greenway Hayden Loop Sewer Improvements (VJ01)               | \$25,000,000 | Request for additional budget to meet required scope and timing        |
| New Pumpback (VJ05)  | (6,000,000)  |  |
| Water Campus Vadose Well Construction (WH01)                 | (3,267,000)  | Reduce FY24 budget and close project after transfer                    |
| East Dynamite Area Transmission Main (WD01)                  | (528,900)    |  |
| State Land Near Legend Trails II (WF04)                      | (7,417,100)  |  |
| Rio Verde/128 <sup>th</sup> Street Transmission Mains (WG01) | (7,787,000)  | Reduce FY24 budget and request budget to reestablish authority in FY25 |
| Net Budget Adjustments                                       | \$0          |  |

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## Long Term Fund Impacts

- Majority of additional costs off-set by Payback Agreements from developments that will need capacity in the new sewer

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10

## Council Action requested

Adopt Resolution 13040 authorizing:

1. CMAR construction phase service contract 2023-201-COS-A1 with Achen Gardner Contracting LLC, in the amount of \$18,301,994.00 to provide phase two construction phase services for the first segment of the City of Scottsdale's Gravity Sewer -TPC Golf Course to the North Pumpback Station.
2. FY 2023/24 Capital Improvement Plan (CIP) budget transfers of up to \$25,000,000 from the Rio Verde/128th Street Transmission Mains (WG01), the New Pumpback (VJ05), the Water Campus Vadose Well Construction (WH01), the East Dynamite Area Transmission Main (WD01), and State Land Near Legend Trails II (WF04) capital projects to the Greenway Hayden Loop Sewer Improvements (VJ01) capital project to be funded by Sewer Rates.