



Arizona State Land Department

# North Scottsdale Rezoning and Development Plan Narrative

February 2016



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## **Introduction**

The Arizona State Land Department (“ASLD” or the “Department”) and the City of Scottsdale (“City”) have an extensive history of working together for mutual benefit. ASLD is filing this zoning application as the final step in a collaborative process initiated by the City in 1999 to acquire State Trust land through the Arizona Preserve Initiative (“API”). Through the API process, the City was able to acquire approximately 13,000 acres of State Trust land from ASLD for their McDowell Sonoran Preserve. Completion of this rezoning case will bring the zoning entitlements on approximately 4,020 acres of State Trust land into conformance with the City’s General Plan and provide enhanced value to the remaining State Trust land in the northern part of the City as mandated by state statute and as agreed upon by the City at the time ASLD agreed to designate 13,000 acres of State Trust land as suitable for conservation. The State Trust land that is the subject of this application (the “Rezoning Property”) is generally located in an area bounded by Scottsdale Road (west), the 104<sup>th</sup> Street alignment (east), Stagecoach Pass Road (north), and Happy Valley Road (south) (the “Subject Land” – depicted on the attached Exhibit A: State Trust Land to be Rezoned, and left).

## **Project Overview**

### *The Arizona Preserve Initiative*

The API was enacted by the Arizona State Legislature in 1996 to enable the purchase of State Trust land for conservation purposes while maximizing the return to the Trust’s beneficiaries. This program provided a mechanism for land in and around urban areas to be preserved as open space to benefit future generations, while allowing ASLD to fulfill its mission by enhancing value and optimizing economic return for Trust beneficiaries through the planning and entitlement of adjacent State Trust lands with higher development utility.

During the 1990s the City began exploring options for the preservation of permanent open space within the McDowell Sonoran Preserve Recommended Study Boundary. On January 7, 1999, the

North Scottsdale  
State Trust Land Rezoning  
(Second Submittal)



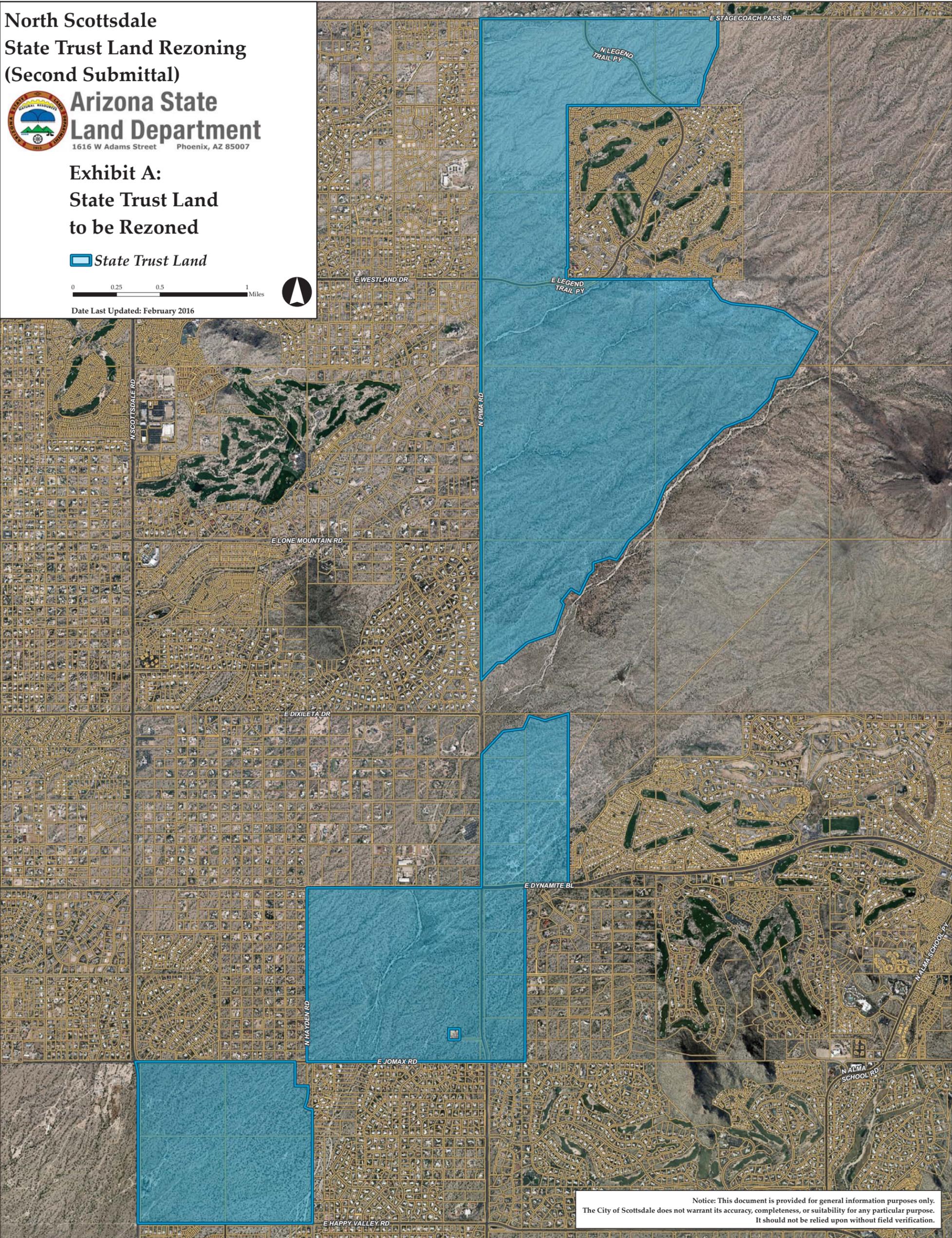
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**Exhibit A:  
State Trust Land  
to be Rezoned**

 State Trust Land



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City submitted a petition to the State Land Commissioner (the “Commissioner”) requesting the reclassification of about 16,600 acres of State Trust land as “Suitable for Conservation Purposes” (the “Reclassification”) under API.

This action initiated a study, public process, and an application review process and examination by the Commissioner and ASLD staff. Included in this process were the following steps:

- Consultation with the City of Scottsdale;
- Consideration of:
  - recommendations of the ASLD Conservation Advisory Committee;
  - public input including comments received during a 30-day open comment period and at a public hearing attended by over 1,500 people;
  - physical and economic impacts to the local community, and;
  - comments from the Arizona State Historic Preservation Office, the Arizona Department of Game and Fish, and the Arizona Department of Transportation.

*Commissioner’s Order No. 078-2001/2002*

This process was completed, and on August 30, 2001, the Commissioner issued Order No. 078-2001/2002 (the “Order”). Pursuant to the Order’s conclusion, and to justify reclassifying lands and selling them under API, the Commissioner is required to show how the reclassification would benefit the Trust. The Commissioner noted that while land immediately adjacent to open space has enhanced value, land further from the open space should be planned in a manner consistent with the character of the area, ensuring its enhanced value when it is sold or leased.

The Order acknowledged both Scottsdale’s desire to obtain all 16,600 acres as open space, and the Commissioner’s duty to obtain full value for the land. Based on the information presented during the Reclassification examination, an agreement was reached wherein certain State Trust land would be classified as “Suitable for Conservation” (the “Reclassification”) and the remaining State Trust land would receive enhanced entitlements.

Approximately 13,000 acres were approved for Reclassification while the remaining acreage was identified as potentially developable and was not Reclassified (see Exhibit B). The State Trust land that was not reclassified is the Rezoning Property that is the subject of this case. The Commissioner issued this order based on the City’s willingness to work with the Department in accommodating an enhancement in the value of the potentially developable lands.

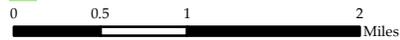
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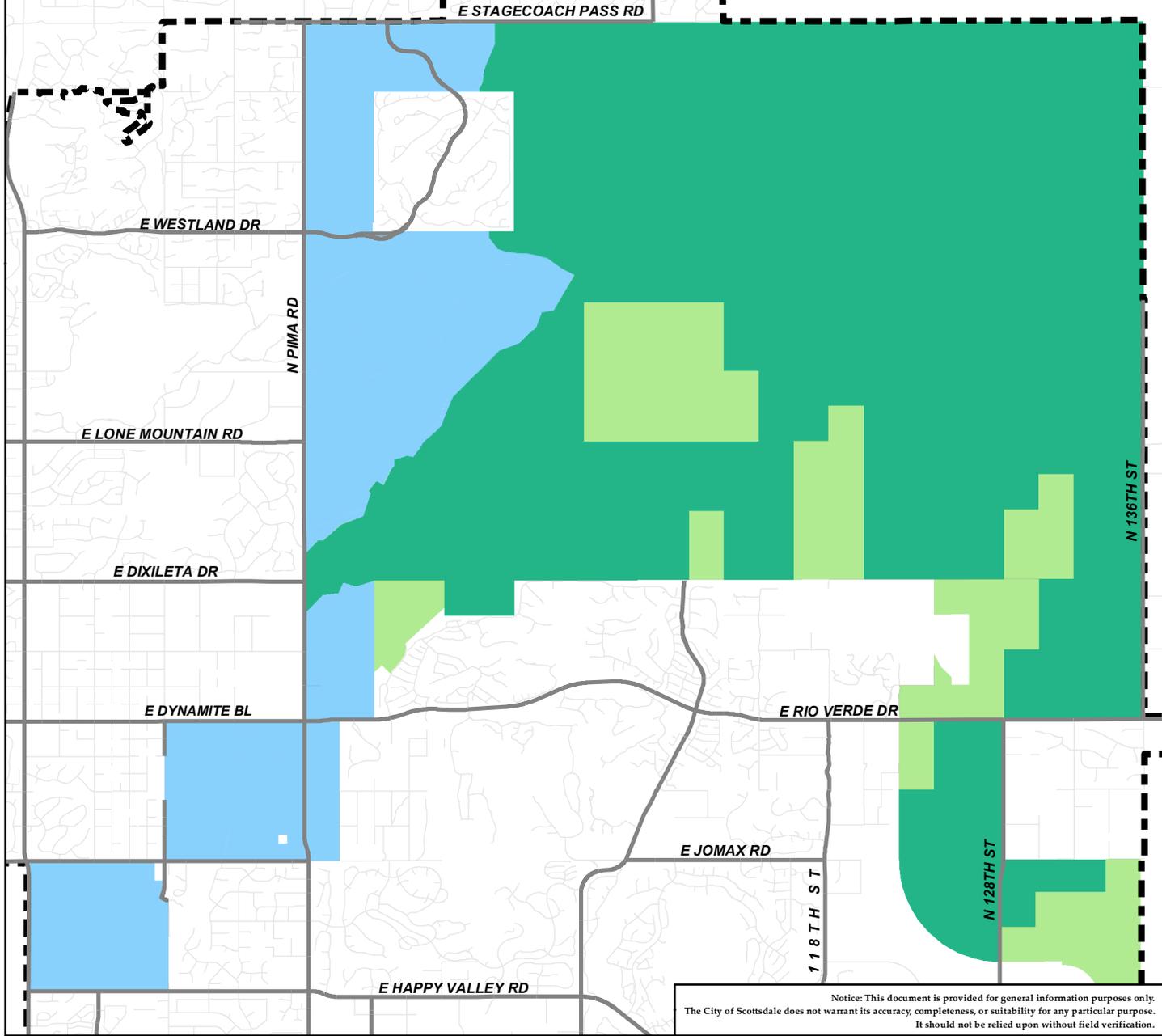
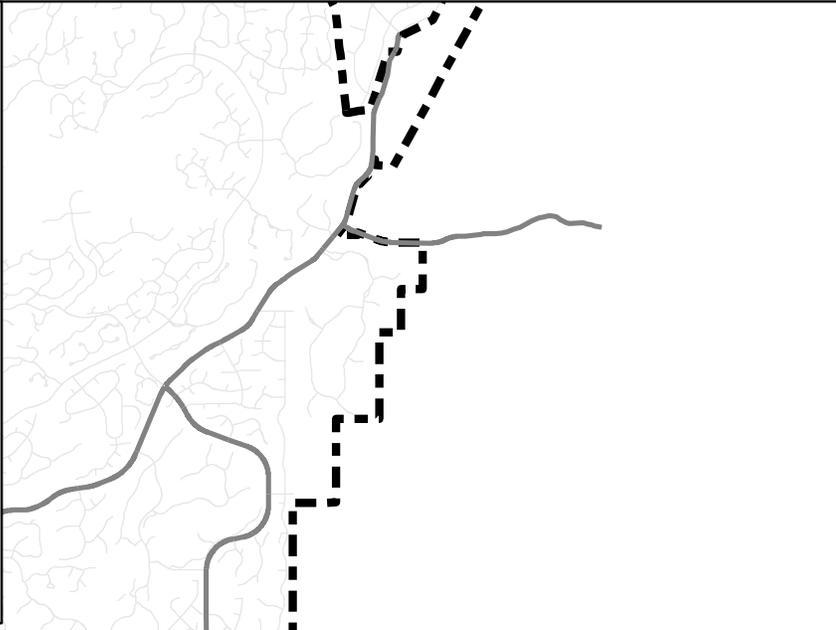
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Exhibit B:  
State Trust Land Reclassified  
as Suitable for Conservation

- State Trust Land
- Land Reclassified as Suitable for Conservation - Acquired by Scottsdale for Preserve
- Scottsdale Preserve



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### *General Plan Amendment 4-GP-2002*

Following the API Reclassification, in 2002 the City and ASLD conducted an examination of the area, which culminated in the drafting of Major General Plan Amendment 4-GP-2002 (the “Amendment” – see Exhibit C). The Amendment was the first step in executing the conditions specified in the Order. In a joint planning effort, the City and the Department undertook an extensive study and public outreach process to revise the General Plan. This effort sought to meet the City and community visions and goals for the area, while enhancing the value of the Rezoning Property. A number of open houses, neighborhood meetings, mailed comments and public hearings before the Planning Commission and City Council resulted in the drafting and adoption of the Amendment. The Amendment calls for incorporating the open desert and mountain character by including characteristics such as:

- Scenic Corridors along major roads to provide a sense of openness for the community;
- Vista Corridors along washes to provide visual linkages and preserve habitat linkages for indigenous wildlife, and;
- Housing diversity to offer a range of lot sizes.

The Amendment took a holistic approach in considering changes to various elements of the General Plan including updates to the following elements:

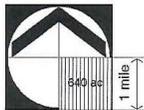
- Land Use Element: The 2001 City General Plan estimated a range of between 7,800 and 9,000 units as being appropriate within the 16,000 acres of State Trust land. Among the Amendment changes were the removal of a designated golf course, shifting and reduction of planned Commercial uses, reconfiguration of residential master planning areas, and redesignated the Reclassification land as “Natural Open Space.” Commercial designations at Stagecoach Pass and Pima roads were removed from the plan reducing the gross acreage planned for Commercial from 70 to 40 acres. The plan provided more flexibility to the Department for future uses through consolidating Master Planning Areas with higher potential value within the non-reclassified acreage. The overall changes established through the Land Use Element of 4-GP-2002 resulted in a decrease in the estimated dwelling unit count by over 20% from the General Plan estimate range of 7,800 to 9,000 dwelling units to 6,261 (see Exhibit H – Parcel Sizes and Maximum Densities).
- Open Space and Recreation Element: the open space map was updated to reflect the Natural Open Space to be acquired by the City through the Reclassification (see Exhibit O – Open Space), and;
- Public Services and Facilities Element: addressed the potential for a new school within the area in the event of development.

4-GP-2002  
 State Land Department/  
 City of Scottsdale  
 Joint Planning Effort

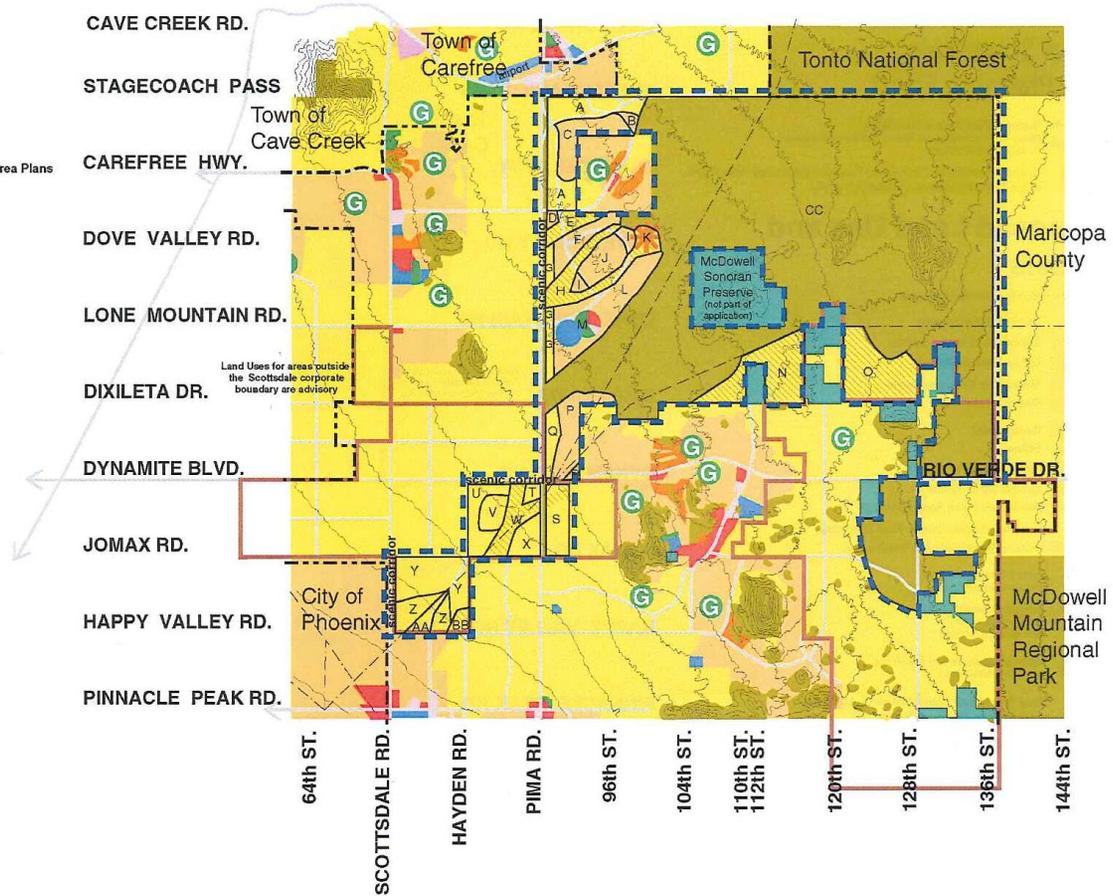
-  General Plan Amendment area (State Trust Lands under State Land Commissioner's Order #078-2001/2002)
-  Desert Foothills and Dynamite Foothills Character Area Plans Rural Desert Character guidelines apply

**Proposed Land Use and Parcels**

- du/ac = dwelling unit(s) per acre
-  Rural Neighborhoods
  -  Suburban Neighborhoods
  -  Urban Neighborhoods
  -  Mixed-Use Neighborhoods
  -  Resorts/Tourism
  -  Commercial
  -  Office
  -  Employment
  -  Natural Open Space
  -  Developed Open Space (Parks)
  -  Developed Open Space (Golf Courses)
  -  Cultural/Institutional or Public Use
  -  Low Intensity Resort site to be determined
  -  Neighborhood Center (park, retail, office) site to be determined
  -  School/Educational Facilities site to be determined
  -  State Trust Land Classified as Open Space, but not limited to Open Space
  -  McDowell Sonoran Preserve (as of 4/2002)
  -  City Boundary



October 29, 2002



About two square miles of land within the Amendment area also lies within the area covered by the Desert Foothills Character Area Plan (see Exhibit D), which will be followed when or if the land is developed.

## **Land Use Element**

To aid in determining appropriate zoning across the Subject Land, nine Master Planning Areas have been identified which contain 32 distinct Parcels (see the attached Exhibit E: Master Planning Areas, and Exhibit F: Master Planning Areas and Parcels).

The proposed rezoning incorporates Scenic Corridors on the Subject Land along Pima Road Scottsdale Road and Dynamite Boulevard, and enhances the corridors' ability to serve as practical and aesthetic buffers to existing neighborhoods through setbacks, right of way specifications, and a number of design standards to ensure a visually appealing transition zone. In addition, where potential new development abuts existing neighborhoods, each parcel has a lower intensity of use than the existing adjacent development.

This proposed rezoning is a continuation of the joint planning effort between the City and the Department that began in 2001. The current rezoning proposal closely aligns with the conceptual land use plan for the Subject Land established in 4-GP-2002, and aims to match each Master Planning Area identified in 4-GP-2002 with an appropriate zoning category (see the attached Exhibit G: Land Use and Proposed Zoning and Exhibit H: Parcel Sizes and Maximum Densities).

- Rural Neighborhoods have proposed zoning categories ranging from R1-190 to R1-35, with intensity varying based upon a number of factors such as surrounding uses, slope, and drainage. A maximum of 1,219 dwelling units are proposed in this category.
- Suburban Neighborhoods have proposed zoning categories ranging from R1-35 to R1-7 with intensity varying based upon a number of factors such as surrounding uses, slope, and drainage. A maximum of 3,208 dwelling units are proposed in this category.
- 40 acres of commercial land use with proposed PCC zoning was identified within Master Planning Area 9. This proposal has been removed from this case and is discussed in further detail below.
- Resorts/Tourism land use has been planned on Parcels K-4 and K-9, with 38 acres located in Master Planning Area 9 adjacent to Scottsdale Road and 38 acres in Master Planning Area 4 approximately two miles east of Pima Road on the Dove Valley Road alignment. Each Parcel has a proposed zoning of R4-R, which allows for townhomes within the resort property. A maximum of 573 dwelling units are proposed in this category.
- Conservation Open Space is identified in Master Planning Areas 2, 3, 4, 5, 6, 8 and 9. These open space areas will improve connectivity through the site and aid in the integration into the surrounding desert and mountain landscape.



North Scottsdale  
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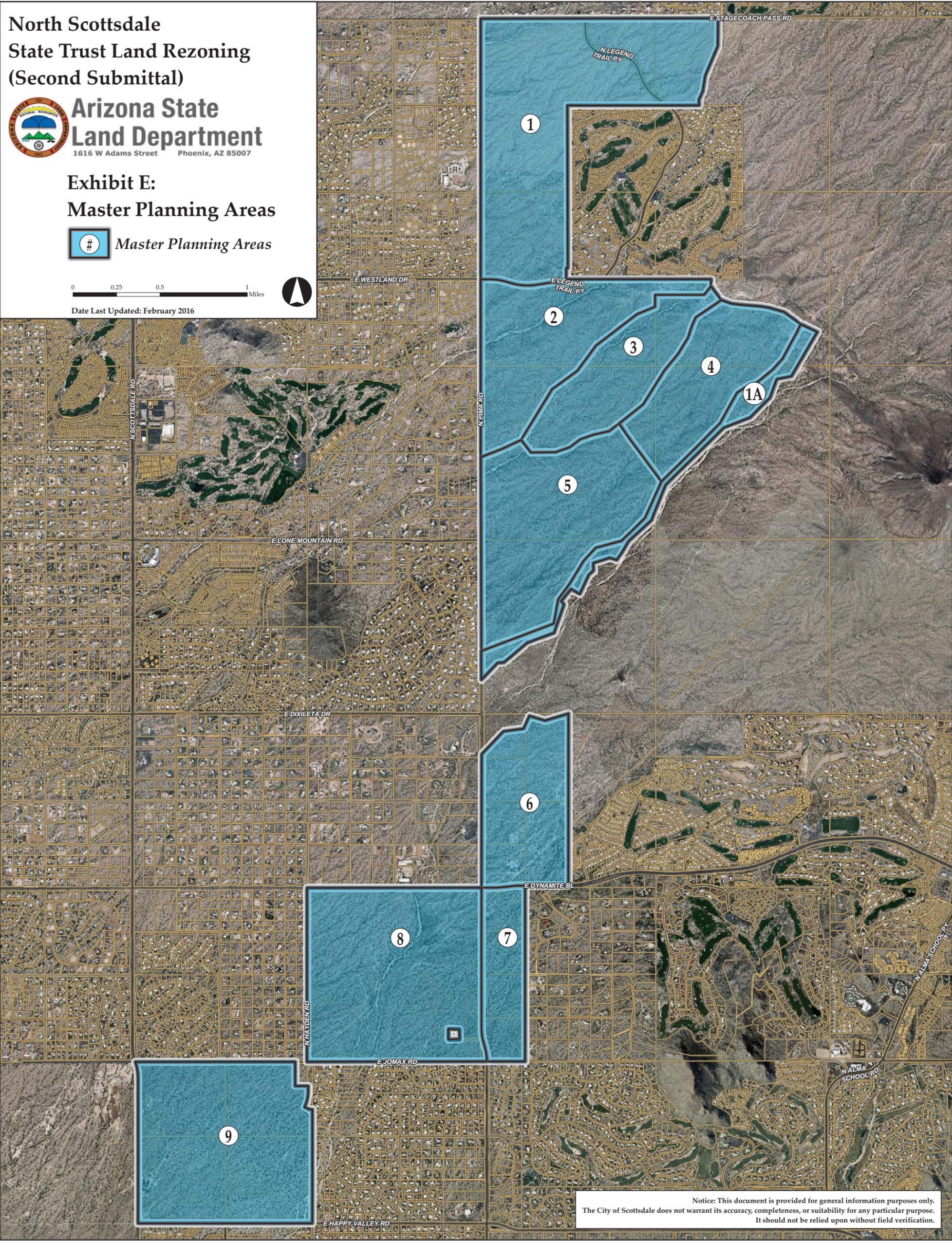
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Exhibit E:  
Master Planning Areas

Master Planning Areas



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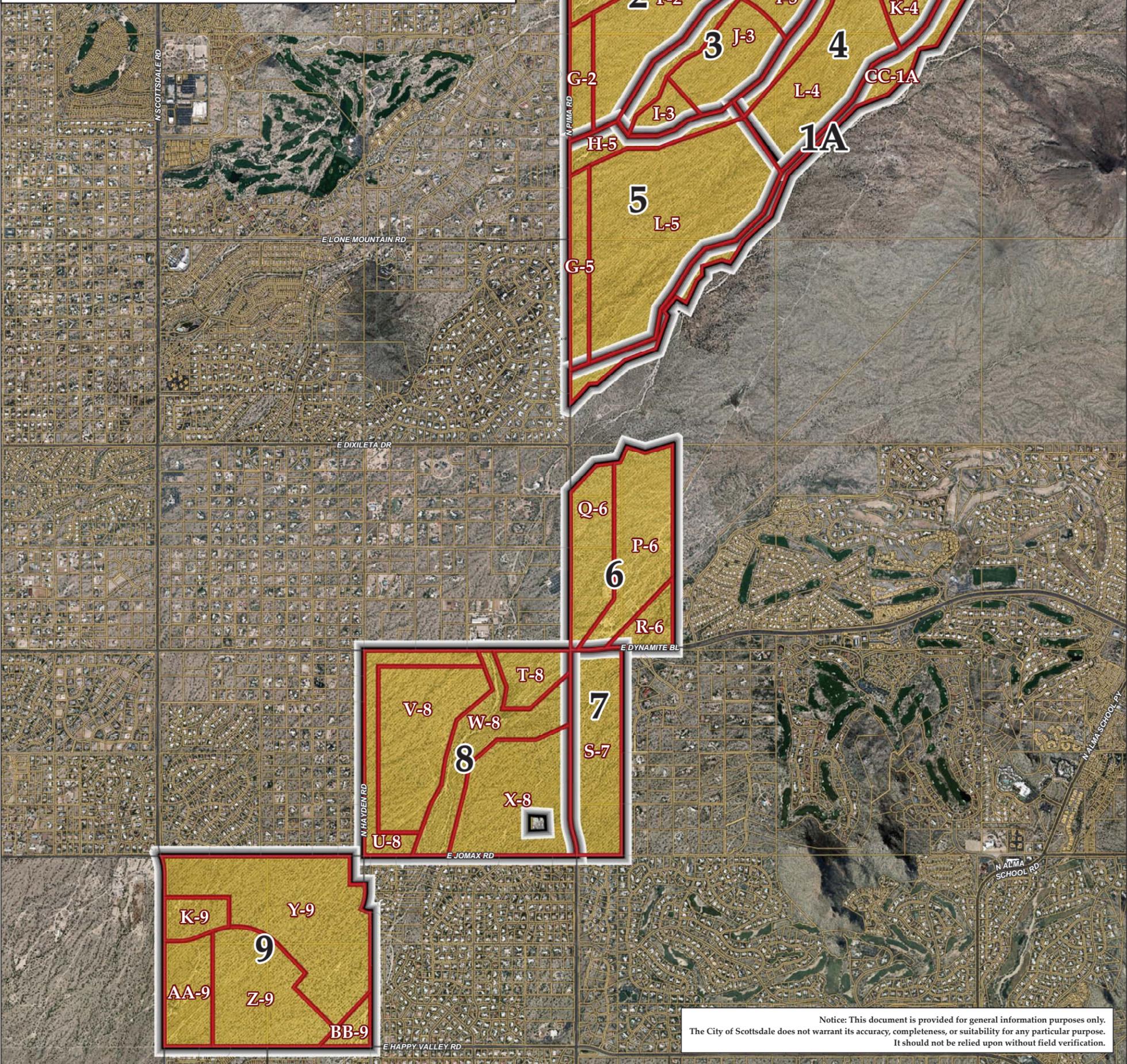
**Exhibit F:  
Master Planning Areas and Parcels**

**#** Master Planning Areas

**X-#** Parcels



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**Exhibit G:  
Land Use & Proposed Zoning**

- Natural Open Space* - COS Zoning
- Resorts/Tourism* - R1-190 Zoning
- Rural Neighborhoods* - R-4R Zoning
- Suburban Neighborhoods* - R1-35 Zoning
- R1-43 Zoning
- R1-70 Zoning
- R1-130 Zoning
- R1-190 Zoning
- R1-7 Zoning
- R1-10 Zoning
- R1-18 Zoning
- R1-35 Zoning
- R1-43 Zoning

x-# *Parcel Number*  
R1-# *Parcel Zoning*  
xxx AC *Parcel Acreage*

*McDowell Preserve* - COS Zoning

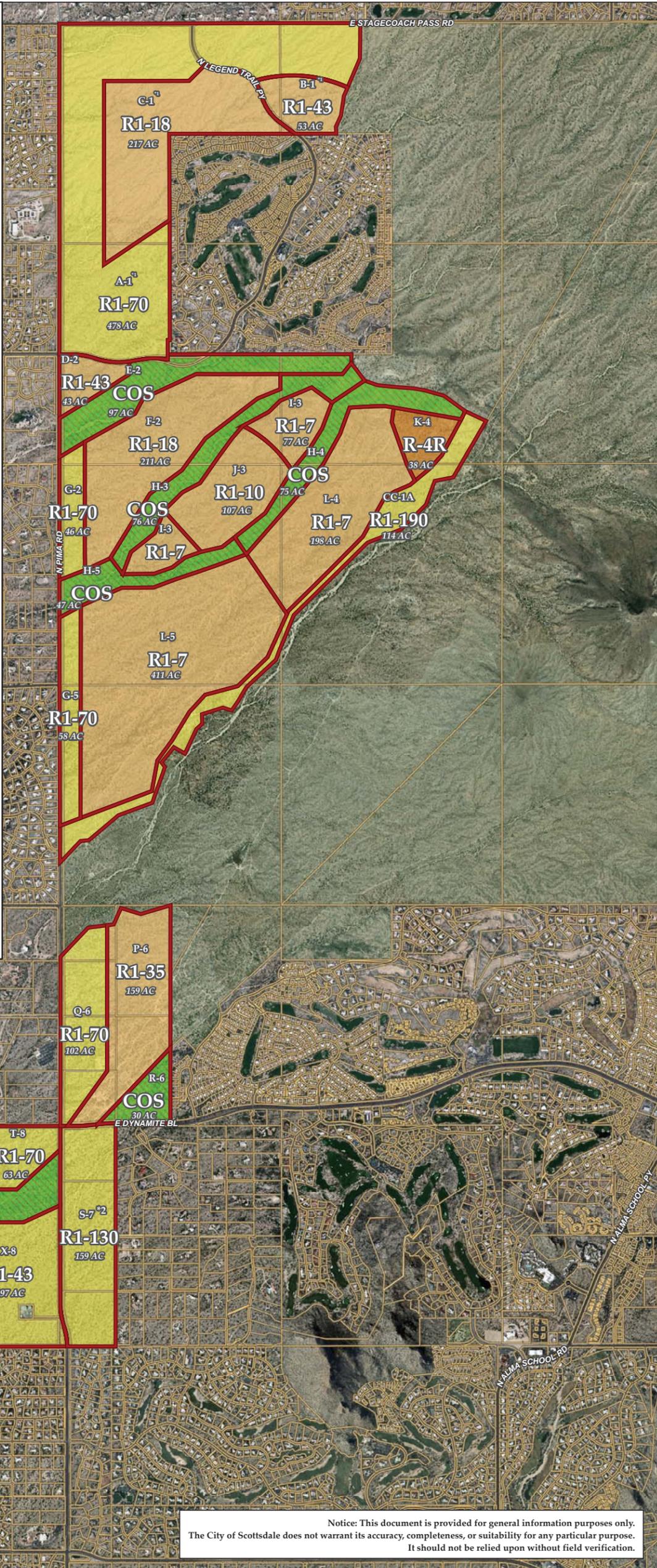
\*1 - Lots abutting Legend Trail and/or Desert Ranch shall provide setbacks equal to or greater than the setbacks required in the adjoining Legend Trail or Desert Ranch subdivisions. The setback area will include dedicated Natural Area Open Space (NAOS) that shall be a minimum width of 30'.

\*2 - Lots abutting the eastern boundary of parcel S-7 shall be sized at a minimum of 190,000 square feet and are not to be eligible for any size reduction.

0 0.25 0.5 1 Miles



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## EXHIBIT H: Parcel Sizes and Maximum Densities

19-ZN-2014 - ReSubmittal Document - Parcel Sizes and Maximum Densities for ASLD State Trust Land North Scottsdale Rezoning - February 2016

HISTORICAL - Approved 10/29/2002					Revised 2/2016 - PROPOSAL 19-ZN-2014			
Baseline Data established in case 4-GP-2002 - Council Approved Oct. 29, 2002					Proposed Parcel Sizes and Maximum Densities for ASLD North State Trust Lands Rezoning Case			
Parcel designations from 4-GP-2002	GP Category approved in 4-GP-2002 case	Estimated Dwelling Units from 4-GP-2002 case	Acres from 4-GP-2002 case	Updated - Acres	Zoning Case Parcel designation	Zoning Case Acres	Proposed Parcel Zoning district	Proposed Maximum Allocation of Unit Counts for each parcel in the Zoning Case
A	Rural (1/2-1 du/ac.)	390	470	478	A - 1	478	R1-70 (*1)	252
B	Suburban (1-2 du/ac.)	65	35	53	B - 1	53	R1-43 (*1)	45
C	Suburban (2-4 du/ac.)	608	195	217	C - 1	217	R1-18 (*1)	440
D	Suburban (1-2 du/ac.)	52	28	43	D - 2	43	R1-43	37
E	Rural and Open Space (1/5 du/ac.)	25	118	97	E - 2	97	COS	0
F	Suburban (1-2 du/ac.)	389	208	211	F - 2	211	R1-18	385
G	Rural (1/2-1 du/ac.)	70	84	46	G - 2	46	R1-70	24
H	Rural and Open Space (1/5 du/ac.)	53	251	76	H - 3	76	COS	0
I	Suburban (2-4 du/ac.)	206	66	77	I - 3	77	R1-7	206
J	Suburban (1-2 du/ac.)	318	170	107	J - 3	107	R1-10	270
	Rural and Open Space (1/5 du/ac.)	0	0	75	H - 4	75	COS	0
K	Resort/Tourism (LOCATION TBD)	573	76	38	K - 4	38	R-4R	287
L	Suburban (2-4 du/ac.)	1716	550	198	L - 4	198	R1-7	530
	Rural (1/2-1 du/ac.)	0	0	58	G - 5	58	R1-70	30
	Rural and Open Space (1/5 du/ac.)	0	0	47	H - 5	47	COS	0
	Suburban (2-4 du/ac.)	0	0	411	L - 5	411	R1-7	1140
N	Rural and Open Space (1/5 du/ac.) Parcel acquired by COS 10/15/10	126	600	0	N/A	0	N/A	0
O	Rural and Open Space (1/5 du/ac.) Parcel acquired by COS 10/15/10	118	560	0	N/A	0	N/A	0
P	Suburban (1-2 du/ac.)	398	201	159	P - 6	159	R1-35	155
Q	Rural (1/2-1 du/ac.)	98	100	102	Q - 6	102	R1-70	54
R	Rural (1/5 du/ac.)	4	20	30	R - 6	30	COS	0
S	Rural (1/3 du/ac.)	53	160	159	S - 7	159	R1-130 (*2)	45
T	Rural (1/3-1 du/ac.)	20	20	63	T - 8	63	R1-70	20
U	Rural (1/3-1/2 du/ac.)	37	74	82	U - 8	82	R1-130	23
V	Rural (1/2-1 du/ac.)	190	190	195	V - 8	195	R1-43	168
W	Rural (1/5 du/ac.)	27	126	104	W - 8	104	COS	0
X	Rural (1/2-1 du/ac.)	154	154	197	X - 8	197	R1-43	154
	Resort/Tourism (LOCATION TBD)	0	0	38	K - 9	38	R-4R	286
M	Neighborhood Center (Retail Use has been removed from zoning request)	na	40	0	N/A	0	n/a	0
Y	Rural (1/2-1 du/ac.) Parcel size reduced by introduction of resort and COS Fire site acquisition	370	370	287	Y - 9	287	R1-43	247
Z	Rural (1/2-1 du/ac.)	146	146	162	Z - 9	162	R1-35	146
AA	Rural (1/2-1 du/ac.)	50	50	78	AA - 9	78	R1-35	50
BB	Rural (1/2-1 du/ac.)	17	20	18	BB - 9	18	COS	0
CC	Natural Open Space Parcels acquired by COS 2010, 2011 and 2012	0	11,391	114	CC -1A	114	R1-190	6
Totals		6273	16473	4020	Totals	4020		5000

\*1 - Lots abutting Legend Trails and/or Desert Ranch shall provide setbacks equal to or greater than the setbacks required in the adjoining subdivision(s). The setback area will include dedicated Natural Area Open Space (NAOS) that shall be a minimum width of 30'.

\*2 - Lots abutting the eastern boundary of this parcel, shall be sized at a minimum of 190,000 square feet and are not eligible for any size reduction.

**The reconfiguring of land uses and additional allocation of Open Space within this proposal would reduce the estimated number of dwelling units on the subject land to 5,000 - a reduction of over 20% from the 6,261 units envisioned in 4-GP-2002 and a reduction of between 36% and 45% from the dwelling unit range of 7,800 to 9,000 units envisioned in the 2001 General Plan.**

*Land Use justification*

The 4-GP-2002 Proposed Land Use Map designated the location of the Neighborhood Center, Low Intensity Resort, and School/Educational Facilities as “to be determined”. A multi-colored “floating pie” graphic indicated a Neighborhood Center consisting of park, retail and office uses, while a floating asterisk signified a Low Intensity Resort. Maintaining continuity with the existing neighborhood fabric, and buffering non-residential uses from existing residential were deemed highly important siting criteria. Since sound planning principles favor siting commercial land uses along arterial roads to provide ease of access, this rezoning proposal originally sought 40 acres of PCC zoning on Scottsdale Road between Jomax and Happy Valley roads. ASLD deemed this location suitable due to the long-running existence of commercial uses in the area under ASLD Special Land Use Permits and the presence of two high-voltage transmission corridors. As discussed below, this proposal has been removed from this case due to comments received during the public outreach process.

- The 76-acre Low Intensity Resort floating asterisk has been divided into two Planning Areas: K-4 and K-9:
  - Parcel K-4 is a 38-acre site, in the eastern portion of Master Planning Area 4. While ASLD cannot foresee the exact type of resort that would develop on K-4, its location approximately two miles east of Pima Road and the fact that it is surrounded on three sides by the McDowell Sonoran Preserve would lend itself to an “ecotourism” or passive recreation type of hospitality use; and,
  - Parcel K-9 comprises 38 acres at the intersection of Scottsdale Road and the Yearling Road alignment. Adjacency to Scottsdale Road would allow development of a resort within the Sonoran Desert bajada environment while providing ease of access to regional amenities and attractions.
- ASLD and the City have received initial feedback from the Cave Creek Unified School District (“CCUSD”) stating that development of the 5,000 dwelling units envisioned in this case will likely necessitate the development of new school facilities or the enhancement of existing school facilities. ASLD and the City will continue to work with CCUSD to determine their exact needs and incorporate those into the stipulations for this case.
- The attached Exhibit H displays the details of this proposal, and its evolution from the land use plan established in 4-GP-2002, which projected 6,273 units to be developed on the Rezoning Property. Notable reductions are:

- Parcel C (2002)/C-1 (current) in Master Planning Area 1, adjacent to Legend Trail: 4-GP-2002 designated this area for 2 – 4 dwelling units per acre (“DU/AC”) on 195 acres for a projected 608 total units. This planning area has been updated to 217 acres of R1-18 zoning, with a new proposed maximum of 440 units or 2.03 DU/AC, a reduction of over 25%.
- Planning Area A (2002)/A-1 (current) in Master Planning Area 1, bounded by Pima and Stagecoach Pass roads and Legend Trail Parkway: this area was listed as ½-1 du/ac on 470 acres for a projected 390 units. This planning area has been updated to 478 acres of R1-70 zoning, with a new proposed maximum of 252 units or a density of one dwelling unit per 1.9 acres (0.53 DU/AC), a reduction of about 35%.

Master Planning Areas 7, 8, and 9 are within the Foothills Overlay Zoning District (see Exhibit I). The proposed zoning within these areas is designed to promote the goals and visions for the area described in the Desert Foothills Character Plan. The preservation of the natural visual qualities of the upper Sonoran Desert will be retained through conformance to design guidelines developed in the Desert Foothills Character Area Plan.

### **Citizen and Neighborhood Involvement**

A public outreach process is being performed in conjunction with this case. The Department recognizes the importance of working with community stakeholders to identify issues and concerns and attempt to address them in the development of the rezoning proposal. The following is a generalized synopsis of our public outreach efforts. For full details, see the Citizen and Neighborhood Involvement Report that was submitted with this narrative.

The outreach process began in November of 2014, with notifications sent to all residents within 750 feet of the Rezoning Property, as well as homeowners associations and other interested parties as identified by the City. Notifications contained a case summary, contact information, and information about three open house events to be held in the area. In addition, twelve early notification signs were posted at high traffic intersections surrounding the Rezoning Property. When the rezoning is ultimately scheduled for Planning Commission and City Council hearings, red notification signs with updated information will be posted in conformance with City guidelines.

The three Open House events were:

- December 8, 2014 from 4:00 to 7:00 PM at the Legend Trail Community Center, 34575 N. Legend Trail Parkway;
- December 9, 2014 from 5:30 to 7:30 PM at the Anasazi School Cafeteria, 12121 N. 124<sup>th</sup> Street;

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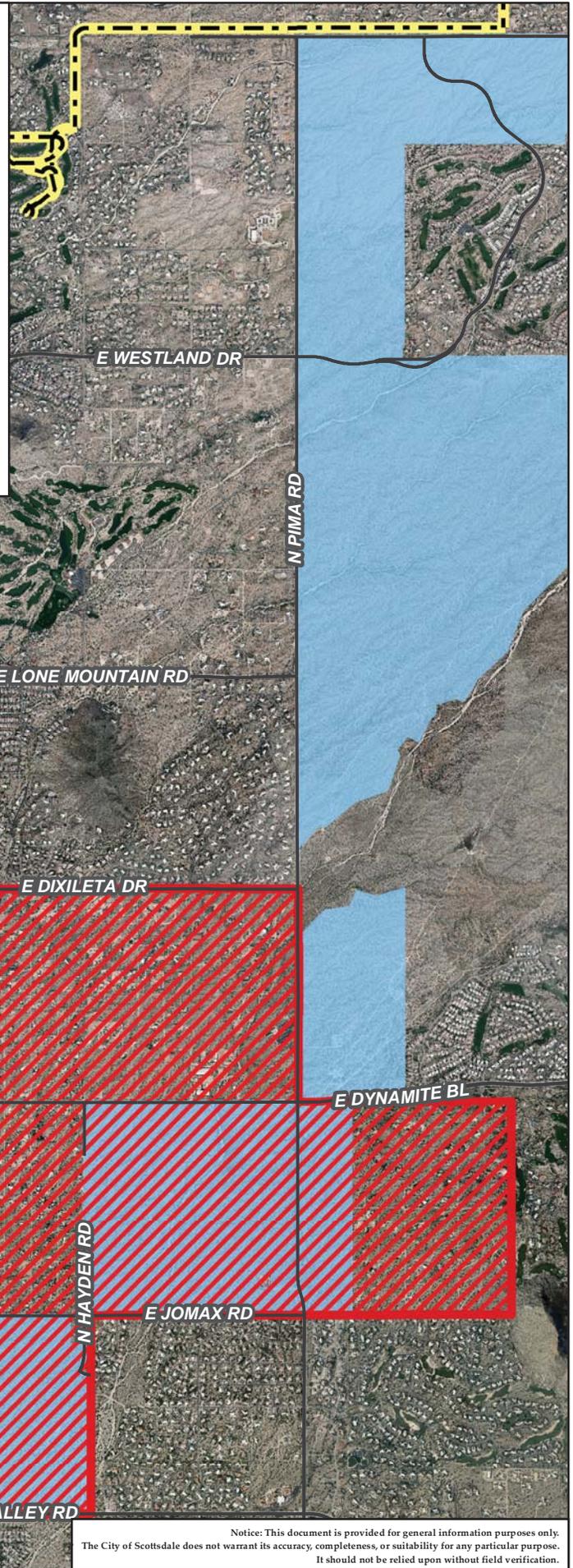
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Exhibit I:  
Foothills Overlay Zoning District

- ASLD Parcels
- Foothills Overlay
- City Boundary Line



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- December 17, 2014 from 4:00 to 7:00 PM at Florence Ely Nelson Desert Park, 8950 E. Pinnacle Peak Road.

In addition, the following additional public meetings with question-and-answer sessions were held:

- January 27, 2015 from 4:00 to 7:00 PM at the Legend Trail Community Center, 34575 N. Legend Trail Parkway;
- May 20, 2015 from 6:00 to 9:00 PM at Florence Ely Nelson Desert Park, 8950 E. Pinnacle Peak Road.

Numerous presentations were also made to civic and business groups throughout 2015:

- Arizona Planners' Day at the State Capitol: February 25, 2015 from 7:00 to 8:30 AM at the State Capitol;
- Greater Pinnacle Peak Association Board of Directors: April 16, 2015 from 5:00 to 8:00 PM at the Winfield Community Center;
- Scottsdale Area Association of Realtors/Pinnacle Peak RMS: August 7, 2015 from 8:00 to 9:30 AM at the Grayhawk Country Club;
- Scottsdale Area Association of Realtors/Carefree RMS: August 20, 2015 from 8:00 to 9:30 AM at Harold's Corral, Cave Creek;
- Russ Lyon Sotheby's Carefree: August 25, 2015 from 8:30 to 9:30 AM at El Pedregal;
- Scottsdale Association of Realtors: November 19, 2015 from 8:30 to 9:30 AM at the Tatum Ranch Golf Club, Phoenix.

In addition, a number of calls, emails, and letters were received which have been included in the Citizen and Neighborhood Involvement report. Areas of concern can be broken into two categories: general comments and concerns; and concerns about land uses in specific locations adjacent to existing development, designated scenic corridors, or designated General Plan Character Areas or zoning ordinance overlay areas. ASLD also received emails forwarded by City of Scottsdale staff.

General comments and concerns received relate to suggestions that the City purchase the Rezoning Property for inclusion in the McDowell Sonoran Preserve, density and infrastructure, and conservation and sensitive design. Specific areas of concern were identified on the Rezoning Property in Master Planning Areas 1 and 2, adjacent to the Legend Trail and Desert Ranch communities, in Master Planning Area 7, adjacent to existing residential development east of Pima Road between Dynamite Boulevard and Jomax Road, and the aforementioned commercial parcel on Scottsdale Road between Jomax and Happy Valley roads.

General Comments and Concerns and ASLD's responses:

1. City purchase of Rezoning Property for inclusion in the McDowell Sonoran Preserve: This suggestion does not relate to ASLD's zoning case. City purchase of property for the McDowell Sonoran Preserve is a City policy that ASLD does not control.
2. Location and Density of designated land uses: This overall theme covers general opposition to additional development in North Scottsdale, as well as site-specific requests to eliminate or reduce proposed density in certain areas. ASLD notes that designation of appropriate land uses and densities are issues that were explored throughout the aforementioned API Reclassification and 2002 Major General Plan Amendment cases. Our current rezoning proposal seeks zoning in conformance with the land use locations and densities established in 4-GP-2002. Also, as noted above, this case seeks dwelling unit counts and densities that are 20% less than those entitled in 4-GP-2002 and 36% to 45% less than those entitled in the City's 2001 General Plan.
3. Impact of future development on road, utility, and drainage infrastructure: Comments received raised concerns that additional development in North Scottsdale would aggravate drainage concerns or traffic in the area and would necessitate expansions and upgrades to regional infrastructure. The City has planned their future road and utility infrastructure in conformance with the land uses and densities established in 4-GP-2002. Through the City's development review process at both the master plan and site-specific level, all future development on the Rezoning Property will be required to comply with City ordinances and policies related to provision of transportation, utility, and drainage infrastructure.

Specific Comments and Concerns and ASLD's responses:

4. Master Planning Areas 1 and 2 Comments (see Exhibit J and the Community and Neighborhood Involvement Report):
  - a. Establish a scenic corridor designation along Legend Trail Parkway through the Rezoning Property between Pima and Stagecoach Pass roads: ASLD agrees to designation of a 100-foot Scenic Corridor designation along the entire length of Legend Trail Parkway in Master Planning Areas 1 and 2 in accordance with City standards for such corridors;
  - b. Maintain equivalent or greater building setbacks and Natural Area Open Space ("NAOS") depths on future Rezoning Property development adjacent to existing development in the Legend Trail and Desert Ranch communities: ASLD agrees to the following:
    - i. Parcel A-1: Lots abutting Legend Trail shall provide setbacks equal to or greater than the setbacks required in the adjoining Legend Trail or Desert Ranch subdivisions. The setback area will include dedicated Natural Area Open Space (NAOS) that shall be a minimum width of 30 feet;
    - ii. Parcel B-1: Lots abutting Legend Trail shall provide setbacks equal to or greater than the setbacks required in the adjoining Legend Trail subdivision.

- iii. The setback area will include dedicated Natural Area Open Space (NAOS) that shall be a minimum width of 30 feet; and,
    - iv. Parcel C-1 – Lots abutting Legend Trail shall provide setbacks equal to or greater than the setbacks required in the adjoining Legend Trail subdivision(s). The setback area will include dedicated Natural Area Open Space (NAOS) that shall be a minimum width of 30 feet.
  - c. Establish official trail corridors to connect Legend Trail Parkway to the McDowell Sonoran Preserve: ASLD agrees to the following:
    - i. Planning Unit 1, Parcel B-1 – a 15-foot wide trail easement and 3-foot wide trail shall be provided from the Legend Trail Parkway right-of-way east into the McDowell Sonoran preserve trail system. This alignment may occur along either the southern or the northern boundary of the Parcel B-1. City of Scottsdale Preserve staff shall coordinate the alignment selection, construction and connection into the Preserve. Dedication of the easement shall occur with the first subdivision in Planning Unit 1; and,
    - ii. Planning Unit 2, Parcel E-2 – a 15-foot wide trail easement and 3-foot wide trail shall be provided from the Legend Trail Parkway right-of-way east into the McDowell Sonoran preserve trail system. This alignment will occur within parcel E-2. City of Scottsdale Preserve staff shall coordinate the alignment selection, construction and connection into the Preserve. Dedication of the easement shall occur with the first subdivision in Planning Unit 2.
- 5. Master Planning Area 7: Comments received noted that ASLD is proposing to designate an R1-130 zoning district on the Rezoning Property in Parcel S-7, while adjacent development is within the R1-190 zoning district. ASLD agrees that all lots on the Rezoning Property in Parcel S-7 will be developed using the standards of the R1-190 zoning district, and will have a minimum lot size of 190,000 square feet (see Exhibit K).
- 6. Commercial site on Scottsdale Road in Master Planning Area 9: Numerous comments were received which questioned the appropriateness of a 40-acre PCC-zoned commercial parcel on Scottsdale Road between Jomax and Happy Valley roads. ASLD has removed this proposal from this case. In addition, since the west side of Scottsdale Road in this location is also State Trust land in the City of Phoenix, ASLD will seek to establish a higher-volume arterial or collector roadway on the Yearling Drive alignment to minimize future impacts to existing development and traffic volumes on Jomax and Happy Valley roads in Scottsdale and Phoenix (see Exhibit L).
- 7. Conservation of Regional Character: Several comments expressed concern that future development on the Rezoning Property would negatively impact the character of the surrounding area through the loss of open space and scenic vistas. ASLD notes that it has

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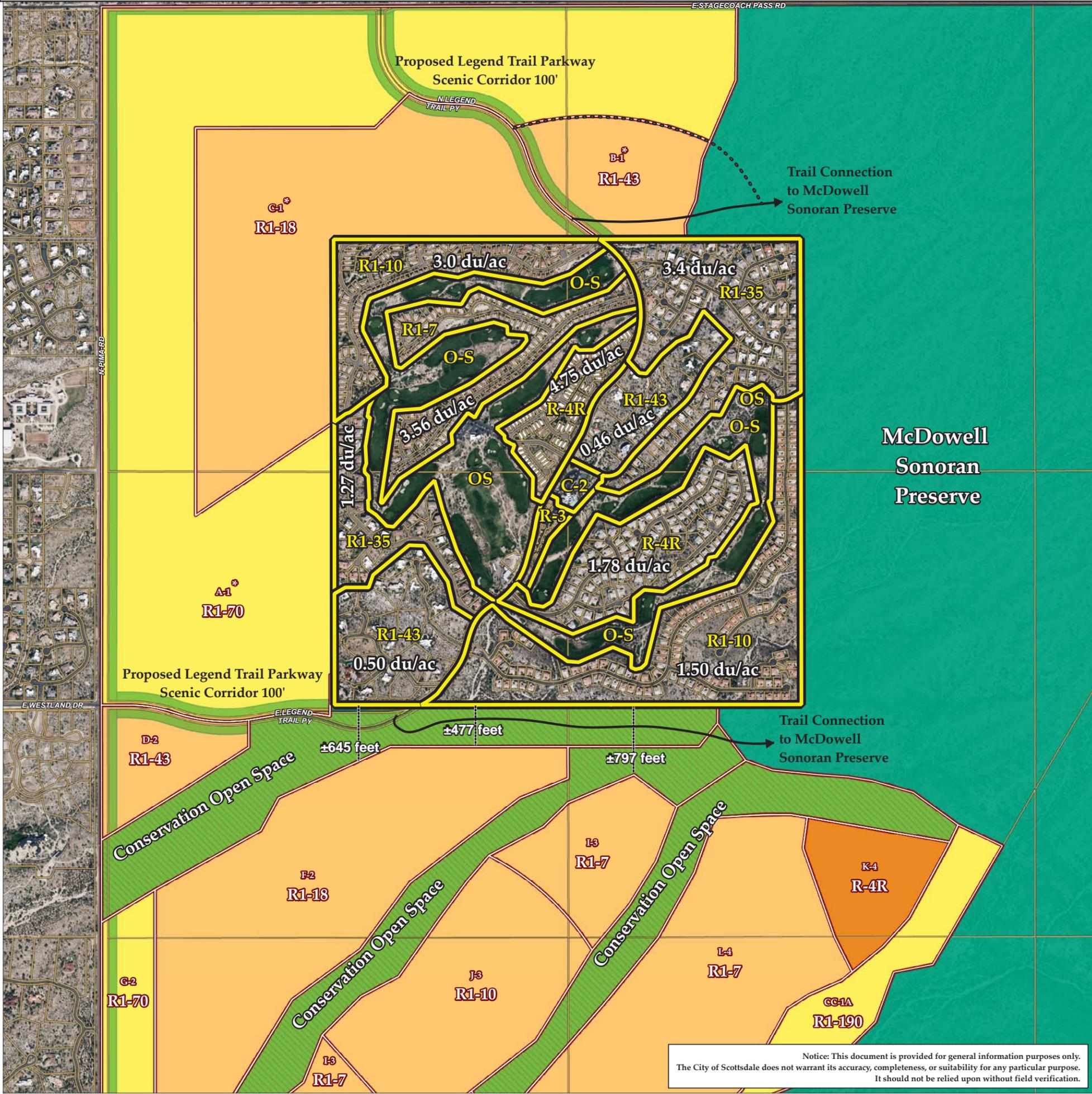
**Exhibit J:  
Master Planning Areas 1 & 2 Refinements**

- ASLD Parcels
- Assessor Parcels
- Conservation Open Space
- Rural Neighborhoods
- Suburban Neighborhoods
- Resorts/Tourism
- Scenic Corridor
- McDowell Sonoran Preserve



\* Lots abutting Legend Trail and/or Desert Ranch shall provide setbacks equal to or greater than the setbacks required in the adjoining Legend Trail or Desert Ranch subdivisions. The setback area will include dedicated Natural Area Open Space (NAOS) that shall be a minimum width of 30'.

- Proposed Trail Location
- Optional Trail Location



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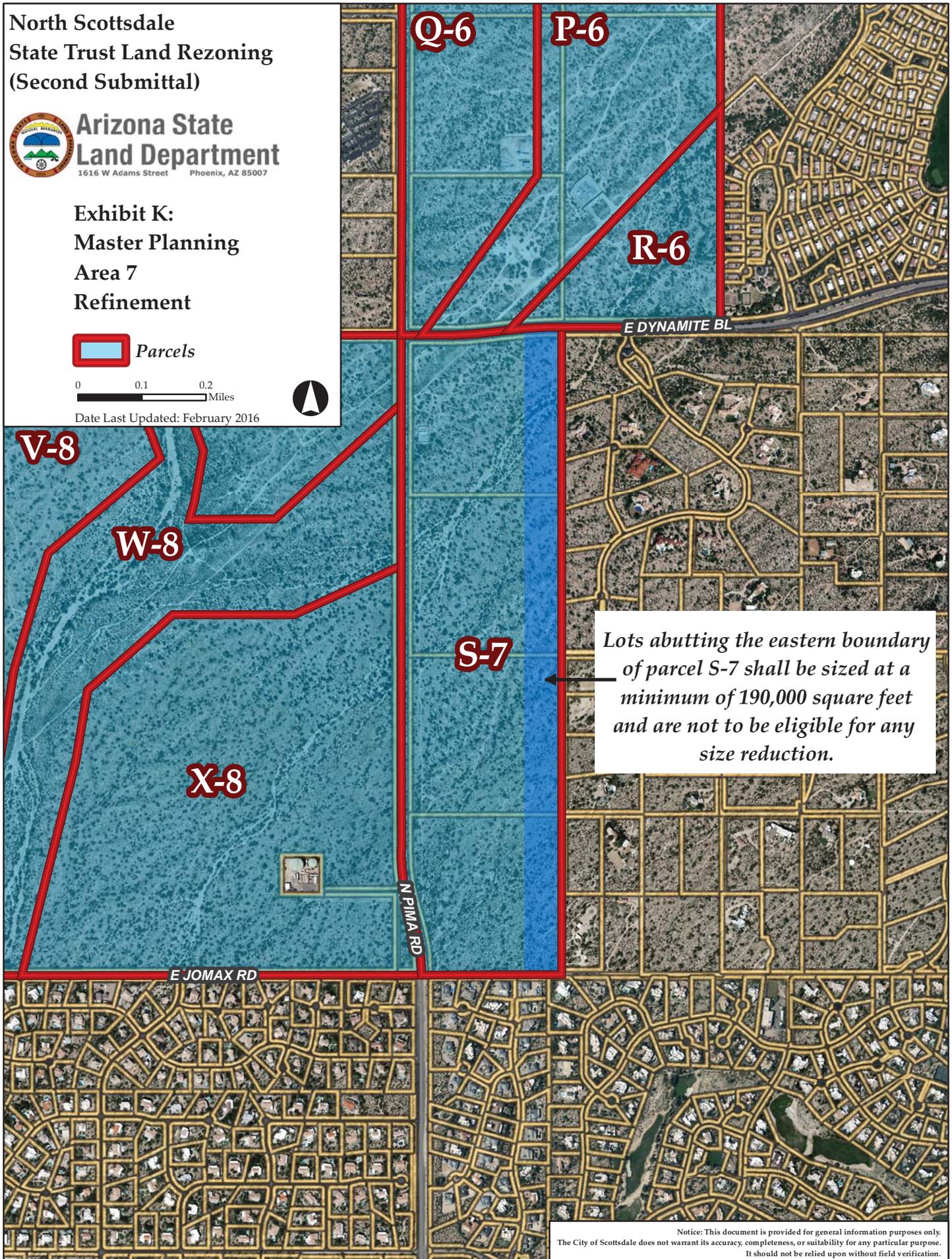
Exhibit K:  
Master Planning  
Area 7  
Refinement

 *Parcels*

0 0.1 0.2  
Miles



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*Lots abutting the eastern boundary of parcel S-7 shall be sized at a minimum of 190,000 square feet and are not to be eligible for any size reduction.*

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Exhibit L:  
Master Planning Area 9  
Circulation

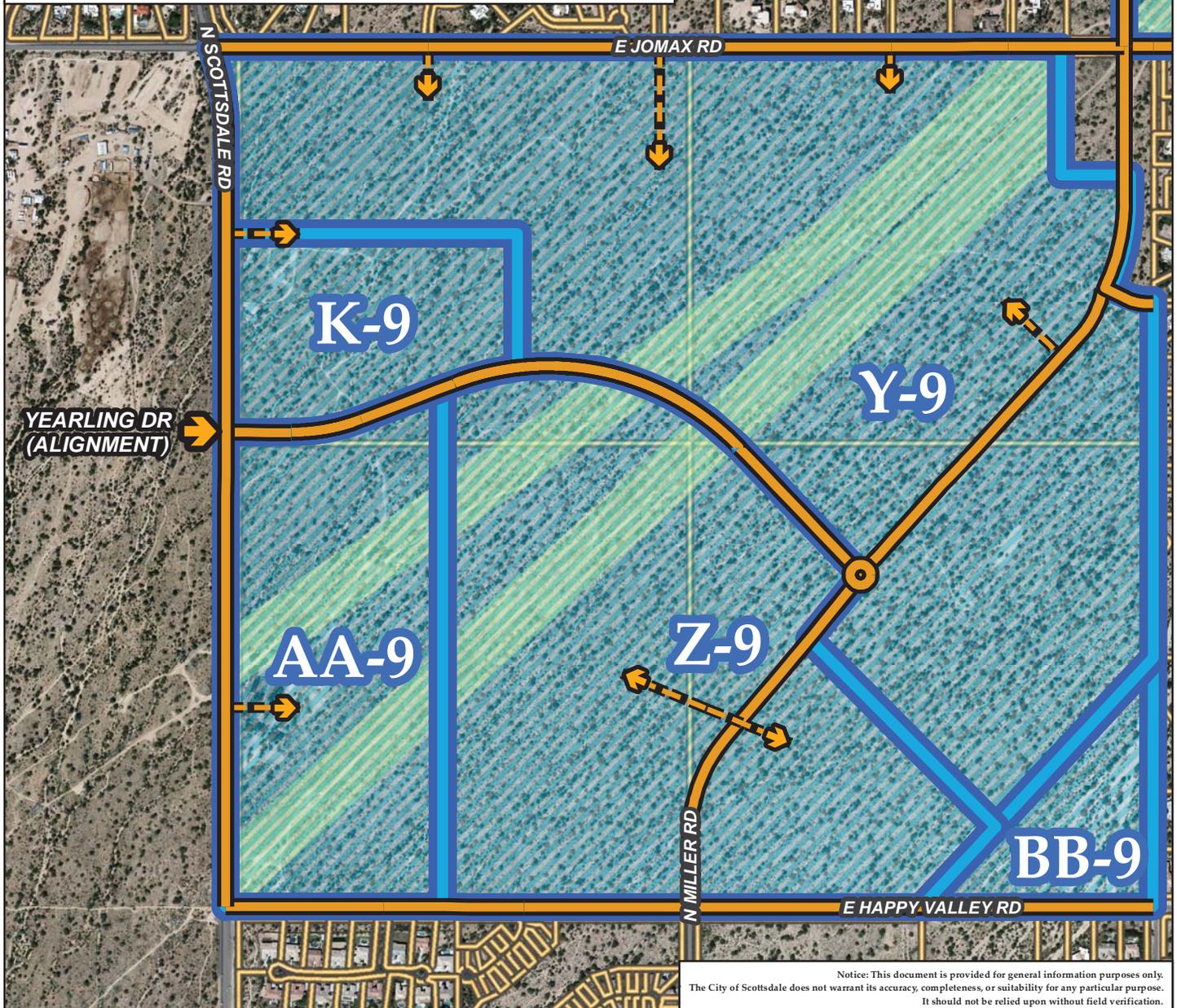
 Streets within Site Areas (Planned and Existing)

 Power Line Corridor

 Parcels



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sold the City more than 13,000 acres of State Trust land at below-market rates for the McDowell Sonoran Preserve under the auspices of the Arizona Preserve Initiative, thus demonstrating a commitment to sustaining the rural desert character of the area and preserving viewsheds and habitat. Existing City Scenic Corridor requirements remain in place throughout the Rezoning Properties, as do City standards under their Environmentally Sensitive Lands Ordinance. As noted above, ASLD has also agreed to apply new scenic corridor designations within the Rezoning Property to augment those that have already been established. ASLD defers to the City site plan and development plan approval processes to ensure that future development occurs in concurrence with community design and aesthetic standards

### **Circulation Element**

See Exhibits M and N for trail and road circulation elements. The City of Scottsdale Transportation Master Plan, approved by the City Council in 2008, delineates a hierarchy of streets throughout the Rezoning Property: Scottsdale Road, Pima Road, and Dynamite Boulevard are each identified with “Minor Arterial – Rural” street classifications; Legend Trail Parkway is identified with a “Major Collector –Rural” street classification; and Stagecoach Pass Road, Westland Drive, Lone Mountain Road, Dixeleta Drive, Jomax Road, and Hayden Road are identified with “Minor Collector – Rural” street classifications. Specifications for each of these classification types are addressed in the City of Scottsdale Transportation Design Standards and Policy Manual, in Section 5.3 – Geometrics and are shown on Exhibit N. Any future development of the Subject Property will incorporate appropriate Right of Way, Easement and other design standards into the circulation planning process,

Additionally, three of the streets identified above: Dynamite Boulevard, Pima Road, and Scottsdale Road are designated as Scenic Corridors by the City’s General Plan. Future development along these Scenic Corridors will incorporate the adopted visual design of the Right of Way, Scenic Desert Landscape Setback, Development Edges at the Scenic Setback and Regional Crossings and Intersections as specified within the Scenic Corridor Design Guidelines manual.

### **Open Space & NAOS**

Locations of areas to be zoned as Conservation Open Space (“COS”) are shown on Exhibit O. These areas generally conform to the incised channels and floodways of the major wash systems that traverse the Rezoning Property. Other notable open space areas include: the high-voltage transmission line corridors that traverse Master Planning Areas 6, 7, 8 and 9; Scenic Corridors adjacent to Scottsdale and Pima roads, Dynamite Boulevard, and a new scenic corridor adjacent

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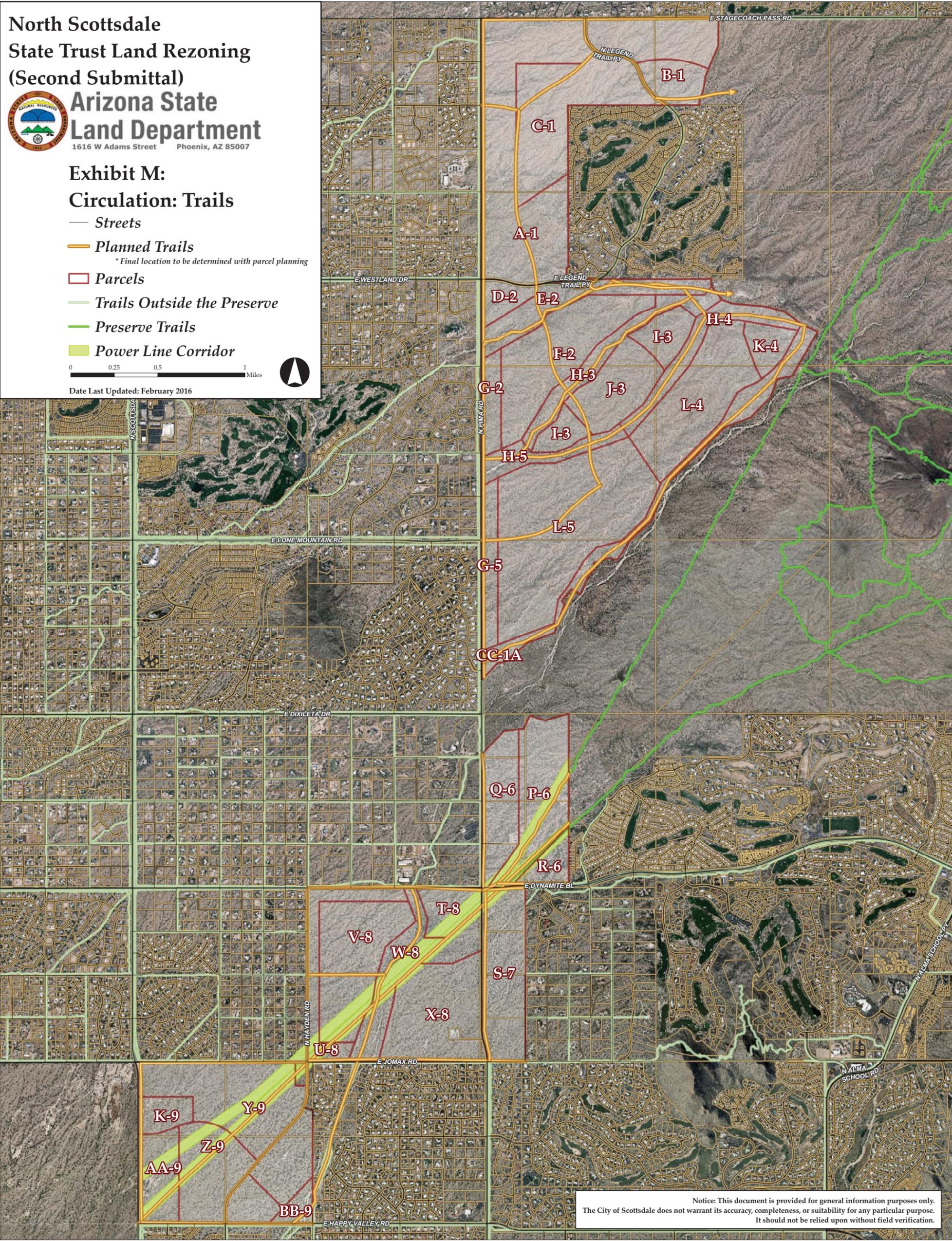
**Exhibit M:  
Circulation: Trails**

- Streets
- Planned Trails  
\* Final location to be determined with parcel planning
- Parcels
- Trails Outside the Preserve
- Preserve Trails
- Power Line Corridor

0 0.25 0.5 1 Miles



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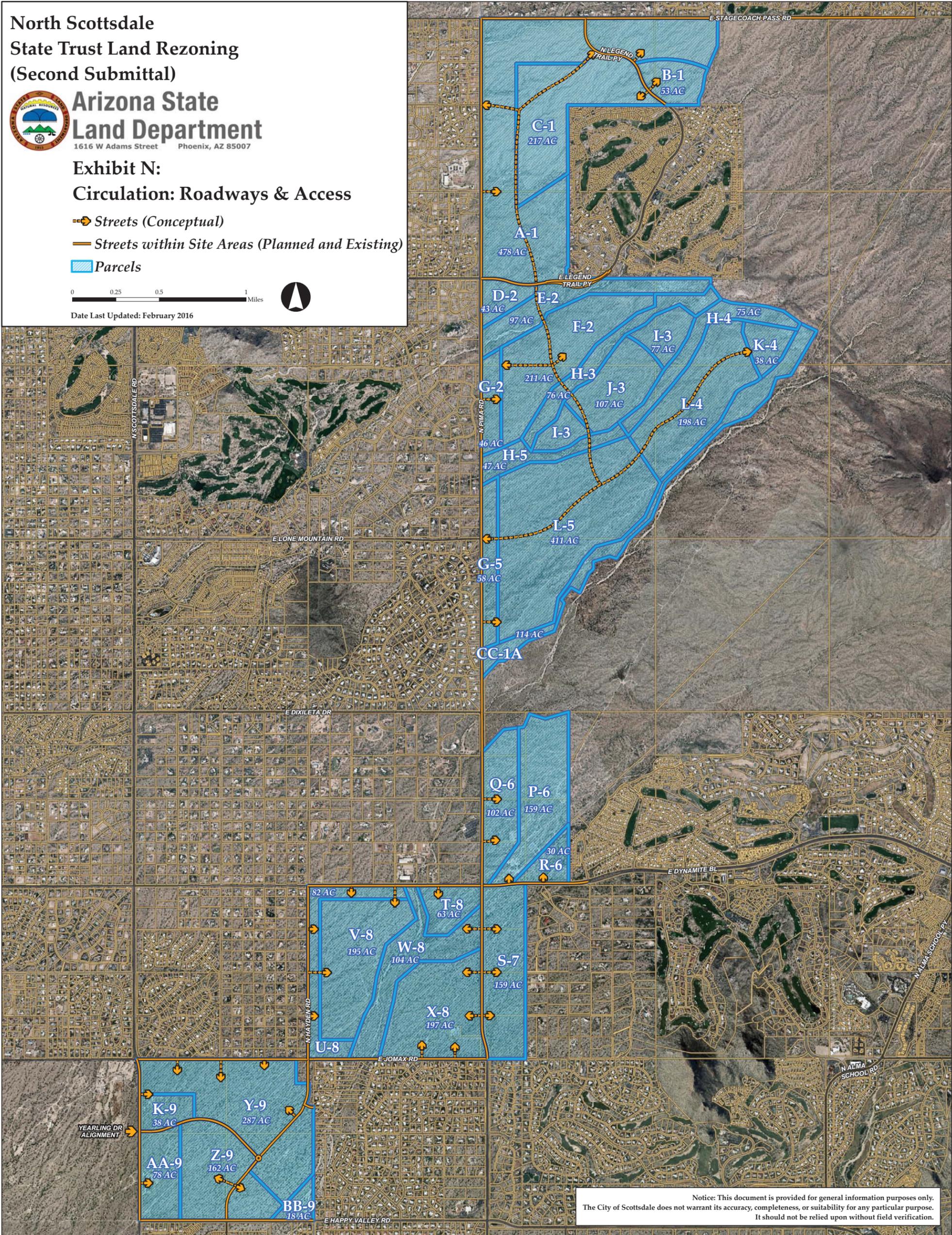
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**Exhibit N:  
Circulation: Roadways & Access**

- Streets (Conceptual)
- Streets within Site Areas (Planned and Existing)
- Parcels



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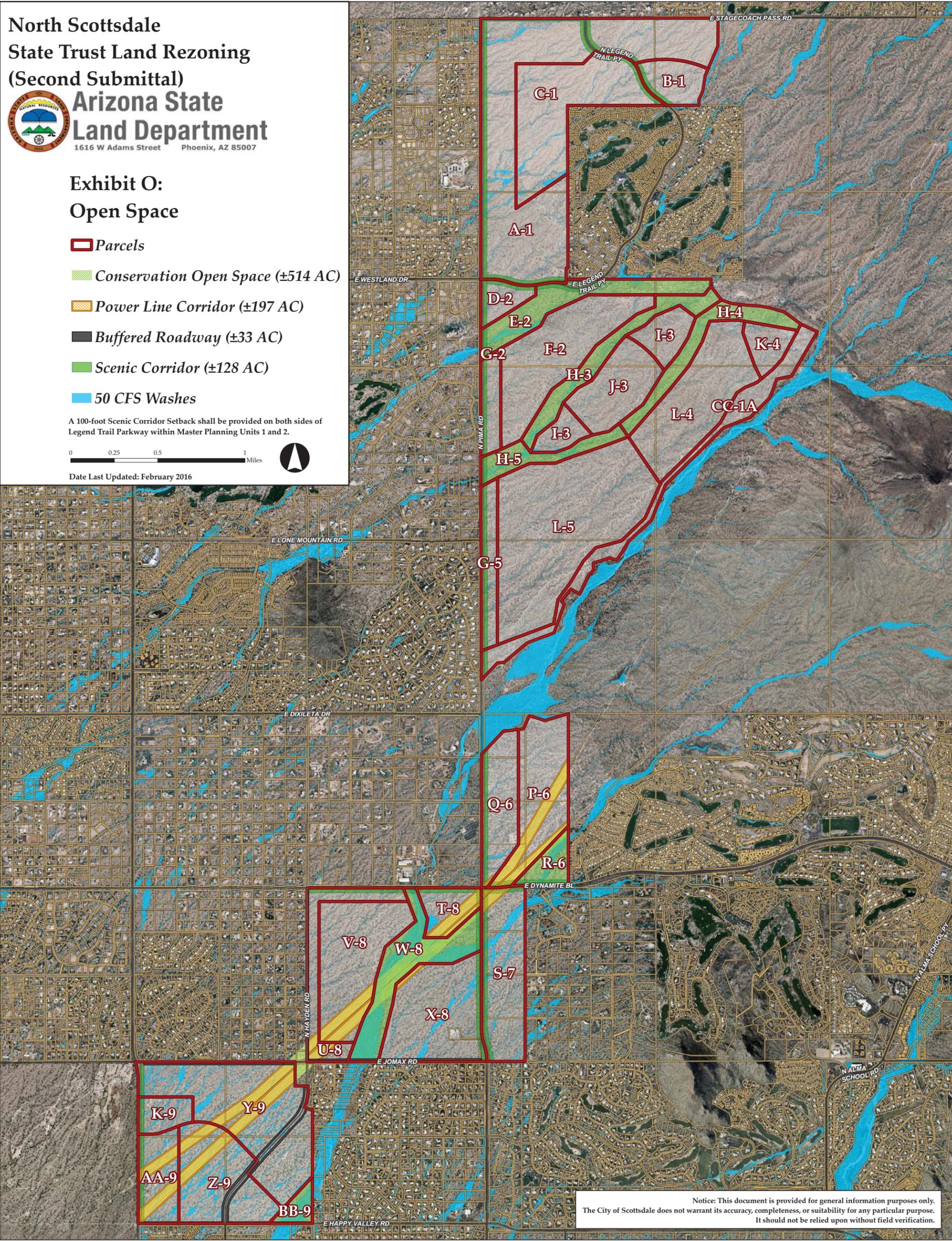
**Exhibit O:  
Open Space**

-  **Parcels**
-  **Conservation Open Space (±514 AC)**
-  **Power Line Corridor (±197 AC)**
-  **Buffered Roadway (±33 AC)**
-  **Scenic Corridor (±128 AC)**
-  **50 CFS Washes**

A 100-foot Scenic Corridor Setback shall be provided on both sides of Legend Trail Parkway within Master Planning Units 1 and 2.



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to Legend Trail Parkway in Master Planning Areas 1 and 2 (discussed above); and Buffered Roadway corridors as shown on Exhibit O.

The Environmentally Sensitive Lands Ordinance (“ESLO”) was adopted by the City in 1991 with the intent of identifying and protecting and controlling development on environmentally sensitive lands. The Ordinance classifies applicable land as belonging to one of three categories; Lower Desert Landform, Upper Desert Landform, or Hillside Landform. The amount of Natural Area Open Space (“NAOS”) required for any site is based on the landform area, and land slopes.

<b>Land Slope</b>	<b>Lower Desert</b>	<b>Upper Desert</b>	<b>Hillside</b>
<b>0 to 2 %</b>	20%	25%	50%
<b>2 to 5%</b>	25%	25%	50%
<b>5 to 10%</b>	30%	35%	50%
<b>10 to 15%</b>	30%	45%	50%
<b>15 to 25%</b>	30%	45%	65%
<b>Over 25%</b>	30%	45%	80%
<b>Min after reductions*</b>	15%	20%	40%

A GIS-based slope analysis was performed to determine the amount of Slope occurring throughout the 4,020-acres Subject Land, and the results are show in in the below table:

<b>Land Slope</b>	<b>Acres</b>	<b>Multiplier</b>	<b>Net NAOS</b>
<b>0 to 2 %</b>	470	25%	<b>118</b>
<b>2 to 5%</b>	1,148	25%	<b>287</b>
<b>5 to 10%</b>	1,533	35%	<b>537</b>
<b>10 to 15%</b>	652	45%	<b>293</b>
<b>15 to 25%</b>	240	45%	<b>108</b>
<b>Over 25%</b>	23	45%	<b>10</b>
<b>Total</b>			<b>1353</b>

The 1,353 acres will be applied across the entirety of the site, to maximize the ability to preserve highly sensitive and environmentally significant features. As each Master Planning Area is planned and developed, the intent of the ESLO, Character Areas, Policies, and General Plan Amendment case stipulations is that details concerning Conservation Open Space, Scenic Corridor buffers and preservation of other ESLO-protected features will be determined at that time

There are several locations in the Scenic Corridors within the Rezoning Area where monument signs or markers have been placed under ASLD Special Land Use Permits. Disposition of the aforementioned monument signs and markers will be resolved when the underlying land is sold.

## **Sensitive Design Principles**

The City has established a set of design principles to help sustain the community and its quality of life. This proposal strives to incorporate these ideas and respect the unique character of the area. Through the steps below, this proposal will help to reinforce the quality of design advocated by the Sensitive Design Program. Each design element will be expected to be incorporated into any future developments within the planning area, as the concepts are central to maintain the feel and character of the area. The principles are listed below in italics followed by a brief description of how these principles have been, or will be, addressed.

1. *The design character of any area should be enhanced and strengthened by new development. The building design should consider the distinctive qualities and character of the surrounding context and, as appropriate, incorporate those qualities in its design. The building design should be sensitive to the evolving context of an area over time.*

COS-zoned parcels, Scenic Corridors, Buffered Roadways and other significant features as described in the City's Environmentally Sensitive Lands Ordinance form the backbone of open space within the Rezoning Area. The ESL Ordinance allows for amended lot sizes so that Scenic Corridors, roadway buffers, and other significant features described in the ESL Ordinance are within dedicated tracts. Details will be determined at the time of final site planning and platting.

The open desert and mountain environment will be strengthened through the integration of Scenic and Vista Corridors, and open space amenities, which have been incorporated into this proposal. The land use and proposed zoning establishes a framework for enhancing the area through the preservation of major riparian corridors providing important habitat connectivity throughout the site (see the attached Exhibit O: Open Space).

2. *Development, through appropriate siting and orientation of buildings, should recognize and preserve established major vistas, as well as protect natural features such as scenic views of the Sonoran desert and mountains and archaeological and historical resource.*

Views of the desert and mountains will be preserved using Scenic and Vista Corridors. Scenic Corridors along Scottsdale Road and Pima Road will preserve existing sightlines and a sense of openness. Vista Corridors along preserved washes will maintain wildlife connectivity, and provide visual links throughout the site. Transition zones have been created along the edges of the parcels to ensure that new development will have a lower intensity than adjacent existing development.

3. *Development should be sensitive to existing topography and landscaping. A design should respond to the unique terrain of the site by blending with the natural shape and texture of the land while minimizing disturbances to the natural environment.*

Environmentally sensitive features on the site have been identified and designated as Open Space. Factors examined include drainage, slope, elevation, soil type and flood zones. This preliminary site analysis was used to inform the proposed zoning and mitigate impact to environmentally sensitive features.

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

Parcels E-2, H-3, H-4, H-5, CC-1A, R-6, W-8, and BB-9, were identified as high-priority washes and are designated as Natural Open Space. These parcels comprise approximately 563 acres, which will be set aside to preserve important natural habitat and trail linkages through the site (see the attached Exhibit M: Circulation: Trails).

5. *The design of the public realm, including streetscapes, parks, plazas and civic amenities, is an opportunity to provide identity to the community and to convey its design expectations. Streetscapes should provide continuity among adjacent uses through use of cohesive landscaping, decorative paving, street furniture, public art and integrated infrastructure elements.*

The ultimate developer(s) will be responsible for implementation of specific streetscape design through the City's site and development plan review and approval process.

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

A transportation network has been identified to provide connectivity and integrate the site into the fabric of the existing infrastructure. Streets, trails, and a power line corridor provide access to and through the site, strengthening access from surrounding neighborhoods to the McDowell Sonoran Preserve (see the attached Exhibit M: Circulation: Trails and Exhibit N: Circulation: Roadways and Access).

7. *Development should show consideration for the pedestrian by providing landscaping and shading elements as well as inviting access connections to adjacent developments. Design elements should be included to reflect a human scale, such as the use of shelter and shade for the pedestrian and a variety of building masses.*

The ultimate developer(s) will be responsible for implementation of specific pedestrian design through the City's site and development plan review and approval process.

8. *Buildings should be designed with a logical hierarchy of masses to control the visual impact of a building's height and size and to highlight important building volumes and features, such as the building entry.*

Scenic vistas along major thoroughfares ensure appropriate setbacks will be utilized to preserve the natural sightlines and maintain an open feel.

The ultimate developer(s) will be responsible for implementation of specific building design through the City's site and development plan review and approval process.

9. *The design of the built environment should respond to the desert environment. Interior spaces should be extended into the outdoors both physically and visually when appropriate. Materials with colors and coarse textures associated with this region should be utilized. A variety of textures and natural materials should be used to provide visual interest and richness, particularly at the pedestrian level. Materials should be used honestly and reflect their inherent qualities. Features such as shade structures, deep roof overhangs and recessed windows should be incorporated.*

The ultimate developer(s) will be responsible for implementation of specific site design and selection of colors and materials through the City's site and development plan review and approval process.

10. *Developments should strive to incorporate sustainable and healthy building practices and products. Design strategies and building techniques, which minimize environmental impact, reduce energy consumption, and endure over time, should be utilized.*

The ultimate developer(s) will be responsible for implementation of specific design to address sustainability through the City's site and development plan review and approval process.

11. *Landscape design should respond to the desert environment by utilizing a variety of mature landscape materials indigenous to the arid region. The character of the area should be emphasized through the careful selection of planting materials in terms of scale, density, and arrangement. The landscaping should complement the built environment while relating to the various uses.*

The ultimate developer(s) will be responsible for implementation of specific landscape design through the City's site and development plan review and approval process.

12. *Site design should incorporate techniques for efficient water use by providing desert adapted landscaping and preserving native plants. Water, as a landscape element, should be used judiciously. Water features should be placed in locations with high pedestrian activity.*

The ultimate developer(s) will be responsible for implementation of specific water usage elements through the City's site and development plan review and approval process.

13. *The extent and quality of lighting should be integrally designed as part of the built environment. A balance should occur between the ambient light levels and designated focal lighting needs. Lighting should be designed to minimize glare and invasive overflow, to conserve energy, and to reflect the character of the area.*

The ultimate developer(s) will be responsible for implementation of specific lighting design through the City's site and development plan review and approval process.

14. *Signage should consider the distinctive qualities and character of the surrounding context in terms of size, color, location and illumination. Signage should be designed to be complementary to the architecture, landscaping and design theme for the site, with due consideration for visibility and legibility.*

The ultimate developer(s) will be responsible for implementation of specific signage design through the City's site and development plan review and approval process.

## **Conclusion**

This zoning application is the final step in completing the collaborative process initiated by the City's API petition and subsequent purchase of approximately 13,000 acres of State Trust land for the McDowell Sonoran Preserve through the API process. As outlined in the State Land Commissioner's Order No. 078-2001/2002, the reclassification of was ordered subject to the City of Scottsdale's willingness to accommodate an enhancement of land values for the remaining State Trust land.

The current zoning on the Subject Land is not representative of the uses and densities approved in the joint planning effort between the City and the Department in 4-GP-2002. The Proposed Zoning in this application seeks to bring entitlements into conformance with the Land Use Element of the General Plan as mandated by state statute. The Department looks forward to working with Scottsdale's residents, City staff, the Planning Commission and the City Council as we move forward together to implement zoning consistent with the Land Use Element of 4-GP-2002 and the adopted General Plan.