

O'Connor, Mary

From Gawf, Ed
Sent Monday, March 06, 2006 10 52 AM
To Gray, Frank, Grant, Randy, O'Connor, Mary
Subject FW Crown Communities 1-ZN-2005

Frank, the presentation Tuesday needs to include the rationale behind supporting a 20% density increase Lets do a dry run before the meeting Ed

-----Original Message-----

From Manross, Mary
Sent Sunday, March 05, 2006 10 25 PM
To Gawf, Ed
Subject Fw Crown Communities 1-ZN-2005

Fyi

M

Sent from my BlackBerry Wireless Handheld

-----Original Message-----

From Howard Myers <howard.myers@sensor-tech.com>
To Manross, Mary <mmanross@scottsdaleaz.gov>, Littlefield, Robert <rlittlefield@scottsdaleaz.gov>, Robert Littlefield <bobl@netxpertsys.com>, Lane, Jim <JLane@ScottsdaleAZ.Gov>, Drake, Betty <BDrake@ScottsdaleAZ.Gov>, McCullagh, Ron <RMcCullagh@ScottsdaleAZ.Gov>, Osterman, Kevin <KOsterman@ScottsdaleAZ.Gov>
CC Bob Vairo <Sonoran@aol.com>, Graham Kettle <g.kettle@cox.net>, James & Catherine Heitel <JTHEITEL@cox.net>, John & Lora Aleo <jsaleo@qwest.net>, Linda Whitehead <lwhitehead@cox.net>
Sent Sun Mar 05 21 05 18 2006
Subject Crown Communities 1-ZN-2005

Mayor and Council

Next week another pivotal case will come before you that will have a big influence on how the remaining open land in the northern part of our city will develop. It is important because it will let everyone know if you are going to hold the line on attempts to up zone property or are open to allowing loopholes in our ordinances to be used to increase the density allowed on a property. The case next Tuesday is 1-ZN-2005, Crown Communities.

As I am sure you know, this is a case that is attempting to use the density incentive clause in the ESL Ordinance to justify a 20% increase in the number of lots, which is the maximum allowed to be granted. This clause was really intended to provide an incentive not to touch a very sensitive part of a large parcel at all, but rather to transfer the density to a less sensitive part of the overall development which would require amended standards, particularly for lot size. It was not intended to be used as a vehicle to increase the number of lots anywhere in ESL by providing a little more open space. If you look at the site plan you will find that all the open space, including the so called extra open space, is distributed all over the project on individual lots with the exception of the "community park", which is the major sensitive part of the project. There is no LARGE open space component separated out, as intended to qualify for this exemption. Furthermore because all the open space is on individual lots, again with the small exception of the "community park", it is almost impossible to keep it NAOS. All NAOS is buried in a gated community, on individual lots, far from any other citizens who may have benefited from any additional open space provided.

The "community park is a private park and therefore does not benefit any citizens of this city other than those in this gated community. This project therefore does not provide additional MEANINGFUL open space, which is what is required for this incentive.

I am sure you can see that any boulder features on this land will have a much better chance of survival if there are 20% fewer lots to carve out. No additional open space would be necessary if all the "sensitive" parts were dedicated to open space, which is what any responsible developer would do and also what the city should require. Adding more lots reduces space, and makes it more difficult to avoid environmental features, no matter how you want to argue it. The additional on lot NAOS does nothing to protect those features that need to be protected.

There is nothing in the ordinance that guarantees an applicant additional units if they provide some additional open space. You MAY grant them more, but that is not a guarantee. There is also nothing that says you must give them 20% more units. It says UP TO 20% more. Basically all they are guaranteed of is to build the number of units the zoning allows, no more. You are also not bound to increase someone's profits, especially at the expense of the city. If there was more area that needed to be protected than the percentage they must dedicate without any incentive, then there may have been an argument to "make a deal", but this is not the case.

The reason this is so important is that by approving it you are sending the message that anyone can come in and apply for a 20% increase in the number of units without having a SIGNIFICANT (in a percentage of the total project area) UNIQUE AND SENSITIVE features on the property that the city wants to preserve BEYOND THE NAOS THEY MUST DEDICATE. It therefore opens the door to an across the board 20% increase in the number of units developed on all remaining parcels of undeveloped land. Such an increase is not in the best interest of the city, but rather only benefits those few who reap additional profits from their land by your decision. This case is just an example of pure greed. The owner of this property will make tons of money developing it to the current zoning AND DENSITY.

Why not approve it, they are only asking for 20% more units on this one piece of property? The answer is that there is NO benefit to the city but there are plenty of negatives. While this particular case only increases the number of dwelling units in this area by 21, you can't grant this request, with absolutely no foundation, and then say to the next applicant that they can't have the same 20% increase. What is wrong with giving everyone a 20% increase? The answer is clear if you look at the impact on the city's infrastructure and the cost to taxpayers to resize it. We have been told that all the current infrastructure has been sized assuming the remaining land is developed as zoned and there is no development in the intended preserve. Twenty one more homes may not break the bank, but a 20% increase on the rest of the developable land will. In addition to the city's infrastructure, APS has told us that if the remaining land is not built to the zoning, as they have assumed, they will definitely have to put a major substation in the preserve plus all the supporting infrastructure. The impact on traffic in this area will also be substantial because of the lack of roads that connect to anything. The city has created a situation where there is only one east west road in this area (Dynamite) and only one north south road (Pima Road). There are no other options as Happy Valley has already been compromised as an east west road. There has also been significant density allowed in the Troon area along Dynamite so this road will not be able to handle a lot more and there is still a lot of empty land to be developed east of Alma School. We simply can't afford to allow such increases, especially without a valid reason that would benefit the city.

Even access to this parcel became an issue and it will introduce 122 more housing units with no clear access. The damage is already done so to allow more density than the zoning allows will make traffic in this

area a nightmare These negatives should be a major consideration in your decision, as should the long range impact of this decision Staff will always recommends approval because any impact of this development is minor, but they never look at the cumulative impact of an approval, You must consider the overall impact of this decision, not just this one case We have seen this happen many times before and the traffic problems we have now, which require an outside consultant to try to resolve, are a direct result of such decisions in the past, that have increased the density beyond what the zoning and land planning called for

They will argue, that the General Plan supports the density they are asking for The General Plan provides ranges based on the range of zoning available in an area, it does not justify increasing the zoning on the lower density parcels to match the higher end of the range in the General Plan If everyone did that, you will get the problems created in other areas that have been developed using the same arguments

Please consider the negative impact of this decision on the city as a whole and not just what benefit it may have to the owners and developers of this property They are a minority, no matter how you look at it, and you should consider the impact on the whole city and its current residents THERE IS NO BENEFIT TO THE CITY, but there are many negative impacts even if there were some benefit

There is an additional violation of the ESL ordinance that they are trying to slip through on this application that definitely does undermine the intent of the ESLO They are asking for the sidewall setback to be "0" rather than 15 feet which is what the ordinance calls for To get this exemption would require a separate HARSHIP exemption request, but instead they are trying to slip it through with this case This should not be approved under any circumstances, even with the lot size being reduced to about one acre (which is a crime in itself) If they want this, let them come back with a hardship case, as required by the ordinance

This is just the first of several cases, coming before you, that all try to do the same thing, increase the number of units allowed by 20 to 30% Please look at the benefit provided (if any) and seriously consider the overall negative impact to the city Keep our remaining large lot areas just that, large and open There are plenty of other areas where high density may be appropriate, but this isn't one of them

Thank you for your time

Howard Myers
President - Desert Property Owners' Assoc
Treasurer - Friends of the Scenic Drive

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Howard Myers
Sensor Technologies & Systems
8900 E Chaparral Road
Scottsdale, AZ 85250
480-483-1997 (Voice)
480-483-2011 (fax)
howard.myers@sensor-tech.com

show Ordinance slide after request slide

add % to lists & maps on request

Add presence conditions to all maps

add Jan Satin Agenda 20 for streets work plan will
The request to remove before to Council
~~of removal of removal but comment~~
at final plat upon completion of inspection
satisfaction

content
of other
development
proposals



Most Livable City
U.S. Conference of Mayors

Office of the Mayor
Mary Manross

December 23, 2005

Mr Michael E Fairfield
26819 North 114th Way
Scottsdale, Arizona 85262

Dear Mr Fairfield,

Thank you for writing the City Council earlier this month regarding your support of the construction of Ranch Gate Road, part of the case referred to as Sereno Canyon, 1-ZN-2005. This zoning request was recently reviewed and recommended for approval by the City's Planning Commission. I understand that it is tentatively planned to come forward for City Council review on January 24, 2006. Please be assured that I will carefully review all of the information and insights shared with us in my analysis and decision-making.

Meanwhile, I wanted to thank you for taking the time to write and share your perspectives regarding this proposal. I encourage you to remain involved.

Take care and happy holidays to you and your family.

Sincerely,

Mary Manross
Mayor

Cc Honorable City Council Members
Jan Dolan, City Manager
✓Ed Gawf, Deputy City Manager

City of Scottsdale
3939 N Drinkwater Blvd
Scottsdale, AZ 85251

(480) 312-2433
(480) 312 2738 Fax
mmanross@ScottsdaleAZ.gov
[http //www.ScottsdaleAZ.gov](http://www.ScottsdaleAZ.gov)



NORBERT KLEINER

24867 North 119th Place Scottsdale AZ 85255

30 November 2005

TO The Members of the Scottsdale Planning Commission

Mr David Gulino, Chairman
Mr Steve Steinberg, Vice Chairman
Mr David Barnett
Mr James Heitel
Mr Eric Hess
Mr Jeffrey Schwartz
Mr Steven Steinke

Dear Members of the Planning Commission,

We are writing this letter in regards to Case No 1-ZN-2005 which seeks approval for an increase of density in the "Sereno Canyon" development by Crown, over and above that in the Master Plan, from 102 to 122 dwelling units. The Sereno Canyon parcel consists of approximately 330 acres located at the base of the McDowell Mountains in some of the most pristine and fragile environment within Scottsdale. The city has gone to great effort and expense to preserve this general area in as much a natural and pristine condition as is feasible for the greater benefit of all its citizens and residents, not only for those who would reside in that immediate environment.

Now, the applicant and its representative would stand before the city to make dubious claims regarding benefits of its application to increase the allowed density. To wit:

- That the increase of density by 21 dwelling units will be more than offset by the increase of 66 Acres in "Open Space"
- That the abandonment of the Alameda Road East-West right-of-way at the western boundary of the applicant's parcel will be "good for the city"
- That the city should establish a new East-West right-of-way, beginning far away from the applicant's parcel and extending to its most northern edge, and thereby replace what the City already has, viz Alameda Road right-of-way
- That this request for a density increase is made in the sole "best interests of the city"
- That the applicant has conducted "reach out" dialog with all affected nearby property owners

A project application that would improve the environment or one purported to be "good planning for the city" also should show good faith through and through. However, facts would show that the applicant seeks to mask the truth.

- This proposed density increase by 21 dwelling units is a 20% increase. An increase of 66 Acres in the open space represents 20% of the total parcel area. Thus, even if one assumes that "open space" implies "undisturbed natural open space" (in contrast to greenbelts, roadways, cul-de-sacs, driveways or landscaped areas, all of which more often are the norm) there is no apparent beneficial, environmental gain. On the contrary, there will be great loss of benefit because more housing units implies more people (between 4 and 8 persons per dwelling), more automobiles, more environmentally damaging by-products, more consumption of natural resources and greater demand for city services.
- The proposed abandonment of its Alameda Rd right-of-way by the City is good exclusively for the applicant in that it would serve only to facilitate the requested density increase, will provide benefit only within the applicant's parcel, will eliminate established, direct East-West access through the parcel and will cause needless expense to the city in the acquisition of the proposed replacement right-of-way, custom-aligned to provide North Access into the applicant's parcel.
- Nothing is further from the truth than the applicant's statements regarding "outreach" to include nearby residents. In fact, the applicant has purposefully divided the neighboring community of Desert Crest by selecting the residents who would participate in outreach discussions, conducted over more than a 1-year period, while excluding others in the same community from notification. An applicant who would so bifurcate a community can reasonably be expected to have a selective agenda. Moreover, residents in neighboring communities who are potentially closer and more affected also have been excluded from the outreach discussions. From contact that I've made with other residents in these excluded parts I discovered, as late as Oct 14, 2005, that none had been contacted regarding these various proposed Master Plan changes.
- The residents along Alameda Rd have been misled into believing that there will be a decrease in traffic along their corridor. Future Sereno Canyon residents will have gated access to Alameda Rd and will use Alameda as their primary access to Happy Valley Rd because in fact that will be the direct route for nearly all of their destinations and one that will avoid needless, 3 to 4 miles of circuitous driving.
- The only benefit to accrue to residents along Alameda Rd would be the diversion of construction traffic during parcel development. This is a temporary condition and one that does not justify the creation of a permanent alternate driving route. The proposed alternative route is far removed from the subject parcel and comes at great expense in environmental quality to residents who presently live near that route. There already exists a perfectly suitable alternate construction route where no residential dwellings exist – 128th St north of Dynamite Rd. That Street is earmarked for eventual development anyway.

The applicant has stated publicly that its project is viable without an increase of density and without the Alameda right-of-way abandonment. That being the case, he should proceed accordingly, and in good faith, as that would have the important property of keeping within the established provisions of the City's Master Plan – one by which most others are required to abide and one that prevailed when each of the present property owners acquired their properties.

To argue that this application is made solely in the City's best interest is in fact a veiled attempt to mislead by falsely affecting a seemingly altruistic appearance. A density increase of 21 units (20%) serves only the developer who will benefit by more than 20% in increased marginal profit. Simultaneously, the abandonment by the City of its Alameda Rd right-of-way will come at great City and nearby resident expense. Furthermore, the proposed alternate right-of-way, together

with its custom alignment, serves the singular interest of the applicant and therefore will only further enhance development profit The city should not be in the business of selective favoritism

Given the above facts it is our belief and our request that the Planning Commission should deny the subject application This would be compatible with the applicant's prior statements that his proposed project is viable without additional planning variation and thus no harm would befall the applicant At the very least, if the applicant is now contradicting his own prior, public statements, city staff should be directed to develop a more effective, more inclusive and more acceptable solution keeping in mind all affected property owners' interests as well as the City's interests

Respectfully,

Norbert and Teresa Kleiner

Sereno Cyn

November 28, 2005

Mayor and City Council Members
3939 N Drinkwater Blvd
Scottsdale, AZ 85251

Dear Mayor and Council Members

I am writing this letter in support of the proposed Sereno Canyon development located in North Scottsdale. This will be a welcomed development that will benefit all those who live in the area. The proposal will provide more open space than what is currently required by the City and will bring new custom homes that will be compatible to the area. I am excited to see this project come to fruition and urge you to give your support for it as well.

Sincerely,

Jack Fisher



October 28, 2005

Assistant Superintendent for Support Services
Scottsdale Unified School District # 48
3811 North 44th Street
Phoenix, Arizona 85018

Re: 15-ZN-2005, 13-UP-2005, 1-ZN-2005, 11-AB-2005, 18-UP-2005 & 20-UP-2005

To Whom It May Concern:

This notice calls your attention to the fact that there has been a request for City of Scottsdale Planning Commission and City Council action on property located within or near your school district's boundaries.

Please feel free to call the Project Coordinator if you have any questions or comments.

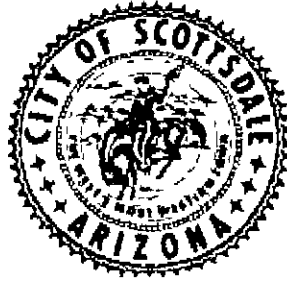
Thank you.

Sincerely,

A handwritten signature in cursive script, appearing to read "Doris McClay".

Doris McClay
Planning Assistant
Scottsdale Planning Commission

one enclosure



NOTICE OF PLANNING COMMISSION HEARING

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of Scottsdale, Arizona, will hold a public hearing on November 09, 2005, at 5 00 P M in the City Hall Kiva, 3939 N Drinkwater Boulevard, Scottsdale, Arizona, for the purpose of hearing all persons who wish to comment on the following

- 1-ZN-2005** (Sereno Canyon) request by owner for approval of density incentive for current Single Family Residential District Environmentally Sensitive Lands (R1-130 ESL) zoning to increase allowed units from 101 dwelling units to 122 dwelling units on 330 acres This site is located at the east end of Alameda Road near 122nd Street (northeast corner of Pinnacle Peak Road alignment and 122nd Street alignment, north up to Happy Valley Road alignment) Staff contact person is Tim Curtis, 480-312-4210 **Applicant contact person is John Berry, 480-385-2727**
- 11-AB-2005** (Hettinger Abandonment) request by owner to abandon a portion of the alley along the north side of parcel 130-01-044 at 4011 N 65th Street Staff contact person is Al Ward, 480-312-7067 **Applicant contact person is Cari Hettinger, 602-999-3811**
- 15-ZN-2005** (Silverstone) request by owner to rezone from Western Theme Park District (W-P) to Planned Community District (PC) with comparable zoning of Central Business District (C-2), Commercial Office District (C-O), and Multiple Family Residential District (R-5), including amended development standards on 160 +/- acres located at the southeast corner of Scottsdale Road and Pinnacle Peak Road Staff contact person is Tim Curtis, 480-312-4210 **Applicant contact person is John Berry, 480-385-2727**
- 13-UP-2005** (Scottsdale & Pinnacle Peak Mxd) request by owner for a conditional use permit for a residential health care facility on a portion of the 160 +/- acres located at the southeast corner of Scottsdale Road and Pinnacle Peak Road Staff contact person is Tim Curtis, 480-312-4210 **Applicant contact person is John Berry, 480-385-2727**
- 18-UP-2005** (Gourmet Corner) request by owner for a conditional use permit for a Delicatessen in a 1492 +/- square feet suite of an existing building located at 9096 E Bahia Drive #109 with Industrial Park, Planned Community District (I-1 PCD) zoning Staff contact person is Al Ward, 480-312-7067 **Applicant contact person is Dave Slogar, 480-538-5474**
- 19-ZN-2005** (Sierra Highlands) request by owner to rezone from Single Family Residential District, Environmentally Sensitive Lands (R1-190 ESL) to Single Family Residential District, Environmentally Sensitive Lands (R1-70 ESL & R1-43 ESL) with amended development standards on a 30.5 +/- acre parcel located at 8500

E Black Mountain Road (Northeast corner Black Mountain Road and 84th Street) Staff contact person is Tim Curtis, 480-312-4210 **Applicant contact person is Alex Stedman, 480-994-0994**

20-UP-2005

(Sandbar Mexican Grill) request by owner for a conditional use permit for a bar in an existing building located at 10050 N Scottsdale Road with Central Business District (C-2) zoning Staff contact person is Kira Wauwie, 480-312-7061 **Applicant contact person is John Berry, 480-385-2727**

20-ZN-2005

(Windmill Pass) request by owner to rezone from Single Family Residential District Environmentally Sensitive Lands (R1-43 ESL) to Service Residential District, Environmentally Sensitive Lands (S-R ESL) on a 7.73 +/- acre parcel located on the south side of Carefree Highway, west of Scottsdale Road (6839 E Carefree Highway) Staff contact person is Kira Wauwie, 480-312-7061 **Applicant contact person is Sam West, 480-994-5728**

46-ZN-1990#16

(Scottsdale Healthcare) request by owner to rezone 2.5 +/- acre parcel from Planned Community District with Central Business District comparable uses (C-2 PCD) to Planned Community District with Commercial Office comparable uses (C-O PCD) with amended development standards on a 10.5 +/- acre parcel located at the northeast corner of 73rd Street and Thompson Peak Parkway Staff contact person is Tim Curtis, 480-312-4210 **Applicant contact person is Stephen Earl, 602-265-0094**

21-UP-1995#3

(Scottsdale Healthcare) request by owner to amend the previously approved conditional use permit on a 14.5 +/- acre parcel located at 73rd Street and Thompson Peak Parkway Staff contact person is Tim Curtis, 480-312-4210 **Applicant contact person is Stephen Earl, 602-265-0094**

The above items may be discussed at a Study Session prior to the Planning Commission meeting including a Commission update The public/applicant may attend the study session but may not comment Please call 480-312-7000 the day before the meeting for the time

The Council hearing date will be continued when the Planning Commission has not given a recommendation

A case file on the subject properties is on file at 7447 E Indian School Road, Suite 105, where it may be viewed by any interested person

A COPY OF A FULL AGENDA, INCLUDING ITEMS CONTINUED FROM PREVIOUS MEETINGS IS AVAILABLE AT LEAST 24 HOURS PRIOR TO THE MEETING AT THE FOLLOWING LOCATIONS

Police Department, 9065 East Via Linda
City Hall, 3939 N Drinkwater Boulevard
El Dorado Park & Recreation Center, 2311 N Miller Road
Online at <http://www.ScottsdaleAZ.gov/Boards/PC>

ALL INTERESTED PARTIES ARE INVITED TO ATTEND

**CHAIRMAN
PLANNING COMMISSION**

Attest
Doris McClay
Planning Assistant

For additional information click on the link to 'Projects in the Public Hearing Process' at
[http //www ScottsdaleAZ gov/projects](http://www.ScottsdaleAZ.gov/projects)



Persons with a disability may request a reasonable accommodation such as a sign language interpreter, by contacting the City Clerk's Office at 480-312-2412. Requests should be made as early as possible to allow time to arrange accommodation.

E-mailed 10/12/05



October 12, 2005

John Berry
Berry & Damore, LLC
6750 E Cameback Road Ste 103
Scottsdale, AZ 85251

Re: 214-PA-2004

Applicant:

The City of Scottsdale's Current Planning Division has reviewed your development application and determined that your submittal was complete. Your check has been cashed and your application has been assigned case number 1-ZN-2005.

Enclosed is a copy of the legal notice for your public hearing case. **Please read the notice carefully for accuracy. If there is an error, please contact your Project Coordinator.** If errors are not corrected immediately, the case will need to be continued in order to meet advertising requirements specified in state statutes and local ordinances. **Your Project Coordinator is Tim Curtis, AICP, 480-312-4210.**

With the application submittal list, your coordinator has informed you of your case's site posting requirements. Your site must be posted at least twenty days prior to the first public hearing date. The posting must be removed within thirty days following the final disposition of your development application. **An affidavit of posting and photo of the sign must be provided before your case can be presented at a public hearing.**

City staff will review your submittal in detail. Upon completion of this review, you will receive a staff report, which discusses your proposal and includes pertinent development stipulations. That report will be available for your review approximately one week prior to the date of your public hearing. **Your hearing date for Planning Commission has been tentatively set for November 9, 2005.** You will be notified when the City Council date has been determined.

If you have any questions or concerns, contact the Project Coordinator handling your case or the Community Development front desk at 480-312-7000.

Thank you.


Doris McClay
Coordination Specialist


Enclosure

DRAFT LEGAL NOTICE LANGUAGE:

Project Name: Sereno Canyon

Project Description: Request approval of density incentive for current Single Family Residential District Environmentally Sensitive Lands (R1-130 ESL) zoning to increase allowed units from 101 dwelling units to 122 dwelling units on 330 acres. This site is located at the east end of Alameda Road near 122nd Street (northeast corner of Pinnacle Peak Road alignment and 122nd Street alignment, north up to Happy Valley Road alignment).

****Please use the above Project Description language as the "Request" on your sign, as illustrated below:**



**City of Scottsdale
Public Notice**

ZONING/PUBLIC HEARINGS
City Hall
3939 N. Drinkwater Boulevard
www.Scottsdaleaz.gov/projects/Project in Process

PLANNING COMMISSION: 5:00 P.M., 11-9-05
CITY COUNCIL: 5:00 P.M., TBD

REQUEST: approval of density incentive for current Single Family Residential District Environmentally Sensitive Lands (R1-130 ESL) zoning to increase allowed units from 101 dwelling units to 122 dwelling units on 330 acres.

LOCATION: This site is located at the east end of Alameda Road near 122nd Street (northeast corner of Pinnacle Peak Road alignment and 122nd Street alignment, north up to Happy Valley Road alignment).

Case Number: 1-ZN-2005
Applicant/Contact: John Berry
Phone Number: 480-385-2727

Case File Available at City of Scottsdale
480-312-7000

Posting Date: Penalty for removing or defacing sign prior to date of last hearing

APPLICANT RESPONSE – 05.17.2005

1. Applicant will provide.
2. Applicant will provide updated report.
3. Applicant will provide.
4. Slope analysis for entire site has been provided at 1":100' scale.
5. Error has been corrected. Correct acreage is 330.
6. Site Plan graphics have been updated to include Troon Canyon Estates II plat linework.
- 7.
8. Community Center Special Use Permit to be filed concurrently with zoning application.
9. ~~No Change.~~ From 121 to 122
10. There are no anticipated impacts to 50+cfs washes with exception of permitted roadway crossings.
11. See Response 7 & 8
12. See attached sheet for Circulation Comments.
13. Applicant has met with Scott Hamilton and requested modifications were made to site plan.

Density Incentive Justification

A1. A site visit was conducted with City staff to identify conflicts between sensitive natural features and planned improvements. Adjustments to site plan have been made to promote protection of sensitive natural areas.

A2. Drainage easement linework has been provided on the Natural Area Open Space Exhibit.

A3. These issues were discussed during the site visit and the City is in agreement that the site plan protects the highest value environmental features while providing connectivity between designated open space areas.

A4. An updated NAOS Exhibit has been provided that illustrates the relationship between the site plan and the NAOS priorities map. The field visit confirmed that the City NAOS Priorities Map, while identifying generalized locations of ESL, does not accurately delineate these areas in all cases. Each area was analyzed in the field with City Staff to determine an acceptable level of conformance.

Crossing of washes by roadways is an inevitable consequence of development. The applicant has attempted to minimize these impacts and will promote the continued viability of these wash corridors throughout the development process.

A5. The site plan qualifies for density incentive under the ESL requirements by providing 20%+ open space area above the required amount. NAOS areas as depicted on the site plan demonstrates connectivity throughout the site via a network of natural wash corridors and trail linkages between various designated community park and open space amenities.

A6 Applicant has provided separate Open Space Exhibit and NAOS Exhibit

A7 Protective boulder easements are a requirement of the ESL Ordinance and will be delineated during the preliminary plat/final plat process

A8 These areas will be provided as necessary during the Preliminary Plat and Final Plat process. The site plan as provided during the zoning application process does not provide a sufficient level of detail to make such determinations at this time.

A9 A fully dimensioned development envelope plan will be submitted as part of the preliminary plat application.

A10 Site walk was conducted with City Staff on May 3rd, 2005.

B The community will not construct a perimeter wall. Rear lot walls will be permitted within the development envelope area, and site walls are proposed for areas adjacent to project monumentation and will provide buffering of homesites proximate to major roadways. The use of these walls will not restrict drainage or wildlife movement through the site.

C Applicant has provided a Preliminary Landscape Plan. A density sampling will be conducted prior to preliminary plat submittal to identify existing species and typical on-site concentration levels.

D Please see revised Amended Development Standards Justification Form for clarification.

E The applicant is continuing to investigate the feasibility of complete or partial mitigation for the two northernmost sites. The two southern sites are located on-lot and will be preserved through the dedication of archaeological protection easements.

F Please see Preliminary Archaeological Mitigation Area Exhibit. The applicant will work with the City's preservation department to develop an appropriate mitigation and/or preservation plan.

G See response E & F.

H See response E & F.

I The use of 128th Street for construction traffic has been confirmed in the updated Circulation Master Plan.

J The trailhead designation along the southern property boundary has been removed from the site plan.

Technical Corrections

A NAOS figures have been revised to provide area in square feet.

B Please see attached Water & Sewer Master Plan comments.

C thru K Please see attached Drainage Master Plan comments.

L The applicant is not anticipating the use of walls exceeding 8 feet in height.

M Please see attached Phasing Plan exhibit.

Land Development Services, L.L.C.

4413 N. Saddlebag Trail, Suite 5
Scottsdale, AZ 85251
Tel 480-946-5020
Fax 480-946-5041

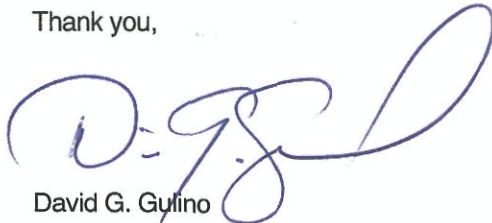
Transmittal Letter

To: Phil Kercher, David Meinhart, Tim Curtis
From: David G. Gulino
Date: 6/7/2005
Re: McDowell Mountain Back Bowl

Transmitted herewith for your review and comment is a paper copy of the revised Right-of-Way Exhibit (Exhibit No. 11 from the Circulation Master Plan prepared by Wood/Patel) which was emailed to you yesterday. This exhibit identifies proposed alignments for parcel access and emergency access for the parcels we discussed in our meeting on May 26th. Please direct any comments you have to Don Sock or myself at Wood/Patel.

Please call me if you have any questions.

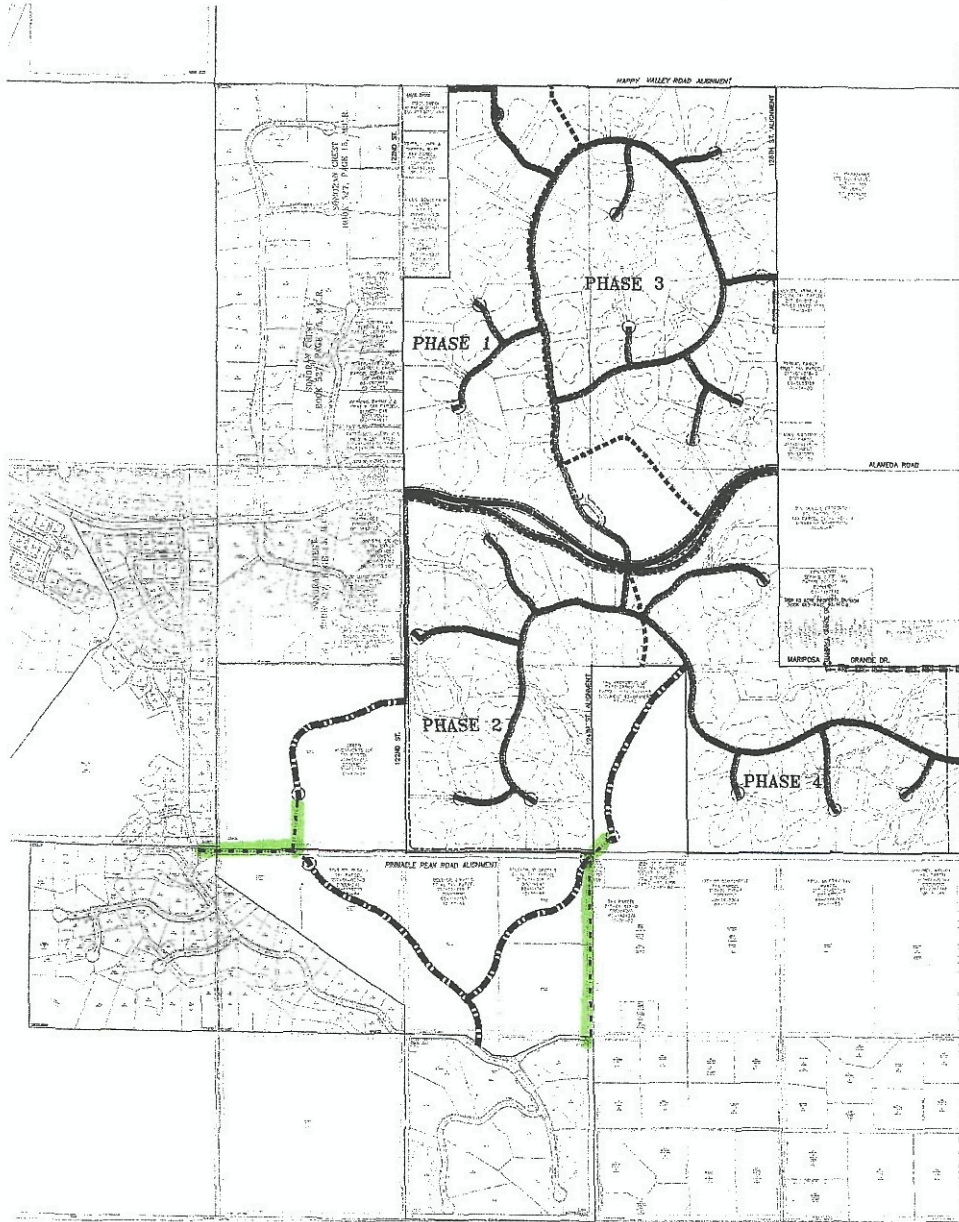
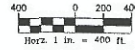
Thank you,



David G. Gulino

LEGEND

- PROPOSED RIGHTS OF WAY
- - - POTENTIAL RIGHTS OF WAY TO BE DETERMINED AT TIME OF FINAL PLAT THROUGH UPDATE TO CIRCULATION MASTER PLAN
- · - · - RIGHTS OF WAY BY OTHERS - ALIGNMENT TO BE DETERMINED BY DEVELOPER
- · - · - EMERGENCY ACCESS BY OTHERS - ALIGNMENT TO BE DETERMINED BY DEVELOPER
- · - · - ALTERNATIVE EMERGENCY ACCESS BY OTHERS - ALIGNMENT TO BE DETERMINED BY DEVELOPER



Right Of Way Exhibit



Urban Design
Studio L.L.C.

Master Planned Communities, Land Planning, Site Planning &
Design, Environmental Analysis & Landscape Architecture

Memorandum

To: Tim Curtis, City of Scottsdale, Project Review
From: Steven Voss
Date: March 11, 2005
Re: Crown Communities (0425)

Alex in my office mentioned that you were questioning how we arrived at the 121 units with the density incentive.

The following is based on the ESL Ordinance provisions 6.1060-C (attached):

Base Density:

326 Acres multiplied by 0.31 DU/AC equals 101 Units.

Density Incentive:

Additional NAOS = 68 Acres = 20% (max. allowed).

$20\% \times 0.31$ (base density) = 0.062

$0.062 \times 330.4 = 20$ units.

Total Units: 121 Units

Note: Subject to Final Acreage Verification.

C: John Berry

5 Lower desert landform with minimal slopes and limited environmental conditions. Sites within the lower desert landform having slopes of 0 percent—five (5) percent, may reduce the required amount of NAOS to fifteen (15) percent if the applicant can demonstrate to the satisfaction of the Zoning Administrator that the property contains no boulder features, no minor or major watercourses and contains undisturbed native plant densities* with less than ten (10) trees/cacti per acre. Where these provisions conflict with the minimum NAOS dimensions described in Section 6 1060F, the more restrictive provisions of Section 6 1060F shall take precedence.

*Native plants include the specific species defined in article V, protection of native plants, section 46-105 through 46-120 of the City Code.

C *Density Incentive for increases in NAOS*

- 1 A density incentive bonus not to exceed twenty (20) percent of the density otherwise allowed under Table B, section 6 1018, Base Intensity by Zoning Category may be granted to applicants who provide more meaningful NAOS than is required in section 6 1060A of this Ordinance. The bonus must be approved by the City Council after notice and hearing as provided in sections 1 600 and 1 700, and providing further that the following criteria are met:
 - a The bonus applies only in the R1-43, R1-70, R1-130 and R1-190 residential zoning districts.
 - b The incentive must be calculated using the base NAOS standards for the development project, and cannot be used in combination with any reductions in NAOS.
 - c The additional NAOS must be undeveloped natural area and cannot include revegetated areas.
 - d The additional NAOS must respond to site conditions and the surround-

ing context to maximize connections with existing or planned open space on adjoining properties including the McDowell Sonoran Preserve.

2 The increase in density is calculated by multiplying the percent of gross land area of the parcel to be provided as additional NAOS, times the base density as established in Table B.

D *Types of NAOS* The NAOS requirement may be satisfied by two (2) types of open space undeveloped natural areas and revegetated areas.

1 Undeveloped natural areas Undeveloped natural areas shall constitute a minimum of seventy (70) percent of the required NAOS. This minimum applies to both "on-lot" and "common tract" NAOS.

a *Infill* When native plants in a designated undeveloped natural area are significantly less dense than under natural conditions because of man-made or natural disturbance to the land, the developer may increase the density and number of species of native plants to approximate the natural conditions of the vegetation community.

b *Infill areas* shall count as undeveloped natural area for NAOS if approved by the city manager or designee.

2 *Revegetation* Revegetation areas shall qualify as NAOS, but in no case shall constitute more than thirty (30) percent of the required NAOS. These provisions cannot be used in conjunction with those contained in Section 6 1060B 3. To increase the maximum percentage of revegetated NAOS above thirty (30) percent, Revegetated areas shall meet following requirements:

a *Planting programs* for revegetated areas may include transplanted and seeded methods of application and

nance in effect at the time the lot was created or was annexed to the city

- 2 At least eighty (80) percent of the parcel from which density will be transferred (the "transfer parcel") must consist of severely constrained areas
- 3 No development will be permitted on the transfer parcel
- 4 The transfer parcel must be permanently secured as CA through easements, donation or dedication to the city or other entity, by a means approved by the City Attorney or zoned COS
- 5 The parcel to which density will be transferred (the "receiving parcel") must be located within the ESL district in the upper desert or lower desert landform
- 6 No permits will be issued for the receiving parcel, until the transfer parcel has been permanently secured as CA or rezoned COS

Table B
Base Intensity by Zoning Category*

*These numbers shall be used in calculating the following

- a The number of units or intensity to be used in a density transfer
- b The maximum number of units for any parcel where a density transfer is not being used
- c The "base" intensity on a parcel before the NAOS density incentive is applied

1 Residential uses, excluding guest rooms

District	Factor (DU/AC)	District	Factor (DU/AC)
R1-190	21	R-3	12.93
R1-130	31	R-4	8.31
R1-70	55	R-4R	7.54
R1-43	83	R-5	23.00
R1-35	1.04	S-R	12.44
R1-18	1.87	PNC	4.00

District	Factor (DU/AC)	District	Factor (DU/AC)
R1-10	3.12	PCC	4.00
R1-7, MH	4.16	PCoC	4.00
R1-5	5.00	PCP	25.00
R-2	7.28		

2 Hotels, motels, and resorts

District	Factor (Guest Rooms/Acre)
R-4R	10.62
R-5	33.00
C-2	43.56
C-3	43.56
PRC	21.78
WP	43.56

3 Nonresidential uses

District	Factor (Floor Area Ratio)
S-R	4
C-O, I-G, I-1,	6
C-1, C-2, C-3, C-4, C-5, SS, PRC, WP, PCP	8
PNC, PCC	3
PCoC	2
P-3	1.0

(Ord No 2305, § 1, 2-19-91, Ord No 3395, § 1, 12-11-01)

Sec. 6.1082. Cluster development option.

The cluster development option is intended to provide an opportunity for more flexibility in platting lots and for site planning under ESL regulations than in the underlying zoning districts. The development review board may approve clustering if the application is in compliance with the standards in Section 6.1083A. This option allows for increased sensitivity to site conditions and permits the clustering of the development onto less land area so portions of the land remain undisturbed. These standards cannot increase the intensity allowed on a development site. Clustering may enable applicants to use the land more efficiently or to utilize more of the allowable intensity. The following limitations apply:

- A The density shall not exceed the applicable density for the parcel. Before this site planning option is applied to a parcel, a determination of density must be approved according to the options and applicable procedures available including:
 - 1 Using Table B to determine the base intensity under existing zoning

**City of Scottsdale
Water Resources Department**

Master Plan Review Comments

Project McDowell Mountain back bowl
Engineer Wood/Patel
Date March 9, 2005 Submittal 1st
Action Address comments and resubmit

Sewer Comments

<u>#</u>	<u>ref</u>	<u>Comment</u>
1	pg 3	For whatever reason, the total number of homes stated in this design report is 125 Table 2-1 yet the calculations are based on 121 It appears Table 2-1 should be changed
2	pg 3	Demand calcs for the commercial area should be based on the sf of the clubhouse Although minor, the 5000 square foot commercial facility should generate an average daily flow of 4500 gallons Several of the tables contained in the appendices state 5500 gallons Using the higher value is more conservative in the calculation of volume of generated wastewater
3	pg 6	You state that some lots may require individual grinder pumps The report should indicate which sites are anticipated to be affected
4	gen	There is a proposed wastewater pumping station at Happy Valley and 128th street Wastewater from the northern and east part of the development would utilize this station The report does not address capacities of this station or the size of the force main and facility should future growth occur from the east State that a detailed design report will be provided for the lift station
5	pg 7	The City would prefer a 4-inch minimum diameter DIP force main See how this will effect your velocities 3-inch is a special order item and not readily available
6	pg 8	Look at your proposed impact on the sewer capacity at 119th and Alameda as well as the impact of the lift station discharge into the Granite Ridge sewer
7	tbl 2	force main calcs indicate PVC at C=140 Use DIP with C=120 Show velocity calculation for 4" pipe
8	tbl 2	provide prelim sizing for wet well and pumps
9	plt 2	Show existing sewer from Granite Ridge to Sonoran Crest Force main could connect at Sonoran Crest
10	plt 2	Address sewer extensions to serve adjacent properties Extend lines from node A to the southeast and show stub to 20-acre parcel at south in Option 1
11	plt 3	Similar comments to plate 2 and include frontage sewer at south side of NE 40-acre parcel
12	gen	List and discuss any lines being proposed for payback, oversizing, and credit eligibility Include preliminary cost estimates of construction and the estimate of development fees to be paid

Water Comments.

- 13 pg 5 The description of the water line extension out of #143 (114th and Dixileta) is not correct
- 14 pg 6 Not sure what you are saying by “internalized within local roadways”
- 15 pg 7 You should use the modeling performed for the Zone 12 Reservoir and Zone 13 BPS as a basis for establishing the hgl in this area I would not assume 2960 as there will be losses in the line Perhaps the new zone 13 BPS you are proposing to construct will compensate You do not state that this project will construct the Alameda BPS This will be a requirement of service
- 16 gen You should also look at developing a small 10000 to 12000 reservoir as part of the Alameda BPS This will help offset suction problems we have experienced in the system due to cascading water thru PRVs
- 17 pg 8 List and discuss any lines being proposed for payback, oversizing, and credit eligibility Include preliminary cost estimates of construction and the estimate of development fees to be paid
- 18 gen State that detailed design reports will be provided for the booster pump station
- 19 plt 1A You show phasing for the water but did not do so in the sewer report Each phase will require a specific design report to demonstrate how it will stand alone and eventually fit into the overall development
- 20 plt 4 How are lots to the northwest to receive water (and sewer) service?
- 21 plt 4 Generally need to show extensions of the system to serve adjacent properties I will need assurances that adequate service is provided to each parcel surrounding this project, excepting that area designated as API
- 22 plt 5 see comment 21 above

Address the above comments and resubmit four copies for our acceptance If you have any questions, I may be reached at 480-312-5636 or Richard may be reached at 480-312-5673

Doug Mann, Water Resources Engineer
Richard Sacks, Water Resources Engineer

c Tim Curtis, Planning Systems

January 11, 2005

Richard and Karen Mueller
12172 E. Sand Hills Rd.
Scottsdale, AZ 85255
480-907-5603
480-907-5617
kmueller8@cox.net

Greg Williams
City of Scottsdale
7447 E. Indian School Rd.
Phoenix, AZ 85251

Re: Troon Canyon Estates II

Dear Greg,

We are the owners of a Luxor Home, Lot 20, in Sonoran Crest project.

It was brought to our attention a few days ago that a road next to our property was being staked out. Credo Investments is planning to put a road through this area to access lots behind our development.

According to our builder and owner of Luxor Homes, Gary Haarer, there are other alternatives to access this property. These alternatives are better for the residents of Sonoran Crest, as well as the residents of Crown Community Development who own the property on the east side of Sonoran Crest.

The road 119th Way has direct access to Credo property. Using this route would cause very little disturbance to the natural landscape. This will also drastically reduce the costs of building the road and putting in utility lines.

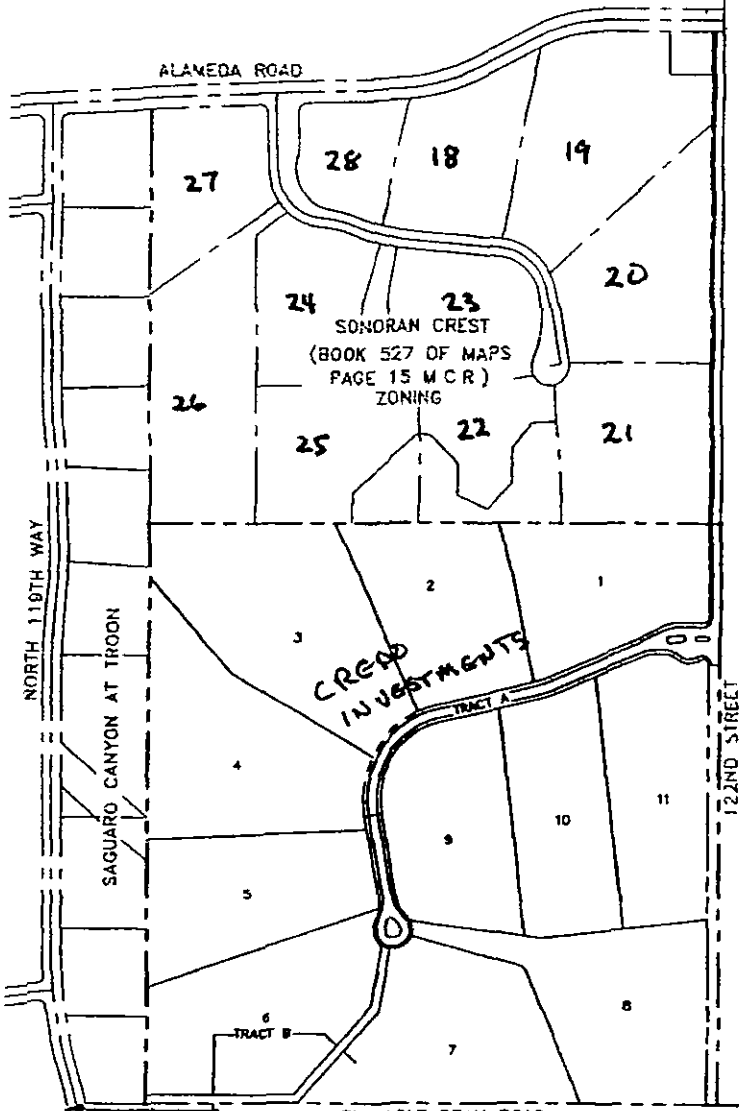
We would appreciate it if you would consider these facts before you approve a permit for 122nd Street to be built.

Sincerely,

Richard and Kay Mueller

PRELIMINARY PLAT FOR TROON CANYON ESTATES II SCOTTSDALE, ARIZONA

BEING A PORTION OF THE SOUTHWEST QUARTER
OF SECTION 11, T-4-N, R-5-E OF THE G & S R B & M
MARICOPA COUNTY, ARIZONA



*CROWN
COMMUNITY
DEVELOPMENT*

SONDRAM CREST
(BOOK 527 OF MAPS
PAGE 15 M C R)
ZONING

*CROWN
INVESTMENTS*

40' EASEMENT

PINNACLE PEAK ROAD
UNDEVELOPED

KEY MAP
SCALE 1"=200'

SHEET INDEX

- SHEET 1 COVER SHEET
- SHEET 2 PRELIM PLAT & 122 STREET OFFSITE



Urban Design
Studio L.L.C.

Master Planned Communities, Land Planning, Site Planning &
Design, Environmental Analysis & Landscape Architecture

January 26, 2005

Mr. John Gordon, Superintendent
Cave Creek Unified School District
PO Box 426
Cave Creek, AZ 85331

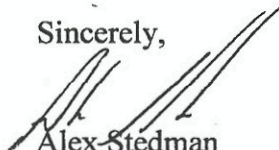
Dear Mr. Gordon:

This letter is being sent to you pursuant to City of Scottsdale Zoning Code (Ordinance No. 455), Article I., Administration And Procedures, Section 1.1500, Collaborative City And School Planning.

Please be advised that we are applying for a rezoning application that changes the zoning classification(s) from non-residential to residential classifications, and/or changes the residential zoning classification(s) or stipulation(s) resulting in greater residential densities allowed on the subject property. The property is currently zoned for 101 residential units; our application will result in a total of 121 units allowed, an increase of 20%.

Enclosed please find a detailed project narrative, a location map, site plan and the Determination Form required by the City per the above Ordinance. If necessary, I would be happy to schedule a meeting with you to discuss the above proposal. I can be reached at 480.994.0994.

Sincerely,



Alex Stedman
Land Planner

Phone: 480.994.0994
Fax: 480.994.7332
E-mail: astedman@lvadesign.com

Cc: City of Scottsdale Current Planning Services

7502 East Main Street, Scottsdale, Arizona 85251
Phone (480) 994-0994 Fax (480) 994-7332 www.lvadesign.com

1-ZN-2005
2-8-05



City of Scottsdale Project Number. 214-PA-2004

Area in gray to be completed by Applicant

Project Name CROWN PROPERTY

Project Location 122ND STREET & ALAMEDA ROAD

Applicant Name ALEX STEDMAN

Phone 480.994.0994

Applicant E-mail ASTEDMAN@LVADESIGN.COM

Fax 480.994.7332

School District. _____

I, _____, hereby certify that the following determination has been made in regards to the above referenced project

- The school district has adequate school facilities to accommodate the projected number of additional students generated by the proposed rezoning within the school district's attendance area, or
- The school district will have adequate school facilities via a planned capital improvement to be constructed within one (1) year of the date of notification of the district and located within the school district's attendance area, or
- The school district has determined an existing or proposed charter school as contracted by the district can provide adequate school facilities for the projected increase in students, or
- The applicant and the school district have entered into an agreement to provide, or help to provide, adequate school facilities within the school district's attendance area in a timely manner (a copy of said agreement is attached hereto), or
- The school district does not have adequate school facilities to accommodate projected growth attributable to the rezoning

Attached are the following documents supporting the above certification

- Maps of attendance areas for elementary, middle and high schools for this location
- Calculations of the number of students that would be generated by the additional homes
- School capacity and attendance trends for the past three years

Or

I, _____, hereby request a thirty (30) day extension of the original discussion and response time

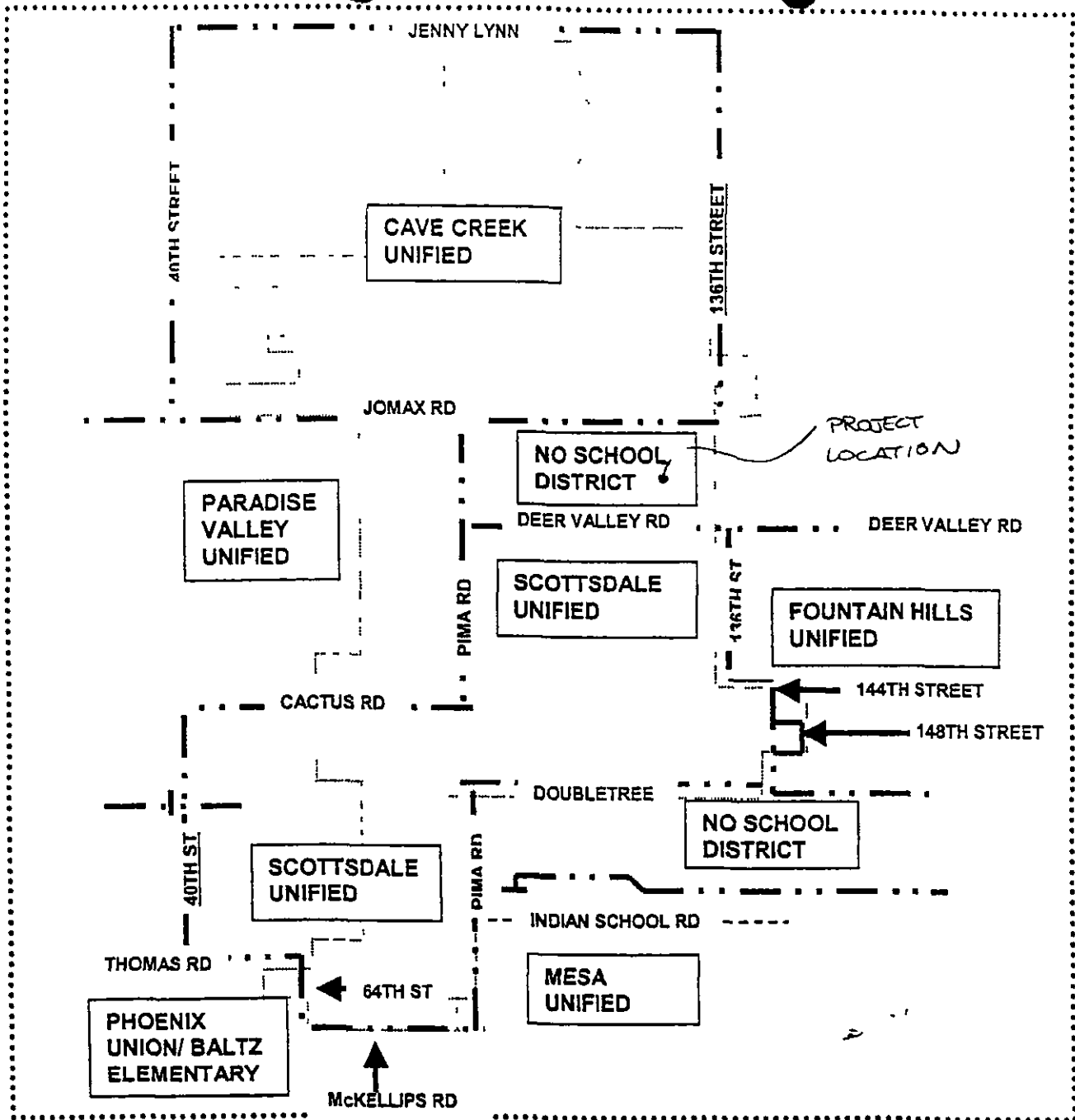
 Superintendent or Designee

 Date

Planning and Development Services

7447 E Indian School Road, Suite 105
 Scottsdale, AZ 85251
 Phone 480-312-7000 • Fax 480-312-7088

School District Boundary Map



BALTZ SCHOOL DISTRICT 31

Dr Cathy Esposito, Superintendent
 4825 E Roosevelt Street, Phoenix, AZ 85008
 Phone 602-629-6400 Fax 602-629-6470

CAVE CREEK UNIFIED SCHOOL DISTRICT 93

Mr John Gordon, Superintendent
 PO Box 426, Cave Creek, AZ 85331
 Phone 480-575-2000 Fax 480-488-7055

PARADISE VALLEY UNIFIED SCHOOL DISTRICT 69

Mr Skip Brown, Associate Superintendent
 15002 N 32nd Street, Phoenix, AZ 85032
 Phone 602-867-5106 Fax 602-867-5230

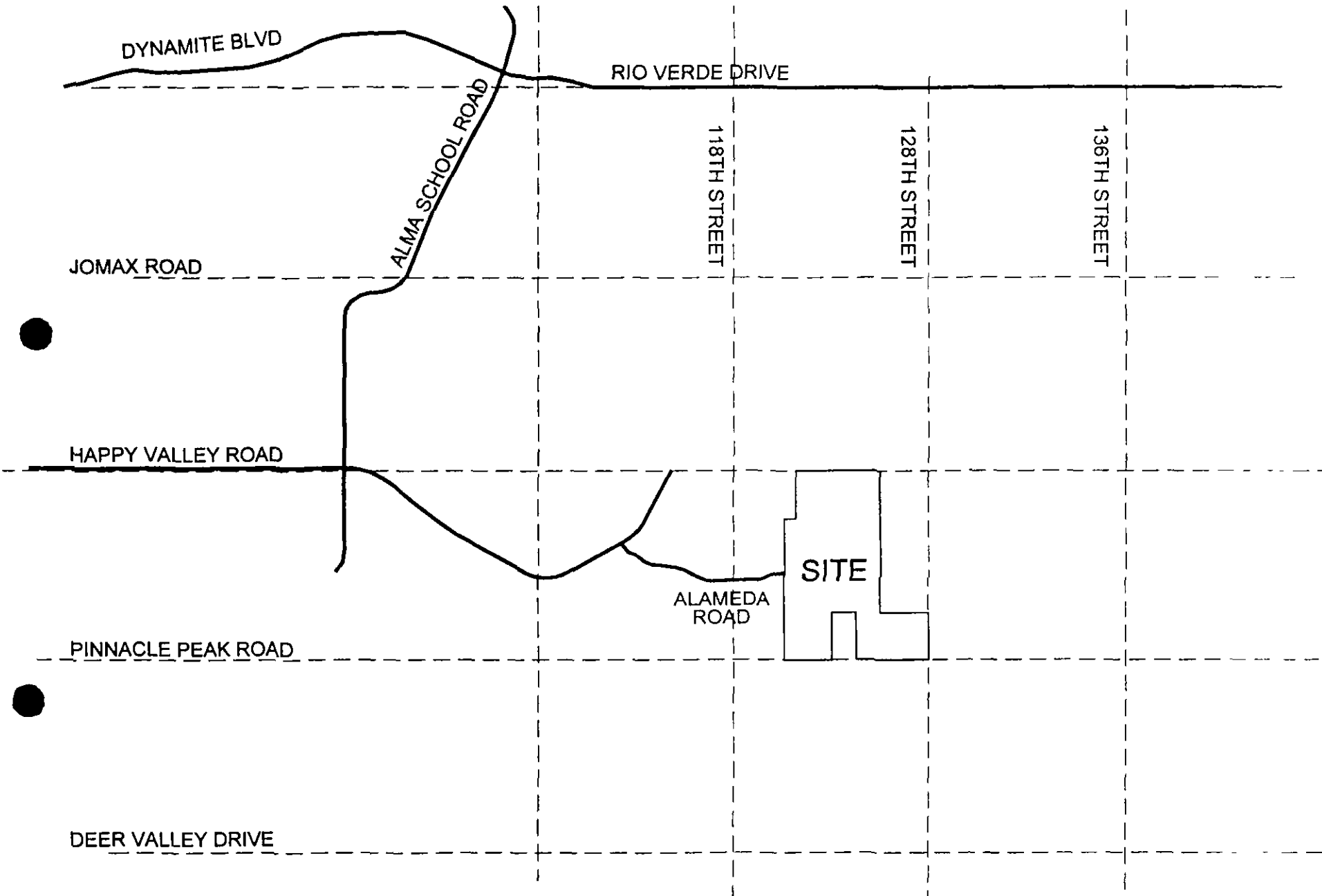
FOUNTAIN HILLS UNIFIED SCHOOL DISTRICT 9

Dr Marian Hermie, Superintendent
 16000 E Palisades Blvd, Fountain Hills, AZ 85268
 Phone 480-664-5000 Fax 480-837-7603

SCOTTSDALE UNIFIED SCHOOL DISTRICT 48

Dr Barbara Erwin, Superintendent
 3811 N 44th Street, Phoenix, AZ 85018
 Phone 480-484-6120 Fax 480-484-6293

Projects in areas with no designated school district must notify ALL surrounding school districts



VICINITY MAP

CROWN COMMUNITIES
SCOTTSDALE, ARIZONA

SCALE (/)
NOT TO
SCALE



CROWN COMMUNITIES - 330 ACRES

PROJECT NARRATIVE

The Crown Property is a 330 acre site, located at the northeast corner of the Pinnacle Peak Road alignment and the 122nd Street Alignment. The Pinnacle Peak Road alignment serves as the properties southern boundary, while the Happy Valley Road alignment extends across the northern property boundary. Existing communities to the west, including Sonoran Crest and Saguaro Canyon, are immediately adjacent to the western property boundary of the site.

The existing property is an assemblage of 13 private parcels and is generally vacant/undeveloped in character. A series of jeep trails serve as the only man-made impacts on the site. Access to the site boundaries can be achieved via 128th Street to the eastern property edge, or by way of Alameda Road which is improved to the western edge of the property. The assemblage of the subject properties will benefit future development of the site through the creation of master development plans that will protect the existing natural conditions by creating extensive open space corridors that recognize sensitive areas and promote elevated design standards and development practices.

This application proposes to maintain the existing R1-130 ESL zoning designation on the property with a request for a density incentive that will increase the allowed number of lots from 101 to 121. The ESL Ordinance provides for a density incentive bonus that will not exceed 20% of the permitted density provided that the applicant agrees to the designation of additional "meaningful natural area open space". Analysis of the site indicates that 139 acres (or 42%) of open space is required for development approval. The applicant has provided 207 acres (or 63% of the gross site area) of Natural Area Open Space as illustrated in the Preliminary Open Space Plan. The provided open space responds to the existing on-site geographic and topographic characteristics, as well as

surrounding context and maximizes connections with planned open space areas to the south and east of the subject property

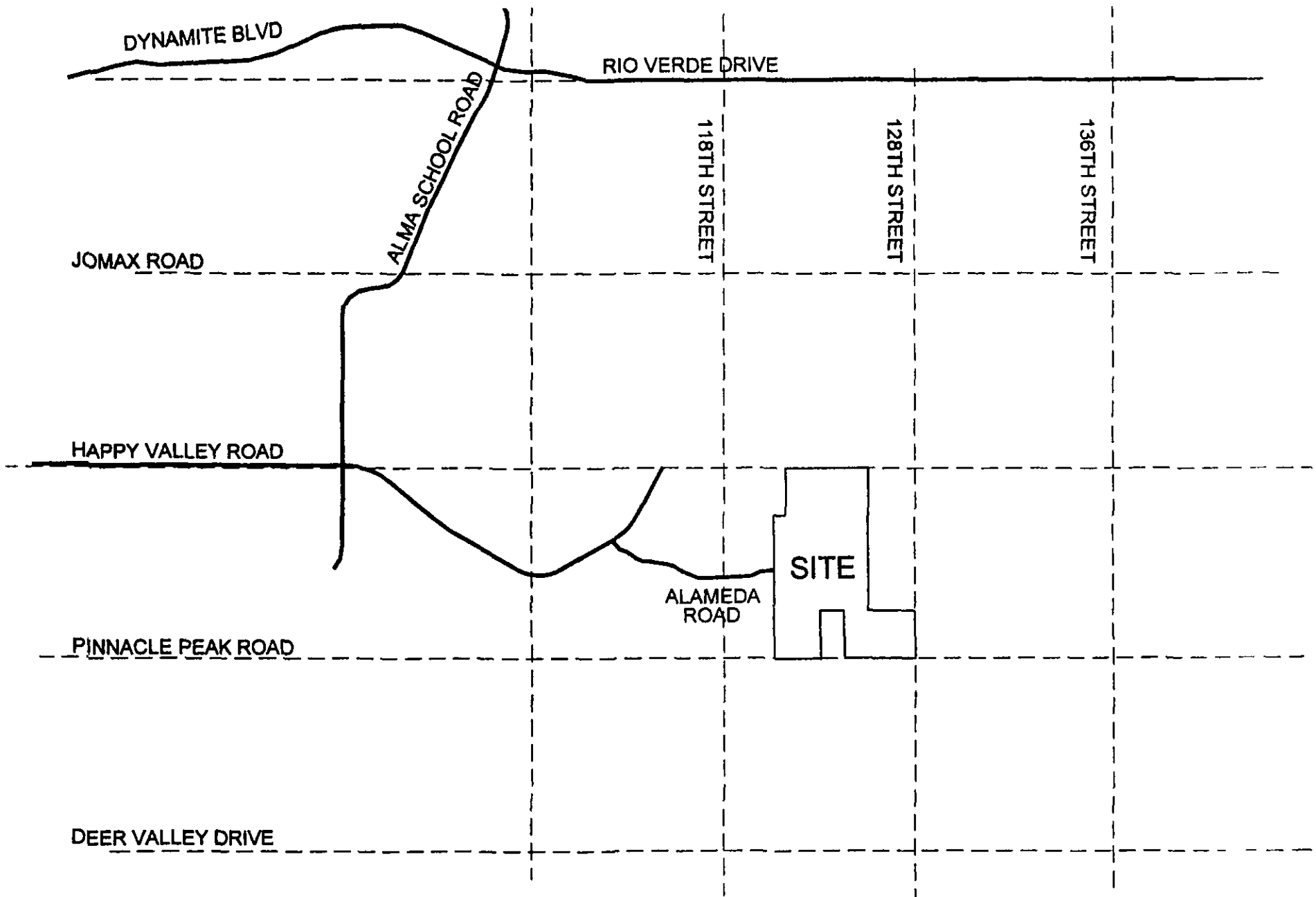
The proposed conceptual site plan divides the overall community into two halves, north and south. Alameda Road will extend through the property to provide connectivity with properties to the east of the Crown site. A secondary access point is proposed along the eastern property edge in the southern portion of the site. Alameda Road is proposed as a divided public roadway through the site with private access gates located immediately north and south of the centrally located entry intersection. A public trail will be constructed along the southern edge of Alameda Road and will tie-in with private trails that meander through the proposed project. A private pedestrian underpass that will serve the private trail network is proposed at the project entry intersection to alleviate vehicular/pedestrian conflicts. The portion of the project located south of Alameda Road has been designated for equestrian-oriented lots. Emphasis in the areas will be placed on multi-modal trail connectivity and a proposed private trail head adjacent to the southern property boundary that promotes access to the McDowell Sonoran Preserve Study/Expansion Area. A designated community center and park site has been identified in the central portion of the project and will serve both the north and south halves of the project. The community center will serve as a focal point for community residents and will incorporate a broad spectrum of amenities in addition to serving as a trailhead for private trails within the proposed project. The proposed private trail network will enhance pedestrian connectivity to all portions of the site in addition to providing linkages to the regional trail network as identified by the City of Scottsdale.

Utilities, including water and wastewater, will be conveyed to the site via extensions to existing public service lines in Alameda Road.

The delineation of preliminary development envelopes for each residential unit has been defined to promote the integration of development into the existing natural environment. Open space areas are contiguous, provide ample buffer to adjacent properties and were designed to minimize impacts to the most sensitive natural features on the property. The

site contains numerous boulder features that have been specifically integrated into proposed natural open spaces, trail corridors, park sites and community focal points. The preservation of existing native vegetation will be an important component of the open space areas. However, the site was subjected to a large scale wildfire burn approximately 10 years ago and has not recovered to densities typical of the upper Sonoran Desert. Because of the burn, very few mature trees or cactus species are established on-site. Those that do exist in areas of concentrated densities will be identified for preservation.

The subject property naturally drains to both the east and west, off of a crest that runs up the center of the property. Offsite drainage generally initiates from the McDowell Mountains to the south and crosses the site in a series of small braided washes. These braided wash corridors lend character to the site, their ephemeral waters slowly shaping the contours of the property into small rolling hills, bisected by intermittent washes.



VICINITY MAP

CROWN COMMUNITIES
SCOTTSDALE, ARIZONA

SCALE (1/1)
NOT TO
SCALE



HAPPY VALLEY ROAD (ALIGN.)



LAND USE MASTER PLAN

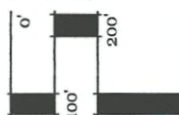
DENSITY INCENTIVE CONCEPT PLAN: OPEN SPACE REQUIRED = 139 AC. (42%); PROVIDED = 207 AC. (63%)
 121 UNITS - REQUIRES CITY APPROVAL (20 UNITS ADDED)
 DENSITY: 0.37 DU/AC (R1-130 E.S.L./D.I.)
 LOTS, ENVELOPES, STREETS & AMENITIES SUBJECT TO CHANGE

DEVELOPMENT ENVELOPE

CROWN COMMUNITIES

SCOTTSDALE, ARIZONA

SCALE: (+/-)



NORTH



Master Planned Communities,
 Land Planning,
 Site Planning & Design,
 Environmental Analysis &
 Landscape Design
 7025 East Main Street
 Scottsdale, Arizona 85251
 Phone: (480) 998-0004
 Fax: (480) 998-2322
 www.lva.com

DATE: 01.19.85
 JOB: 0425
 BY: AMS
 REV:



November 23, 2004

Dear Neighboring Property Owner:

The purpose of this letter is to advise you that a request has been submitted by Crown Community Development to the City of Scottsdale to grant a Density Incentive for Open Space in order to build 121 homes on 328 acres located approximately between 122nd Street and 128th Street and the Pinnacle Peak Road alignment and Happy Valley Road alignment. This is not a rezoning request. The request will result in approximately 21 percent more open space than the City currently requires. This new development will be custom homes with public trails built on development envelopes compatible with the terrain.

If you would like more information, you are invited to attend a neighborhood open house to be held Thursday, December 2, from 6 to 7 PM in the Multi Use Room of La Mirada Desert Park, located at 8950 E. Pinnacle Peak Road. If you cannot attend the open house, or would like more information, please feel free to call Technical Solutions, who have been working on our behalf in contacting neighborhood property owners about this project, at 602-957-3434. The City of Scottsdale Project Coordinator for this project is Tim Curtis who can be reached at 480-312-4210.

Sincerely,

Teri Frankiewicz
Vice President of Community Development

cc: Tim Curtis, City of Scottsdale

1-ZN-2005
2-8-05

Approved in Resolution 6161, October 7, 2002

**POLICY OF THE CITY OF SCOTTSDALE
ON APPEALS OF DEDICATIONS, EXACTIONS, OR ZONING REGULATIONS**

RIGHTS OF PROPERTY OWNER

In addition to other rights granted to you by the U.S. and Arizona Constitution, federal and state law and city ordinances or regulations, you are hereby notified of your right to appeal the following City actions relating to your property:

- 1) Any dedication or exaction which is required of you by an administrative agency or official of the city as a condition of granting approval of your request to use, improve or develop your real property. This appeal right does not apply to a dedication or exaction required as part of a city legislative act (for example a zoning ordinance) where an administrative agency or official has no discretion to determine the dedication or exaction.
- 2) The adoption or amendment of a zoning regulation that creates a taking of property in violation of Arizona and federal court decisions.

APPEAL PROCEDURE

The appeal must be in writing and specify the City action appealed and the date final action was taken, and it must be filed with or mailed to the hearing officer designated by the city within 30 days after the final action is taken. Address the appeal as follows:

Hearing Officer, C/O City Clerk
3939 Drinkwater Blvd.
Scottsdale, AZ 85251

- ❖ No fee will be charged for filing
- ❖ The City Attorney's Office will review the appeal for compliance with the above requirements, and will notify you if your appeal does not comply.
- ❖ Eligible appeals will be forwarded to the hearing officer, and a hearing will be scheduled within 30 days of receipt by the hearing officer of your request. Ten days notice will be given to you of the date, time and place of the hearing unless you indicate that less notice is acceptable to you.
- ❖ The city will submit a takings impact report to the hearing officer.
- ❖ In an appeal from a dedication or exaction, the City will bear the burden of proving that the dedication or exaction to be imposed on your property bears an essential nexus between the requirement and a legitimate governmental interest and that the proposed dedication or exaction is roughly proportional to the impact of the use, improvement or development you proposed.
- ❖ In an appeal from the adoption or amendment of a zoning regulation, the City will bear the burden of proving that any dedication or exaction requirement in the zoning regulation is roughly proportional to the impact of the proposed use, improvement, or development, and that the zoning regulation does not create a taking of property in violation of Arizona and federal court cases.
- ❖ The hearing officer must render his decision within five working days after the appeal is heard.
- ❖ The hearing officer can modify or delete a dedication or exaction or, in the case of an appeal from a zoning regulation, transmit a recommendation to the City Council.
- ❖ If you are dissatisfied with the decision of the hearing officer, you may file a complaint for a trial de novo with the Superior Court within 30 days of the hearing officer's decision.

If you have questions about this appeal process, you may contact:

City Manager's Office
3939 Drinkwater Blvd.
Scottsdale, AZ 85251
(480) 312-2422

City Attorney's Office
3939 Drinkwater Blvd.
Scottsdale, AZ 85251
(480) 312-2405

Please be aware that City staff cannot give you legal advice. You may wish, but are not required, to hire an attorney to represent you in an appeal.

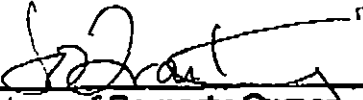
1-ZN-2005
5-31-05

**OWNER CERTIFICATION
ACKNOWLEDGING RECEIPT
OF
NOTICE OF RIGHT TO APPEAL
EXACTIONS AND DEDICATIONS**

I hereby certify that I am the owner of property located at

(address where development approval, building permits, or city required
improvements and dedications are being required)

and hereby certify that I have received a notice that explains my right to appeal
all exactions and/or dedications required by the City of Scottsdale as part of my
property development on the parcel listed in the above address.



Signature of Property Owner

5/31/05
Date

Approved in Resolution 6161, October 7, 2002

214-PA-2004

**POLICY OF THE CITY OF SCOTTSDALE
ON APPEALS OF DEDICATIONS, EXACTIONS, OR ZONING REGULATIONS**

RIGHTS OF PROPERTY OWNER

In addition to other rights granted to you by the U.S. and Arizona Constitution, federal and state law and city ordinances or regulations, you are hereby notified of your right to appeal the following City actions relating to your property:

- 1) Any dedication or exaction which is required of you by an administrative agency or official of the city as a condition of granting approval of your request to use, improve or develop your real property. This appeal right does not apply to a dedication or exaction required as part of a city legislative act (for example a zoning ordinance) where an administrative agency or official has no discretion to determine the dedication or exaction.
- 2) The adoption or amendment of a zoning regulation that creates a taking of property in violation of Arizona and federal court decisions.

APPEAL PROCEDURE

The appeal must be in writing and specify the City action appealed and the date final action was taken, and it must be filed with or mailed to the hearing officer designated by the city within 30 days after the final action is taken. Address the appeal as follows:

Hearing Officer, C/O City Clerk
3939 Drinkwater Blvd.
Scottsdale, AZ 85251

- ❖ No fee will be charged for filing
- ❖ The City Attorney's Office will review the appeal for compliance with the above requirements, and will notify you if your appeal does not comply.
- ❖ Eligible appeals will be forwarded to the hearing officer, and a hearing will be scheduled within 30 days of receipt by the hearing officer of your request. Ten days notice will be given to you of the date, time and place of the hearing unless you indicate that less notice is acceptable to you.
- ❖ The city will submit a takings impact report to the hearing officer.
- ❖ In an appeal from a dedication or exaction, the City will bear the burden of proving that the dedication or exaction to be imposed on your property bears an essential nexus between the requirement and a legitimate governmental interest and that the proposed dedication or exaction is roughly proportional to the impact of the use, improvement or development you proposed.
- ❖ In an appeal from the adoption or amendment of a zoning regulation, the City will bear the burden of proving that any dedication or exaction requirement in the zoning regulation is roughly proportional to the impact of the proposed use, improvement, or development, and that the zoning regulation does not create a taking of property in violation of Arizona and federal court cases.
- ❖ The hearing officer must render his decision within five working days after the appeal is heard.
- ❖ The hearing officer can modify or delete a dedication or exaction or, in the case of an appeal from a zoning regulation, transmit a recommendation to the City Council.
- ❖ If you are dissatisfied with the decision of the hearing officer, you may file a complaint for a trial de novo with the Superior Court within 30 days of the hearing officer's decision.

If you have questions about this appeal process, you may contact:

City Manager's Office
3939 Drinkwater Blvd.
Scottsdale, AZ 85251
(480) 312-2422

City Attorney's Office
3939 Drinkwater Blvd.
Scottsdale, AZ 85251
(480) 312-2405

Please be aware that City staff cannot give you legal advice. You may wish, but are not required, to hire an attorney to represent you in an appeal.

**OWNER CERTIFICATION
ACKNOWLEDGING RECEIPT
OF
NOTICE OF RIGHT TO APPEAL
EXACTIONS AND DEDICATIONS**

I hereby certify that I am the owner of property located at:

(address where development approval, building permits, or city required improvements and dedications are being required)

and hereby certify that I have received a notice that explains my right to appeal all exactions and/or dedications required by the City of Scottsdale as part of my property development on the parcel listed in the above address.



Signature of Property Owner

2/8/05
Date

City of Scottsdale Cash Transmittal

50040
DEVS 202 0009 00008350
Proc: 02/08/2005 KHANAS
Curr: 02/08/2005 11:40AM
Amt: \$15,809.00

Transmittal # : 50040

Transmittal Date : 2/8/2005

Received From :

Bill To :

AURORA VENTURE
3600 THAYER CT STE 100
AURORA , LA 60504

Reference # : 214-PA-2004

Paid Date : 2/8/2005

Address : N 124TH ST

Payment Type : CHECK

MCR : 191-26 Subdivision : GOLDIE BROWN PINNACLE PEAK RANCH UNIT ONE Lot # : 3

Marketing Name :

BMP : 217-01-012 QS : 45-57 Water Zone : County : NO Metes/Bounds : NO

Water Type : Sewer Type :

Gross Lot Area : 0 NAOS Lot Area : 0 Net Lot Area : 0

of Units : 1 Density : Meter Size :

Owner Information :

LVA URBAN DESIGN STUDIO LLC
7502 E MAIN ST
SCOTTSDALE, AZ 85251
480-994-0994

Code Description	Additional	Qty	Amount	Account Number
3170 REZONING APPLICATION		1	\$15,809.00	100-14510-44221
		Total	\$15,809.00	

1-ZN-2005
2-8-05


Applicant Signature

(When a credit card is used as payment I agree to pay the above total amount according to the Card Issuer Agreement.)
TO HAVE WATER METER SET - CALL 312-5650 AND REFER TO TRANSMITTAL # 50040



September 3, 2004

Mr. David G. Gulino, P.E.
 Land Development Services, L.L.C.
 4413 North Saddlebag Trail Suite 5
 Scottsdale, Arizona 85251-3445

Transmitted by Fax (480) 946-5041
 Original Mailed

Subject: McDowell Mountain Back Bowl Development
 SEC Happy Valley Road & 122nd Street

Dear Mr. Gulino:

In accordance with your letter of July 12, 2004 and the preceding meeting we had with Mr. Gordon Wark, P.E., the following items provide the understandings City staff reached at the referenced meeting.

- Special importance will be given by developer to notify adjacent property owners of the developments drainage solutions assuring the neighbors, especially the Troon Ridge Estates residents, that the project will not put an increased stormwater burden on their properties and the Development will pursue all avenues of solutions to improve the stormwater runoff conditions from and to the adjacent properties.
- Because the proposed development is a low land use density, the development is encouraged to use in-stream storage devices such as impoundment areas upstream of roadways to meet the statutory requirements of stormwater storage and to accommodate the desires of the Natural Area Open Space culture.
- Volume of storage will be of such a magnitude to assure that the stormwater runoff peak discharge will be no more than from undeveloped conditions, and you are encouraged to provide a storage volume that will reduce, even slightly, the discharge volumes when compared to undeveloped conditions.
- The above two items need to be documented by engineering analyses and drawings to assure compliance, a stormwater storage waiver will be required and an "in-lieu" contribution will be evaluated.

If I can be of further assistance please let me know.

Sincerely,

William Erickson
 Floodplain Administrator
 7447 E. Indian School Road
 (480) 312-7652
 Fax (480) 312-4801
 e-mail berickson@scottsdaleaz.us

C: Gordon Wark, Wood/Patel Engineering
 Joe Morris, City of Scottsdale
 Tim Curtis, City of Scottsdale



LAND DEVELOPMENT SERVICES, L.L.C.

Project Management Feasibility Value Engineering Municipal Coordination

July 12, 2004

William Erickson
Flood Plane Administrator
City of Scottsdale
7447 East Indian School Road
Scottsdale, AZ 85251

Re: McDowell Mountain Back Bowl, SEC Happy Valley Road/122nd Street

Mr. Erickson:

Thank you for taking the time to meet with Gordon Wark and myself regarding the subject project. Our project proposes 121 units on 330 acres. Attached is a map that roughly outlines where it is located.

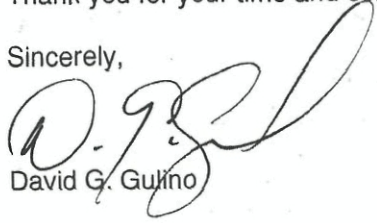
The following outlines my understanding of our meeting and the issues we discussed.

- 1. Public outreach to the residents of Troon Ridge Estates will be especially important given their involvement in past drainage issues in the area.
- 2. Our property is low density and located at the top of the watershed. As a result, any increases in impervious area will be minimal and retention storage volumes in excess of that required to keep flow rates at their historical levels may be waived. An approved drainage waiver will be required prior to preliminary plat approval.
- 3. Retention behind road crossings may be an acceptable means for providing storage volume given it is verified by engineering.

If my understanding is incorrect please let me know immediately. If all is commensurate with your understanding could you please sign where indicated and return to me via fax at (480) 946-5041.

Thank you for your time and consideration.

Sincerely,



David G. Gulino

Accepted: _____ Date _____
 William Erickson

- cc. Gordon Wark, Wood/Patel Engineering
- Theresa Frankiewicz, Crown Community Development
- Tim Curtis, City of Scottsdale

214-PA-2004

LAND DEVELOPMENT SERVICES, L.L.C.

Project Management Feasibility Value Engineering Municipal Coordination

July 12, 2004

Doug Mann
City of Scottsdale
Water Resources
9388 E. San Salvador
Scottsdale, AZ 85258

Re: McDowell Mountain Back Bowl, SEC Happy Valley Road/122nd Street

Mr. Mann:

We wanted to thank you for taking the time to meet with us last Thursday regarding water and sewer service to the subject project. The current scope of our project is 121 residential units on 330 acres. Attached is a map that roughly outlines where it is located.

The following outlines my understanding of our meeting and the issues we discussed.

1. Because the project is located within the City's corporate boundary, Scottsdale will be the water service provider. Scottsdale is willing and has capacity to provide 100-year assured water to this project. The developer will be responsible to construct at their own expense any line extensions necessary to deliver water to this project.
2. The primary potable water supply will come from an existing 24-inch transmission line in Dynamite Boulevard via a future 16-inch line along the 118th Street alignment. The line size is currently planned to stay at 16-inches until it reaches the zone 12/13 pressure reducing valve near the Happy Valley alignment at which point it can reduce to a 12-inch line. There is currently an existing 16-inch pipeline from Blue Sky Drive to Oberlin Way and an existing 12-inch pipeline from Redbird Road to Jomax Road (adjacent to Desert Summit).
3. The existing 12" water line adjacent to Desert Summit will need to be replaced with a 16" water line pursuant to your research after our meeting. The city will be responsible for the costs associated with this portion and these amounts will not be included in any oversizing maximums.
4. Any in-lieu fees that the City has collected or will collect in the future for water line improvements in 118th Street, will be made available to offset the cost of this water line extension. To date the City has collected an in-lieu fee from the Yearling Estates project. New projects adjacent to this alignment will be stipulated to either build a 16-inch line or contribute an in-lieu fee equivalent to the cost of half of an 8-inch line for their frontage.

4413 North Saddlebag Trail Suite 5 Scottsdale Arizona 85251-3445
Phone: 480-946-5020 Fax: 480-946-5041
Website: WWW.LDServices.net

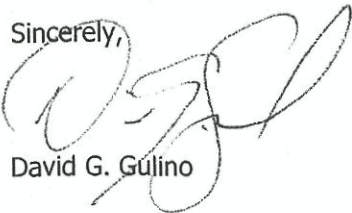
1-ZN-2005
2-8-05

5. There are three cost sharing programs available for this extension-
 - a. **Over sizing Agreement with Scottsdale**; funds provided by the City at the completion of construction up to a maximum of \$150,000.00
 - b. **Payback Agreement**; payback to the developer by individual hook-ups, administered by the City for a period of 10-years. Payback rates established on a pro-rata basis based on actual costs including design.
 - c. **Credit Agreement**; available on credit eligible projects only, which is the portion in 118th Street only in this case. Water Development fees are reimbursed after the issuance of the individual building permits (\$5,639.76 per unit).
6. Because the project is located within the City's corporate boundary, Scottsdale will be the sewer service provider. Scottsdale is willing and has capacity to provide sewer service to this project. The developer will be responsible to construct, at their own expense, any line extensions necessary to serve this project.
7. Sewer service for the project will be provided through the installation of an onsite gravity system which will either directly or indirectly via an offsite lift station, outfall to an existing sewer line in Alameda at 122nd Street (east property line of Sonoran Crest).

If my understanding is incorrect please let me know immediately. If all is commensurate with your understanding could you please sign where indicated and return to me via fax at (480) 946-5041.

Thank you for your time and consideration.

Sincerely,



David G. Gulino

Accepted: _____
Doug Mann Date

- cc. Gordon Wark, Wood/Patel Engineering
Theresa Frankiewicz, Crown Community Development
Tm Curtis, City of Scottsdale

214-PA-2004

LAND DEVELOPMENT SERVICES, L.L.C.

Project Management Feasibility Value Engineering Municipal Coordination

July 12, 2004

Phil Kercher
Transportation Engineering Director
City of Scottsdale
7447 East Indian School Road
Scottsdale, AZ 85251

Re: McDowell Mountain Back Bowl, SEC Happy Valley Road/122nd Street

Mr. Kercher:

We wanted to thank you and Bob Brown for taking the time to meet with us last Thursday regarding the subject project. The current scope of our project is 121 residential units on 330 acres. Attached is a map that roughly outlines where it is located.

The following outlines my understanding of our meeting and the issues we discussed.

1. We will be required to maintain access to the surrounding parcels. This can be verified through our circulation master planning efforts and be submitted to staff for approval.
2. Alameda Road and 128th Street are designated as minor collector streets on the Streets' Master Plan that has been adopted by the City Council.
3. Alameda, as it crosses our project, will be a required to be improved and right-of-way dedicated. There is room to alter the alignment of Alameda from that which is shown on the Streets' Master Plan provided it remains public and connects to 128th Street.
4. 128th Street is being considered as a means of additional access for the project. As such, consideration is being given to construct 1/2 street improvements on 128th Street from Dynamite to Pinnacle Peak Road at no cost to the City. This would be done at the sole discretion of the developer and is not part any required offsite improvements imposed as part of development (with the exception of that portion adjacent to the project).
5. For that portion of 128th Street adjacent to State Land a 4-foot shift to the east of the roadway's centerline would be acceptable to account for the absence of right-of-way on the west side. There is a typical cross section attached to illustrate. Any provisions for the trails shown on the Trails Master Plan will be coordinated with the design of the roadway improvements.
6. Drainage crossings on 128th may not need to be 100-year provided 100-year access is provided from the west on Alameda.

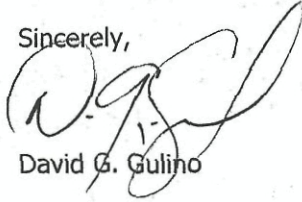
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Phone: 480-946-5020 Fax: 480-946-5041
Website: WWW.LDServices.net

1-ZN-2005
2-8-05

If my understanding is incorrect please let me know immediately. If all is commensurate with your understanding could you please sign where indicated and return to me via fax at (480) 946-5041.

Thank you for your time and consideration.

Sincerely,



David G. Gulino

Accepted: _____
Phil Kercher Date

- cc. Gordon Wark, Wood/Patel Engineering
- Theresa Frankiewicz, Crown Community Development
- Bob Brown, City of Scottsdale
- Tim Curtis, City of Scottsdale

Curtis, Tim

From: Cafarella, Robert
Sent: Wednesday, May 12, 2004 10:58 AM
To: Meserve, Don
Cc: Miller, Claire; Hamilton, Scott; Curtis, Tim
Subject: RE: Heads up on Curtis pre-app

Comments noted. The access area will be a good distance to the south and east. The main point will be to ensure the subdivision does not contain unauthorized trail access to the Preserve.

-----Original Message-----

From: Meserve, Don
Sent: Wednesday, May 12, 2004 10:52 AM
To: Cafarella, Robert; Miller, Claire
Cc: Curtis, Tim
Subject: Heads up on Curtis pre-app

Tim Curtis has a pre-application meeting next week with Steven Voss for a 300 acre+ project zoned R1-130, west of 128th Street and north of Pinnacle Peak Road. The project will follow the Preserve boundary at Pinnacle Peak alignment from 124th to 128th and shows one entrance on Pinnacle Peak Road. Alameda goes east-west through the middle of the property. The closest City-owned preserve land to the east is the Malcolm Turst 40 acres at 134th, 3/4 miles to the east. Tim does not know yet if they want to request a rezoning or to do a subdivision with existing zoning.

I told Tim we do not need to build Pinnacle Peak Road for access to the Preserve and advised him to tell the applicant they should change their access from the southeast from Pinnacle Peak to 128th and avoid using Pinnacle peak Road alignment all together. We would support abandoning Pinnacle Peak alignment if the out parcel they surround can get access from the north on Mariposa Grande. Out plan is for Preserve users to either come south on 128th from Dynamite, or drive east on Happy Valley to Alameda to 128th and then south on 128th to the future northern access area.

I also told him that we definitely want Alameda to be a through public street from Troon to 128th and that a Preserve access area is planned to be located to the southeast of the 128th/Pinn. Pk intersection, to the southeast of Voss's project.

Tim asked about the schedule for the access area and I told him we are building Hidden Hills first, then the southern access at Lost Dog, and then the Gateway. I told him that the northern access area is probably fourth in line after the first three mentioned. If an application is submitted for this land we may be asked again for an update on the access area.

P.S. Do we plan to put a sign up about the future access area sometime? Is so, any idea when? If they do file an application for land next to the Preserve, I recommend having the sign up by then. We don't know yet when they will apply since this is still the pre-app stage.