

CITY
COPY

19-ZN-02



Request for Stormwater Storage Waiver

City of Scottsdale Case Numbers:
55 - PA - 2008 19 - ZN - 2008 - UP - - DR - - PP - PC# 6787-06-15

The applicant/developer must complete and submit this form to the city for processing and obtain approval of waiver request **before** submitting improvement plans. Denial of the waiver may require the developer to submit a revised site plan to the Development Review Board.

Date 3.9.09 Project Name ASLD Core South
Project Location SEC 960thdale Rd + Union Hills
Applicant Contact Lillian Moody Company Name Arizona State Land Report.
Phone 602.542.2643 Fax 542.4668 E-mail L.Moody@land.az.gov
Address 1616 W. Adams Phx. AZ. 85007

Waiver Criteria

A waiver is an intentional relinquishment of a claim or right. A project must meet at least one of six criteria listed below for the city to consider waiving some or all required stormwater storage. Check the applicable box and provide a signed engineering report and supporting engineering analyses that demonstrate the project meets the criteria and that the effect of a waiver will not increase the potential for flooding on any property.

- ☐ 1. The runoff for the project has been included in a storage facility at another location. The applicant must demonstrate that the stormwater storage facility was specifically designed to accommodate runoff from the subject property and that the runoff will be conveyed to this location through an adequately designed conveyance facility.
- ☒ 2. The development is adjacent to a watercourse or channel that an engineering analysis shows is designed and constructed to handle the additional runoff without increasing the potential for flood damage to the subject property or to any other property.
- ☐ 3. The development is on a parcel less than one-half acre in size in an area where the engineering analysis demonstrates there is no significant increase in potential for flood damage due to its development.
- ☐ 4. Stormwater storage requirements conflict with requirements of the Environmentally Sensitive Lands Ordinance (ESLO). The applicant must demonstrate there is no increased potential for flood damage to the subject property or to any other property. Such conflicts with ESLO may include:
- Total land requirements for storage basin, easements, setbacks, and NAOS prevent building allowable footprint per zoning.
 - Topography prevents building storage basin.
 - Creating a storage facility requires wash modification.
 - Instances where the Zoning Administrator cannot allow a modification to ESL requirements.
- ☐ 5. The project is located within the Downtown Fee Reduction Area as described and approved by City Council Resolution #6238 (see map). The applicant must demonstrate there is no increased potential for flood damage to any property. Even if the project is located in the Downtown area, if the project creates additional potential for increased flood damage, the developer must provide alternative mitigation methods to prevent the damage.
- ☐ 6. The project is located within a watershed that drains directly to the Salt River Pima-Maricopa Indian Community (SRPMIC) (see map). The project must provide the pre-development peak discharge flow to the SRPMIC, and attenuate flows over and above pre-development.

By signing below, I certify that the stated project meets the waiver criteria selected above as demonstrated by the attached documentation.

Developer or Engineer (circle one)

Lillian B. Moody

Date

3.09.09

Planning & Development Services Department

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

4-17-09

1st
Storm water
Waiver

6787-06-16



Request for Stormwater Storage Waiver

City of Scottsdale Case Numbers:

- PA -

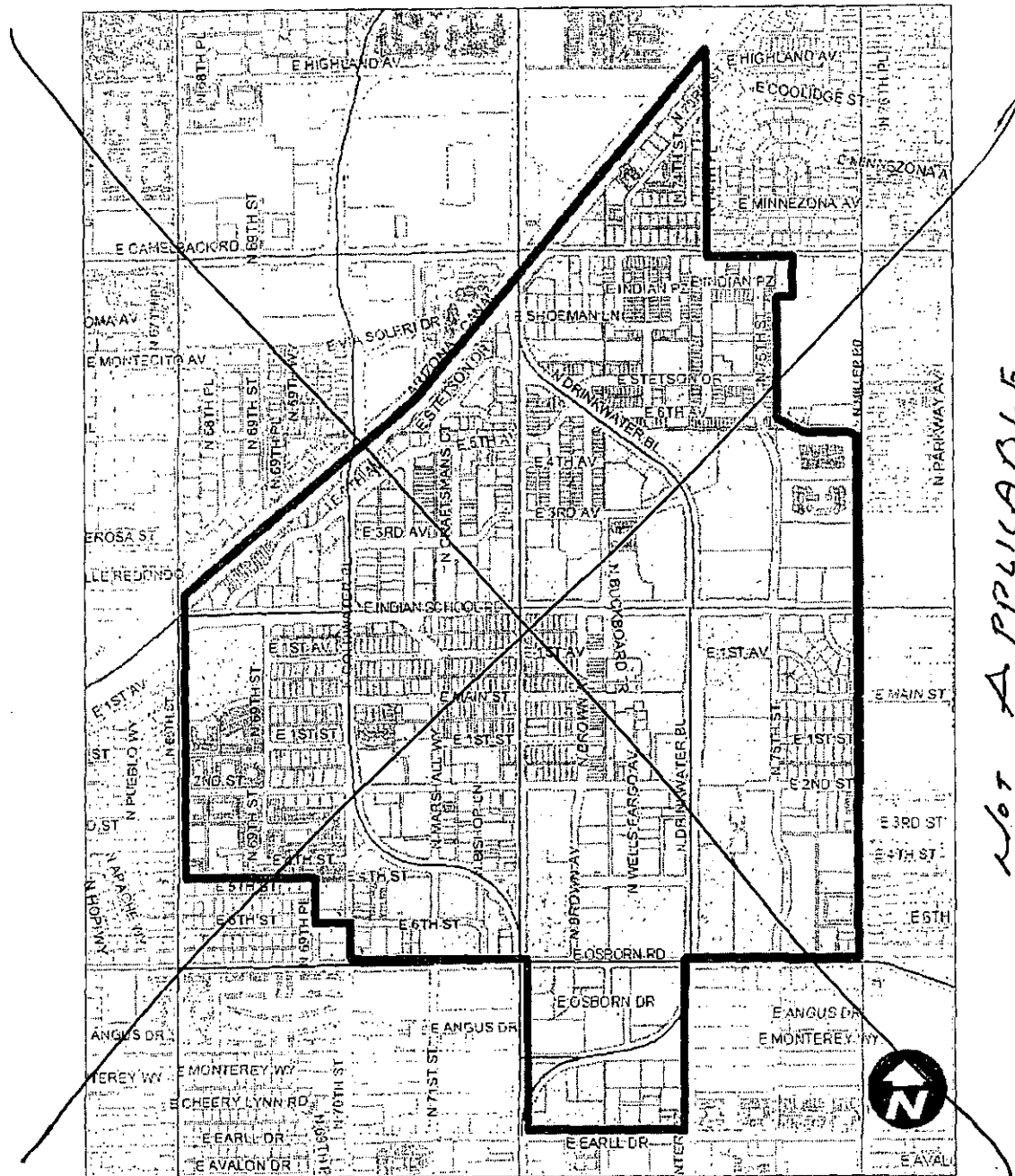
- ZN -

- UP -

- DR -

- PP -

PC#



Not APPLICABLE

Figure 1. Designated Area for Downtown Stormwater Storage Waivers

Planning & Development Services Department

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Request for Stormwater Storage Waiver

City of Scottsdale Case Numbers:

- PA -

- ZN -

- UP -

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- PP -

PC#

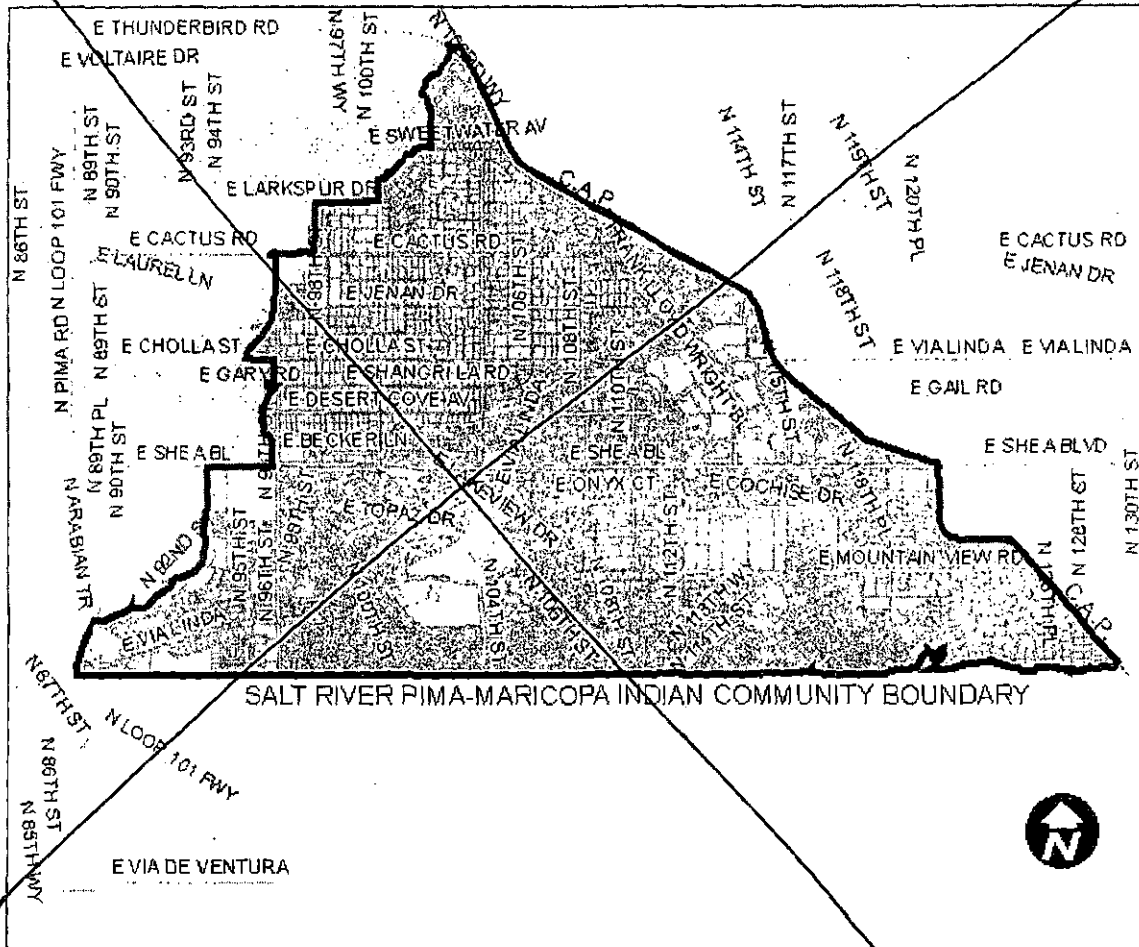


Figure 2. Watersheds Draining to Salt River Pima-Maricopa Indian Community

Planning & Development Services Department

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Request for Stormwater Storage Waiver

City of Scottsdale Case Numbers:

55 - PA - 2008 19 - ZN - 2008 - UP - - DR - - PP - PC# 6787-06-15

CITY STAFF TO COMPLETE THIS PAGE

Project Name _____

Check Appropriate Boxes:

☐ Meets waiver criteria (specify): ☐ 1 ☒ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6

☒ Recommend approve waiver. *see attachments next page*

☐ Recommend deny waiver:

☐ None of waiver criteria met.

☐ Downstream conditions prohibit waiver of any storage.

☐ Other:

Explain: _____

☐ Return waiver request:

☐ Insufficient data provided.

☐ Other: _____

Explain: _____

Recommended Conditions of Waiver:

☐ All storage requirements waived.

☐ Pre development conditions must be maintained.

☐ Other:

Explain: _____

☒ Waiver approved per above conditions.

☐ Waiver denied.

C. Ashley Couch

Floodplain Administrator or Designee

4/10/09

Date

Planning & Development Services Department

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



Request for Stormwater Storage Waiver

City of Scottsdale Case Numbers:

55 - PA - 2008 19 - ZN - 2008 - UP - - DR - - PP - PC# 1787-06-15

In-Lieu Fee and In-Kind Contributions

If the city grants a waiver, the developer is required to calculate and contribute an In-Lieu Fee based on what it would cost the city to provide the waived storage volume, including costs such as land acquisition, construction, landscaping, design, construction management, and maintenance over a 75-year design life. For FY 2007/2008, this cost is \$3.22 per cubic foot of stormwater stored. This unit cost will be updated annually, but the city reserves the right to revise the unit cost at any time at its sole discretion.

The Floodplain Administrator considers in-kind contributions on a case-by-case basis. An in-kind contribution can serve as part of or instead of the calculated in-lieu fee. The Floodplain Administrator or designee must approve in-lieu fees and in-kind contributions.

Project Name ASLD Core South

The waived stormwater storage volume is calculated as follows:

$V = CRA$; where

V = stormwater storage volume required, in cubic feet,

C = weighted average runoff coefficient over disturbed area,

R = 100-year/2-hour precipitation depth, in feet (2.82 inches, or 0.235 feet, for all regions of Scottsdale), and

A = area of disturbed ground, in square feet

Furthermore,

$V_w = V - V_p$; where

V_w = volume waived,

V = volume required, and

V_p = volume provided

$C = 0.9$
 $A = 341 \text{ AC.}$
 $V = 314,161$
 $V_p = \phi$
 $V_w = 314,161$

☐ An In-Lieu Fee will be paid, based on the following calculations and supporting documentation:

In-lieu fee (\$) = V_w (cu. ft.) x \$3.22 per cubic foot = \$2,174,080 from attachment

☒ An In-Kind Contribution will be made, as follows:

See Attachment dated 6-02-08 3.09.09
In Kind \$255,528 Wood Patel 7 p
1, 2, 4, 970 City Path Home than Normal

☐ No In-Lieu Fee is required. Reason:

Recommended Approval WKE 3/26/09
 Approved by: C. Ashley Couch

Floodplain Administrator or Designee

4/10/09
 Date

Planning & Development Services Department

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THOMPSON PEAK PARKWAY

ONE SCOTTSDALE

GREYHAWK

SCOTTSDALE ROAD

ONE SCOTTSDALE

CENTER DRIVE

A.S.L.D.

ADOT SR 101

REGIONAL FLOOD CONTROL IMPROVEMENTS

UNION HILLS DRIVE

PROPOSED REGIONAL CHANNEL

ASLD
34.1 ACRES
BENEFITING
PARCEL

2710'

A.S.L.D.

PRINCESS DRIVE

801'

451'

REGIONAL FLOOD CONTROL IMPROVEMENTS

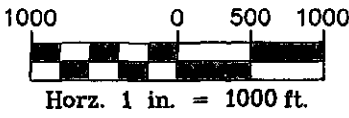


EXHIBIT 1

PROPOSED REGIONAL DRAINAGE SOLUTION

WOOD/PATEL
LAND DEVELOPMENT/WATER RESOURCES
TRANSPORTATION/TRAFFIC
WATER/WASTEWATER & SURVEYING
CONSTRUCTION MANAGEMENT
(508) 686-0800
PHOENIX • MESA • GODYEAR • TUCSON

JOB #: 073022

DATE: 03/09/09

March 9, 2009
WP#052583.15

Attachment to Stormwater Storage Wavier
Regional Drainage Solution

This project completes the City of Scottsdale's regional drainage improvements initially constructed a few years ago beginning at the south side of State Route 101 (just east of Scottsdale Road) and ending just south of Union Hills Road (east of Scottsdale Road). Specifically this project extends a drainage channel along Union Hills Drive and Scottsdale Road; to regional flood control improvements just north of Princess Drive (see Exhibit 1). Drainage will be conveyed to its historic location which is the north side of U.S. Bureau's Central Arizona Project (C.A.P.). Completion of the regional drainage system increases public health and safety with regard to potential regional drainage issues and serves Scottsdale Road, as well, affords reduced detention requirements for two parcels. The ASLD Core South parcel benefits by having 34.1 acres not require onsite detention, the One Scottsdale project benefits by having an outlet thus allowing its detention requirements to be reduced. The privately funded regional drainage solution completes the regional drainage solution for the area and becomes a valuable asset to the residents and businesses in the community at large.

ASLD has agreed to grant a right-of-entry on the Core South parcel in order for the drainage channel improvements to be extended. The area designated for the extension of the drainage channel on the Core South parcel could become the permanent location or the drainage channel could be relocated to another portion of Core South during the land planning process for the parcel. Accordingly, it is anticipated that at the time of disposition of the Core South parcel, a City of Scottsdale drainage easement will be retained for the permanent location of the drainage channel.

• Summary:

Total Cost Value

To Complete Regional Drainage Improvements = \$2,551,528¹

COS In Lieu Fee =

COS Calculation of Costs
\$ 2,419,970.00

\$2,174,080²

Reasonable
OK

$$2,419,970.00 / 2,551,528 =$$

95 %

5% Δ

OK

| | |
|----------------------------|--------------------|
| ¹ Design Costs: | \$200,000 |
| Channel Construction Cost: | \$751,258 |
| Land Easement Value | <u>\$1,600,000</u> |
| | \$2,551,528 |

² 15.5 acre ft. (reduced detention) x \$3.22/cu ft. = \$2,174,080

Of the 15.5 acre ft of detention being waived; 7.2 ac ft applies to ASLD's 34.1 acres (Exhibit 1) and 8.3 ac ft applies to One Scottsdale. (8.3 + 7.2 = 15.5 ac ft)

Y:\WP\General Correspondence\052583.15 One Scottsdale Stormwater Storage waiver.doc

5% greater than COS Fee
WP " " " "
OK

City of Scottsdale

INTERIM REGIONAL DRAINAGE CHANNEL IMPROVEMENT

Summary

| | |
|-----------------|--------------------|
| Survey | \$25,000.00 |
| SWPPP | \$21,000.00 |
| Excavation | \$101,455.00 |
| Export | \$115,538.00 |
| Rip-Rap | \$50,000.00 |
| Gambions | \$164,500.00 |
| Hydroseed | \$42,600.00 |
| Box Culvert | <u>\$95,700.00</u> |
| | \$615,793.00 |
| Gen. Conditions | <u>\$49,263.00</u> |
| | \$665,056.00 |
| Fee | <u>\$66,506.00</u> |
| | \$731,562.00 |
| Bond | <u>\$10,973.00</u> |
| | \$742,535.00 |
| Tax | <u>\$38,389.00</u> |
| | \$780,924.00 |
| Contingency | <u>\$39,046</u> |
| Total | \$819,970.00 |

Add Land Costs
from agreement
by Stan Seigal

1,600,000.00

\$ 2,400,000.00
2,419,970.00

Couch, Ashley

From: Seigal, Stanley
Sent: Thursday, March 05, 2009 4:34 PM
To: Couch, Ashley
Cc: Haley, Dennis; Earle, Derek; Worth, Daniel
Subject: Estimate of Drainage Easement - State Lands- Scottsdale Road / Princess Drive to Union Hills Drive - east side

Attachments: Well Site - Water Resources- Princess Drive.pdf

Ashley:

You provided me with a map showing approximately 34.1 acres of State Land and requested that I provide you with an estimate of the real estate costs to acquire a drainage easement across the northern and westerly boundaries of the State's parcel. The drainage easement requested is 3.68 acres (160,300 sq/ft). Given the length of the drainage channel 3,311 feet it would suggest the width of the right of way for this drainage channel is 48.41 feet.

The most recent evidence that I have that is helpful in making this estimate is the cost of right of way we paid to the ASLD for a buried 69kv transmission line in Scottsdale Road just north of the Loop #1 just about a year ago. The land value the ASLD established for that area was \$20 sq/ft. Another area which we have some evidence of is at Union Hills Road at the crossing of the Loop #10; this is approximately 1.5 south and east of Scottsdale Road and Princess. The land value they established for this project was \$19.50 sq/ft as of July 2008. This is the latest information that I have that is useful in trying to determine what the ASLD would charge for a right of way (easement) for this drainage channel.

We are expecting to have an appraisal in the next several months for a 1.17 acre parcel we will be acquiring from the Bureau of Reclamation. Except for its small size, it could provide some new sales data that might be helpful. This parcel is located just to the south of the ASLD parcel and on the north side of Princess Drive. I have attached a copy of the map that shows what we are trying to purchase. Water Resources has been waiting sometime for us to purchase this parcel and there is an existing well site and plans to drill another one for ground water recharge. I would suggest Water Resources be involved with your work so they can determine what impact(s) if any the proposed drainage ditch might cause to their future use of the property we are planning to purchase.

Without more specific current sales data at this time, I believe it is appropriate to use the land value of \$20 sq/ft. Since the drainage channel is an open structure the ASLD would very likely use an intensive use factor of 85% of the fee value (not the 50% suggested by the consultants report) in determining the value of this open channel. There are several import issues that I can not account for at this time, they are zoning and possible severance damages. The issue of severance damages is relevant since it is an open channel along the total frontage of Scottsdale Road. This is an issue that an appraiser would be required to consider in valuing the property, together with the highest and best determination consistent with zoning. Neither of these two issues are accounted for in the estimate I am providing. Please understand this is only an estimate and this is not to be construed as an appraisal; if you need an appraisal to support the real estate values then we will need to hire an appraiser.

Based on the information that I have expressed here, the best estimate of what I think the real estate acquisition costs for this drainage channel is:

$\$20 \text{ sq/ft} \times .85 \times 160,300 \text{ sq/ft} = \text{or } \$2,725,000.$

I trust this will provide you with the information you need.

Thanks

Stan Seigal

03/27/2009

6787-06-15 One Scottsdale LLC and Arizona State Land

City of Scottsdale estimated costs \$ 2,419,970.00,

Wood Patel estimated costs \$ 2,551,528.00

City of Scottsdale normal fee costs, \$ 2,174,080.00

Stan Seigal agrees that land costs were appropriate.

Both applications State Land and One Scottsdale LLC ready for Couch Signature.

CITY

12R-06



Request for Stormwater Storage Waiver

City of Scottsdale Case Numbers:
 55 - PA - 2008 19 - ZN - 2008 - UP - - DR - - PP - PC# 678706-15

The applicant/developer must complete and submit this form to the city for processing and obtain approval of waiver request **before** submitting improvement plans. Denial of the waiver may require the developer to submit a revised site plan to the Development Review Board.

Date 3.09.09 Project Name ONE SCOTTSDALE
 Project Location SEC Scottsdale Rd + Thompson Peak Parkway
 Applicant Contact Darrel Wood Company Name Wood/Patel for One Scottsdale LLC
 Phone 602-335-0500 Fax 644-9509 E-mail dwood@woodpatel.com
 Address 2051 W. McDowell Ave Phoenix AZ 85021

Waiver Criteria

A waiver is an intentional relinquishment of a claim or right. A project must meet at least one of six criteria listed below for the city to consider waiving some or all required stormwater storage. Check the applicable box and provide a signed engineering report and supporting engineering analyses that demonstrate the project meets the criteria and that the effect of a waiver will not increase the potential for flooding on any property.

- ☐ 1. The runoff for the project has been included in a storage facility at another location. The applicant must demonstrate that the stormwater storage facility was specifically designed to accommodate runoff from the subject property and that the runoff will be conveyed to this location through an adequately designed conveyance facility.
- ☒ 2. The development is adjacent to a watercourse or channel that an engineering analysis shows is designed and constructed to handle the additional runoff without increasing the potential for flood damage to the subject property or to any other property.
- ☐ 3. The development is on a parcel less than one-half acre in size in an area where the engineering analysis demonstrates there is no significant increase in potential for flood damage due to its development.
- ☐ 4. Stormwater storage requirements conflict with requirements of the Environmentally Sensitive Lands Ordinance (ESLO). The applicant must demonstrate there is no increased potential for flood damage to the subject property or to any other property. Such conflicts with ESLO may include:
 - Total land requirements for storage basin, easements, setbacks, and NAOS prevent building allowable footprint per zoning.
 - Topography prevents building storage basin.
 - Creating a storage facility requires wash modification.
 - Instances where the Zoning Administrator cannot allow a modification to ESL requirements.
- ☐ 5. The project is located within the Downtown Fee Reduction Area as described and approved by City Council Resolution #6238 (see map). The applicant must demonstrate there is no increased potential for flood damage to any property. Even if the project is located in the Downtown area, if the project creates additional potential for increased flood damage, the developer must provide alternative mitigation methods to prevent the damage.
- ☐ 6. The project is located within a watershed that drains directly to the Salt River Pima-Maricopa Indian Community (SRPMIC) (see map). The project must provide the pre-development peak discharge flow to the SRPMIC, and attenuate flows over and above pre-development.

By signing below, I certify that the stated project meets the waiver criteria selected above as demonstrated by the attached documentation.

Developer or Engineer (circle one) Darrel B. Wood

Date 3.09.09

Planning & Development Services Department

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

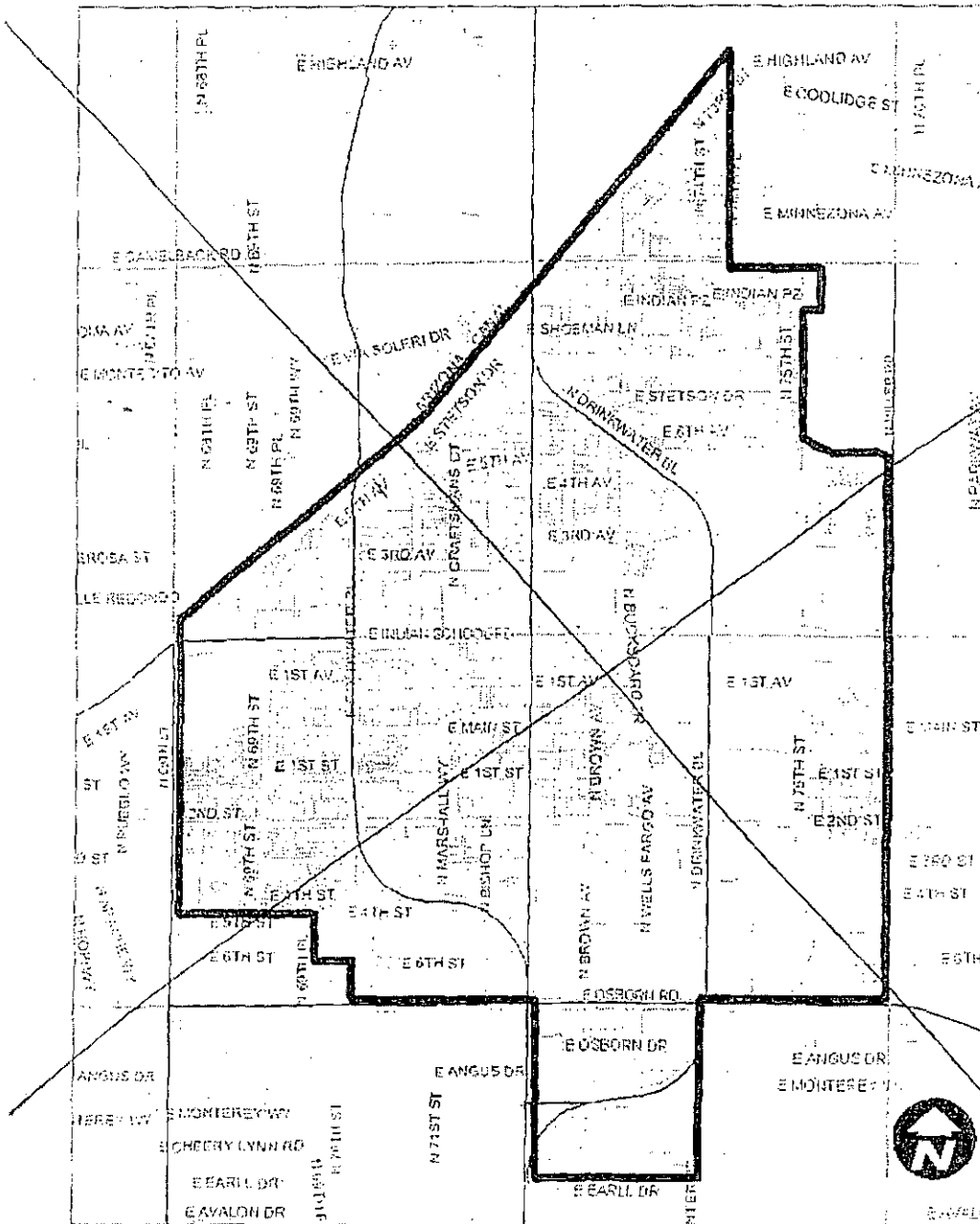
678706-15 storm water



Request for Stormwater Storage Waiver

City of Scottsdale Case Numbers:

- PA - - ZN - - UP - - DR - - PP - PC#



NOT APPLICABLE

Figure 1. Designated Area for Downtown Stormwater Storage Waivers

Planning & Development Services Department

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



Request for Stormwater Storage Waiver

City of Scottsdale Case Numbers:
65 - PA - 2006 19 - ZN - 2009 - UP - - DR - - PP - PC# 6787-06-15

CITY STAFF TO COMPLETE THIS PAGE

Project Name _____

Check Appropriate Boxes:

☐ Meets waiver criteria (specify): ☐ 1 ☒ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6

☒ Recommend approve waiver. *See next page and attachments*

☐ Recommend deny waiver:

☐ None of waiver criteria met.

☐ Downstream conditions prohibit waiver of any storage.

☐ Other:

Explain: _____

☐ Return waiver request:

☐ Insufficient data provided.

☐ Other: _____

Explain: _____

Recommended Conditions of Waiver:

☐ All storage requirements waived.

☐ Pre development conditions must be maintained.

☐ Other:

Explain: _____

☒ Waiver approved per above conditions.

☐ Waiver denied.

C. Ashley Couch
Floodplain Administrator or Designee

4/10/09
Date

Planning & Development Services Department

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



Request for Stormwater Storage Waiver

City of Scottsdale Case Numbers:

99 - PA - 1008 19 - ZN - 2008 - UP - - DR - - PP - PC#

In-Lieu Fee and In-Kind Contributions

If the city grants a waiver, the developer is required to calculate and contribute an In-Lieu Fee based on what it would cost the city to provide the waived storage volume, including costs such as land acquisition, construction, landscaping, design, construction management, and maintenance over a 75-year design life. For FY 2007/2008, this cost is \$3.22 per cubic foot of stormwater stored. This unit cost will be updated annually, but the city reserves the right to revise the unit cost at any time at its sole discretion.

The Floodplain Administrator considers in-kind contributions on a case-by-case basis. An in-kind contribution can serve as part of or instead of the calculated in-lieu fee. The Floodplain Administrator or designee must approve in-lieu fees and in-kind contributions.

Project Name ONE SCOTTSDALE

The waived stormwater storage volume is calculated as follows:

V = CRA; where

V = stormwater storage volume required, in cubic feet,

C = weighted average runoff coefficient over disturbed area,

R = 100-year/2-hour precipitation depth, in feet (2.82 inches, or 0.235 feet, for all regions of Scottsdale), and

A = area of disturbed ground, in square feet

Furthermore,

$V_w = V - V_p$; where

V_w = volume waived,

V = volume required, and

V_p = volume provided

C =

A =

V = 10.6 AC Ft

V_p = 8.3 AC Ft

V_w = 2.3 AC Ft

☐ An In-Lieu Fee will be paid, based on the following calculations and supporting documentation:

In-lieu fee (\$) = V_w (cu. ft.) x \$3.22 per cubic foot = \$2,174,080 From Attachment

☒ An In-Kind Contribution will be made, as follows:

See Attachment dated 3-09-09
\$2,551,528 Wood Pallet
\$2,419,970 City & Both more than normal

☐ No In-Lieu Fee is required. Reason:

Approved By: C. Ashley Couch 2/26/09

Floodplain Administrator or Designee

4/10/09
Date

Planning & Development Services Department

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

OPINION OF PROBABLE COST—SPECIFIC CONSTRUCTION ITEMS

ENGINEERING OPINION OF PROBABLE COSTS

| ITEM NO. | ITEM DESCRIPTION | ESTIMATED QUANTITY | UNIT | UNIT PRICE | TOTAL AMOUNT |
|----------|---------------------------------|--------------------|-----------|--------------|--------------|
| 1 | Earthwork | 20,291 | CY (cut) | \$8.00 | \$162,328.00 |
| 2 | Earthwork Export | 18,486 | CY (haul) | \$3.00 | \$55,458.00 |
| 3 | Riprap & 76 Baskets | 1,821 | CY | \$114.00 | \$207,594.00 |
| 4 | Hydroseed | 14,793 | SY | \$2.88 | \$42,604.00 |
| 5 | Culvert (3.8' W x 3' H x 87' L) | 1 | EA | \$116,000.00 | \$116,000.00 |
| 6 | Staking and Testing | 1 | EA | \$25,000.00 | \$25,000.00 |
| 7 | General Conditions | 1 | EA | \$50,000.00 | \$50,000.00 |
| 8 | Project Insurance | 1 | EA | \$6,500.00 | \$6,500.00 |
| 9 | Contingency | 1 | EA | \$50,000.00 | \$50,000.00 |
| | | | | | |
| 10 | Overhead and Profit | | | Subtotal | \$715,484.00 |
| | | | | | \$35,774.00 |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

PROJECT TOTAL

\$751,258.00



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REGIONAL FLOOD
CONTROL IMPROVEMENTS

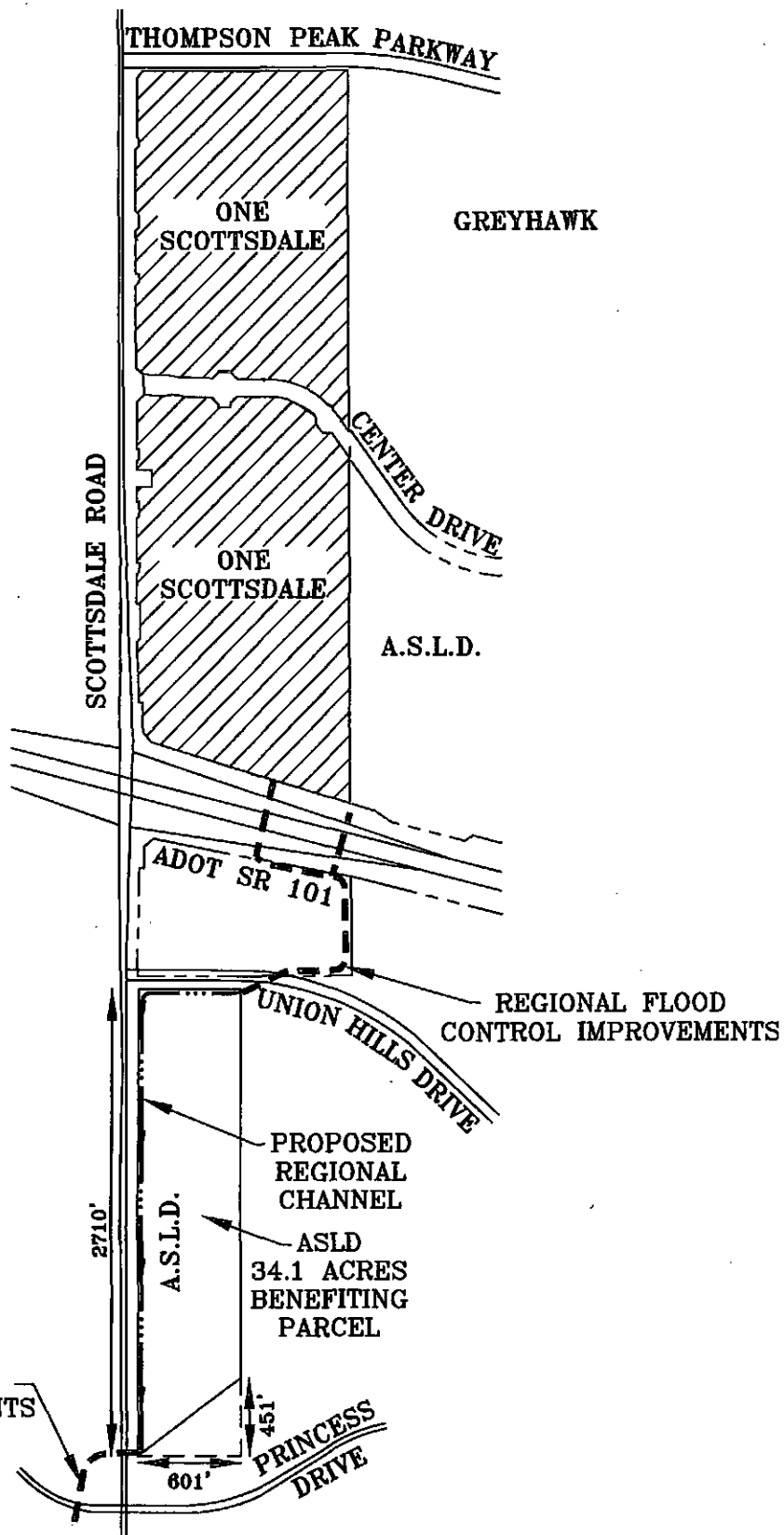
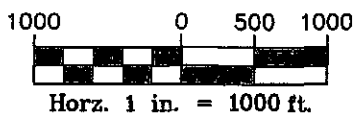


EXHIBIT 1

**PROPOSED REGIONAL
DRAINAGE SOLUTION**

JOB #: 073022

DATE: 03/09/09

WOOD/PATEL
LAND DEVELOPMENT / WATER RESOURCES
TRANSPORTATION / TRAFFIC
WATER / WASTEWATER & SEWER
CONSTRUCTION MANAGEMENT
CADD / GIS / CAD
PHOENIX • MESA • GILBERT • TUCSON

Attachment to Stormwater Storage Wavier
Regional Drainage Solution

This project completes the City of Scottsdale's regional drainage improvements initially constructed a few years ago beginning at the south side of State Route 101 (just east of Scottsdale Road) and ending just south of Union Hills Road (east of Scottsdale Road). Specifically this project extends a drainage channel along Union Hills Drive and Scottsdale Road; to regional flood control improvements just north of Princess Drive (see Exhibit 1). Drainage will be conveyed to its historic location which is the north side of U.S. Bureau's Central Arizona Project (C.A.P.). Completion of the regional drainage system increases public health and safety with regard to potential regional drainage issues and serves Scottsdale Road, as well, affords reduced detention requirements for two parcels. The ASLD Core South parcel benefits by having 34.1 acres not require onsite detention, the One Scottsdale project benefits by having an outlet thus allowing its detention requirements to be reduced. The privately funded regional drainage solution completes the regional drainage solution for the area and becomes a valuable asset to the residents and businesses in the community at large.

ASLD has agreed to grant a right-of-entry on the Core South parcel in order for the drainage channel improvements to be extended. The area designated for the extension of the drainage channel on the Core South parcel could become the permanent location or the drainage channel could be relocated to another portion of Core South during the land planning process for the parcel. Accordingly, it is anticipated that at the time of disposition of the Core South parcel, a City of Scottsdale drainage easement will be retained for the permanent location of the drainage channel.

• Summary:

Total Cost Value

To Complete Regional Drainage Improvements= \$2,551,528¹

COS In Lieu Fee = \$2,174,080²

| | |
|----------------------------|--------------------|
| ¹ Design Costs: | \$200,000 |
| Channel Construction Cost: | \$751,258 |
| Land Easement Value | <u>\$1,600,000</u> |
| | \$2,551,528 |

² 15.5 acre ft, (reduced detention) x \$3.22/cu ft. = \$2,174,080

Of the 15.5 acre ft of detention being waived; 7.2 ac ft applies to ASLD's 34.1 acres (Exhibit 1) and 8.3 ac ft applies to One Scottsdale. (8.3 + 7.2 = 15.5 ac ft)

March 9, 2009
WP#052583.15

Attachment to Stormwater Storage Wavier
Regional Drainage Solution

This project completes the City of Scottsdale's regional drainage improvements initially constructed a few years ago beginning at the south side of State Route 101 (just east of Scottsdale Road) and ending just south of Union Hills Road (east of Scottsdale Road). Specifically this project extends a drainage channel along Union Hills Drive and Scottsdale Road; to regional flood control improvements just north of Princess Drive (see Exhibit 1). Drainage will be conveyed to its historic location which is the north side of U.S. Bureau's Central Arizona Project (C.A.P.). Completion of the regional drainage system increases public health and safety with regard to potential regional drainage issues and serves Scottsdale Road, as well, affords reduced detention requirements for two parcels. The ASLD Core South parcel benefits by having 34.1 acres not require onsite detention, the One Scottsdale project benefits by having an outlet thus allowing its detention requirements to be reduced. The privately funded regional drainage solution completes the regional drainage solution for the area and becomes a valuable asset to the residents and businesses in the community at large.

ASLD has agreed to grant a right-of-entry on the Core South parcel in order for the drainage channel improvements to be extended. The area designated for the extension of the drainage channel on the Core South parcel could become the permanent location or the drainage channel could be relocated to another portion of Core South during the land planning process for the parcel. Accordingly, it is anticipated that at the time of disposition of the Core South parcel, a City of Scottsdale drainage easement will be retained for the permanent location of the drainage channel.

• Summary:

Total Cost Value

To Complete Regional Drainage Improvements= \$2,551,528¹

COS In Lieu Fee =

\$2,174,080²

Reasonable
OK

COS Calculation of Costs
\$ 2,419,970.00

$$2,419,970.00 / 2,551,528 =$$

95%

5% Δ

OK

| | |
|----------------------------|-------------|
| ¹ Design Costs: | \$200,000 |
| Channel Construction Cost: | \$751,258 |
| Land Easement Value | \$1,600,000 |
| | \$2,551,528 |

² 15.5 acre ft. (reduced detention) x \$3.22/cu ft. = \$2,174,080

Of the 15.5 acre ft of detention being waived; 7.2 ac ft applies to ASLD's 34.1 acres (Exhibit 1) and 8.3 ac ft applies to One Scottsdale. (8.3 + 7.2 = 15.5 ac ft)

5% greater than COS Fee
WP " " " " OK

City of Scottsdale

INTERIM REGIONAL DRAINAGE CHANNEL IMPROVEMENT

Summary

| | |
|-----------------|--------------------|
| Survey | \$25,000.00 |
| SWPPP | \$21,000.00 |
| Excavation | \$101,455.00 |
| Export | \$115,538.00 |
| Rip-Rap | \$50,000.00 |
| Gambions | \$164,500.00 |
| Hydroseed | \$42,600.00 |
| Box Culvert | <u>\$95,700.00</u> |
| | \$615,793.00 |
| Gen. Conditions | <u>\$49,263.00</u> |
| | \$665,056.00 |
| Fee | <u>\$66,506.00</u> |
| | \$731,562.00 |
| Bond | <u>\$10,973.00</u> |
| | \$742,535.00 |
| Tax | <u>\$38,389.00</u> |
| | \$780,924.00 |
| Contingency | <u>\$39,046</u> |
| Total | \$819,970.00 |

Add Land Costs
from agreement
by Stan Seigal

1,600,000.00
2,400,000.00

2,419,970.00

Couch, Ashley

From: Seigal, Stanley
Sent: Thursday, March 05, 2009 4:34 PM
To: Couch, Ashley
Cc: Haley, Dennis; Earle, Derek; Worth, Daniel
Subject: Estimate of Drainage Easement - State Lands- Scottsdale Road / Princess Drive to Union Hills Drive - east side

Attachments: Well Site - Water Resources- Princess Drive.pdf

Ashley:

You provided me with a map showing approximately 34.1 acres of State Land and requested that I provide you with an estimate of the real estate costs to acquire a drainage easement across the northern and westerly boundaries of the State's parcel. The drainage easement requested is 3.68 acres (160,300 sq/ft). Given the length of the drainage channel 3,311 feet it would suggest the width of the right of way for this drainage channel is 48.41 feet.

The most recent evidence that I have that is helpful in making this estimate is the cost of right of way we paid to the ASLD for a buried 69kv transmission line in Scottsdale Road just north of the Loop #1 just about a year ago. The land value the ASLD established for that area was \$20 sq/ft. Another area which we have some evidence of is at Union Hills Road at the crossing of the Loop #10; this is approximately 1.5 south and east of Scottsdale Road and Princess. The land value they established for this project was \$19.50 sq/ft as of July 2008. This is the latest information that I have that is useful in trying to determine what the ASLD would charge for a right of way (easement) for this drainage channel.

We are expecting to have an appraisal in the next several months for a 1.17 acre parcel we will be acquiring from the Bureau of Reclamation. Except for its small size, it could provide some new sales data that might be helpful. This parcel is located just to the south of the ASLD parcel and on the north side of Princess Drive. I have attached a copy of the map that shows what we are trying to purchase. Water Resources has been waiting sometime for us to purchase this parcel and there is an existing well site and plans to drill another one for ground water recharge. I would suggest Water Resources be involved with your work so they can determine what impact(s) if any the proposed drainage ditch might cause to their future use of the property we are planning to purchase.

Without more specific current sales data at this time, I believe it is appropriate to use the land value of \$20 sq/ft. Since the drainage channel is an open structure the ASLD would very likely use an intensive use factor of 85% of the fee value (not the 50% suggested by the consultants report) in determining the value of this open channel. There are several import issues that I can not account for at this time, they are zoning and possible severance damages. The issue of severance damages is relevant since it is an open channel along the total frontage of Scottsdale Road. This is an issue that an appraiser would be required to consider in valuing the property, together with the highest and best determination consistent with zoning. Neither of these two issues are accounted for in the estimate I am providing. Please understand this is only an estimate and this is not to be construed as an appraisal; if you need an appraisal to support the real estate values then we will need to hire an appraiser.

Based on the information that I have expressed here, the best estimate of what I think the real estate acquisition costs for this drainage channel is:

$\$20 \text{ sq/ft} \times .85 \times 160,300 \text{ sq/ft} = \text{or } \$2,725,000.$

I trust this will provide you with the information you need.

Thanks

Stan Seigal

03/27/2009

6787-06-15 One Scottsdale LLC and Arizona State Land

City of Scottsdale estimated costs \$ 2,419,970.00,

Wood Patel estimated costs \$ 2,551,528.00

City of Scottsdale normal fee costs, \$ 2,174,080.00

Stan Seigal agrees that land costs were appropriate.

Both applications State Land and One Scottsdale LLC ready for Couch Signature.