



## STAFF APPROVAL LETTER

101-SA-2011

Scottsdale Waterfront

### STEP 1

#### STAFF APPROVAL NOTIFICATION

This letter is notification that your request has been conceptually approved by Current Planning Services staff.

**Additional review and permits may be required. Refer to Final Plan Review Submittal Requirements below.**

This approval expires one (1) year from date of approval if work for which approval has been granted has not been completed.

#### PROJECT INFORMATION

LOCATION: 7135 E Camelback Rd  
PARCEL: 173-42-385A  
Q.S.: 17-44  
CODE VIOLATION #:

APPLICANT: Joanne Carty  
COMPANY: Main Street Real Estate Advisors  
ADDRESS: 7135 E Camelback Rd 155 Scottsdale, Az  
PHONE: 480-247-8071

Request: replace existing Sisso trees located in the Marshall Wy right of way landscaping

1. The Staff Approval is for the removal of 5 existing Sisso trees from the east side of the Marshall Way right of way landscaping and replacing them with 5 -36in box size 'Heritage' Live Oak trees.
2. A city Minimum Encroachment permit will be required to do work in the city right of way. -see attached link <http://www.scottsdaleaz.gov/Assets/Public+Website/bldgresources/PermitApplication.pdf>
3. Provide a Barricade Plan for the construction work to be performed in the city right of way. -see attached link <http://www.scottsdaleaz.gov/Assets/Public+Website/bldgresources/TCP+cover+sheet.pdf>
4. Contact Blue Stake at 602-263-1100 to schedule for underground utilities locations before starting any excavation.
5. For any additional information on the Minimum Encroachment Permit and Barricade Plan submittal process call 480-312-2500 and ask to speak with a Development Services Representative.

Related Cases: 196-PA-2001, 98-DR-1998

SIGNATURE: Bill Barnes  
Bill Barnes

DATE APPROVED: 3/31/2011

### STEP 2

#### FINAL PLAN REVIEW SUBMITTAL REQUIREMENTS

No additional reviews or permits are required.

**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.

SIGNATURE: \_\_\_\_\_





# Staff Approval Application

## Submittal Requirements

OK to submit / Bill Barnes

101-SA-2011

Project Name: SCOTTSDALE WATERFRONT City Staff Contact: BILL BARNES

Project Address: 7135 E. CAMELBACK RD, SCOTTSDALE, AZ 85251

Zoning: D/RCO-Z PBD "D0" A.P.N.: 173-42-385A Quarter Section: 17-44

Associated References: Project Number: 196-PA-2011 Plan Check Number: \_\_\_\_\_ Case(s): 98-DR-1998

Request: REPLACE 5 SISSO TREES ALONG MARSHALL WAY W/ LIVE PINE OAK TREES. EXISTING TREES ARE A SAFETY HAZARD AND HAVE EXCEEDED USEFUL LIFE. PINE OAK TREES ARE IN EXISTING SWF PLANT PALATE.

Is there an outstanding Code Enforcement citation or Notice of Compliance? ☐ Yes ☒ No If yes, provide a copy.

Owner: METTLER 1 SCOTTSDALE WATERFRONT LP Applicant: SAME

MAIN STREET REAL ESTATE ADVISORS AS MANAGING

Company: AGENT FOR SCOTTSDALE WATERFRONT MASTER ASSOCIATION & METTLER 1 SCOTTSDALE WATERFRONT Company: \_\_\_\_\_

Phone: 480-247-8071 Fax: 480-247-7606 Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Phone: 398-2239 E-mail: jcarty@msrea.net E-mail: \_\_\_\_\_

E-mail: \_\_\_\_\_

Address: 7135 E. CAMELBACK RD, STEISS, SCOTTSDALE Address: \_\_\_\_\_

Address: \_\_\_\_\_

**Submittal Requirements: Please submit 1 copy of materials requested below. All plans must be folded.**

- |  |  |
|--|--|
| <p><input checked="" type="checkbox"/> <b>Completed Application (this form) and Application Fee</b> -- \$ <u>85.00</u> (fee subject to change every July)</p> <p><input checked="" type="checkbox"/> <b>Context Aerial</b> with site highlighted</p> <p><input checked="" type="checkbox"/> <b>Site Location Map</b></p> <p><input checked="" type="checkbox"/> <b>Maricopa County Assessor's Parcel Map</b> with site location highlighted</p> <p><input checked="" type="checkbox"/> <b>Narrative</b> describing nature of request</p> <p><input checked="" type="checkbox"/> <b>Property Owner's Authorization</b>, or signature below</p> <p><input checked="" type="checkbox"/> <b>Homeowners/Property Owners Association Approval</b> (if applicable).</p> <p><input checked="" type="checkbox"/> <b>Color Photographs of site</b> - including all areas of change.</p> <p><input checked="" type="checkbox"/> <b>Site plan</b> indicating extent and location of additions, buildings and other structures, indicate dimensions of existing and proposed structures, sidewalks, or driveways as well as any required setbacks.</p> <p><input checked="" type="checkbox"/> <b>Lighting</b> - provide cut sheets, details, photometric for any proposed lighting.</p> | <p><input checked="" type="checkbox"/> <b>Cross Sections</b> - for all cuts and fills</p> <p><input checked="" type="checkbox"/> <b>Floor Plan(s)</b> of additions, alterations, or new structures. The floor plan shall be dimensioned and clearly delineate existing and proposed construction.</p> <p><input checked="" type="checkbox"/> <b>Landscape Plan</b> indicating location of existing and new plants, location and dimension of paving, a plant palette with names, symbols, sizes, spacing &amp; quantities, and open space/landscaping calculations.</p> <p><input checked="" type="checkbox"/> <b>Elevation Drawings or Color Photosimulations</b> of new additions, buildings, or other changes with materials and colors noted and keyed to material samples.</p> <p><input checked="" type="checkbox"/> <b>Material Samples</b> - color chips, awning fabric, glazing, etc.</p> <p><input checked="" type="checkbox"/> <b>Conceptual Grading &amp; Drainage Plan</b> showing existing &amp; proposed drainage flows, channels and retention.</p> <p><input checked="" type="checkbox"/> <b>Copy of Liquor License Application</b> (For all bars/restaurants/patios)</p> <p><input checked="" type="checkbox"/> <b>Airport Vicinity Development Checklist</b> - provided</p> <p><input checked="" type="checkbox"/> <b>Current Title Report</b></p> <p><input checked="" type="checkbox"/> <b>Other:</b> _____</p> |
|--|--|

**Please Note:** After staff review, it may be determined that this request requires approval by the Development Review Board through the public hearing process. If approved at staff level, this approval expires twelve (12) months from date of approval if a permit is required but has not been issued.

Signature: Joanne E. Carty Circle One: Applicant ☐ Owner ☒

Date: 3-21-11

**Official Use Only:**

Submittal Date: \_\_\_\_\_

City Staff Signature: \_\_\_\_\_

**Planning & Development Services Department**

7447 E Indian School Road, Suite 105, Scottsdale, AZ 85251 • Phone: 480-312-7000 • Fax: 480-312-7800

**Joanne Carty, Senior Property Manager**

**Main Street Real Estate Advisors**

**As Managing Agent for**

METTLER 1 SCOTTSDALE WATERFRONT LP AND SCOTTSDALE WATERFRONT MASTER ASSOCIATION



# SITE PLAN







A.M.E. SOUTHWEST, INC.

23 March 2011

Ms. Bill Barnes  
City of Scottsdale  
7447 E. Indian School Road, Suite 105  
Scottsdale, Arizona 85251

RE: SCOTTSDALE WATERFRONT TREES ON EAST SIDE OF MARSHALL WAY, SOUTH OF CAMELBACK  
Dear Mr. Barnes

We are submitting this application for Staff approval regarding removing the Sissoo trees along the east side of Marshall Way, south of Camelback Road.

AME Southwest has been maintaining this property for more than two years and there is concern that these trees are creating a hazard for the cars parked just beneath them.

Please refer to the photo exhibit page included in our application which shows that the trees have trunks that are reaching out to the street and have been repeatedly staked to protect the cars. We would like to replace these existing Sissoo trees with 'Heritage' Live Oaks which are already used within the property. I feel that the character and growth pattern of the 'Heritage' Live Oak is a much more suitable tree for this circumstance.

Thank you for your consideration and please contact me with any questions you may have.

Sincerely,

*Sharon P. Miller*

Sharon Miller, R.L.A., A.S.L.A.  
Landscape Architect  
A.M.E. Southwest, Inc.

NOTE.

36" BOX TREES TO BE INSTALLED

B. BARNES 3/30/11

t. 480.588.3160 f. 480.558.4959 1403 W. Scott Avenue Gilbert, AZ 85233



# City of Scottsdale Cash Transmittal

# 86797

\*\*\*\*\* DUPLICATE \*\*\*\*\*

86797  
7 00338559  
03/23/11 PLN-1STOP  
LORS CQSDC32015  
3/23/2011 3:58 PM  
\$85.00

Received From :

MAIN STREET REAL ESTATE ADVISORS  
7135 E CAMELBACK RD 155  
SCOTTSDALE, AZ  
480-247-8071

Bill To :

\*\*\*\*\* DUPLICATE \*\*\*\*\*

Reference # 196-PA-2011-0  
Address 7135 E CAMELBACK RD  
Subdivision SCOTTSDALE WATERFRONT COMMERCIAL CONDOMINIUM

Issued Date 3/23/2011  
Paid Date 3/23/2011  
Payment Type CREDIT CARD

Marketing Name

Lot Number

Cost Center

MCR 748-25  
APN 173-42-385A

County No

Metes/Bounds No

Gross Lot Area 0

Water Zone

NAOS Lot Area 0

Water Type

Owner Information

METZLER I SCOTTSDALE WATERFRONT LP  
7135 E CAMELBACK RD ST 155  
SCOTTSDALE, AZ 85251  
480-247-8071

Net Lot Area

Sewer Type

Number of Units 1

Meter Size

Density

QS 17-44

Code	Description	Additional	Qty	Amount	Account Number
3166	STAFF APPROVAL (MINOR-CASE)		1	\$85.00	100-21300-44221

SIGNED BY JOANNE CARTY ON 3/23/2011

Total Amount

\$85.00

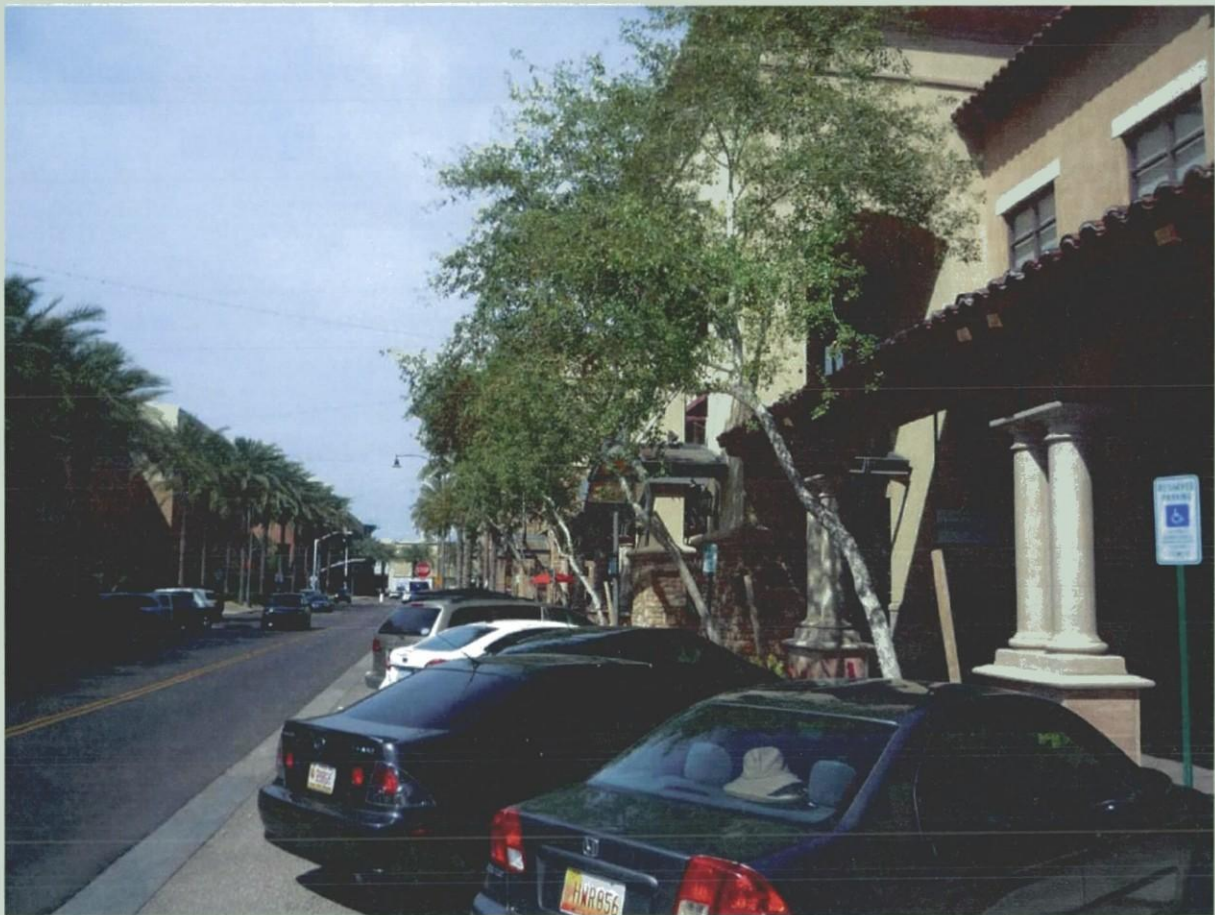
(When a credit card is used as payment I agree to pay the above total amount according to the Card issuer Agreement.)

TO HAVE WATER METER SET - CALL 480-312-5650 AND REFER TO TRANSMITTAL # 86797



A.M.E. SOUTHWEST, INC.

SCOTTSDALE WATERFRONT TREES  
EAST SIDE OF MARSHALL WAY, SOUTH OF CAMELBACK







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SCOTTSDALE WATERFRONT TREES  
EAST SIDE OF MARSHALL WAY, SOUTH OF CAMELBACK







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SCOTTSDALE WATERFRONT TREES  
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