



MINOR SUBDIVISION APPROVAL LETTER

34-PP-2012

9400 Shea

STEP 1

APPROVAL NOTIFICATION

This letter is notification that your application to assemble the property has been conceptually approved by Current Planning Services staff.

Submit a copy of this letter along with the Final Plan Review Submittal Requirements listed below to complete your request for a Land Assemblage

This approval expires one (1) year from date of approval if the final recording of the Land Assemblage has not been completed.

PROJECT INFORMATION

LOCATION: 9397 E Shea Bl
PARCEL(S): 217-36-001M
Q.S.: 28-50
CODE VIOLATION #: N/A

APPLICANT: Jerry D Heath, RLS
COMPANY: Hunter Engineering
ADDRESS: 10450 N 74Th St Ste 200 Scottsdale, AZ 85258
PHONE: 480-991-3985

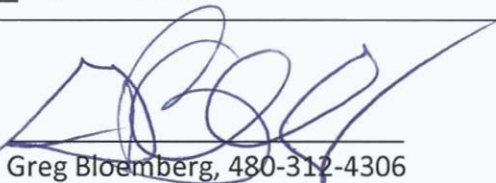
Request: Approval of a minor subdivision to combine three parcels into one.

STIPULATIONS

1. Any land boundary survey of the subject property shall be performed in accordance with the City of Scottsdale's Design Standards and Policy Manual.
2. The final plat shall include dedication of a minimum 50-foot wide Scenic Corridor along the Shea Blvd. frontage. The driveway at the northeast corner of the parcel shall be excluded from the Scenic Corridor.
3. The final plat shall include a dedication for a Non-Motorized Public Access Easement over the portion of sidewalk along Shea Blvd. that is located on the subject parcel. NOTE: The driveway at the northeast corner of the parcel shall not be included in this easement; only the sidewalk that runs alongside the driveway.
4. The final plat shall identify all existing and proposed easements, including the existing "Blanket Public Access Easement".
5. The "Blanket Public Access Easement" currently dedicated over the eastern third of the parcel is obsolete and no longer needed. Recommend the applicant consider submitting a separate application to release this easement in a continued effort to "clean up" the parcel.
6. Submit for final plat approval at the City of Scottsdale One-Stop-Shop. Provide a copy of this approval letter along with the items required in the Final Plan Review Submittal Requirements. Provide all relevant case numbers in the right-hand margin of the plat's cover sheet.

Related Cases: 34-PP-2012

SIGNATURE:


Greg Bloemberg, 480-312-4306

DATE APPROVED: December 6, 2012

STEP 2

FINAL PLAN REVIEW SUBMITTAL REQUIREMENTS

Submit one copy of this approval letter along with the following plans, reports, and documents to the One-Stop-Shop located at 7447 E. Indian School Road for plan review:

- 1 copy of this form
- 3 copies of the survey on 24" X 36" sheet size
- 1 copy of a Commitment for Title Insurance for the site (no older than 30 days)
- 1 copy of the ALTA survey (for reference)

The following plan review fee shall apply: (NOTE: Fees subject to change every July 1st)

- Minor Subdivision (including Land Assemblies)

This plan set shall be reviewed by the following departments:

	<u>Staff Reviewers</u>
<input checked="" type="checkbox"/> SURVEY:	Dwayne Haught
<input checked="" type="checkbox"/> PLANNING:	Greg Bloemberg
<input checked="" type="checkbox"/> CIVIL:	TBD
<input checked="" type="checkbox"/> FIRE:	John Armstrong
<input checked="" type="checkbox"/> FINAL PLAT / MOD:	Greg Williams
<input checked="" type="checkbox"/> GIS:	TBD

**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

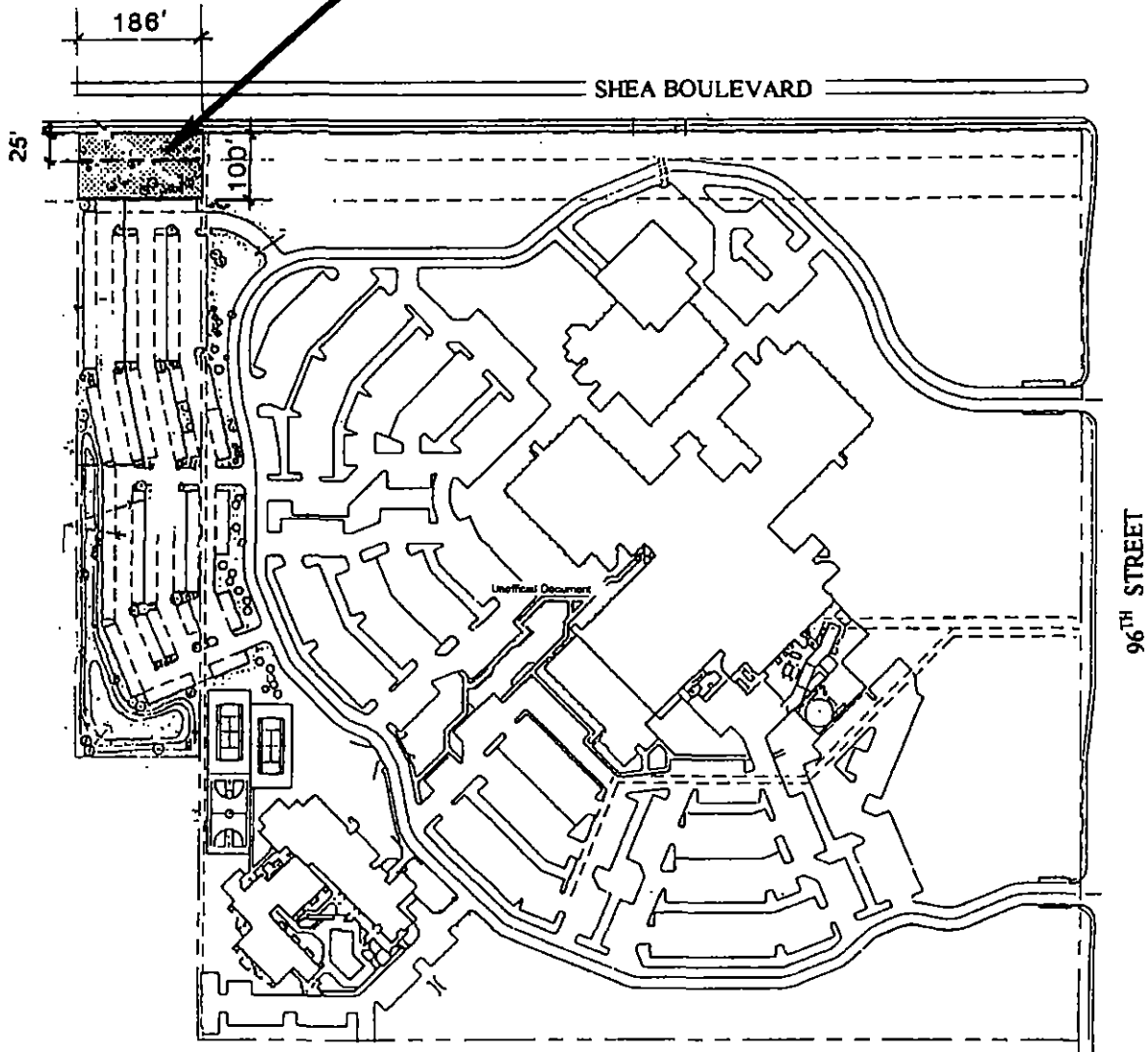
Please be aware that City staff cannot give you legal advice. You may wish, but are not required, to hire an attorney to represent you in an appeal.

**EASEMENT AREA TO BE RELEASED
(100' SCENIC CORRIDOR AND 25' PUBLIC TRAIL)**

**"EASEMENT AND RIGHTS INCIDENT THERETO FOR PUBLIC TRAIL AND
SCENIC CORRIDOR AS SET FORTH IN INSTRUMENT RECORDED IN
RECORDING NO. 95-0258605"**

Unofficial Document

EASEMENT AREA TO BE RELEASED
(100' SCENIC CORRIDOR AND 25' PUBLIC TRAIL
AS RECORDED IN RECORDING NO. 95-0258605)





Project Pre-Application Questionnaire

The purpose of the Pre-Application process and this questionnaire is to provide preliminary information to the City's Planning Department on your proposed development project. This information and a Pre-Application meeting facilitate discussion on the development review process and related issues most likely applicable to your development project.

Pre-Application Process

Most development proposals are required to go through one or more application and/or entitlement processes, some of which involve public hearings. To process your pre-application and to enable your meeting to be productive, the attached forms and all required materials must be provided. At the pre-application meeting, city staff will highlight areas where you may need to pay particular attention, and which, if any, public hearing process(es) you will be required to go through. More information can be found at www.scottsdaleaz.gov/BldgResources/DevProcess

Completed pre-application application forms, all required materials and fees should be submitted in person to the One-Stop-Shop located at 7447 E. Indian School Road. Make checks payable to "City of Scottsdale."

After the pre-application packet has been accepted, the request is routed for assignment and scheduling. A staff member will contact you to schedule a pre-application meeting with staff.

Submittal Date: 11/11/12 Project No.: 683 -PA- 2012

Project Name: 9400 SHEA Parcel No(s): 217-36-001M
Address: 9397 E SHEA BLVD 85258 Quarter Section(s): 28-50

Property Details:

Single-Family Residential Multi-Family Residential Commercial Industrial Other

Lot Size: 10.62 AC. Current Zoning: C-3 PCD Current Use(s): RETAIL

Has a 'Notice of Compliance' been issued? No Yes If yes, provide a copy with this submittal

Application Type:

- Abandonment (AB)
- Development Review (DR)
- ESLO Hardship Exemption (HE)
- ESLO Wash Modification (WM)
- General Plan Amendment (GP)
- In-Lieu Parking Request (IP)
- Master Plan (MP)
- Master Sign Program (MS)
- Notice of Compliance
- Preliminary Plat Subdivision (PP)
- Rezoning (ZN)
- Text Amendment (TA)
- Use Permit (UP)
- Variance (BA)
- Other _____

Owner: 94TH AND SHEA, LLC Applicant: JERRY D. HEATH, RLS
 Company: WILSON PROPERTY SERVICES, INC. Company: HUNTER ENGINEERING
 Address: 8120 E. CACTUS RD., STE. 300 Address: 10450 N. 74TH ST., STE. 200
 Phone: 480-874-2600 Fax: _____ Phone: 480-991-3985 Fax: 480-991-3986
 E-mail: mcollins@wilsonps.net E-mail: jheath@hunterengineeringpc.com

Signature (circle one): [Signature] Owner [Signature] Applicant [Signature] Date: 10-31-12

Planning, Neighborhood & Transportation Division

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



Project Pre-Application Questionnaire

Submittal Date: _____ Project No.: _____ -PA- _____

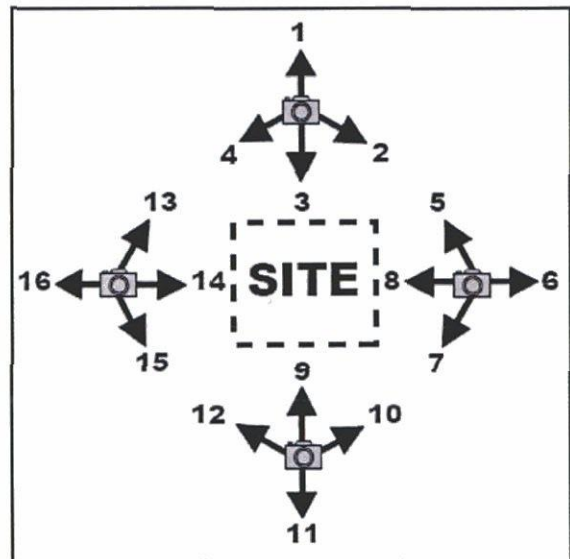
Please Note: All projects require a legally-assigned address; if an address is not currently assigned to your project, please submit a site plan to Records Division staff to obtain one. **This may take up to 5 days.** The Address Request form is available on-line at www.scottsdaleaz.gov/bldgresources/records.

All items listed below must be submitted to constitute a complete submittal.

Submittal Requirements:

- 1. Completed Project Pre-Application Questionnaire & Fee \$87.00**
(Fees subject to change every July)
- 2. Records Packet Fee \$21.00**
The Records Packet Fee will be processed by staff. The applicant need not visit the Records desk to obtain the packet.
(Fees subject to change every July)
- 3. Conceptual Drawing(s)** – One (1) copy of conceptual site plan, plot plan, or schematic drawing representing your request (not required for Abandonments). If requesting Development Review Board approval, include elevations showing architectural character.
(24" x 36", 11" x 17", or 8.5" x 11" paper sizes only)
- 4. Project Narrative** – Attach a detailed descriptive narrative of the site layout that includes the following information:
 - Purpose of this request
 - Describe any and all pertinent information related to the request including, but not limited to, site circulation, parking and design, drainage, architecture, proposed land use, and lot design.
 - Any improvements and uses that currently exist on the property or on neighboring properties.
 - Explain how your proposal is compatible with the surrounding area.
 - Describe any unusual characteristics that may restrict or affect your development.
 - Targeted date to begin construction.

- 5. Site / Context Photographs**
Provide color photographs showing the site and the surrounding buildings/properties in order to provide city staff with a visual impression of the current site conditions. Use the guidelines below for photos.
 - Photos are to be taken looking in towards the project site and adjacent to the site.
 - Photos should show adjacent improvements and existing on-site conditions.
 - Refer to photograph number and direction of view.
 - If your site is greater than 500 ft. in length, also take the photo locations shown in the dashed lines.
 - Do not mount photos on large poster boards, cork boards, etc.



FOR ADMINISTRATIVE USE ONLY

A Pre-application meeting with Planning Staff has already occurred with _____ Date: _____

Planning, Neighborhood & Transportation Division

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



Project Narrative

This document will be uploaded to a Case Fact Sheet on the City's web site.

Date: _____

Project No: _____-PA-_____

Coordinator: _____

Case No: _____

Project Name: _____

Project Location: 9397 E. Shea Blvd.

Property Details: Single-Family Residential Multi-Family Residential Commercial Industrial

Current Zoning: C-0 PCD & C-3 PCD Proposed Zoning: Same

Number of Buildings: 5 Parcel Size: 10.62 Acres

Gross Floor Area/Total Units: _____ Floor Area Ration/Density: _____

Parking Required: _____ Parking Provided: _____

Setbacks: N - _____ E - _____ S - _____ W - _____

Description or Request:

This project is an existing fully developed commercial retail development. The goal of this Minor Subdivision Plat is to create platted Lots and dedicate new easements as shown on the Subdivision Plat. The existing development is consistent with the character and the Design Chapter of the Scottsdale General Plan, the Zoning Ordinance and and scenic corridor guideline.

Planning, Neighborhood & Transportation Division

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