

Case Research

History

681-PA-2015

ORD. 3606
STIPULATIONS FOR CASE 9-ZN-2004

CIRCULATION

1. **ACCESS RESTRICTIONS.** Before issuance of any certificate of occupancy for the site, the developer shall construct the following access to the site:
 - a. **Pima Freeway frontage road** - There shall be a maximum of one site driveway (right in, right out) located at the southwestern corner of the property. The driveway design and location shall be subject to Arizona Department of Transportation approval.
2. **AUXILIARY LANE CONSTRUCTION.** Before issuance of any certificate of occupancy for the site, the developer shall dedicate the necessary right-of-way, as determined by city staff, and construct right-turn deceleration lane at the site entrance on Pima Freeway Frontage Road, in conformance with the Design Standards and Policies Manual. The design requirements shall be subject to conformance with Arizona Department of Transportation standards and shall be subject to their approval.
3. **EASEMENT REQUIREMENTS.** Before any Development Review Board approval for any development on this site, the developer shall dedicate an access easement across the parcel in a form acceptable to City staff. The access easement shall be dedicated to provide access for the adjacent parcel to the south, ultimately connecting the site driveway on Pima Freeway frontage road through the subject parcel to the access easement on the parcel to the south labeled "Proposed Easement (Sherman)" on the Proposed Shared Access Exhibit dated November 24, 2004 (staff report Attachment 10). The developer shall construct a minimum twenty-four (24) foot wide paved driveway within the easement and within the aforementioned easement on the parcel to the south. The design and location of the easement shall be coordinated with the owner/developers of the aforementioned adjacent parcel, and shall be subject to staff review and approval.



Pre-Application Request

Purpose:

The purpose of the Pre-Application submittal, and meeting, is for the applicant and City Staff to discuss a proposed Development Application, and the information and process that is necessary for City Staff to process the proposal.

In accordance with the Zoning Ordinance, no development application shall be accepted before a Pre-Application has been submitted, and a Pre-Application meeting has been conducted with City Staff, unless the Pre-Application meeting has been waived by the Zoning Administrator.

Submittal:

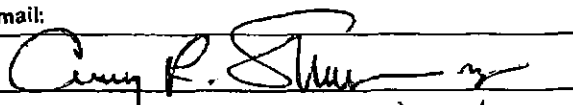
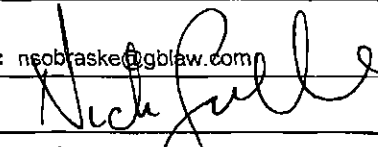
The completed Pre-Application request form, all required materials and fees should be submitted in person to the One-Stop-Shop located at 7447 East Indian School Road; or, may they be submitted digitally at following website:

<https://eservices.scottsdaleaz.gov/eServices/PreApps/Default.aspx>

All checks shall be payable to "City of Scottsdale."

Scheduling

After the Pre-Application packet has been accepted at the One-Stop-Shop, a staff member will contact the Applicant within five (5) Staff Working Days to schedule a Pre-Application meeting with the assigned staff member(s). Generally, a Pre-Application meeting is scheduled within five (5) to fifteen (15) Staff Working Days from the date of the submittal.

Project Name: Pima Commercial GLOPE Abandonment	
Property's Address: Approximately 1,000 feet north of the NEC of the Pima Road frontage road (State Route 101) and Raintree Drive.	APN: 217-15-035A
Property's Zoning District Designation: I-1	
Property Details:	
<input type="checkbox"/> Single-Family Residential <input type="checkbox"/> Multi-Family Residential <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Other (vacant)	
Has a 'Notice of Compliance' been issued? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, provide a copy with this submittal	
Owner: Vantage FBO Hope R. Sherman IRA and Vantage FBO Craig R. Sherman IRA	Applicant: Stephen W. Anderson
Company:	Company: Gammage & Burnham
Address: 12565 North 91st Way, Scottsdale, Arizona 85260	Address: 2 North Central Avenue, 15th Floor, Phoenix, Arizona 85004
Phone:	Phone: 602 / 256.4449
Fax:	Fax:
E-mail:	E-mail: nsobraske@jgblaw.com
 Owner Signature	 Applicant Signature
Official Use Only	Application No.: 681 -PA- 2015
Submittal Date: 7/24/15	Project Coordinator:

Planning and Development Services Department

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

Page 1 of 2

Revision Date: 03/27/2015



Pre-Application Request

Development Application Type:

Please check the appropriate box of the Type(s) of Application(s) you are requesting

Zoning	Development Review	Signs
<input type="checkbox"/> Text Amendment (TA)	<input type="checkbox"/> Development Review (Major) (DR)	<input type="checkbox"/> Master Sign Program (MS)
<input type="checkbox"/> Rezoning (ZN)	<input type="checkbox"/> Development Review (Minor) (SA)	<input type="checkbox"/> Community Sign District (MS)
<input type="checkbox"/> In-fill Incentive (II)	<input type="checkbox"/> Wash Modification (WM)	Other
<input type="checkbox"/> Conditional Use Permit (UP)	<input type="checkbox"/> Historic Property (HP)	<input type="checkbox"/> Annexation/De-annexation (AN)
Exemptions to the Zoning Ordinance	Land Divisions	<input type="checkbox"/> General Plan Amendment (GP)
<input type="checkbox"/> Hardship Exemption (HE)	<input type="checkbox"/> Subdivisions (PP)	<input type="checkbox"/> In-Lieu Parking (IP)
<input type="checkbox"/> Special Exception (SX)	<input type="checkbox"/> Subdivision (Minor) (MD)	<input checked="" type="checkbox"/> Abandonment (AB)
<input type="checkbox"/> Variance (BA)	<input type="checkbox"/> Perimeter Exceptions (PE)	<input type="checkbox"/> Single-Family Residential
<input type="checkbox"/> Minor Amendment (MA)		<input type="checkbox"/> Other

Submittal Requirements: (fees subject to change every July)

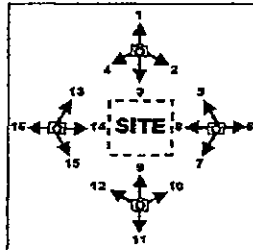
☒ Pre-Application Fee: \$ _____
(No fees are charged for Historic Preservation (HP) properties.)

☒ Records Packet Fee: \$ _____
Processed by staff. The applicant need not visit the Records desk to obtain the packet.
(Only required for ZN, II, UP, DR, PP, AB applications, or otherwise required by Staff)

☒ Application Narrative:
The narrative shall describe the purpose of the request, and all pertinent information related to the request, such as, but not limited to, site circulation, parking and design, drainage, architecture, proposed land use, and lot design.

☐ Property Owner Authorization Letter
(Required for the SA and MS Pre-Applications)

- ☐ Site / Context Photographs
- Provide color photographs showing the site and the surrounding properties. Use the guidelines below for photos.
 - Photos shall be taken looking in towards the project site and adjacent to the site.
 - Photos should show adjacent improvements and existing on-site conditions.
 - Each photograph shall include a number and direction.
 - Sites greater than 500 ft. in length, also take the photo locations shown in the dashed lines.
 - Photos shall be provided 8 1/2 x 11 paper, max. two per page.



☐ Other

- The following list of Additional Submittal Information is not required for a Pre-Application meeting, unless indicated below by staff prior to the submittal of this request.
- Applicants are advised to provide any additional information listed below. This will assist staff to provide the applicant with direction regarding an application.

Additional Submittal Information

- ☐ Site Plan
- ☐ Subdivision plan
- ☐ Floor Plans
- ☐ Elevations
- ☐ Landscape plans
- ☐ H.O.A. Approval letter
- ☐ Sign Criteria Regulations & Language
- ☐ Material Samples – color chips, awning fabric, etc.
- ☐ Cross Sections – for all cuts and fills
- ☐ Conceptual Grading & Drainage Plan
- ☐ Exterior Lighting – provide cut sheets, details and photometrics for any proposed exterior lighting.
- ☐ Boundary Survey (required for minor land divisions)
- ☐ Areal of property that includes property lines and highlighted area abandonment request.
- ☐ One copy of the recorded document for the area that is requested to be abandoned. Such as: subdivision plat, map of dedication, GLO (General Land Office) federal patent roadway easement, or separate dedication document. A copy of most recorded documents to be abandoned may be purchased at the City of Scottsdale Records Dept. (480-312-2356), or the Maricopa County Recorder's Office (602-506-3535). A copy of the General Land Office (GLO) federal patent roadway easement may be purchased from the Bureau of Land Management (602-417-9200).

Planning and Development Services Department

7447 Indian School Road, Suite 105, Scottsdale, Arizona 85251 Phone: 480-312-7000 Fax: 480-312-7033

Abandonment Pre-Application Narrative

Approximately 1,000 feet north of NEC of the Pima Road frontage road and Raintree Drive
July 20, 2015

Property Overview

On behalf of Vantage FBO Hope R. Sherman IRA and Vantage FBO Craig R. Sherman IRA, the owners of the above referenced property, this pre-application requests review of an abandonment application ("Application") on the approximate 2.24 acres located approximately 1,000-feet north of the northeast corner of the Pima Road frontage road and Raintree Drive (Maricopa County Assessor Parcel Number: 217-15-035A) ("Property"). The Property is currently zoned I-1 ("I-1") and is unimproved.



The Property is immediately bounded to the west by the Pima Road frontage road and State Route 101. To the north and south are existing office developments zoned I-1, and I-1 and C-2, respectively. To the east is an approximately 4.6 acre undeveloped parcel zoned R1-35. Further to the east is 90th Street.

Abandonment Proposal

The Application requests to abandon a portion of the existing 33-foot General Land Office Patent Easement No. 1144414 ("GLO Patent Easement") along the north, east and south boundaries of the Property (see **Map 1**). (The remainder of GLO Patent Easement extends further west on State Route 101; however, it is not subject to this request.)



Map 1

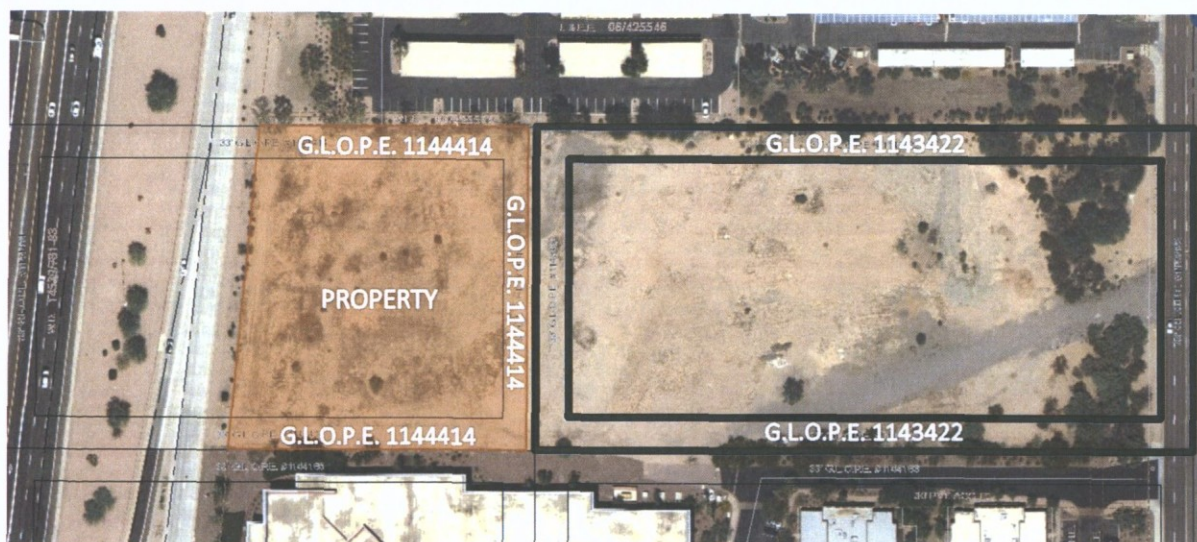
The subject GLO Patent Easement was reserved on the original patent deed to assure legal access. Currently, the GLO Patent Easement has not been improved and is not being used for vehicular access. The City of Scottsdale has generally viewed these patent roadway and utility easements as assured access until a circulation plan is established. Any patent easements in excess of the current requirement to the circulation plan and not required to insure access to any other lot may be requested to be abandoned. Primary access, including municipal and emergency, will be provided from the Pima Road frontage road at the southwest corner of the Property pursuant to a Land Purchase Agreement between the Arizona Department of Transportation and property owner. Secondary access is provided via a 30-foot access easement recorded in Document No. 2005-0696198 extending from 90th Street west to the Property (the access easement parallels the north property line of the property to the south) (see **Map 2**) or the existing 33-foot General Land Office Patent Easement (GLO Patent No. 1143422) on the undeveloped parcel to the immediate east (see **Map 3**). In addition, the City of Scottsdale's Transportation Master Plan does not require the GLO Patent Easement to complete the City's streets system, and no properties shall be denied access as a result of this abandonment. The abandonment of the GLO Patent Easement is warranted.



Map 2

Infrastructure/Utilities

The Application does not impact the Local Infrastructure Plan. Infrastructure, utilities and municipal services will be provided and maintained through the existing 33-foot General Land Office Patent Easement (GLO Patent No. 1143422) on the undeveloped parcel to the immediate east (see **Map 3**). Currently, no utility providers have facilities in the GLO Patent Easement.



Map 3

Summary

The subject GLO Patent Easement does not restrict or remove access to the Property or any other adjoining properties, and provisions for public utilities will be provided in GLO Patent No. 1143422 on the undeveloped parcel to the immediate east. The Application does not impact the Local Infrastructure Plan or Transportation Master Plan.

Unofficial
Document8-1222
(Jan. 1943)

14495 456

Phoenix 032526

The United States of America,

To all to whom these presents shall come, Greeting:

WHEREAS, a Certificate of the Land and Survey Office at Phoenix, Arizona, is now deposited in the Bureau of Land Management, whereby it appears that full payment has been made by the claimant

Laura J. Field,

pursuant to the provisions of the Act of Congress approved June 1, 1938 (52 Stat. 609), entitled "An Act to provide for the purchase of public lands for home and other sites," and the acts supplemental thereto, for the following-described land:

Gila and Salt River Meridian, Arizona.

T. 3 N., R. 5 E.,

Sec. 7, Lot 5.

The area described contains 4.05 acres, according to the Official Plat of the Survey of the said Land, on file in the Bureau of Land Management:

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, and in conformity with the several Acts of Congress in such case made and provided, HAS GIVEN AND GRANTED, and by these presents DOES GIVE AND GRANT unto the said claimant and to the heirs of the said claimant the Tract above described; TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right-of-way thereon for ditches or canals constructed by the authority of the United States. Excepting and reserving, also, to the United States, all coal, oil, gas, and other mineral deposits, in the land so patented, together with the right to prospect for, mine, and remove the same according to the provisions of said Act of June 1, 1938. This patent is subject to a right-of-way not exceeding 33 feet in width, for roadway and public utilities purposes, to be located across said land or as near as practicable to the exterior boundaries.

Excepting and reserving, also to the United States, pursuant to the provisions of the Act of August 1, 1946 (60 Stat. 755), all uranium, thorium, or any other material which is or may be determined to be peculiarly essential to the production of fissionable materials, whether or not of commercial value, together with the right of the United States through its authorized agents or representatives at any time to enter upon the land and prospect for, mine, and remove the same.

IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat. 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

GIVEN under my hand, in the District of Columbia, the ELEVENTH

[SEAL]

day of MAY in the year of our Lord one thousand nine hundred and FIFTY-FOUR and of the Independence of the United States the one hundred and SEVENTY-EIGHTH.

For the Director, Bureau of Land Management.

Patent No.

1131114

By

Rose M. Beall
Acting Chief, Patents Section.

144955 457

Unofficial Document

JUN 20 1980 -11 15

STATE OF ARIZONA } ss
County of Maricopa }

I hereby certify that the within instrument was filed and recorded at request of

Robert N. Field

In Docket 14495
on Page 456-457

Witness my hand and official seal the day and year aforesaid.

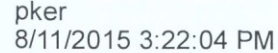
Bill Henry

County Recorder

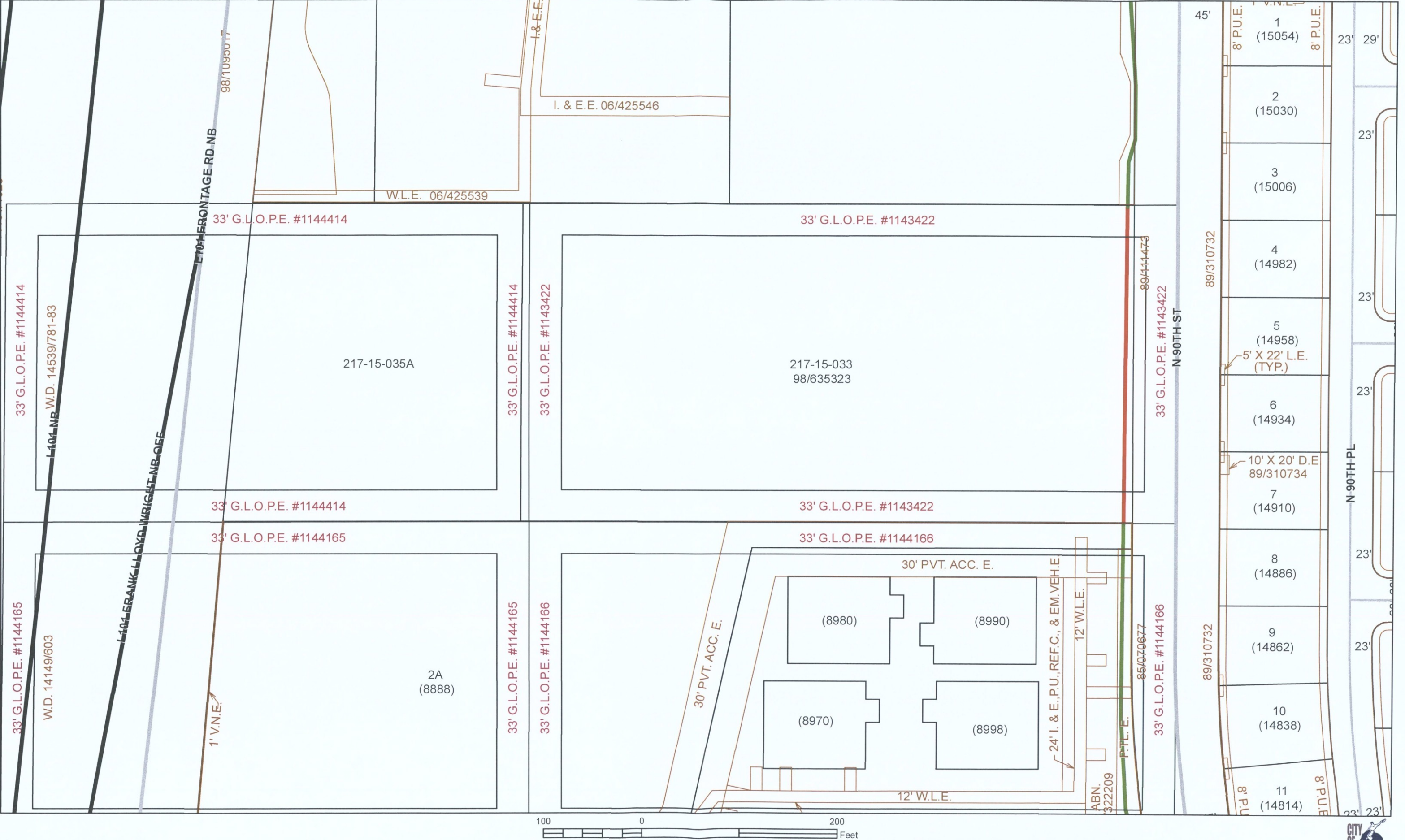
By R. B. [Signature]
Deputy Recorder

200

4502 E. CLARENDON
PHOENIX ARIZ. 85018



CITY
OF
SCOTTSDALE
City of Scottsdale GIS





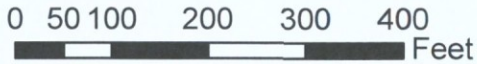
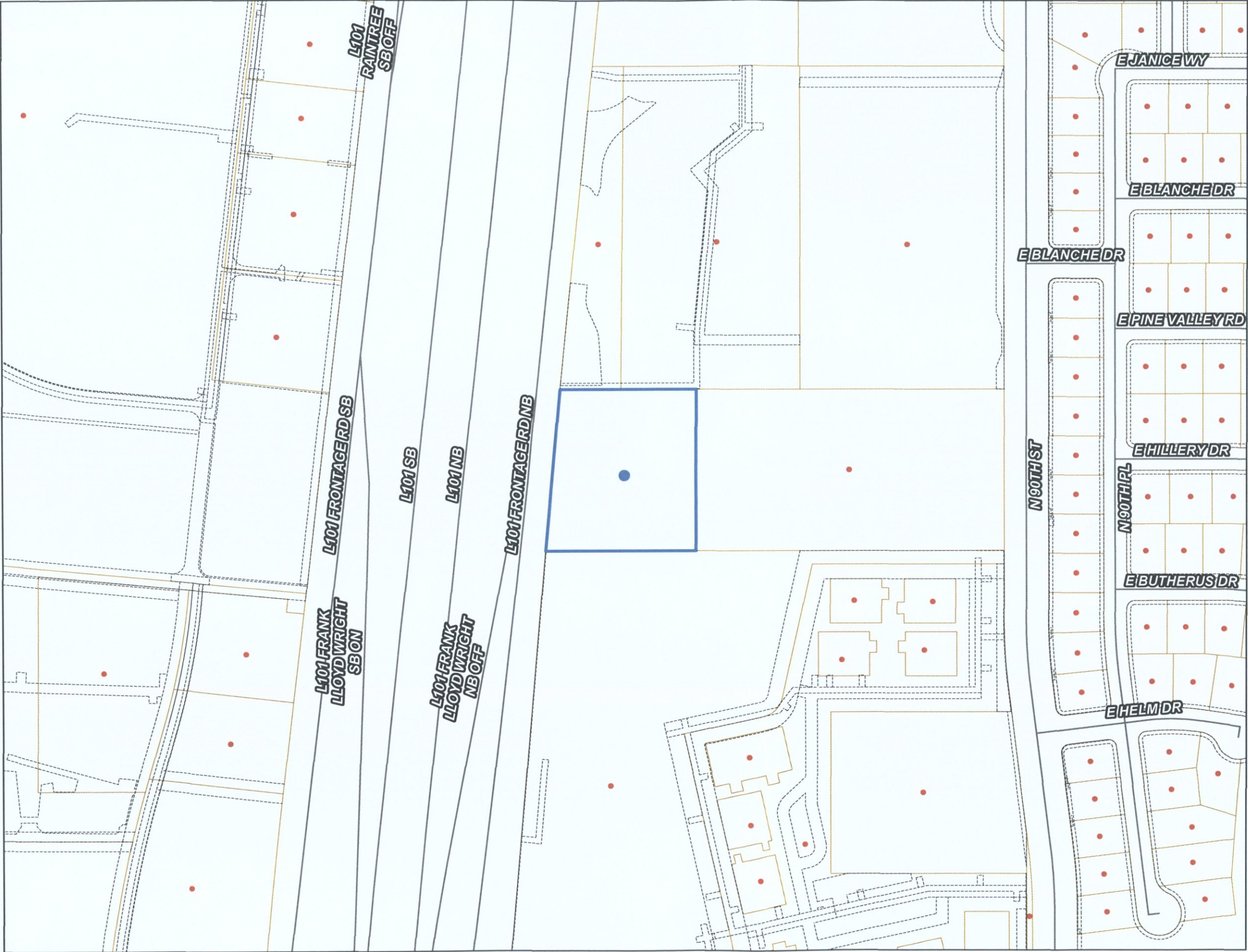
0 50 100 200 300 400 Feet

1 inch = 200 feet*

* Scale valid for original print only. Reproductions may alter the scale and render this value inaccurate.

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Aerial

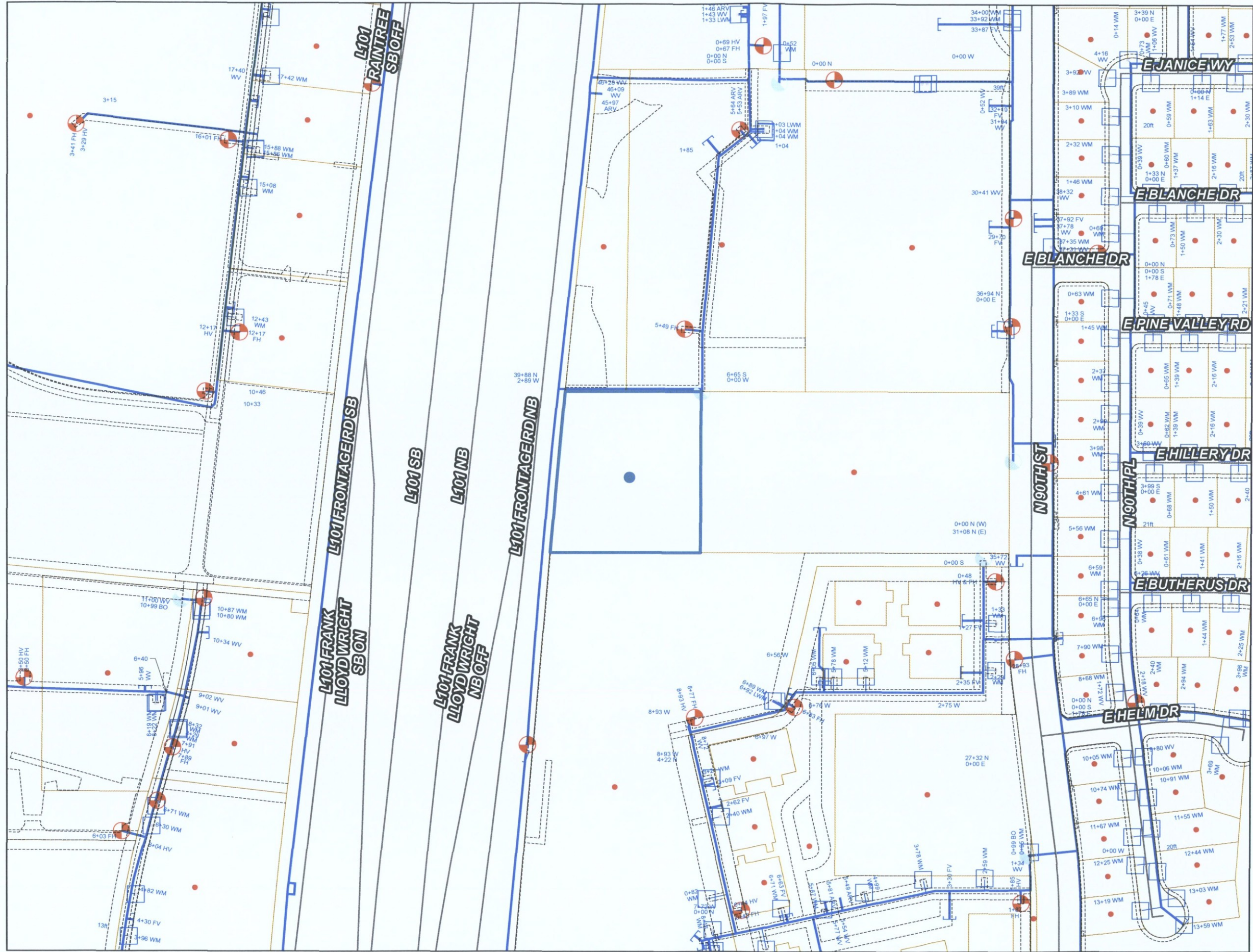


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ROW

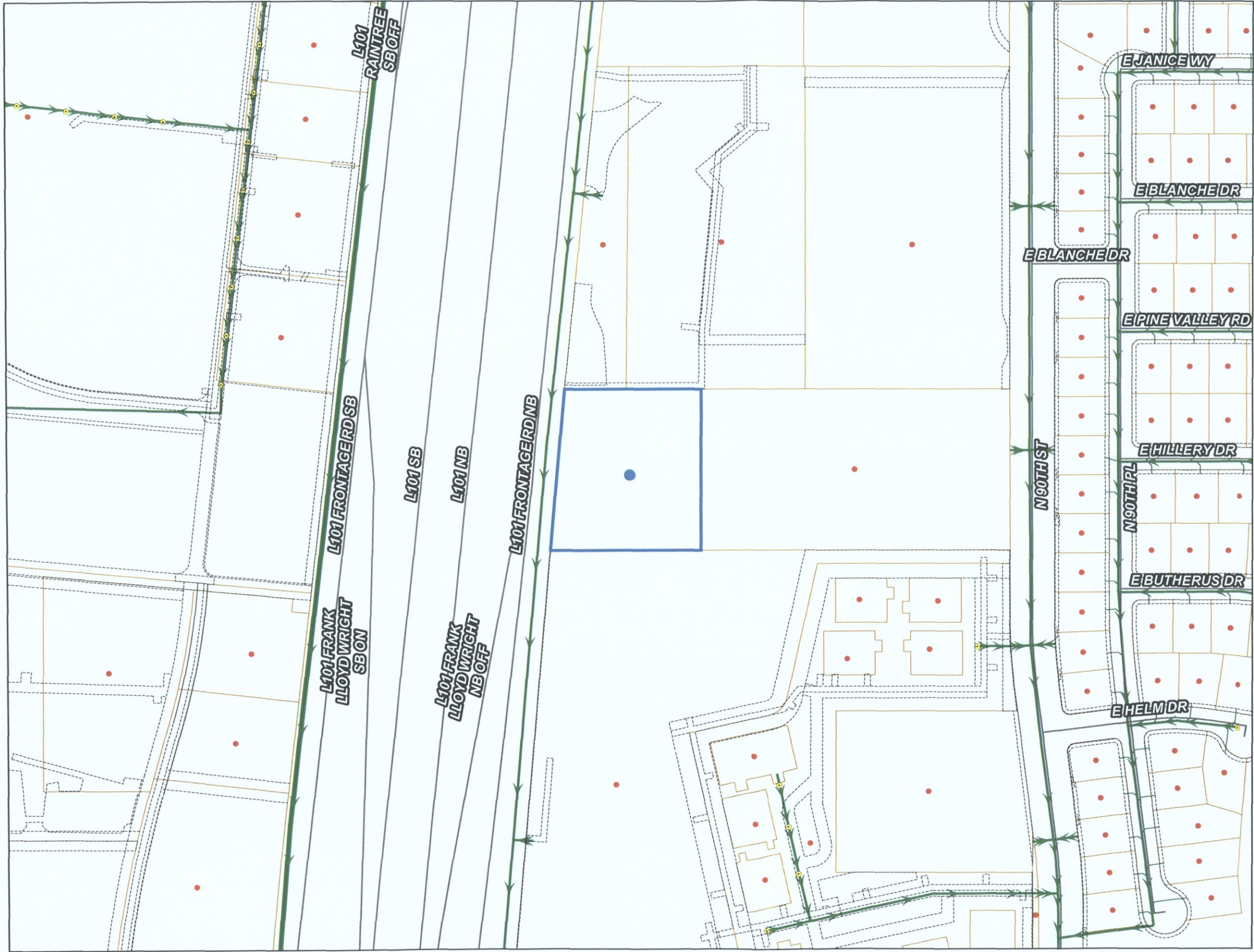


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Water



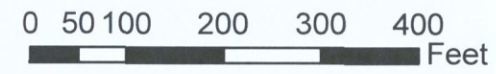
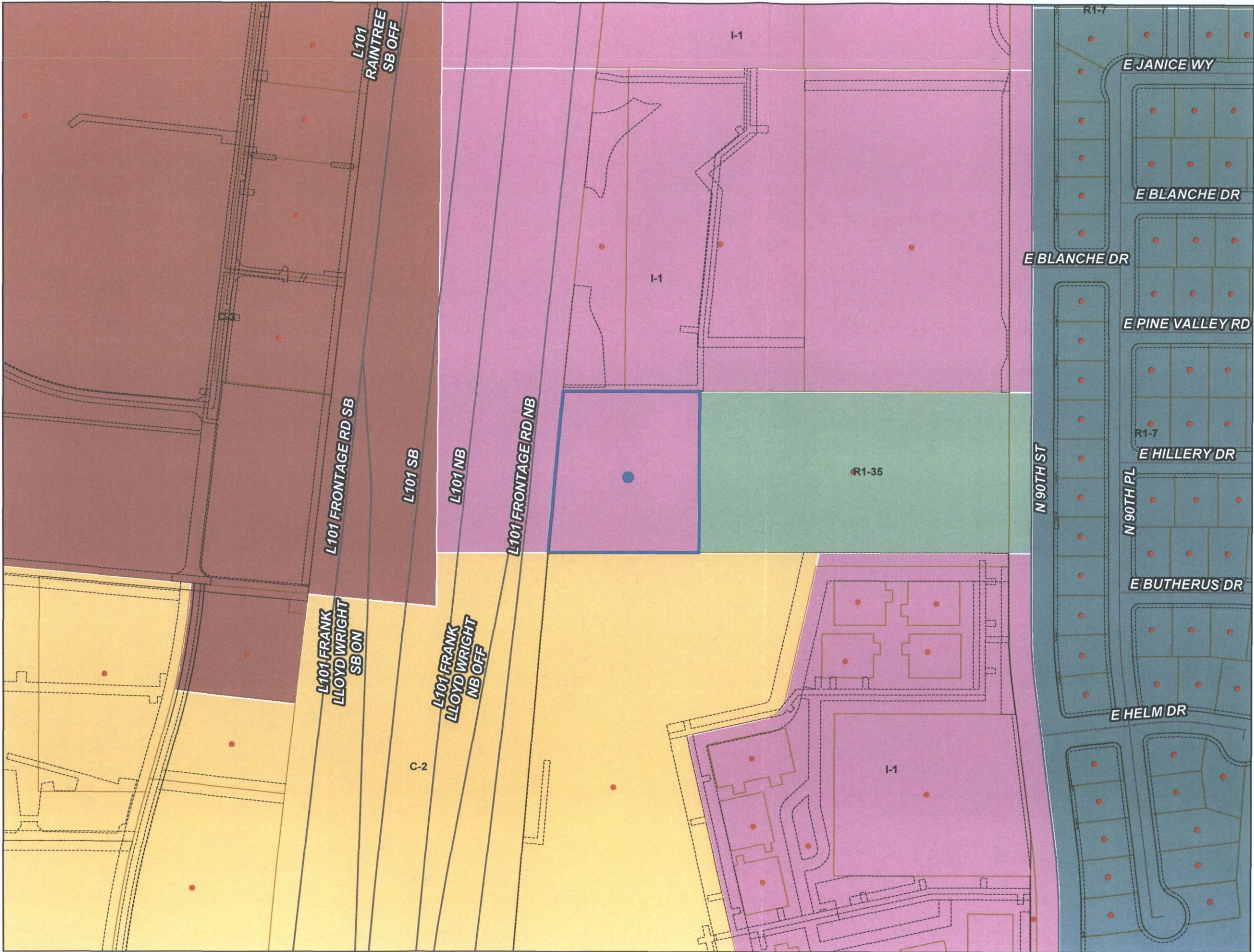
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Sewer



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Zoning