

Case Research



CITY COUNCIL ACTION REPORT

TO: MAYOR AND CITY COUNCIL DATE: 06/18/85
FROM: COMMUNITY DEVELOPMENT/PROJECT REVIEW
SUBJECT: CASE 52-Z-85

AGENDA ITEM NO. 24

James L. Roberts

Neal T. Pascoe

STAFF

REQUEST: R1-35 to R1-7 PRD and R1-18 PRD to expand approved R1-7 PRD (30-Z-85)
LOCATION: Northwest corner 94th Street and Larkspur Drive
APPLICANT/OWNER: Clouse Engineering, Inc./V. H. Development

RECOMMENDATION: The Planning Commission recommends APPROVAL subject to attached stipulations. Staff concurs.

CONCURRENCE: None required

PUBLIC COMMENT: No known opposition

GENERAL PLAN: Marginal - residential use 1-2 units per acre

ZONING HISTORY: R1-35 upon annexation. Case 30-Z-85 approved R1-7 PRD on the north 25+ acres allowing 4.15 units per acre (104 patio homes).

SITE DETAILS:

USE: Single-family residential

PARCEL SIZE: 15 acres (6.9 acres R1-7 PRD and 8.1 acres R1-18 PRD)

GROSS FLOOR AREA: N/A

BUILDINGS: N/A

HEIGHT: N/A

SETBACKS: N/A

OTHER: Two density incentives requested for R1-18 PRD

DWELLING UNITS: 43 (27 R1-7 PRD and 16 R1-18 PRD)

DENSITY: 2.87 (3.91 R1-7 PRD and 1.97 R1-18 PRD)

PARKING REQUIRED: N/A

LOT SIZE: 6,500-11,100 sq. ft. (R1-7 PRD); 12,000-22,000 (R1-18 PRD)

PARKING PROVIDED: N/A

DISCUSSION: The development plan has been revised to include additional acreage in the R1-7 PRD portion of the request and reduce the total number of lots from 47 to 43. The request is not in strict conformance with the General Plan. However, the proposed R1-7 PRD is a logical extension of the approved zoning in the area. The large lots within the R1-18 PRD will provide a transition to the large lot equestrian uses to the south.

At their June 11, 1985 meeting, the Planning Commission voted unanimously to recommend approval subject to the attached stipulations.

The applicant concurs with the stipulations.

POTENTIAL IMPACTS: None - compatible with existing and planned development

ATTACHMENTS: A-Stipulations
#1-Aerial
#2-Zoning Map

#3-Development Plan
#4-Development Standards
#5-General Plan


Tommy J. Davis, Assistant City Manager

ACTION TAKEN

Approved 6-18-85 with added stipulation 6/0

ND06350 (4/85)

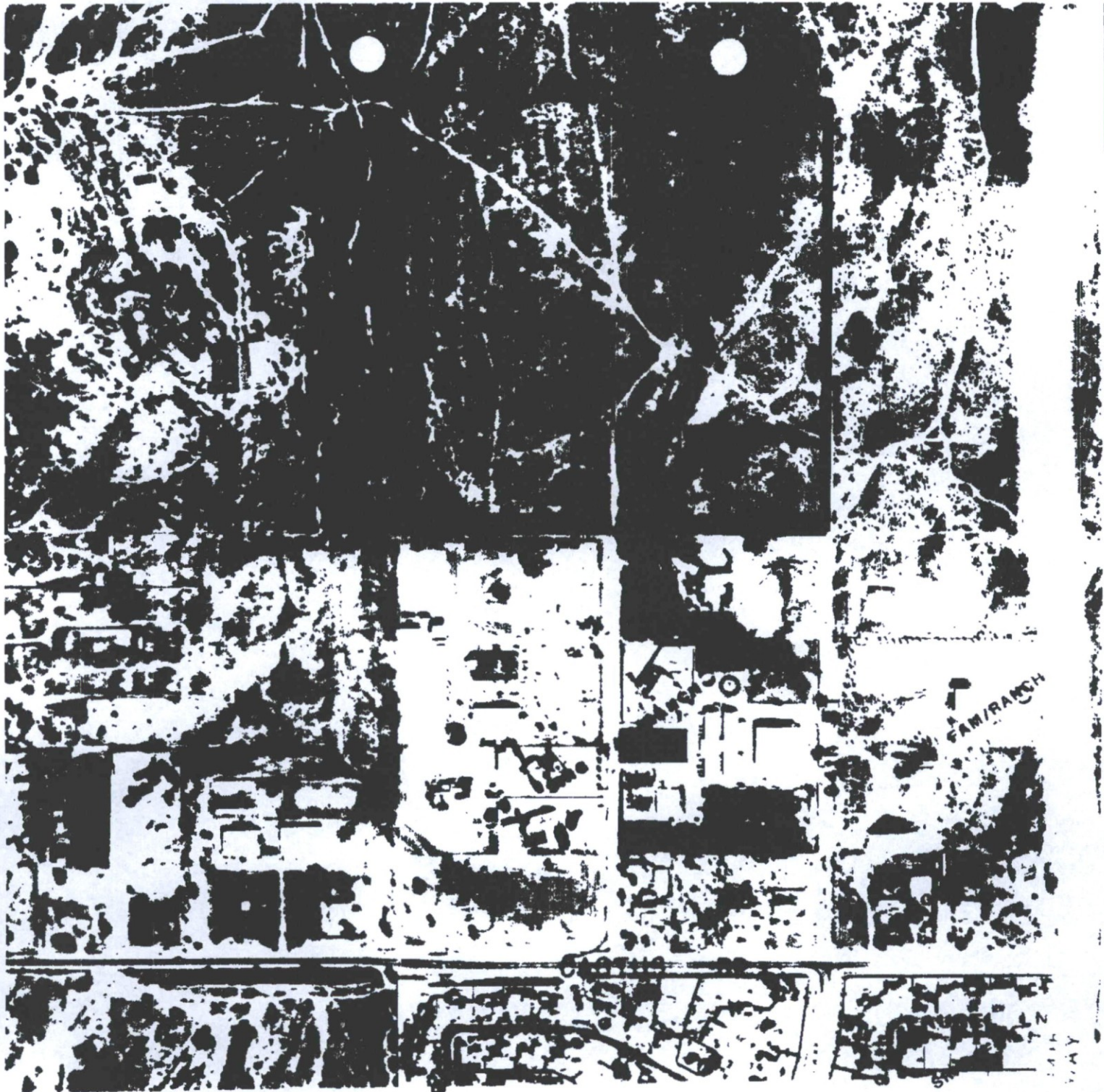
STIPULATIONS FOR CASE 52-Z-85

1. The stipulations of approval for Case 30-Z-85 shall apply as amended below.
2. Development shall be in substantial conformance with the submitted site plan. The proposed lotting arrangement shall be reviewed by the Project Review staff at the time of preliminary plat review.
3. A maximum of 147 lots shall be allowed.
4. The property development standards shall be amended as submitted.
5. Dedication of the following right-of-way shall be made within 6 months of the date of City Council approval:

Sweetwater Avenue	45' (half-street)
94th Street	55' (half-street)
93rd Street	50' (full-street)
Larkspur Drive	30' (half-street)
6. A 1' V.N.E. (vehicular non-access easement) shall be provided along Sweetwater Avenue, 94th Street, and Larkspur Drive.
7. Access to Sweetwater Avenue shall align with the median break provided 660 feet west of 94th Street.
8. If the development is phased, the proposed phasing plan shall be approved by the Project Review staff at the time of preliminary plat review.
9. The applicant shall be responsible for 25% percent of the design and construction costs for a traffic signal at the intersection of 94th Street and Sweetwater.
10. The major wash along the 92nd Street alignment shall be maintained in a natural state.
11. The Project Review staff shall pay particular attention to:
 - a. The treatment of the common wall along the west and south perimeters.
 - b. The treatment of the perimeter wall and landscaping along Sweetwater Avenue, Larkspur Drive, and 94th Street. Along 94th Street, a 10 foot tract or common landscape easement shall be provided to allow the perimeter wall to meander.
12. The Project Review staff shall review and approve all elements of the common recreation area prior to preliminary plat approval. The staff shall pay particular attention to pedestrian access to the common area.

ATTACHMENT A

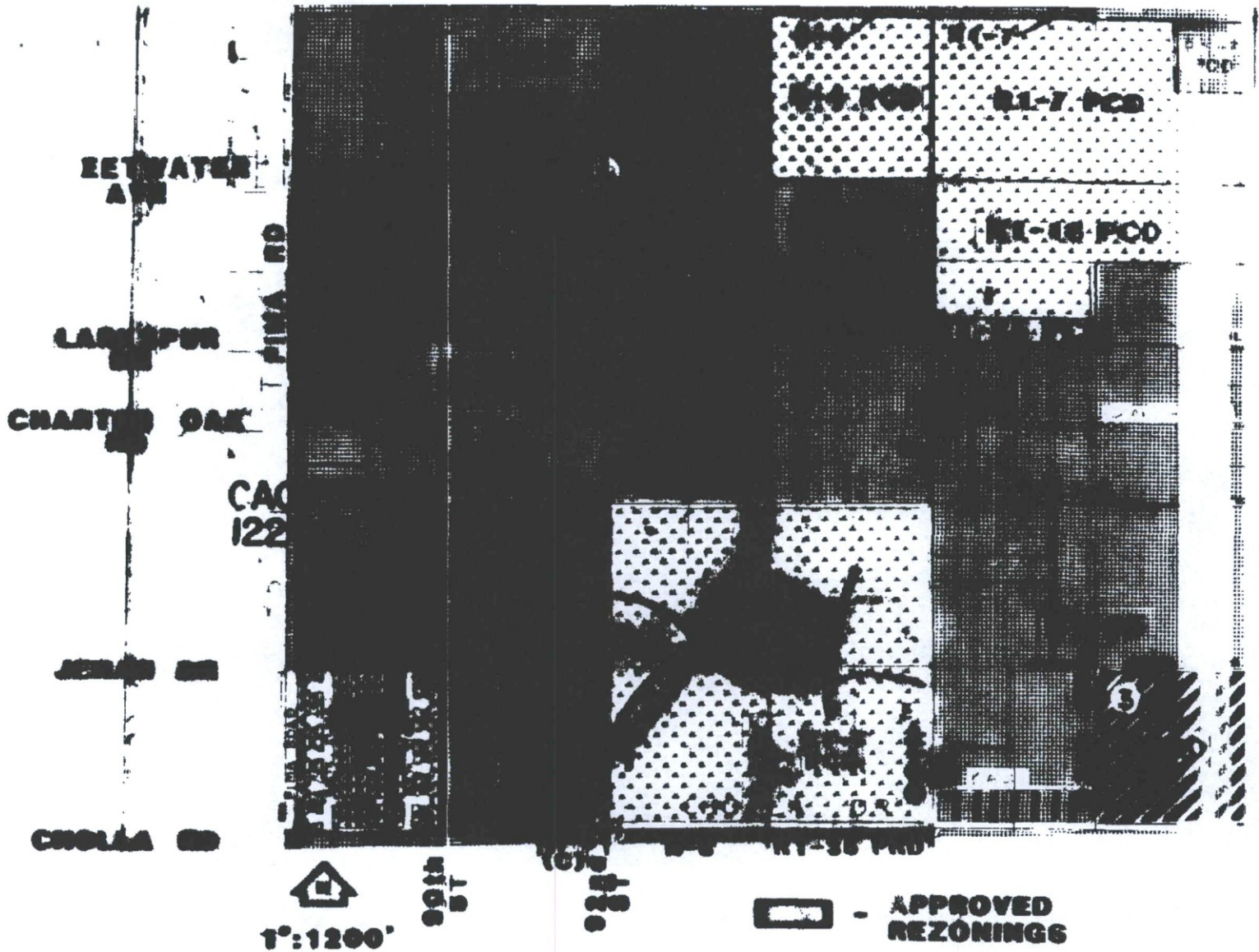
13. The applicant shall provide a solution to the drainage problem along Sweetwater Avenue which is acceptable to the Project Review staff prior to preliminary plat approval. The depth of lots along Sweetwater Avenue, as shown on the approved development plan, shall not be reduced as a result of this solution.
14. Prior to preliminary plat approval, the applicant shall submit a detailed drainage report which confirms that the proposed development plan will accommodate on-site and off-site drainage. The applicant understands and agrees that the approved density and site plan configuration is subject to drainage consideration.
15. Lots along the west and south perimeters of the south 5 acres approved by Case 30-Z-85 shall have a minimum lot size of 7,000 square feet and 8,000 square feet respectively.
16. THOSE AREAS OF DESIGNATED COMMON AREA SHALL NOT BE ACCEPTED FOR MAINTENANCE OR OWNERSHIP BY THE CITY WITHOUT EXPRESSED ACTION OF THE CITY COUNCIL. BEFORE ANY IMPROVEMENT IS ACCEPTED, IT SHALL MEET CITY STANDARDS. FAILURE TO MAINTAIN THE DESIGNATED COMMON AREAS COULD RESULT IN A CIVIL ACTION BROUGHT BY THE CITY FOR COSTS INCURRED BY THE CITY FOR SAID MAINTENANCE.



1":400'
1983

52-Z-85

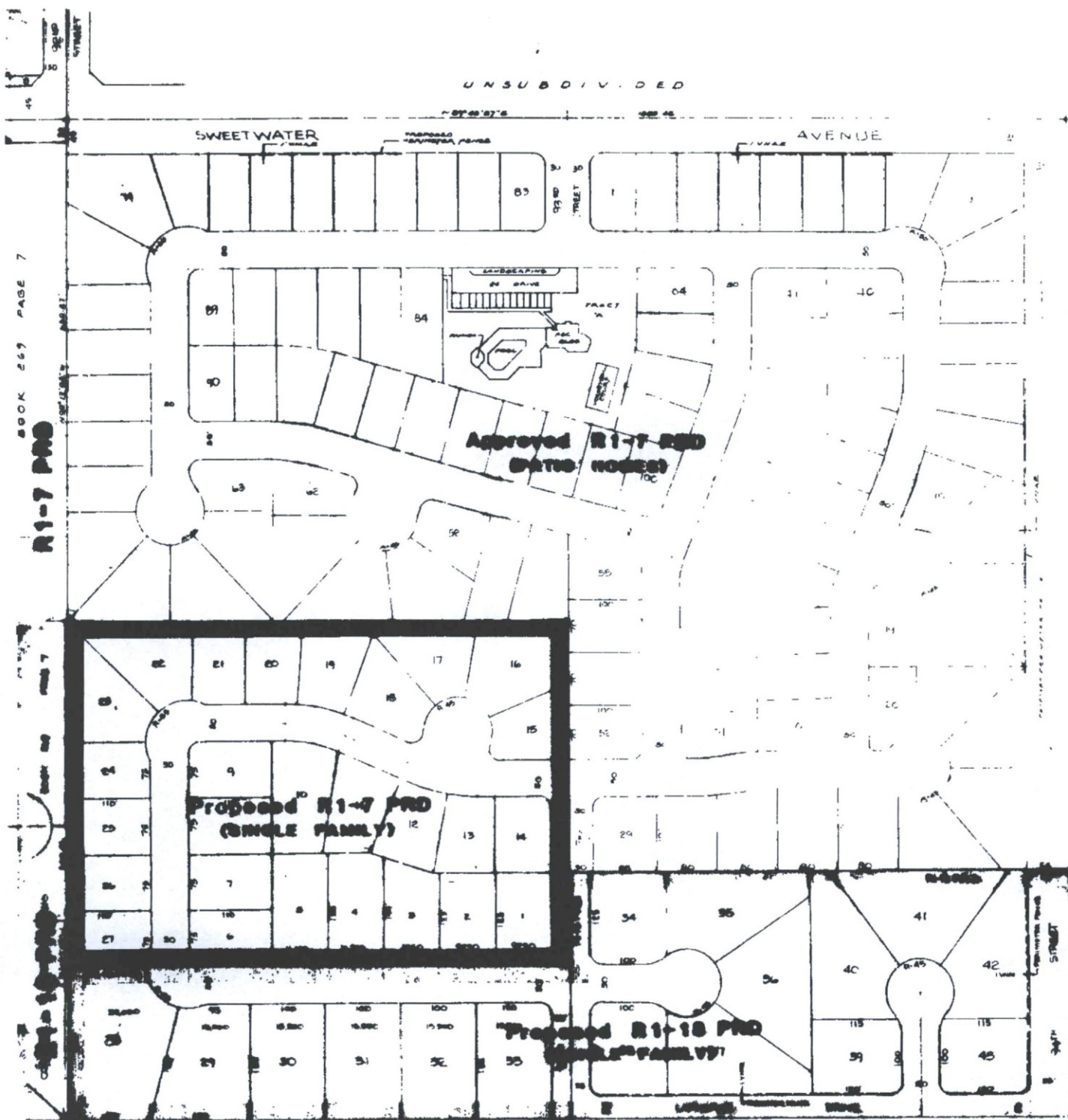
ATTACHMENT #1



**From R1-35 To R1-7 PRD & R1-10 PRD
and Amendment To Approved R1-7 PRD**

From R1-35 To R-4 (Conditional)

From R1-35 To R1-10



BOOK 269 PAGE 7
R1-7 PRO

BOOK 269 PAGE 7
R1-7 PRO

UNSUBDIVIDED
SIERRA SUNRISE
52-Z-85

Proposed R1-18 RPD
(SINGLE FAMILY)

	SIERRA	SUNRISE	PLAT	REMARKS
Proposed R1-7 RPD	0.00	0.00	27	8.91
Proposed R1-18 RPD	0.11	7.00	16	1.87

52-Z-85

ATTACHMENT #3

AMENDED DEVELOPMENT STANDARDS - CASE 52-2-85
"SINGLE-FAMILY DETACHED LOTS"

DEVELOPMENT STANDARDS	R1-18	R1-10 PRD AMENDED
Min. Lot Area	18,000 sq. ft.	12,000 sq. ft.
Min. Lot Width	120 ft.	None - determined by subdivision approval (160 ft. average)
Max. Building Height	30 ft.	30 ft.
Min. Yard Setbacks		
Front	35 ft.	20 ft.
Intersecting Street on Corner Lot	35 ft.	15 ft.
Side	10 ft.	10 ft.
Rear	30 ft.	25 ft. 35 ft. west of 93rd Street
Min. Distance Between Buildings		
Accessory and Main	10 ft.	10 ft.
Main Buildings/ Adjacent Lots	20 ft.	10 ft.
Max. Height of Walls, Fences and Landscaping (Required Yards)		
Front Yard	3 ft.	3 ft.
Side Yard	8 ft.	8 ft.
Rear Yard	8 ft.	8 ft.

NOTES AND EXCEPTIONS

1. There shall not be more than one single-family dwelling unit on any one lot.
2. The requirements and exceptions of Article VII shall apply.
3. All lots shall have vehicular access on a dedicated street unless a secondary means of permanent vehicular access has been approved on a subdivision plat.
4. The height of a wall or fence is measured from the inside of the enclosure.
5. Swimming pools shall be screened from adjacent properties by a protective fence or permanent structure not less than 4-1/2 feet in height. The swimming pool shall be protected by an enclosure which shall be controlled by the use of self-closing gates with self-latching devices.
6. Where lots have double frontage on two streets, the required front yard shall be provided on both streets- THE INTERIOR STREET ONLY. THE PERIMETER STREET FRONTAGE SHALL MEET REAR YARD REQUIREMENTS.
7. On a corner lot which does not abut a key lot, accessory buildings may be constructed in the yard facing the side street.
8. Where a corner lot does not abut a key lot or an alley adjacent to a key lot, the height of walls, fences, and hedges in the yard facing the side street need only conform to the side yard requirements.
 - a. ON A CORNER LOT CONTIGUOUS TO A KEY LOT, FENCES OR FREE-STANDING WALLS OVER 3 FEET IN HEIGHT MAY BE PLACED ON THE PROPERTY LINE, EXCEPT WITHIN A TRIANGLE MEASURED 10 FEET FROM THE STREET ALONG THE COMMON LOT LINE AND 20 FEET ALONG THE PROPERTY LINE EXTENDING FROM THE COMMON LOT LINE TOWARDS THE FRONT OF THE CORNER LOT.
 - b. ON A KEY LOT CONTIGUOUS TO A CORNER LOT, A 6 FOOT FENCE OR A FREE-STANDING WALL MAY BE ERECTED ALONG THAT PORTION OF A KEY LOT CONTIGUOUS WITH THE REAR YARD OF THE CORNER LOT, BUT SUCH FENCE OR WALL SHALL NOT COME CLOSER THAN 10 FEET TO THE FRONT LINE OF THE KEY LOT.
9. A GARAGE OR CARPORT HAVING AN ENTRY PARALLEL TO A STREET SHALL MAINTAIN A MINIMUM SETBACK OF TWENTY FEET FROM THE ULTIMATE IMPROVEMENTS (BACK OF THE SIDEWALK).
10. Planned Residential District (PRD) requirements:
 - a. Common wall dwelling units shall require Development Review Board approval (NOT ALLOWED).
 - b. Building height shall not exceed one-story within 50 feet and R-1, R-2, R-3, R-4, R-4R, or M-H district boundary line.
 - c. All mechanical equipment shall be screened from view.
 - d. In addition to the provisions of Article IX, parking shall be provided as follows:
 - 1) Efficiency and one-bedroom dwelling units shall provide a minimum of one on-site resident parking space plus one off-street guest parking space.
 - 2) Dwelling units with two bedrooms shall provide a minimum of two on-site resident parking spaces plus one off-street guest parking space.
 - 3) Dwelling units with three or more bedrooms shall provide a minimum of two on-site resident parking spaces plus two off-street guest parking spaces.
 - 4) The required on-site resident parking shall be covered parking.
 - 5) Adequate parking facilities for recreational vehicles shall be provided.

AMENDED DEVELOPMENT STANDARDS - CASE 52-Z-85
"SINGLE-FAMILY DETACHED LOTS"

DEVELOPMENT STANDARDS	R1-7	R1-7 PRD AMENDED
Min. Lot Area	7,000 sq. ft.	6,500 sq. ft.
Min. Lot Width	70 ft.	None - determined by subdivision approval (65 ft. average)
Max. Building Height	30 ft.	30 ft.
Min. Yard Setbacks		
Front	20 ft.	15 ft.
Intersecting Street or Corner Lot	10 ft.	5 ft.
Side	14 ft. aggregate 5 ft. min.	10 ft. aggregate 5 ft. min.
Rear	25 ft.	20 ft. 15 ft. (max. 30% of rear yard area)
Min. Distance Between Buildings		
Accessory and Main	10 ft.	10 ft.
Main Buildings/ Adjacent Lots	14 ft.	10 ft.
Max. Height of Walls, Fences and Landscaping (Required Yards)		
Front Yard	3 ft.	3 ft.
Side Yard	8 ft.	8 ft.
Rear Yard	8 ft.	8 ft.

* SEE NOTES AND EXCEPTIONS

NOTES AND EXCEPTIONS

1. There shall not be more than one single-family dwelling unit on any one lot.
 2. The requirements and exceptions of Article VII shall apply.
 3. All lots shall have vehicular access on a dedicated street unless a secondary means of permanent vehicular access has been approved on a subdivision plat.
 4. The height of a wall or fence is measured from the inside of the enclosure.
 5. Swimming pools shall be screened from adjacent properties by a protective fence or permanent structure not less than 4-1/2 feet in height. The swimming pool shall be protected by an enclosure which shall be controlled by the use of self-closing gates with self-latching devices.
 6. Where lots have double frontage on two streets, the required front yard shall be provided on both streets- THE INTERIOR STREET ONLY. THE PERIMETER STREET FRONTAGE SHALL MEET REAR YARD REQUIREMENTS.
 7. ~~On a corner lot which does not abut a key lot, accessory buildings may be constructed in the yard facing the side street.~~ ACCESSORY BUILDINGS SHALL NOT BE LOCATED WITHIN A REQUIRED FRONT YARD.
 8. Where a corner lot does not abut a key lot or an alley adjacent to a key lot, the height of walls, fences, and hedges in the yard facing the side street need only conform to the side yard requirements.
 - a. ON A CORNER LOT CONTIGUOUS TO A KEY LOT, FENCES OR FREE-STANDING WALLS OVER 3 FEET IN HEIGHT MAY BE PLACED ON THE PROPERTY LINE, EXCEPT WITHIN A TRIANGLE MEASURED 10 FEET FROM THE STREET ALONG THE COMMON LOT LINE AND 20 FEET ALONG THE PROPERTY LINE EXTENDING FROM THE COMMON LOT LINE TOWARDS THE FRONT OF THE CORNER LOT.
 - b. ON A KEY LOT CONTIGUOUS TO A CORNER LOT, A 6 FOOT FENCE OR A FREE-STANDING WALL MAY BE ERECTED ALONG THAT PORTION OF A KEY LOT CONTIGUOUS WITH THE REAR YARD OF THE CORNER LOT, BUT SUCH FENCE OR WALL SHALL NOT COME CLOSER THAN 10 FEET TO THE FRONT LINE OF THE KEY LOT.
 9. A GARAGE OR CARPORT HAVING AN ENTRY PARALLEL TO A STREET SHALL MAINTAIN A MINIMUM SETBACK OF TWENTY FEET FROM THE ULTIMATE STREET IMPROVEMENTS (BACK OF THE SIDEWALK).
- ~~10. Walls and fences with a maximum height of six feet are allowed in rear front yard providing-~~
- ~~a. The yard enclosed by such wall or fence shall not include more than 40% of the area between the front property line and the front setback line.~~
- ~~b. The wall or fence shall be setback three FIVE feet from the front property line.~~
- ~~c. The provisions of Section 7.104 shall apply on corner lots.~~
- 10.11. PATIO COVERS ARE NOT ALLOWED WITHIN A REQUIRED FRONT YARD.
- 11.12. Planned Residential District (PRD) requirements:
- a. Common wall dwelling units shall require Development Review Board approval (NOT ALLOWED).
 - b. Building height shall not exceed one-story within 50 feet of a R-1, R-2, R-3, R-4, R-4R, or M-H district boundary line.
 - c. All mechanical equipment shall be screened from view.
 - d. In addition to the provisions of Article IX, parking shall be provided as follows:
 - 1) Efficiency and one-bedroom dwelling units shall provide a minimum of one on-site resident parking space plus one off-street guest parking space.
 - 2) Dwelling units with two bedrooms shall provide a minimum of two on-site resident parking spaces plus one off-street guest parking space.
 - 3) Dwelling units with three or more bedrooms shall provide a minimum of two on-site resident parking spaces plus two off-street guest parking spaces.
 - 4) The required on-site resident parking shall be covered parking.
 - 5) Adequate parking facilities for recreational vehicles shall be provided.

AMENDED DEVELOPMENT STANDARDS - CASE 52-2-85
"PATIO HOME LOTS"

DEVELOPMENT STANDARDS	R1-7	R1-7 PRD AMENDED
Min. Lot Area	7,000 sq. ft.	5,000 sq. ft.
Min. Lot Width	70 ft.	None - determined by subdivision approval (50 ft. average)
Max. Building Height	30 ft.	30 ft.
Min. Yard Setbacks		
Front	20 ft.	10 ft.
Intersecting Street on Corner Lot	10 ft.	10 ft.
Side	14 ft. aggregate 5 ft. min.	10 ft. aggregate 5 ft. min. Zero lot line allowed one side.
Rear	25 ft. 15 ft. (max. 30% of rear yard area)	15 ft. 20 ft. along the south perimeter east of 93rd Street
Min. Distance Between Buildings		
Accessory and Main	10 ft.	10 ft.
Main Buildings/ Adjacent Lots	14 ft.	10 ft.
Max. Height of Walls, Fences and Landscaping (Required Yards)		
Front Yard	3 ft.	3 ft.
Side Yard	8 ft.	8 ft.
Rear Yard	8 ft.	8 ft.

* SEE NOTES AND EXCEPTIONS

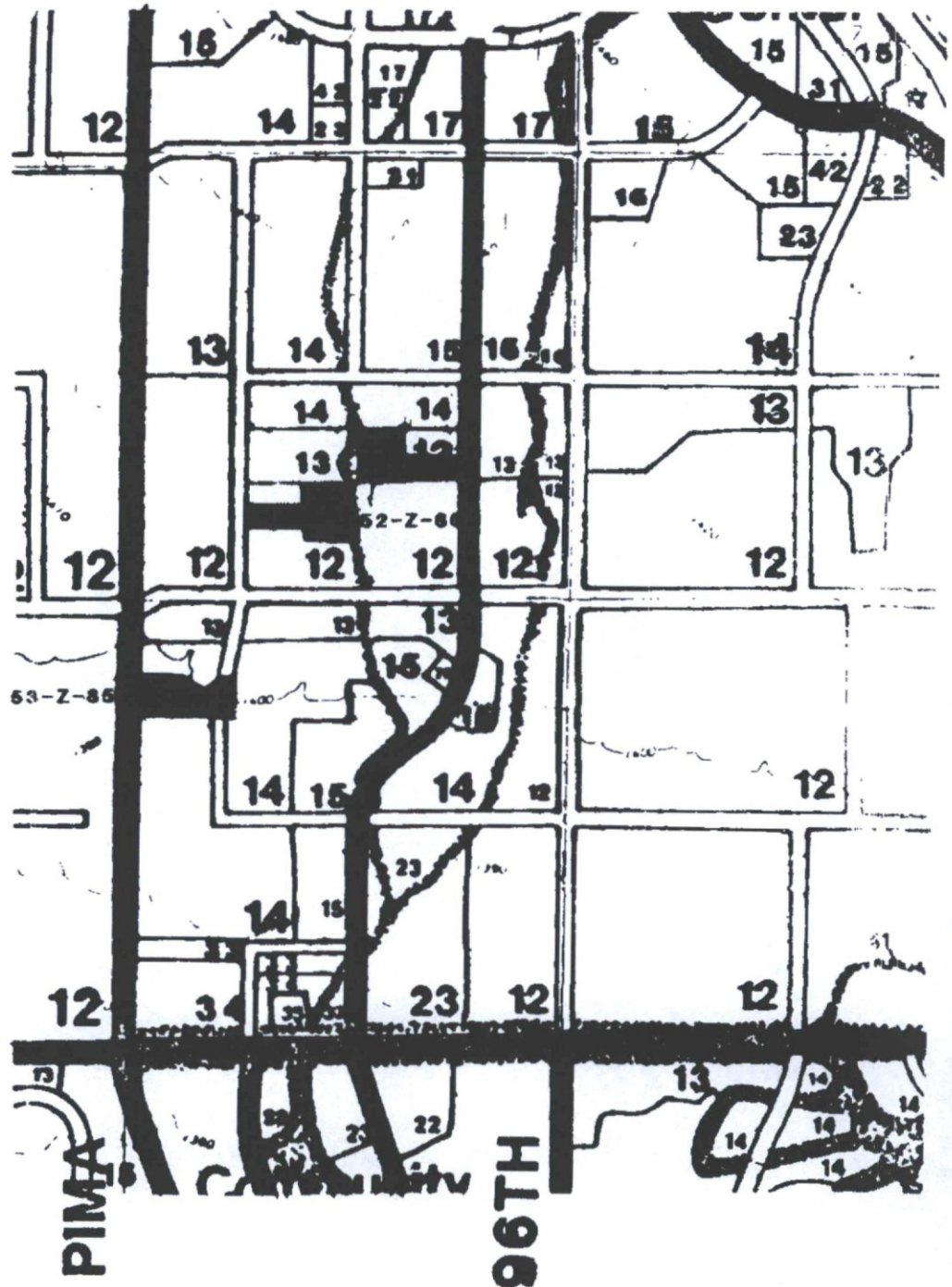
NOTES AND EXCEPTIONS

1. There shall not be more than one single-family dwelling unit on any one lot.
2. The requirements and exceptions of Article VII shall apply.
3. All lots shall have vehicular access on a dedicated street unless a secondary means of permanent vehicular access has been approved on a subdivision plat.
4. The height of a wall or fence is measured from the inside of the enclosure.
5. Swimming pools shall be screened from adjacent properties by a protective fence or permanent structure not less than 4-1/2 feet in height. The swimming pool shall be protected by an enclosure which shall be controlled by the use of self-closing gates with self-latching devices.
6. Where lots have double frontage on two streets, the required front yard shall be provided on both streets. THE INTERIOR STREET ONLY. THE PERIMETER STREET FRONTAGE SHALL MEET REAR YARD REQUIREMENTS.
7. ~~On a corner lot which does not abut a key lot, accessory buildings may be constructed in the yard facing the side street. ACCESSORY BUILDINGS SHALL NOT BE LOCATED WITHIN A REQUIRED FRONT YARD.~~
8. Where a corner lot does not abut a key lot or an alley adjacent to a key lot, the height of walls, fences, and hedges in the yard facing the side street need only conform to the side yard requirements.
9. A GARAGE OR CARPORT HAVING AN ENTRY PARALLEL TO A STREET SHALL MAINTAIN A MINIMUM SETBACK OF TWENTY FEET FROM THE BACK OF THE SIDEWALK.
10. Walls and fences with a maximum height of six feet are allowed in the front yard providing:
 - a. ~~The yard enclosed by such wall or fence shall not include more than 40% of the area between the front property line and the front setback line.~~
 - a.b. The wall or fence shall be setback three-FIVE feet from the front property line.
 - a.c. The provisions of Section 7.104 shall apply on corner lots.
11. PATIO COVERS ARE NOT ALLOWED WITHIN A REQUIRED FRONT YARD.
12. Planned Residential District (PRD) requirements:
 - a. Common wall dwelling units shall require Development Review Board approval.
 - b. Building height shall not exceed one-story within 50 feet of an R-1, R-2, R-3, R-4, R-4R, or M-H district boundary line.
 - c. All mechanical equipment shall be screened from view.
 - d. In addition to the provisions of Article IX, parking shall be provided as follows:
 - 1) Efficiency and one-bedroom dwelling units shall provide a minimum of one on-site resident parking space plus one off-street guest parking space.
 - 2) Dwelling units with two bedrooms shall provide a minimum of two on-site resident parking spaces plus one off-street guest parking space.
 - 3) Dwelling units with three or more bedrooms shall provide a minimum of two on-site resident parking spaces plus two off-street guest parking spaces.
 - 4) The required on-site resident parking shall be covered parking.
 - 5) Adequate parking facilities for recreational vehicles shall be provided.

HUNDERBIRD

CACTUS

SHEA



	DENSITY		LAND USE		LAND USE
	BASE	MAX			
10	1/8 DU/AC	.3 DU/AC	SINGLE FAMILY RESIDENTIAL	21	SUPPORT COMMERCIAL
11	1/8 DU/AC	.5 DU/AC	SINGLE FAMILY RESIDENTIAL	22	GENERAL COMMERCIAL
12	1 DU/AC	1.2 DU/AC	SINGLE FAMILY RESIDENTIAL	31	OFFICE
13	1-2 DU/AC	2.4 DU/AC	SINGLE FAMILY RESIDENTIAL	41	NATURAL OPEN SPACE CONSERVATION AREAS
14	3-4 DU/AC	4.8 DU/AC	SINGLE FAMILY RESIDENTIAL	42	DEVELOPED OPEN SPACE
15	4-8 DU/AC	8 DU/AC	TOWNHOUSE	SP	SPECIAL USE/CULTURAL INSTITUTIONAL, UTILITIES
16	8-12 DU/AC	12 DU/AC	TOWNHOUSE	EMP	EMPLOYMENT OFFICE
17	12-22 DU/AC	22 DU/AC	APARTMENTS		
18	16 ROOMS/AC	16 ROOMS/AC	TOURIST ACCOMMODATIONS		
19	8 ROOMS/AC	8 ROOMS/AC	LOW INTENSITY RESIDENT		

DU/AC = DWELLING UNITS PER ACRE
 MAXIMUM ALLOWABLE DENSITY WITH ZONING ORDINANCE INCENTIVES

CITY COUNCIL ACTION REPORT



TO: MAYOR AND CITY COUNCIL DATE: 6/3/86
FROM: COMMUNITY DEVELOPMENT/PROJECT COORDINATION
SUBJECT: CASE 50-Z-85

AGENDA ITEM NO 16

Grish Shirvani

Neal T. Pascoe
STAFF

REQUEST: Amendment to development plan approved in Case 52-Z-85

LOCATION: Northwest of 14th Street and Larkspur

APPLICANT: U.D.C. Homes

OWNER: Same

4820 S Mill

Tempe, AZ 85282

PLANNING COMMISSION RECOMMENDATION: APPROVE subject to the attached stipulations

STAFF RECOMMENDATION: Per the Planning Commission

CONCURRENCE: None required

PUBLIC COMMENT: No known opposition

GENERAL PLAN: Conforms

ZONING HISTORY: R1-35 upon annexation. Case 30-Z-85 approved R1-7 PRD on the north 2 1/4 acres allowing 4.15 units per acre (104 patio homes). Case 52-Z-85 approved R1-7 PRD and R1-18 PRD to expand approved R1-7 PRD.

SITE DETAILS

USE: Single-family detached

PARCEL SIZE: 5 acres

DWELLING UNITS: 11

DENSITY: 2.2 units/acre

PARKING REQUIRED: N/A

PARKING PROVIDED: N/A

BUILDINGS: N/A

HEIGHT: N/A

SETBACKS: N/A

OTHER: N/A

DISCUSSION: The request is to amend the development plan for a R1-18 PRD (Single-family in a Planned Residential Development) approved in 1985. A portion of Larkspur has been deleted from the street plan in the area. Consequently, a slightly modified subdivision plan has resulted. No change in density is requested.

At their May 27, 1986 meeting the Planning Commission voted unanimously to recommend approval.

ACTION TAKEN


S355754(11/85

CITY COUNCIL ACTION REPORT

Cases 50-Z-86
Page 2

POTENTIAL IMPACTS: None anticipated


Barbara Burns
General Manager/Community Development


Tommy J. Davis
Assistant City Manager

ATTACHMENTS:

- A - Stipulations
- #1 - Aeria
- #2 - Zoning Map
- #3 - Proposed Development Plan
- #4 - 52-7-85 Approved Development Plan

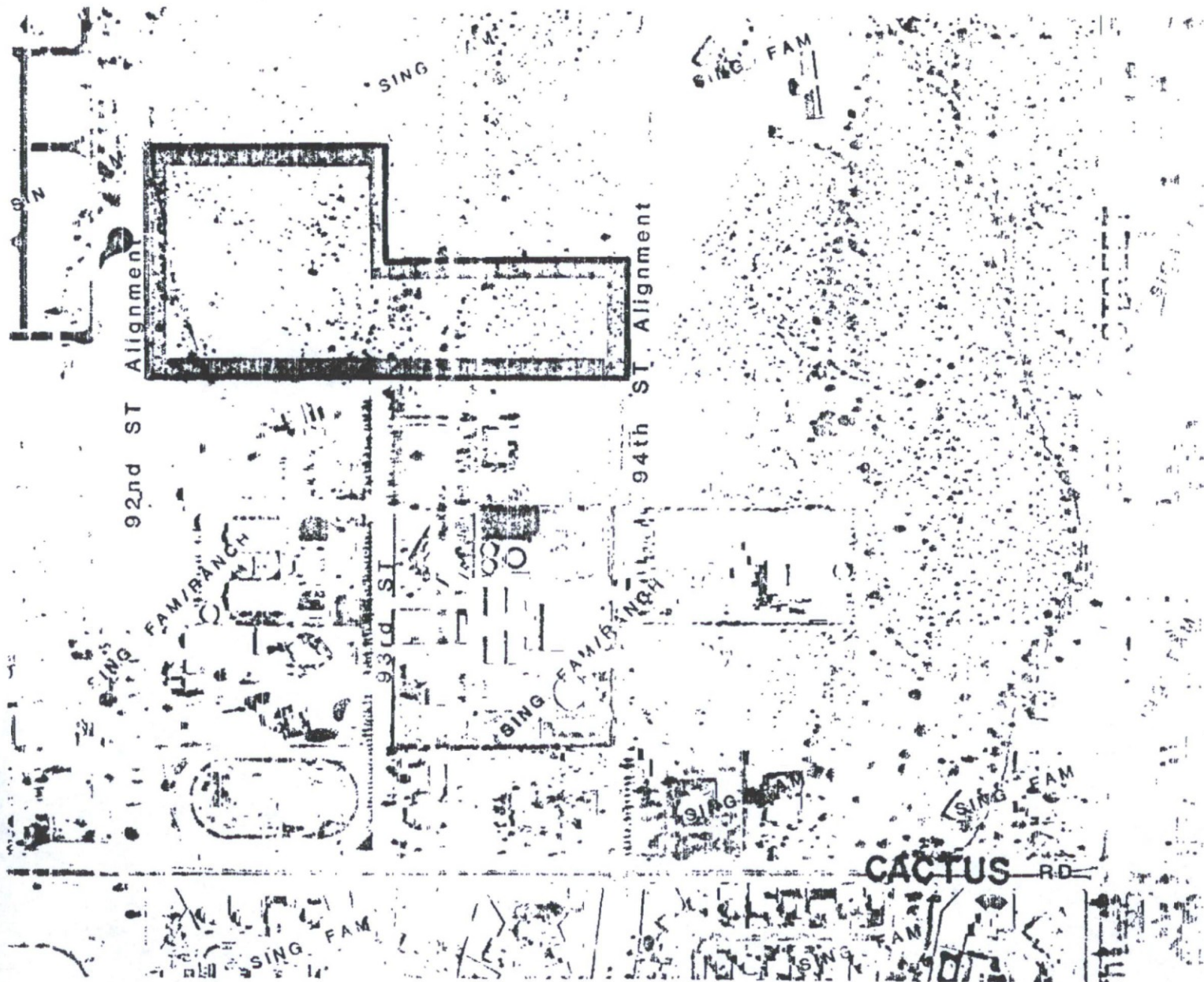
STIPULATIONS FOR CASE 52-Z-85 50-Z-86

1. The stipulations of approval for Case 30-Z-85 and 52-Z-85 shall apply as amended below.
2. Development shall be in substantial conformance with the submitted site plan. The proposed lotting arrangement shall be reviewed by the Project Coordination staff at the time of preliminary plat review.
3. A maximum of 146 lots shall be allowed.
4. The property development standards shall be amended as submitted.
5. Dedication of the following right-of-way shall be made within 6 months of the date of City Council approval:

Sweetwater Avenue	45' (half-street)
94th Street	55' (half-street)
93rd Street	50' (full-street)
Larkspur Drive	30' (half-street)
(EAST AT 93RD PLACE)	
6. A 1' V.N.E. (vehicular non-access easement) shall be provided along Sweetwater Avenue, 94th Street, and Larkspur Drive.
7. Access to Sweetwater Avenue shall align with the median break provided 660' west of 94th Street.
8. If the development is phased, the proposed phasing plan shall be approved by the Project Coordination staff at the time of preliminary plat review.
9. The applicant shall be responsible for 25% percent of the design and construction costs for a traffic signal at the intersection of 94th Street and Sweetwater.
10. The major wash along the 92nd Street alignment shall be maintained in a natural state.
11. The Project Coordination staff shall pay particular attention to:
 - a) The treatment of the common wall along the west and south perimeters.
 - b) The treatment of the perimeter wall and landscaping along Sweetwater Avenue, Larkspur Drive, and 94th Street. Along 94th Street, a 10' tract or common landscape easement shall be provided to allow the perimeter wall to meander.
12. The Project Coordination staff shall review and approve all elements of the common recreation area prior to preliminary plat approval. The staff shall pay particular attention to pedestrian access to the common area.

ATTACHMENT A

13. The applicant shall provide a solution to the drainage problem along Sweetwater Avenue which is acceptable to the Project Coordination staff prior to preliminary plat approval. The depth of lots along Sweetwater Avenue, as shown on the approved development plan, shall not be reduced as a result of this solution.
14. Prior to preliminary plat approval, the applicant shall submit a detailed drainage report which confirms that the proposed development plan will accommodate on-site and off-site drainage. The applicant understands and agrees that the approved density and site plan configuration is subject to drainage consideration.
15. Lots along the west and south perimeters of the south 5 acres approved by Case 30-Z-85 shall have a minimum lot size of 7,000 square feet and 8,000 square feet respectively.
16. Those areas of designated common area shall not be accepted for maintenance or ownership by the City without expressed action of the City Council. Before any improvement is accepted, it shall meet City standards. Failure to maintain the designated common areas could result in a civil action brought by the City for costs incurred by the City for said maintenance.
17. There shall be an 8' wall on the south property line OF LOTS west of 93rd Street Place.

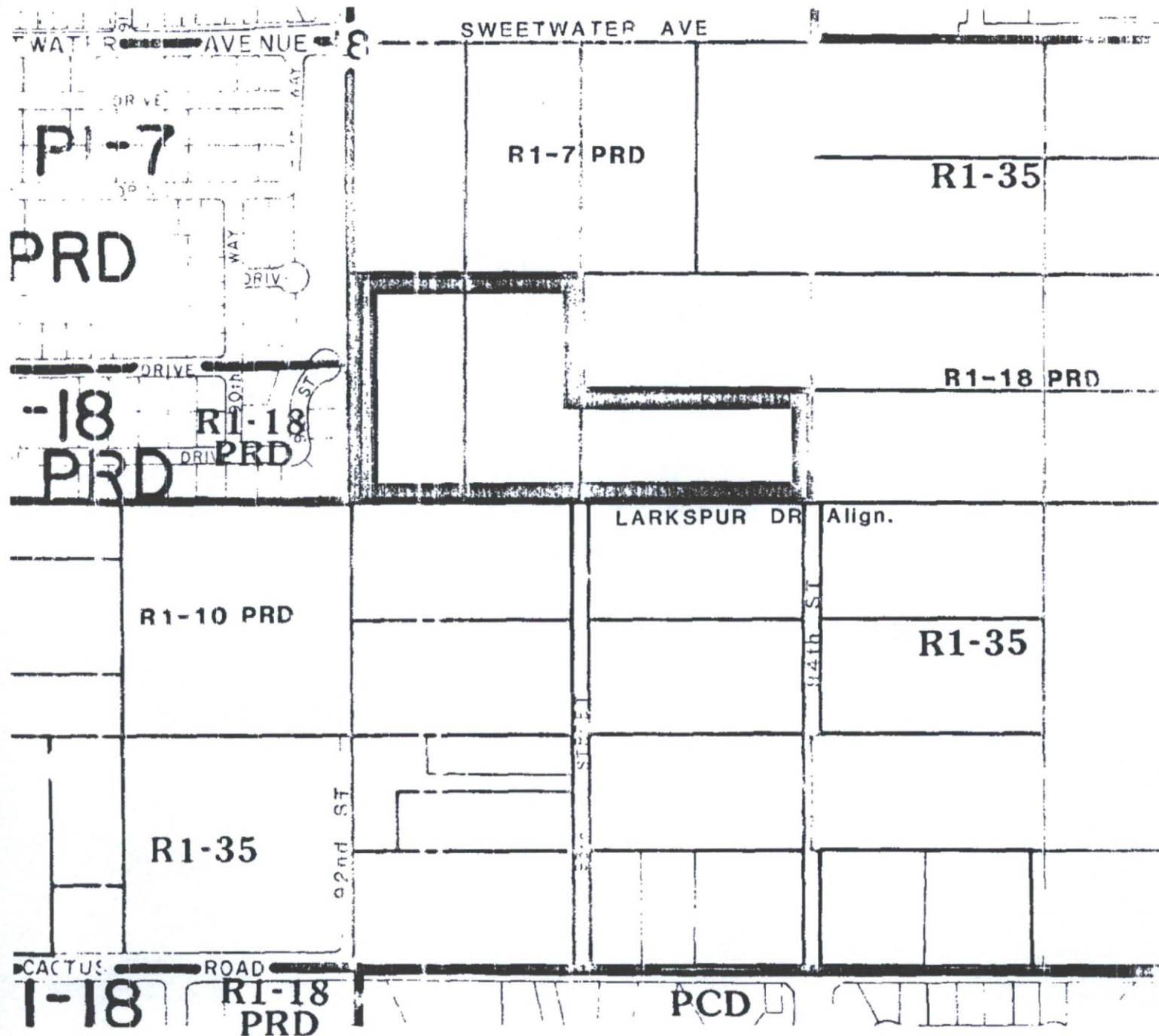


1"=400'

1985

50-Z-86

ATTACHMENT # 1



SWEETWATER RANCH ESTATES UNIT II

A SUBDIVISION OF ALL OF LOTS 13, 14 AND 16 SITUATED WITHIN A PORTION OF THE NW 1/4 SE 1/4 SECTION 18,
T.3N., R.5E., S.8S. R.5E.M., MARICOPA COUNTY, ARIZONA.

CLOUSE ENGINEERING INC.
ENGINEERS
SURVEYORS
PHOENIX, ARIZONA

VICINITY MAP

DEED DATA

LOT	ACRES	AREA	PERCENT	AREA	PERCENT	AREA	PERCENT
1	0.10	0.10	1.00	0.10	1.00	0.10	1.00
2	0.10	0.10	1.00	0.10	1.00	0.10	1.00
3	0.10	0.10	1.00	0.10	1.00	0.10	1.00
4	0.10	0.10	1.00	0.10	1.00	0.10	1.00
5	0.10	0.10	1.00	0.10	1.00	0.10	1.00
6	0.10	0.10	1.00	0.10	1.00	0.10	1.00
7	0.10	0.10	1.00	0.10	1.00	0.10	1.00
8	0.10	0.10	1.00	0.10	1.00	0.10	1.00
9	0.10	0.10	1.00	0.10	1.00	0.10	1.00
10	0.10	0.10	1.00	0.10	1.00	0.10	1.00
11	0.10	0.10	1.00	0.10	1.00	0.10	1.00
12	0.10	0.10	1.00	0.10	1.00	0.10	1.00
13	0.10	0.10	1.00	0.10	1.00	0.10	1.00
14	0.10	0.10	1.00	0.10	1.00	0.10	1.00
15	0.10	0.10	1.00	0.10	1.00	0.10	1.00
16	0.10	0.10	1.00	0.10	1.00	0.10	1.00
17	0.10	0.10	1.00	0.10	1.00	0.10	1.00
18	0.10	0.10	1.00	0.10	1.00	0.10	1.00
19	0.10	0.10	1.00	0.10	1.00	0.10	1.00
20	0.10	0.10	1.00	0.10	1.00	0.10	1.00
21	0.10	0.10	1.00	0.10	1.00	0.10	1.00
22	0.10	0.10	1.00	0.10	1.00	0.10	1.00
23	0.10	0.10	1.00	0.10	1.00	0.10	1.00
24	0.10	0.10	1.00	0.10	1.00	0.10	1.00
25	0.10	0.10	1.00	0.10	1.00	0.10	1.00
26	0.10	0.10	1.00	0.10	1.00	0.10	1.00
27	0.10	0.10	1.00	0.10	1.00	0.10	1.00
28	0.10	0.10	1.00	0.10	1.00	0.10	1.00
29	0.10	0.10	1.00	0.10	1.00	0.10	1.00
30	0.10	0.10	1.00	0.10	1.00	0.10	1.00
31	0.10	0.10	1.00	0.10	1.00	0.10	1.00
32	0.10	0.10	1.00	0.10	1.00	0.10	1.00
33	0.10	0.10	1.00	0.10	1.00	0.10	1.00
34	0.10	0.10	1.00	0.10	1.00	0.10	1.00
35	0.10	0.10	1.00	0.10	1.00	0.10	1.00
36	0.10	0.10	1.00	0.10	1.00	0.10	1.00
37	0.10	0.10	1.00	0.10	1.00	0.10	1.00
38	0.10	0.10	1.00	0.10	1.00	0.10	1.00
39	0.10	0.10	1.00	0.10	1.00	0.10	1.00
40	0.10	0.10	1.00	0.10	1.00	0.10	1.00
41	0.10	0.10	1.00	0.10	1.00	0.10	1.00
42	0.10	0.10	1.00	0.10	1.00	0.10	1.00
43	0.10	0.10	1.00	0.10	1.00	0.10	1.00
44	0.10	0.10	1.00	0.10	1.00	0.10	1.00
45	0.10	0.10	1.00	0.10	1.00	0.10	1.00

NOTICE
THIS IS TO CERTIFY THAT THE SURVEY AND SUBDIVISION OF THIS PROJECT DESCRIBED AND PLATTED HEREON WAS MADE UNDER MY SURVEYING DURING THE MONTH OF APRIL, 1986, AND THAT THE PLAT IS CORRECT AND ACCURATE AND THAT THE AMOUNTS QUANTIFIED IN IT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

NOTICE
THIS IS TO CERTIFY THAT THE SURVEY AND SUBDIVISION OF THIS PROJECT DESCRIBED AND PLATTED HEREON WAS MADE UNDER MY SURVEYING DURING THE MONTH OF APRIL, 1986, AND THAT THE PLAT IS CORRECT AND ACCURATE AND THAT THE AMOUNTS QUANTIFIED IN IT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

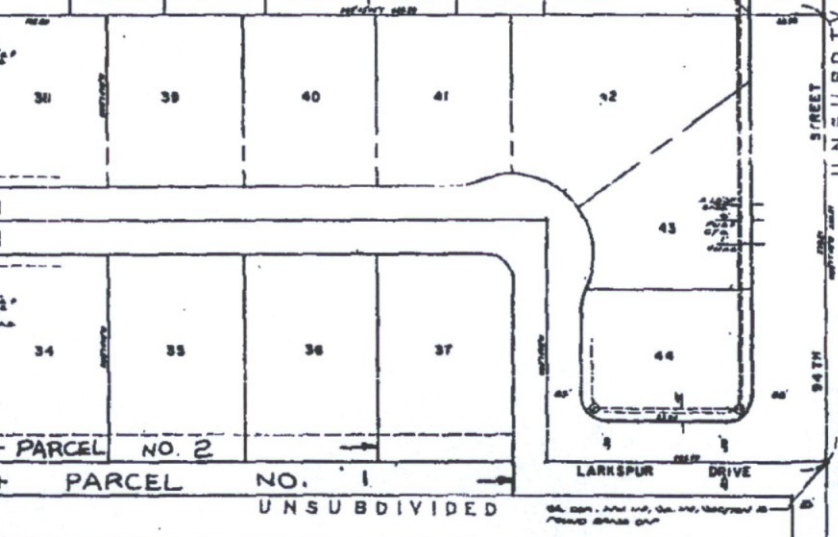
NOTICE
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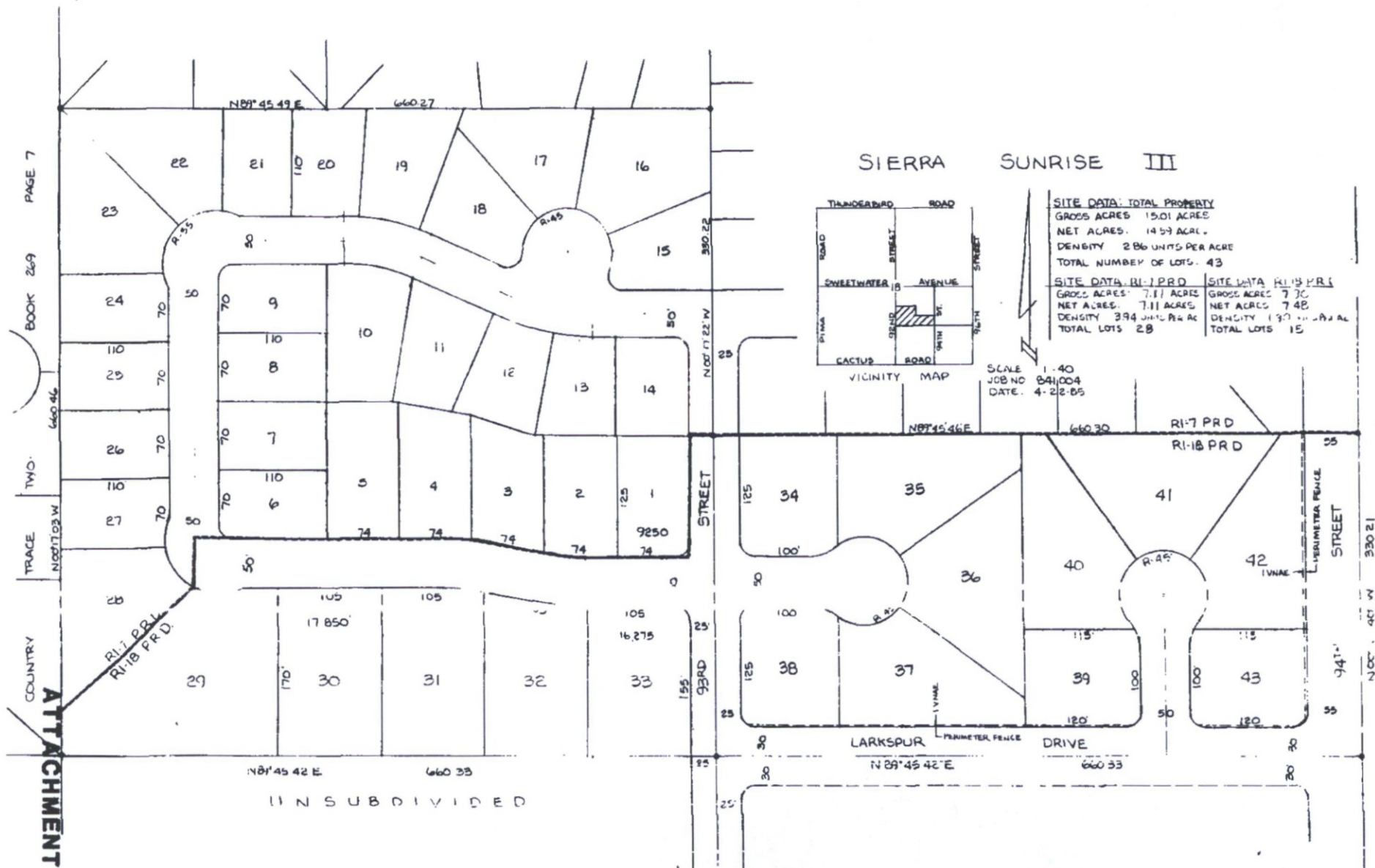
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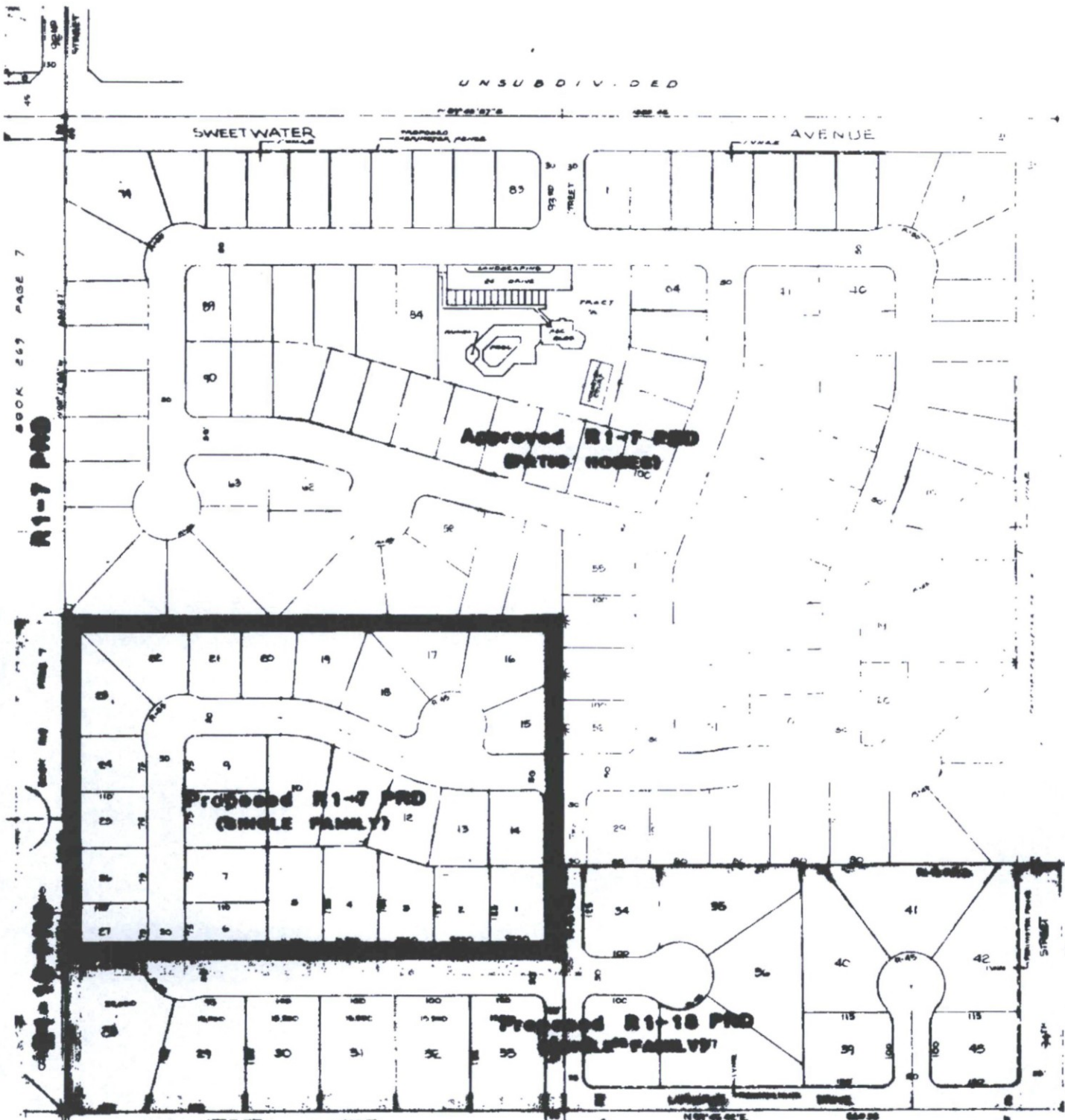
SAGEWOOD BOOK 294 PAGE 36





50-Z-86

(52-Z-85)



BOOK 269 PAGE 7
R1-7 PRO

UNSUBDIVIDED
SIERRA SUNRISE
52-Z-85

SIERRA	SUNRISE	PLAIN	SUNSHINE
0.00	0.00	27	8.91

SIERRA	SUNRISE	PLAIN	SUNSHINE
0.11	7.00	16	1.97

52-Z-85

ATTACHMENT #3

AMENDED DEVELOPMENT STANDARDS - CASE 52-Z-85
"SINGLE-FAMILY DETACHED LOTS"

DEVELOPMENT STANDARDS	R1-18	R1-10 PRD AMENDED
Min. Lot Area	18,000 sq. ft.	12,000 sq. ft.
Min. Lot Width	120 ft.	None - determined by subdivision approval (160 ft. average)
Max. Building Height	30 ft.	30 ft.
Min. Yard Setbacks		
Front	35 ft.	20 ft.
Intersecting Street on Corner Lot	35 ft.	15 ft.
Side	10 ft.	10 ft.
Rear	30 ft.	25 ft. 35 ft. west of 93rd Street
Min. Distance Between Buildings		
Accessory and Main	10 ft.	10 ft.
Main Buildings/ Adjacent Lots	20 ft.	10 ft.
Max. Height of Walls, Fences and Landscaping (Required Yards)		
Front Yard	3 ft.	3 ft.
Side Yard	8 ft.	8 ft.
Rear Yard	8 ft.	8 ft.

NOTES AND EXCEPTIONS

1. There shall not be more than one single-family dwelling unit on any one lot.
2. The requirements and exceptions of Article VII shall apply.
3. All lots shall have vehicular access on a dedicated street unless a secondary means of permanent vehicular access has been approved on a subdivision plat.
4. The height of a wall or fence is measured from the inside of the enclosure.
5. Swimming pools shall be screened from adjacent properties by a protective fence or permanent structure not less than 4-1/2 feet in height. The swimming pool shall be protected by an enclosure which shall be controlled by the use of self-closing gates with self-latching devices.
6. Where lots have double frontage on two streets, the required front yard shall be provided on both streets- THE INTERIOR STREET ONLY. THE PERIMETER STREET FRONTAGE SHALL MEET REAR YARD REQUIREMENTS.
7. On a corner lot which does not abut a key lot, accessory buildings may be constructed in the yard facing the side street.
8. Where a corner lot does not abut a key lot or an alley adjacent to a key lot, the height of walls, fences, and hedges in the yard facing the side street need only conform to the side yard requirements.
 - a. ON A CORNER LOT CONTIGUOUS TO A KEY LOT, FENCES OR FREE-STANDING WALLS OVER 3 FEET IN HEIGHT MAY BE PLACED ON THE PROPERTY LINE, EXCEPT WITHIN A TRIANGLE MEASURED 10 FEET FROM THE STREET ALONG THE COMMON LOT LINE AND 20 FEET ALONG THE PROPERTY LINE EXTENDING FROM THE COMMON LOT LINE TOWARDS THE FRONT OF THE CORNER LOT.
 - b. ON A KEY LOT CONTIGUOUS TO A CORNER LOT, A 6 FOOT FENCE OR A FREE-STANDING WALL MAY BE ERECTED ALONG THAT PORTION OF A KEY LOT CONTIGUOUS WITH THE REAR YARD OF THE CORNER LOT, BUT SUCH FENCE OR WALL SHALL NOT COME CLOSER THAN 10 FEET TO THE FRONT LINE OF THE KEY LOT.
9. A GARAGE OR CARPORT HAVING AN ENTRY PARALLEL TO A STREET SHALL MAINTAIN A MINIMUM SETBACK OF TWENTY FEET FROM THE ULTIMATE IMPROVEMENTS (BACK OF THE SIDEWALK).
10. Planned Residential District (PRD) requirements:
 - a. Common wall dwelling units shall require Development Review Board approval (NOT ALLOWED).
 - b. Building height shall not exceed one-story within 50 feet and R-1, R-2, R-3, R-4, R-4R, or M-H district boundary line.
 - c. All mechanical equipment shall be screened from view.
 - d. In addition to the provisions of Article IX, parking shall be provided as follows:
 - 1) Efficiency and one-bedroom dwelling units shall provide a minimum of one on-site resident parking space plus one off-street guest parking space.
 - 2) Dwelling units with two bedrooms shall provide a minimum of two on-site resident parking spaces plus one off-street guest parking space.
 - 3) Dwelling units with three or more bedrooms shall provide a minimum of two on-site resident parking spaces plus one off-street guest parking spaces.
 - 4) The required on-site resident parking shall be covered parking.
 - 5) Adequate parking facilities for recreational vehicles shall be provided.

**AMENDED DEVELOPMENT STANDARDS - CASE 52-Z-85
"SINGLE-FAMILY DETACHED LOTS"**

<u>DEVELOPMENT STANDARDS</u>	<u>R1-7</u>	<u>R1-7 PRD AMENDED</u>
Min. Lot Area	7,000 sq. ft.	6,500 sq. ft.
Min. Lot Width	70 ft.	None - determined by subdivision approval (65 ft. average)
Max. Building Height	30 ft.	30 ft.
Min. Yard Setbacks		
Front	20 ft.	15 ft.
Intersecting Street or Corner Lot	10 ft.	5 ft.
Side	14 ft. aggregate 5 ft. min.	10 ft. aggregate 5 ft. min.
Rear	25 ft.	20 ft. 15 ft. (max. 30% of rear yard area)
Min. Distance Between Buildings		
Accessory and Main	10 ft.	10 ft.
Main Buildings/ Adjacent Lots	14 ft.	10 ft.
Max. Height of Walls, Fences and Landscaping (Required Yards)		
Front Yard	3 ft.	3 ft.
Side Yard	8 ft.	8 ft.
Rear Yard	8 ft.	8 ft.

* SEE NOTES AND EXCEPTIONS

NOTES AND EXCEPTIONS

1. There shall not be more than one single-family dwelling unit on any one lot.
 2. The requirements and exceptions of Article VII shall apply.
 3. All lots shall have vehicular access on a dedicated street unless a secondary means of permanent vehicular access has been approved on a subdivision plat.
 4. The height of a wall or fence is measured from the inside of the enclosure.
 5. Swimming pools shall be screened from adjacent properties by a protective fence or permanent structure not less than 4-1/2 feet in height. The swimming pool shall be protected by an enclosure which shall be controlled by the use of self-closing gates with self-latching devices.
 6. Where lots have double frontage on two streets, the required front yard shall be provided on both streets- THE INTERIOR STREET ONLY. THE PERIMETER STREET FRONTAGE SHALL MEET REAR YARD REQUIREMENTS.
 7. ~~On a corner lot which does not abut a key lot, accessory buildings may be constructed in the yard facing the side street.~~ ACCESSORY BUILDINGS SHALL NOT BE LOCATED WITHIN A REQUIRED FRONT YARD.
 8. Where a corner lot does not abut a key lot or an alley adjacent to a key lot, the height of walls, fences, and hedges in the yard facing the side street need only conform to the side yard requirements.
 - a. ON A CORNER LOT CONTIGUOUS TO A KEY LOT, FENCES OR FREE-STANDING WALLS OVER 3 FEET IN HEIGHT MAY BE PLACED ON THE PROPERTY LINE, EXCEPT WITHIN A TRIANGLE MEASURED 10 FEET FROM THE STREET ALONG THE COMMON LOT LINE AND 20 FEET ALONG THE PROPERTY LINE EXTENDING FROM THE COMMON LOT LINE TOWARDS THE FRONT OF THE CORNER LOT.
 - b. ON A KEY LOT CONTIGUOUS TO A CORNER LOT, A 6 FOOT FENCE OR A FREE-STANDING WALL MAY BE ERECTED ALONG THAT PORTION OF A KEY LOT CONTIGUOUS WITH THE REAR YARD OF THE CORNER LOT, BUT SUCH FENCE OR WALL SHALL NOT COME CLOSER THAN 10 FEET TO THE FRONT LINE OF THE KEY LOT.
 9. A GARAGE OR CARPORT HAVING AN ENTRY PARALLEL TO A STREET SHALL MAINTAIN A MINIMUM SETBACK OF TWENTY FEET FROM THE ULTIMATE STREET IMPROVEMENTS (BACK OF THE SIDEWALK).
- ~~10. Walls and fences with a maximum height of six feet are allowed in rear front yard providing-~~
- ~~a. The yard enclosed by such wall or fence shall not include more than 40% of the area between the front property line and the front setback line.~~
- ~~b. The wall or fence shall be setback three-five feet from the front property line.~~
- ~~c. The provisions of Section 7.104 shall apply on corner lots.~~
- 10.11. PATIO COVERS ARE NOT ALLOWED WITHIN A REQUIRED FRONT YARD.
- 11.12. Planned Residential District (PRD) requirements:
- a. Common wall dwelling units shall require Development Review Board approval (NOT ALLOWED).
 - b. Building height shall not exceed one-story within 50 feet of a R-1, R-2, R-3, R-4, R-4R, or M-H district boundary line.
 - c. All mechanical equipment shall be screened from view.
 - d. In addition to the provisions of Article IX, parking shall be provided as follows:
 - 1) Efficiency and one-bedroom dwelling units shall provide a minimum of one on-site resident parking space plus one off-street guest parking space.
 - 2) Dwelling units with two bedrooms shall provide a minimum of two on-site resident parking spaces plus one off-street guest parking space.
 - 3) Dwelling units with three or more bedrooms shall provide a minimum of two on-site resident parking spaces plus two off-street guest parking spaces.
 - 4) The required on-site resident parking shall be covered parking.
 - 5) Adequate parking facilities for recreational vehicles shall be provided.

AMENDED DEVELOPMENT STANDARDS - CASE 52-2-85
"PATIO HOME LOTS"

DEVELOPMENT STANDARDS	R1-7	R1-7 PRD AMENDED
Min. Lot Area	7,000 sq. ft.	5,000 sq. ft.
Min. Lot Width	70 ft.	None - determined by subdivision approval (50 ft. average)
Max. Building Height	30 ft.	30 ft.
Min. Yard Setbacks		
Front	20 ft.	10 ft.
Intersecting Street on Corner Lot	10 ft.	10 ft.
Side	14 ft. aggregate 5 ft. min.	10 ft. aggregate 5 ft. min. Zero lot line allowed one side.
Rear	25 ft. 15 ft. (max. 30% of rear yard area)	15 ft. 20 ft. along the south perimeter east of 93rd Street
Min. Distance Between Buildings		
Accessory and Main	10 ft.	10 ft.
Main Buildings/ Adjacent Lots	14 ft.	10 ft.
Max. Height of Walls, Fences and Landscaping (Required Yards)		
Front Yard	3 ft.	3 ft.
Side Yard	8 ft.	8 ft.
Rear Yard	8 ft.	8 ft.

* SEE NOTES AND EXCEPTIONS

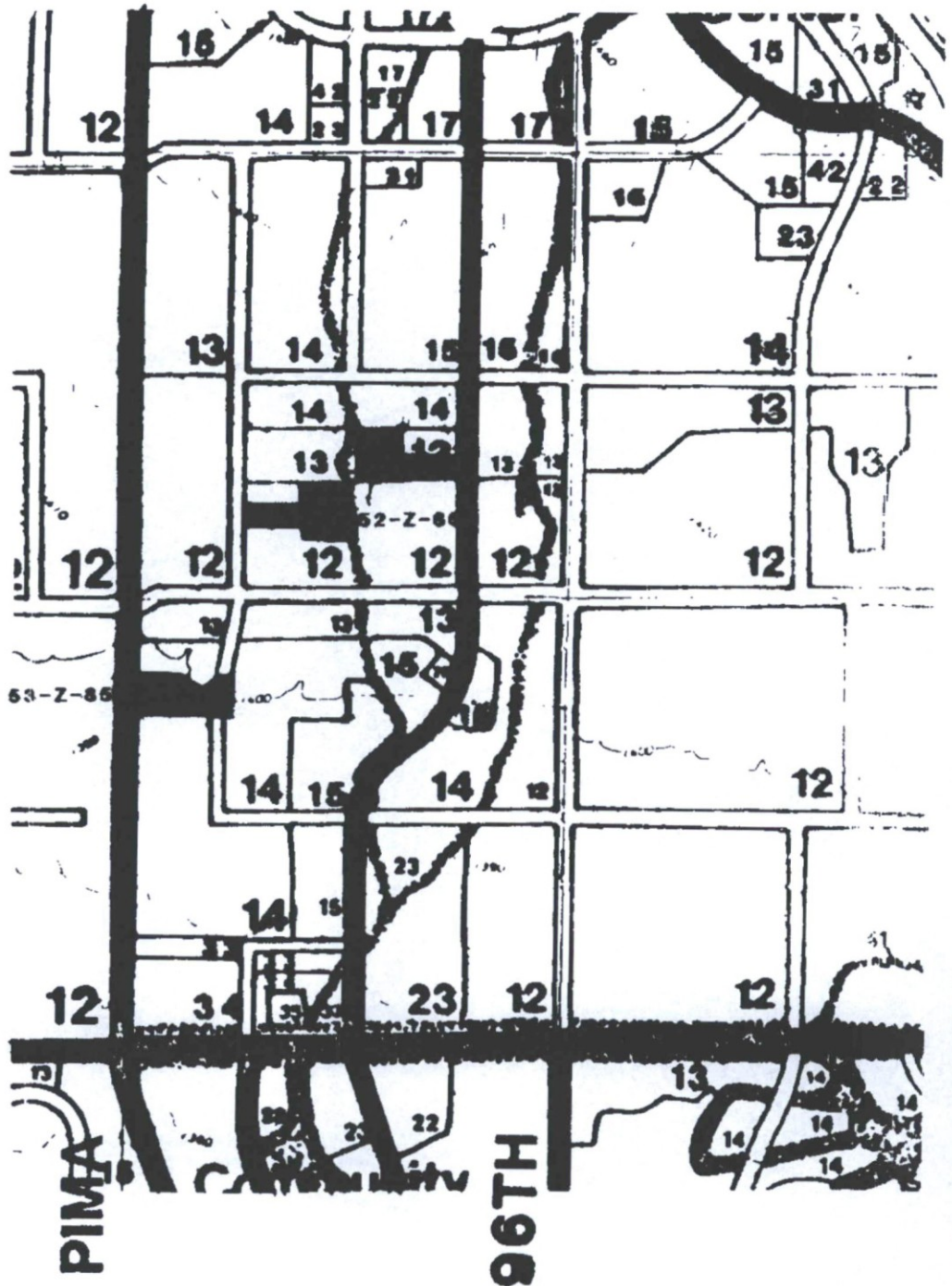
NOTES AND EXCEPTIONS

1. There shall not be more than one single-family dwelling unit on any one lot.
2. The requirements and exceptions of Article VII shall apply.
3. All lots shall have vehicular access on a dedicated street unless a secondary means of permanent vehicular access has been approved on a subdivision plat.
4. The height of a wall or fence is measured from the inside of the enclosure.
5. Swimming pools shall be screened from adjacent properties by a protective fence or permanent structure not less than 4-1/2 feet in height. The swimming pool shall be protected by an enclosure which shall be controlled by the use of self-closing gates with self-latching devices.
6. Where lots have double frontage on two streets, the required front yard shall be provided on both streets - THE INTERIOR STREET ONLY. THE PERIMETER STREET FRONTAGE SHALL MEET REAR YARD REQUIREMENTS.
7. ~~On a corner lot which does not abut a key lot, accessory buildings may be constructed in the yard facing the side street.~~ ACCESSORY BUILDINGS SHALL NOT BE LOCATED WITHIN A REQUIRED FRONT YARD.
8. Where a corner lot does not abut a key lot or an alley adjacent to a key lot, the height of walls, fences, and hedges in the yard facing the side street need only conform to the side yard requirements.
9. A GARAGE OR CARPORT HAVING AN ENTRY PARALLEL TO A STREET SHALL MAINTAIN A MINIMUM SETBACK OF TWENTY FEET FROM THE BACK OF THE SIDEWALK.
10. Walls and fences with a maximum height of six feet are allowed in the front yard providing:
 - a.---The yard enclosed by such wall or fence shall not include more than 40% of the area between the front property line and the front setback line.
 - a.b.- The wall or fence shall be setback three-FIVE feet from the front property line.
 - a.c.- The provisions of Section 7.104 shall apply on corner lots.
11. PATIO COVERS ARE NOT ALLOWED WITHIN A REQUIRED FRONT YARD.
12. Planned Residential District (PRD) requirements:
 - a. Common wall dwelling units shall require Development Review Board approval.
 - b. Building height shall not exceed one-story within 50 feet of any R-1, R-2, R-3, R-4, R-4R, or M-H district boundary line.
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THUNDERBIRD

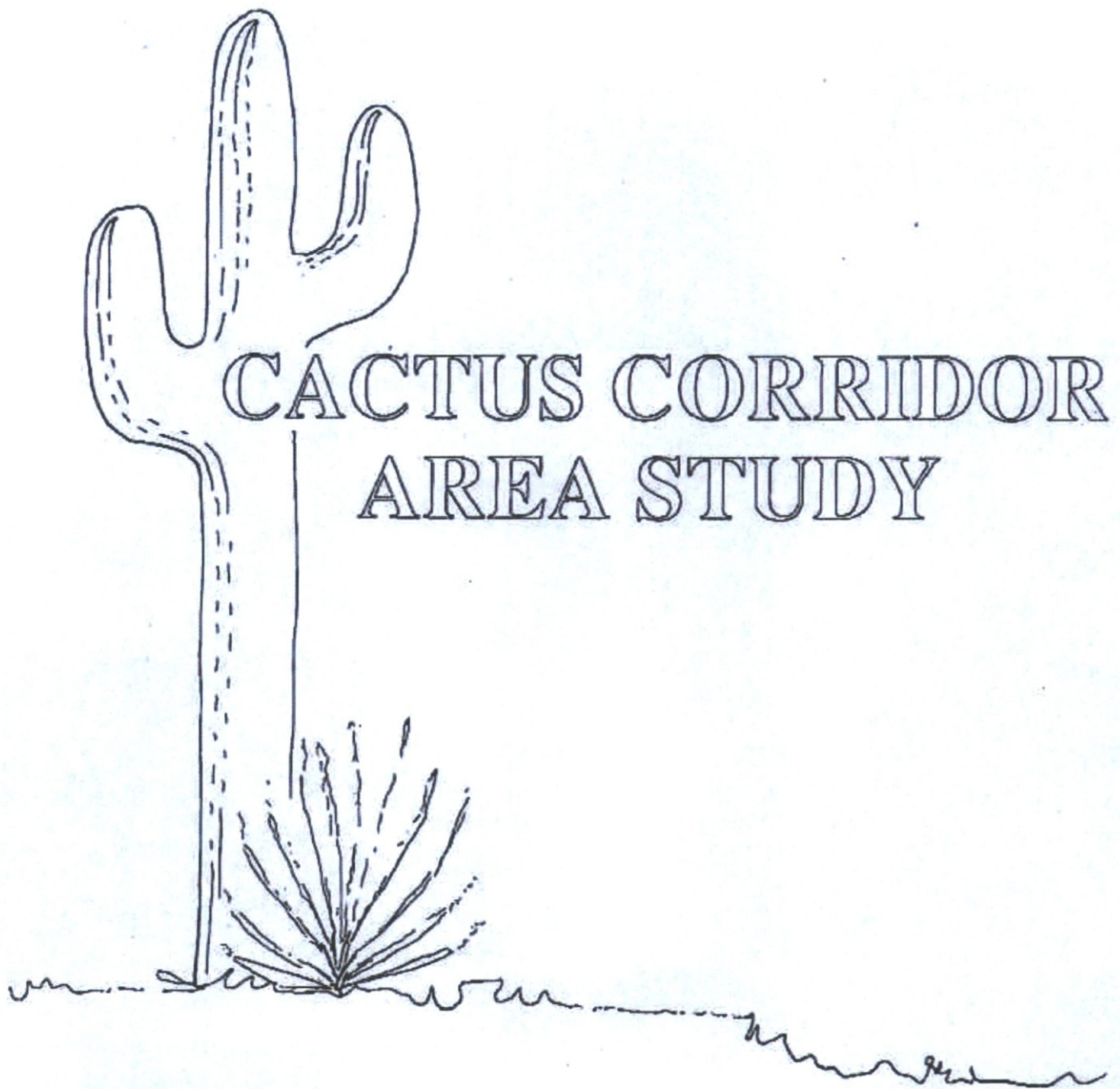
CACTUS

SHEA



	DENSITY		LAND USE		LAND USE
	BASE	MAX			
10	1/8 DU/AC	.3 DU/AC	SINGLE FAMILY RESIDENTIAL	21	SUPPORT COMMERCIAL
11	1/8 DU/AC	.5 DU/AC	SINGLE FAMILY RESIDENTIAL	22	GENERAL COMMERCIAL
12	1 DU/AC	1.2 DU/AC	SINGLE FAMILY RESIDENTIAL	31	OFFICE
13	1-2 DU/AC	2.4 DU/AC	SINGLE FAMILY RESIDENTIAL	41	NATURAL OPEN SPACE CONSERVATION AREAS
14	3-4 DU/AC	4.8 DU/AC	SINGLE FAMILY RESIDENTIAL	42	DEVELOPED OPEN SPACE
15	4-8 DU/AC	8 DU/AC	TOWNHOUSE	SP	SPECIAL USE/CULTURAL INSTITUTIONAL, UTILITIES
16	8-12 DU/AC	12 DU/AC	TOWNHOUSE	EMP	LIGHT INDUSTRIAL/WAREHOUSE
17	12-22 DU/AC	22 DU/AC	APARTMENTS		SALES OFFICE
18	16 ROOMS/AC	16 ROOMS/AC	TOURIST ACCOMMODATIONS		WATER WASHES
19	5 ROOMS/AC	5 ROOMS/AC	LOW INTENSITY RESIDENT		DU/AC = DWELLING UNITS PER ACRE

MAXIMUM ALLOWABLE DENSITY WITH ZONING ORDINANCE INCENTIVES



CACTUS CORRIDOR AREA STUDY



APPROVED 5/5/92

The Cactus Corridor Study Area encompasses a diverse neighborhood. The heart of the area consists of low density residential lots ranging from 35,000 square feet to 2-1/2 acres, with minimal street improvements, and large front yard setbacks. In addition, the equestrian lifestyle is evident in an informal back yard setting, or as found in a larger ranch operation. The age of the housing is relatively equal in terms of what has been built in the past 10 years, and that which is older. The edges of the Corridor consist of suburban single family housing, with multi-family housing clustered at activity centers.

BACKGROUND ISSUES -

- 1) The equestrian experience for the current owners of larger properties has been declining over the years. They feel the adjacent suburban densities preclude a viable use of their property for horse related activities, and would therefore like to transition to development of like character. In addition to the land dynamics of the area, the economic picture for the equestrian business has faltered, thus leaving some ranches facing uncertain futures.
- 2) The development community has expressed interest in building a semi custom type of home on a medium sized lot. A potential match could happen through the re-use of equestrian properties.
- 3) Homeowners within the existing low density areas are concerned about the character created by new development and the trend toward smaller lots, project walls, and internalized site planning.

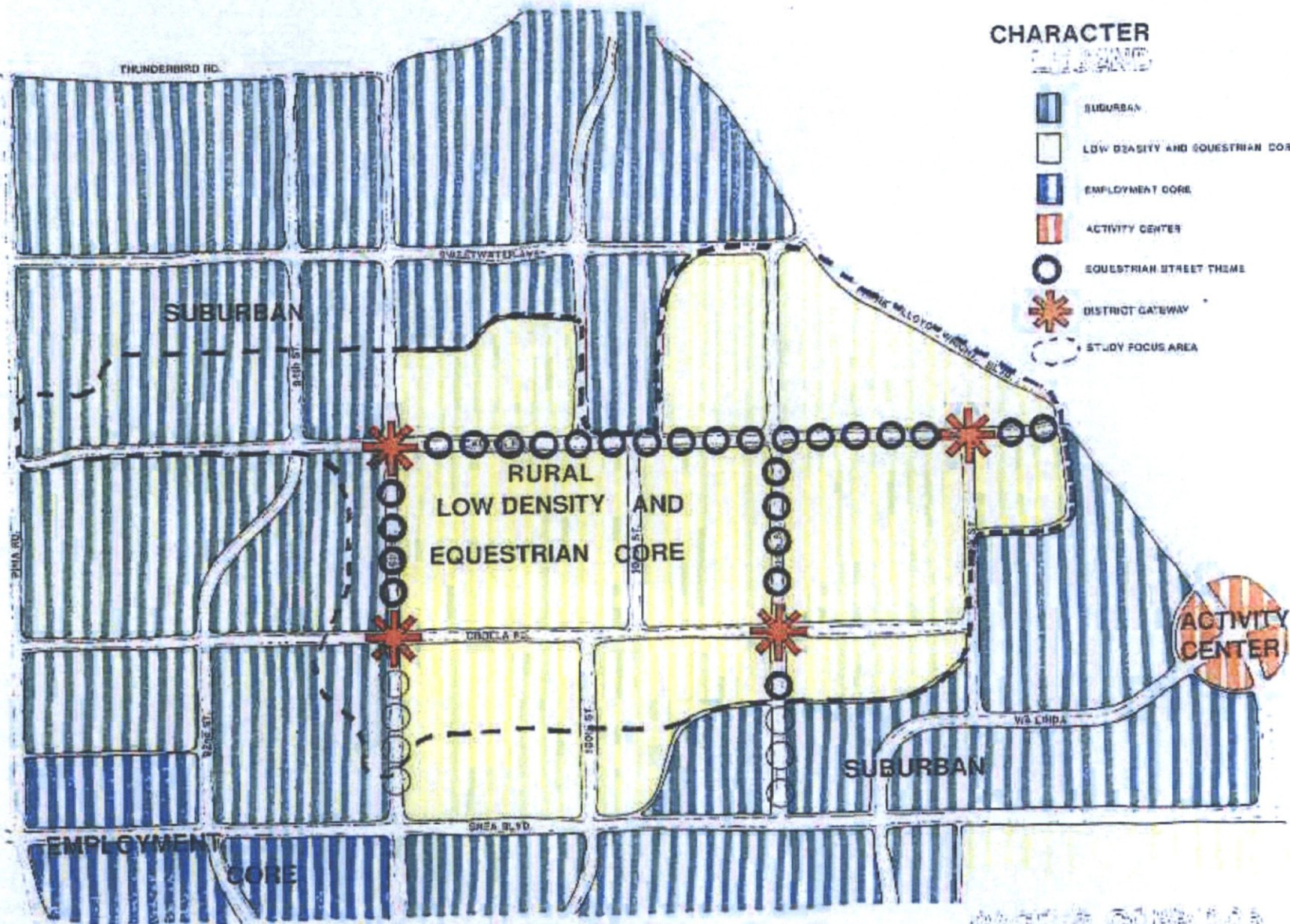
RECOMMENDATIONS

The following amendments to the General Plan are recommended:

CHARACTER

For areas west of 96th Street, the Suburban character is recommended. This change would allow the equestrian properties to redevelop with a semi-custom product while also matching densities established on the north and south of Cactus Road.

For areas east of 96th Street, the existing rural character is recommended to continue. Development in this area should reflect a low density, and where feasible, an equestrian flair. Development should also be compatible with the existing neighborhood. To reinforce this theme, the name "CACTUS ACRES" should be used to describe this unique district of the city. It is also recommended that a special streetscape treatment be designed for Cactus, Rd., 96th St., and 104th St. Potential components of this program would be district gateways and neighborhood entries, a street tree program, an informal path, landscaping, and rural/western fencing.



CASTLE ROCK, CO. STUDY AREA

LAND USE

The attached map illustrates a recommendation for categories 13 and 14 to be applied to specific areas west of 96th Street. There is no recommended change in land use for areas east of 96th Street; however, flexibility should be allowed to review projects on a case by case basis.

CIRCULATION

No change in street classification is recommended. However, it is recommended that a neighborhood level trail loop be established. This trail would provide an inner connection between the neighborhood and other planned or existing trails. The creation of this circuit would require participation of the Cactus Acres property owners.

*Please Note: Cactus Corridor Land Use Map has been superseded by City of Scottsdale General Plan 2001 Conceptual Land Use Map

GENERAL LAND USE DESIGNATIONS

RESIDENTIAL

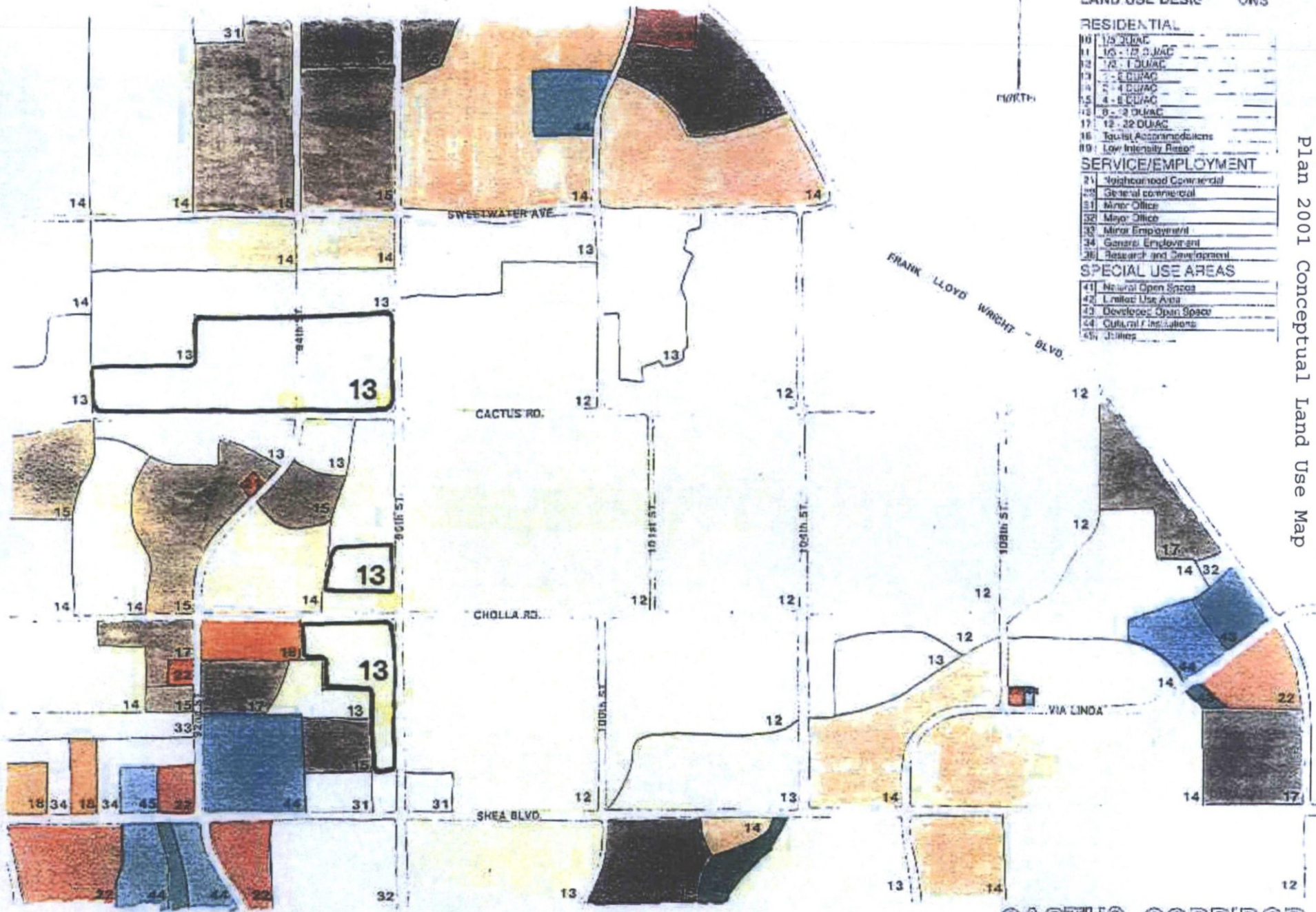
- 10 1/2 DUAC
- 11 10 - 15 DUAC
- 12 10 - 15 DUAC
- 13 8 DUAC
- 14 6 - 8 DUAC
- 15 4 - 6 DUAC
- 16 2 - 4 DUAC
- 17 12 - 22 DUAC
- 18 Tourist Accommodations
- 19 Low Intensity Res.

SERVICE/EMPLOYMENT

- 21 Neighborhood Commercial
- 22 General Commercial
- 31 Minor Office
- 32 Major Office
- 33 Minor Employment
- 34 General Employment
- 35 Research and Development

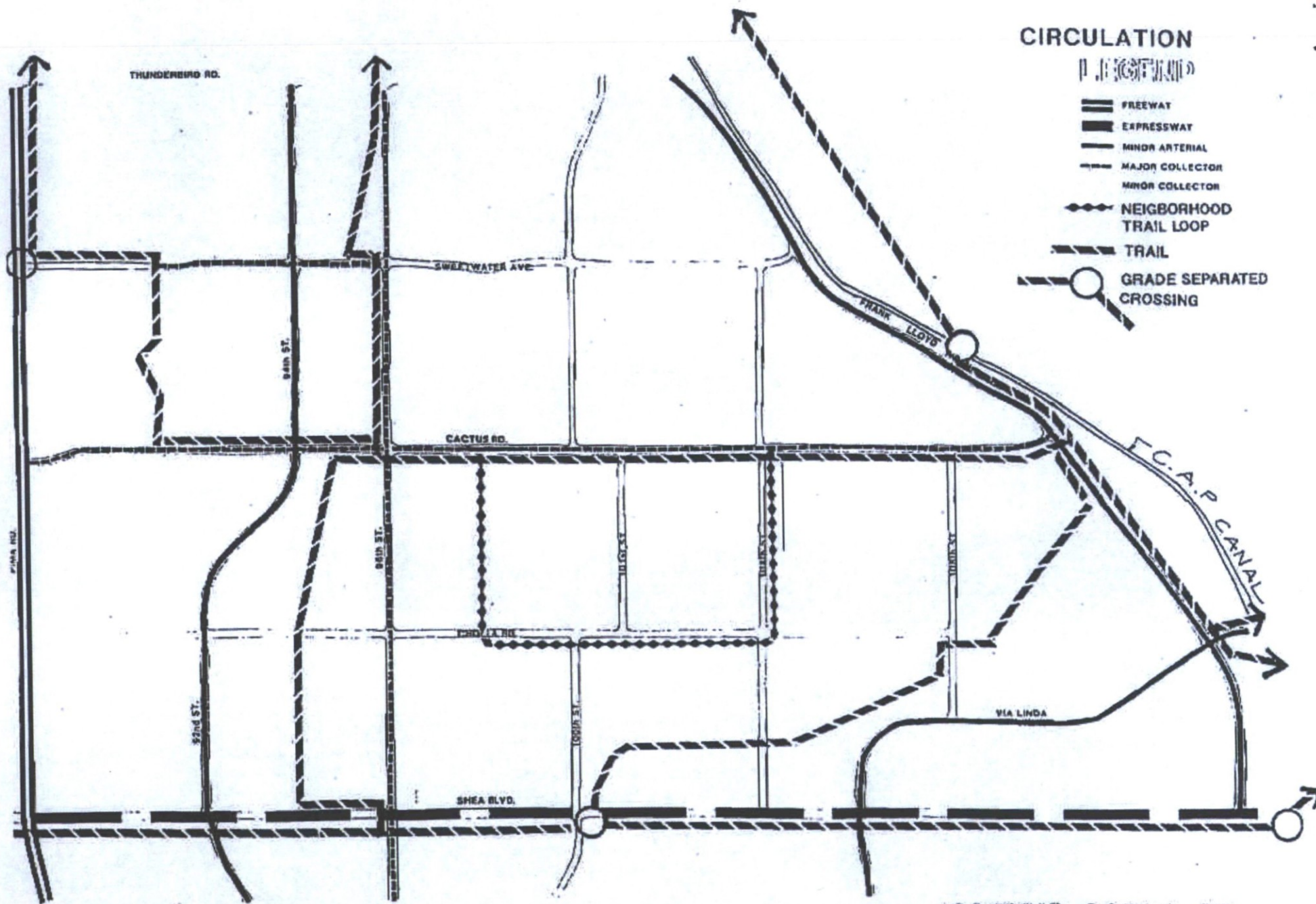
SPECIAL USE AREAS

- 41 Natural Open Space
- 42 Limited Use Area
- 43 Developed Open Space
- 44 Cultural Institutions
- 45 Utilities



APPROVED 5/5/92

CACTUS CORRIDOR
STUDY AREA



CIRCULATION

LEGEND

- FREEWAY
- EXPRESSWAY
- MINOR ARTERIAL
- MAJOR COLLECTOR
- MINOR COLLECTOR
- NEIGHBORHOOD TRAIL LOOP
- TRAIL

GRADE SEPARATED CROSSING

CACTUS CORRIDOR STUDY AREA



FILE COPY



CITY COUNCIL REPORT

MEETING DATE: January 30, 2007

ITEM NO.

5

GOAL: Coordinate Planning to Balance Infrastructure

SUBJECT

Caballo Estates - 24-ZN-2005

REQUEST

Request

1. To rezone from Single Family Residential District (R1-35) to Single Family Residential District, Planned Residential District (R1-35 PRD) with amended development standards on a 20 +/- acre parcel located at the northwest corner of E. Cactus Road and N. 93rd Street.
2. To adopt Ordinance No. 3720 affirming the above rezoning.

Key Items for Consideration:

- Both the existing and proposed zoning districts are consistent with the General Plan and Cactus Corridor Area Study.
- The proposal replaces equestrian property with a single-family subdivision.
- This request increases the number of homes currently allowed on the property from 21 to 22.
- Impacts to traffic, infrastructure, and other services will be negligible.
- One public comment letter was received expressing various concerns.
- Planning Commission recommended approval of the rezoning, 6-0.

Related Policies, References:

- 14-AB-2006 is an associated request to abandon right-of-way/roadway easements on the property.
- Cases 38-UP-1987 and 36-UP-1983 allowed a commercial ranch to operate on this site.
- City General Plan designates the property as Suburban Neighborhoods.
- Cactus Corridor Area Study recommends a suburban character west of N. 96th Street.

OWNER

Bobby Lee

APPLICANT CONTACT

John Berry
Berry & Damore, LLC
480-385-2727

LOCATION

Northwest corner of E. Cactus Road
and N. 93rd Street

BACKGROUND

General Plan.

The General Plan Land Use Element designates the property as Suburban Neighborhoods. This category includes medium-lot to small-lot single-family subdivisions with densities between one dwelling unit per acre and eight



dwelling units per acre. The existing zoning allows densities consistent with the General Plan, and the proposed rezoning would also be consistent with the General Plan.

Cactus Corridor Area Study.

The 1992 Cactus Corridor Area Study focuses on the area generally bounded by Sweetwater Avenue to the north, Frank Lloyd Wright Boulevard to the east, Shea Boulevard to the south, and Pima Road (101 Freeway) to the west. The Study recommends a suburban character west of N. 96th Street and a rural character east of N. 96th Street. Specifically, the subject property is in a designated "Suburban" area. Both the existing and proposed zoning are consistent with the Cactus Corridor Area Study. (See Attachment #7)

Zoning.

The site is currently zoned Single Family Residential District (R1-35). This site received Conditional Use Permits to operate as a commercial ranch in 1983 and 1987 (Cases 38-UP-1987 and 36-UP-1983). The R1-35 zoning district allows for 35,000 square-foot or larger residential lot sizes. The PRD designation permits the development standards to be amended to allow more context-appropriate development to occur.

Context.

The subject property consists of a 20-acre parcel located at the northwest corner of E. Cactus Road and N. 93rd Street. This property is relatively flat with residential and equestrian-related structures. The property is surrounded by R1-18 PRD single-family home developments to the north, west, and south that have a density approximating two to three homes per acre. Across N. 93rd Street to the east are a private school and residential/equestrian uses. An equestrian trail is located along the north side of the property, and a wash is located along the west side of the property.

Adjacent Uses and Zoning:

- North Single-family residential, zoned R1-18 PRD District
- South Single-family residential, zoned R1-18 PCD District
- East Private school and residential/equestrian uses, zoned R1-35 District
- West Single-family residential, zoned R1-18 PRD District

APPLICANT'S PROPOSAL

Goal/Purpose of Request.

This is a request to rezone the property from the R1-35 District to the Single Family Residential, Planned Residential Development District (R1-35 PRD) to develop the site with 22 single-family residential lots. One private drive is proposed from N. 93rd Street. No access will be provided from Cactus Road. The applicant is proposing the PRD district in order to amend the development standards to maximize lot flexibility to accommodate the proposed housing product, and to provide trails and open space to achieve a specific neighborhood character. The proposed amended standards include a reduction of the lot size, widths, and setbacks.

Development information.

- Existing Use: Commercial Ranch
- Proposed Use: 22 single-family homes
- Parcel Size: 20 gross acres (18.5 net acres)
- Proposed Density: 1.1 dwelling units per acre (gross)
- Building Height Allowed: 30 feet
- Building Height Proposed: 30 feet, except eight lots will be 26 feet
- Street Access: Private street from N. 93rd Street
- Open Space Provided: 4.13 acres

IMPACT ANALYSIS

Density.

Both the existing R1-35 zoning district and the proposed R1-35/PRD are consistent with the General Plan's Suburban Neighborhoods designation and the Cactus Corridor Area Study. The adjacent single-family homes combined with nearby equestrian properties give this area a unique neighborhood character that combines the rural and the suburban lifestyles. A General Plan Guiding Principle and goal of the General Plan's Neighborhoods Element is to preserve and enhance the unique sense of neighborhood found in diverse areas. The proposed R1-35/PRD zoning district and density of 1.1 homes per acre is consistent with zoning districts and densities of the surrounding neighborhoods.

Planned Residential District (PRD)-Amended Standards/Density.

The purpose of the PRD is to encourage imaginative and innovative planning of residential neighborhoods; to encourage the preservation of open space and significant natural features; to offer a wide variety of dwelling unit types; to promote greater flexibility in design of residential neighborhoods; and to enable the development of parcels of property that would be difficult to develop under conventional zoning and subdivision regulations.

The applicant requests amended development standards with the justification that the amended standards will produce a living environment, landscape quality and lifestyle superior to that produced by the existing standards. The proposed amended standards include a reduction of the lot sizes, widths, and setbacks. In addition to the general PRD requirement that homes be limited to one-story within fifty feet of an adjacent lot having a one-story home, the applicant has agreed to a building height restriction of 26 feet for the eight lots proposed along the north and west sides of the property (Lots 6, 7, 8, 9, 10, 15, 16 and 20).

The proposed site layout is consistent with neighboring properties in terms of density, orientation, lot sizes, and setbacks of the surrounding neighborhoods. The result of modified lot widths and setbacks allow opportunities for landscaped buffers and trails surrounding the development, as well as open space tracts at the entrance of the property and at the E. Cactus Road/N. 93rd Street intersection. (see Amended Development Standards; Attachment #3A)

The PRD also allows increases to the base density in the R1-35 District from

1.050 dwelling units per acre to the proposed 1.100 dwelling units per acre upon finding that one of the following criteria is exceeded to an extraordinary degree:

1. *Preservation of natural features.* Preservation of natural features shall include the preservation of major washes, significant stands of native vegetation or other topographic or scenic natural features, provided such features are left in their undisturbed natural state.
2. *Provision of common open space.* This shall mean the provision of common open space which is distinguishable by its quantity or quality and which is readily accessible to the residents of the development.
3. *Innovative site plan.* An innovative site plan shall mean a site plan which features a street pattern which discourages through traffic, ensures the privacy of the residents of the development and is in harmony with the topography and other natural features. An innovative site plan could also include a variety of lot sizes and dwelling units types.
4. *Interior amenities.* Interior amenities shall mean the provision of private recreational facilities such as tennis courts, recreation centers, bike paths and equestrian trails which are accessible to the residents of the development.
5. *Substantial public benefit.* Substantial public benefit shall mean the provision of public facilities that are both unusual in character and serve the needs of an area greater than the immediate development. No density increase for substantial public benefit may be approved unless the public facilities provided are in excess of the typically-required street improvements, sidewalks, bike paths, equestrian trails and drainage facilities.

The proposed development preserves the wash along the west side of the property (criteria #1) and provides common open space and trails that exceed standard requirements (criteria #2).

Traffic.

East Cactus Road is classified as a major collector in the City's Streets Master Plan. The City will soon be widening the section of E. Cactus Road adjacent to the site to four lanes (with center lane/median). Construction is planned to begin within the next year. North 93rd Street is classified as a minor collector street, and is constructed with one lane in each direction.

One private drive is proposed from N. 93rd Street and no access will be provided from E. Cactus Road. The proposed rezoning from R1-35 to R1-35 PRD would result in an increase of one lot, from 21 lots to 22 lots, and will not result in a significant increase of trips. Any increase of traffic is not anticipated to impact either N. 93rd Street or E. Cactus Road.

Drainage/Open Space/Trails.

There is a wash along the west side of the site that will remain in place, and the site plan proposes a retention basin at the southeast corner of the site. The retention basin will also serve as an open space amenity for the development, and augment the other open space buffers proposed along E. Cactus Road and 93rd Street. Open space buffers are also provided along the north and west sides of the property, and at the ends of each proposed cul-de-sac. A multi-use trail will be constructed on Cactus Road as part of the Cactus Corridor street

improvements scheduled to begin later this year. Trails will be provided around the property.

Water/Sewer.

This infill development will connect to existing water and sewer lines, so there are no anticipated water or sewer service impacts.

Police/Fire.

The property is located in Police District 2, which is served by the N. 90th Street/Via Linda station. The nearest Fire Station is located at N. 90th Street/Via Linda, providing an anticipated fire response time of less than five minutes. Police and fire currently serve this area, so there are no anticipated police or fire service impacts.

Schools District Comments/Review.

Scottsdale Unified School District has been notified of this application and indicates that there are adequate school facilities to accommodate any additional students generated by the proposed rezoning.

Community Involvement.

The site has been posted with notification signs, the surrounding property owners within 750 feet have been notified, and the applicant held two open houses to discuss the project. The Development Review Board reviewed the conceptual site plan during their study session on October 19, 2006, and suggested no changes.

A letter was received by the Tarantini Estates Homeowners Association to the west expressing concerns regarding the possibility of multiple homebuilders within the subdivision would create an inconsistent development. Other concerns were that the amended development standards would create smaller lots with smaller setbacks than the surrounding neighborhood, and that building heights should be reduced. To allow time to address concerns raised by the HOA to the west, the applicant requested that this case be continued from the November 8, 2006, Planning Commission meeting. The applicant met with the Tarantini Estates HOA and agreed to limit building heights along four of the westernmost lots. A subsequent letter has been received from the Tarantini Estates HOA in support of the application.

Another public comment letter was received very early in the process that expressed a desire to preserve the existing wash, minimize nuisances in the proposed open spaces, and limit homes on lots within 100 feet of adjacent homes along the western boundary to 24 feet in height. Most of these issues have been addressed with the current proposal. (see Citizen Involvement; Attachment #8)

Community Impact.

Both the existing and proposed zoning are consistent with the General Plan and Cactus Corridor Area Study. The proposal replaces equestrian property with a single-family development having a density and layout compatible with the surrounding neighborhoods. Trails and open space areas around the property maintain an open character for the area. Impacts to traffic,

infrastructure, and other services will be minimal.

**PLANNING
COMMISSION
RECOMMENDATION**

Planning Commission.

The Planning Commission heard this case on December 13, 2006, and recommended approval, with a unanimous vote of 6-0 on the consent agenda.

**STAFF
RECOMMENDATION**

Recommended Approach:

Staff finds that at least one of the density increase criteria for the PRD has been met, and recommends approval of the proposed rezoning and amended development standards subject to the attached stipulations.

**RESPONSIBLE
DEPT(S)**


Planning and Development Services Department
Current Planning Services

STAFF CONTACT(S)

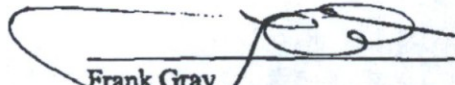
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APPROVED BY


Lusia Galav
Director, Current Planning

1/16/07
Date


Frank Gray
General Manager, Planning and Development Services Department

1.16.07
Date


Ed Gawf
Assistant City Manager

1/17/07
Date

ATTACHMENTS

1. Ordinance No. 3720
- Exhibit 1. Stipulations
- Exhibit 2. Zoning Map
- Exhibit 3. Amended Development Standards
2. Additional Information
3. Applicant's Narrative
4. Context Aerial
- 4A. Aerial Close-Up
5. Land Use Map
6. Cactus Corridor Area Study
7. Citizen Involvement
8. City Notification Map
9. Conceptual Site Plan
10. October 19, 2006 Development Review Board Study Session Minutes
11. December 13, 2006 Planning Commission Minutes

ORDINANCE NO. 3720

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SCOTTSDALE MARICOPA COUNTY, ARIZONA, AMENDING ORDINANCE NO. 455, THE ZONING ORDINANCE OF THE CITY OF SCOTTSDALE, BY AND FOR THE PURPOSE OF CHANGING THE ZONING ON THE "DISTRICT MAP" TO ZONING APPROVED IN CASE NO. 24-ZN-2005, FROM SINGLE FAMILY RESIDENTIAL DISTRICT (R1-35) TO SINGLE FAMILY RESIDENTIAL DISTRICT, PLANNED RESIDENTIAL DISTRICT (R1-35 PRD) WITH AMENDED DEVELOPMENT STANDARDS ON A 20 +/- ACRE PARCEL LOCATED AT THE NORTHWEST CORNER OF E. CACTUS ROAD AND N. 93RD STREET.

WHEREAS, the Planning Commission has held a hearing on December 13, 2006;

WHEREAS, the City Council has held a hearing on January 30, 2007; and

WHEREAS, the City Council finds that the proposed development is in substantial harmony with the General Plan of the City of Scottsdale and will be coordinated with existing and planned development; and

WHEREAS, for this proposed Planned Residential District, the Planning Commission and City Council finds:

A. That the development proposed is in substantial harmony with the General Plan of the City of Scottsdale, and can be coordinated with existing and planned development of surrounding areas.

B. That the streets and thoroughfares proposed are suitable and adequate to serve the proposed uses and the anticipated traffic which will be generated thereby.

C. That the facts submitted with the application and presented at the hearing will establish beyond a reasonable doubt that the planned residential development will constitute a residential environment of sustained desirability and stability that it will be in harmony with the character of the surrounding area; and that the sites proposed for public facilities such as schools, playgrounds and parks, are adequate to serve the anticipated population.

D. That the amended standards for the Planned Residential District will produce a living environment, landscape quality and lifestyle superior to that produced by the existing standards.

E. That the preservation of natural features and the provision of common open space is exceeded to an extraordinary degree to allow an increase to the base density in the R1-35 District for the Planned Residential District.

WHEREAS, an approved development plan shall be kept on file in the Planning and Development Services Department.
(Ord. No. 2830, § 1, 10-17-95)

WHEREAS, it is now necessary that the comprehensive zoning map of the City of Scottsdale ("District Map") be amended to conform with the decision of the Scottsdale City Council in Case No. 24-ZN-2005.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Scottsdale, as follows:

Section 1. That the "District Map" adopted as a part of the Zoning Ordinance of the City of Scottsdale, showing the zoning district boundaries, is amended by rezoning a 20 +/- acre parcel located at the northwest corner of E. Cactus Road and N. 93rd street and marked as "Site" (the Property) on the map attached as Exhibit 2, incorporated herein by reference, Single family Residential District, Planned Residential District (R1-35 PRD) with amended development standards.

Section 2. That the above rezoning approval is conditioned upon compliance with all stipulations attached hereto as Exhibit 1 and incorporated herein by reference.

Section 3. That the above rezoning approval is conditioned upon compliance with the amended development standards attached hereto as Exhibit 3 and incorporated herein by reference.

PASSED AND ADOPTED by the Council of the City of Scottsdale this 30th day of January, 2007.


ATTEST:

CITY OF SCOTTSDALE, an Arizona
municipal corporation

By: _____
Carolyn Jagger
City Clerk

By: _____
Mary Manross
Mayor

APPROVED AS TO FORM:

By:  _____
Deborah W. Robberson
City Attorney

STIPULATIONS FOR CASE 24-ZN-2005

These stipulations are in order to protect the public health, safety, welfare, and the City of Scottsdale.

PLANNING/ DEVELOPMENT

1. **CONFORMANCE TO SITE PLAN.** Development shall conform to the site plan submitted by LVA Urban Design Studio and dated 10/24/2006. These stipulations take precedence over the above-referenced site plan. Any proposed significant change, as determined by the Zoning Administrator, shall be subject to subsequent public hearings before the Planning Commission and City Council.
2. **MAXIMUM DWELLING UNITS.** The number of dwelling units on the site shall not exceed twenty two (22) without subsequent public hearings before the Planning Commission and City Council.
3. **CONFORMANCE TO AMENDED DEVELOPMENT STANDARDS.** Development shall conform with the amended development standards dated 6/9/2006 as shown in Report Attachment #3A, and flag lots shall be permitted having a minimum width of twenty (20) feet. Any change to the development standards shall be subject to subsequent public hearings before the Planning Commission and City Council, except modifications to standards on individual lots shall be subject to the Variance process.
4. **BUILDING HEIGHT LIMITATIONS.** No building on the site shall exceed thirty (30) feet in height, except as provided in Zoning Ordinance Article VII. Building heights on Lots 6, 7, 8, 9, 10, 15, 16 and 20 shall be limited to twenty six (26) feet and there shall be no decks, patios, or towers associated with observation or any other purpose allowed above grade on the primary structure or any accessory structures, nor shall there be any exterior staircases or other access provided to any roofs on the property.
5. **SETBACKS.** Lots 6, 7, 8, and 9 shall have minimum fifty (50) foot rear building setbacks along North and West project boundaries.
6. **OPEN SPACE SETBACKS.** Open Space Setbacks shall conform to the site plan submitted by LVA Urban Design Studio and dated 10/24/2006. With the preliminary plat submittal, the developer shall submit a plan providing a minimum of 4.13 acres of landscaped open space, including a minimum fifty (50) foot wide open space setback along E. Cactus Road and a minimum twenty five (25) foot wide open space setback along the other three (3) property boundaries. Also with the preliminary plat submittal, the developer shall submit a plan for a pocket park within the open space/drainage basin located at the corner of E. Cactus and N. 93rd Street. The open space along E. Cactus Road shall be visible from the adjacent public streets, subject to the Development Review Board approval.

CIRCULATION

1. **STREET CONSTRUCTION.** Before issuance of any certificate of occupancy for the site, the developer shall dedicate the following right-of-way and construct the following street improvements, in conformance with the Design Standards and Policies Manual:

Street Name/Type	Dedications	Improvements	Notes
Cactus Road Major Collector	50 feet half street (40 feet existing)	Half street, 35' CL- BC, Fig. 5.3-9.	a.
93 rd Street Local Residential	25 feet existing	28' B/C to B/C, plus 6' sidewalk	b.
Internal Streets Local Residential	40 foot wide tract (private)	Full street, 23' BC- BC, Fig. 5.3-19	6' wide shoulder

Notes:

- a. The developer shall be responsible for constructing the major collector half street along the Cactus Road frontage. The design shall be consistent with the planned Cactus Road capital improvement project.
 - b. The developer shall construct 93rd Street to local residential streets standards, 28' BC-BC with roll curb, matching the existing cross section to the north. A six-foot wide sidewalk shall be constructed along the west side of the street.
2. **IN-LIEU PAYMENTS.** At the direction of city staff, before issuance of any building permit for the site, the developer shall not construct the street improvements for E. Cactus Road as specified by the Notes in the stipulation above, but shall make an in lieu payment to the city. Before any final plan approval, the developer shall submit an engineer's estimate for plan preparation, design and construction costs of a major collector half street, including burying overhead power lines, two lanes of pavement with curb and gutter, half median improvements (curb, gutter and landscaping), and any required drainage structures. The in lieu payment shall be based on this estimate, plus five percent (5%) contingency cost and other incidental items, as determined by city staff.
 3. **AUXILIARY LANE CONSTRUCTION.** Before any certificate of occupancy is issued for the site, the developer, at its expense, shall construct an eastbound left-turn lane on E. Cactus at N. 93rd Street, in conformance with the Design Standards and Policies Manual.
 4. **ACCESS RESTRICTIONS.** 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 the following access to the site. Access to the site shall conform to the following restrictions (distances measured to the driveway or street centerlines):
 - a. E. Cactus Road - The developer shall dedicate a one-foot wide vehicular non-access easement on this street along the site's frontage. There shall not be any direct driveway access to Cactus Road.
 - b. N. 93rd Street - The developer shall dedicate a one-foot wide vehicular non-access easement on this street along the site's frontage, except at the approved street entrance.
 5. **RIGHT-OF-WAY ABANDONMENT.** Prior to or with the final plat submittal, the developer shall submit an application to abandon any existing right-of-way along N. 92nd Street that is not to be incorporated in the site street system. The city makes no commitment to approve the application for abandonment.
 6. **PEDESTRIAN CONNECTION.** Before any final plan approval, the developer shall construct a pedestrian connection from the internal street cul-de-sacs to the public trail to the west. The design of this connection shall be included in the preliminary plat submittal for this subdivision.
 7. **MULTI-USE TRAILS.** Before any certificate of occupancy is issued for the site, the developer shall construct a minimum 8 foot wide multi-use trail along E. Cactus Road, N. 93rd Street, along the north property line, (Larkspur Drive alignment), and along Lots 20 and 21 at the southwest corner of the site. The trails shall be contained within a minimum 25-foot wide public access easement (or Tract), which the developer shall dedicate to the city with final plat or other

instrument recorded no later than the final plat. The alignment of the trail shall be subject to approval by the city's Trails Coordinator prior to dedication. The trail shall be designed in conformance with the Design Standards and Policies Manual - Landscaping and Parks.

8. PRIVATE STREET CONSTRUCTION. All private streets shall be constructed to full public street standards, except equivalent construction materials or wider cross-sections may be approved by city staff. In addition, all private streets shall conform to the following requirements:
 - a. No internal private streets shall be incorporated into the city's public street system at a future date unless they are constructed, inspected, maintained and approved in conformance with the city's public street standards. Before any lot is sold, the developer shall record a notice satisfactory to city staff indicating that the private streets shall not be maintained by the city.
 - b. Before issuance of any certificate of occupancy for the site, the developer shall post access points to private streets to identify that vehicles are entering a private street system.
 - c. Secured access shall be provided on private streets only. The developer shall locate security gates a minimum of 75 feet from the back of curb to the intersecting street. The developer shall provide a vehicular turn-around between the public street and the security gate.

**Caballo Estates Amended Development Standards
24-ZN-2005**

Amended standards are shown in **BOLD CAPS** and ~~strikethrough~~.

Sec. 5.200. (R1-35) SINGLE-FAMILY RESIDENTIAL DISTRICT.

Sec. 5.201. Purpose.

This district is intended to promote and preserve residential development. The minimum lot size, although less than one (1) acre, still results in a low density of population. The principal land use is single-family dwellings and uses incidental or accessory thereto, together with required recreational, religious and educational facilities.

Sec. 5.202. Use regulations.

A. *Permitted uses.* Buildings, structures or premises shall be used and buildings and structures shall hereafter be erected, altered or enlarged only for the following uses:

Any use permitted in the (R1-43) single-family residential district. (see section 5.102A).

B. *Uses permitted by conditional use permit.* Any use permitted by conditional use permit in the (R1-43) district. (see section 5.102B).

(Ord. No. 3048, § 2, 10-7-97; Ord. No. 3034, § 1, 11-4-97; Ord. No. 3103, § 1, 1-6-98;
Ord. No. 3493, § 1, 3-4-03)

Sec. 5.203. Approvals required.

Prior to development of any municipal use, or any use requiring a conditional use permit, Development Review Board approval shall be obtained as outlined in article I, section 1.900 hereof.

(Ord. No. 3225, § 1, 5-4-99)

Sec. 5.204. Property development standards.

The following property development standards shall apply to all land and buildings in the R1-35 district:

A. *Lot area.*

1. Each lot shall have a minimum lot area of not less than ~~thirty-five thousand (35,000)~~ **EIGHTEEN THOUSAND (18,000)** square feet.

2. If a parcel of land or a lot of record in separate ownership has less width or area than herein required and has been lawfully established and recorded prior to the date of the passage of this ordinance, such lot may be used for any purpose permitted in this section.

B. *Lot dimension.*

1. Width. All lots shall have a minimum width of ~~one hundred and thirty-five (135)~~ **ONE HUNDRED TWENTY (120) FEET. FLAG LOTS SHALL HAVE A MINIMUM WIDTH OF TWENTY (20) FEET.**

C. *Density.* There shall not be more than one (1) single-family dwelling unit on any one (1) lot.

D. *Building height.* No building shall exceed thirty (30) feet in height, except as provided in article VII **AND AS OTHERWISE STIPULATED IN CASE 24-ZN-2005.**

E. *Yards.*

1. Front Yard.

a. There shall be a front yard having a depth of not less than ~~forty (40)~~ **TWENTY (20)** feet.

b. Where lots have a double frontage on two (2) streets, the required front yard of ~~forty (40)~~ **TWENTY (20)** feet shall be provided on both streets.

c. On a corner lot, the required front yard of ~~forty (40)~~ **TWENTY (20)** feet shall be provided on each street. No accessory buildings shall be constructed in a front yard. *Exception:* On a corner lot which does not abut a key lot or an alley adjacent to a key lot, accessory buildings may be constructed in the yard facing the side street.

2. Side Yard. There shall be side yards of not less than ~~fifteen (15)~~ **TEN (10)** feet on each side of a building, **AND AS OTHERWISE STIPULATED IN CASE 24-ZN-2005.**

3. Rear Yard. There shall be a rear yard having a depth of not less than ~~thirty-five (35)~~ **THIRTY (30)** feet, **AND AS OTHERWISE STIPULATED IN CASE 24-ZN-2005.**

4. Other requirements and exceptions as specified in article VII.

F. *Distance between buildings.*

1. There shall not be less than ten (10) feet between an accessory building and the main building.

2. The minimum distance between main buildings on adjacent lots shall be not less than ~~thirty (30)~~ **TWENTY (20)** feet.

G. *Buildings, walls, fences and landscaping.* Walls, fences and hedges not to exceed eight (8) feet in height shall be permitted on the property line or within the required side or rear yard. Walls, fences and hedges shall not exceed three (3) feet in height on the front property line or within the required front yard, except as provided in article VII. The height of the wall or fence is measured from the inside of the enclosure. *Exception:* Where a corner lot does not abut a key lot or an alley adjacent to a key lot, the height of walls, fences and hedges in the yard facing the side street need only conform to the side yard requirements.

H. *Access.* All lots shall have vehicular access on a dedicated street, unless a secondary means of permanent vehicular access has been approved on a subdivision plat.

I. *Corral.* Corral not to exceed six (6) feet in height shall be permitted on the property line or within the required front, side or rear yard.

(Ord. No. 2509, § 1, 6-1-93)

Sec. 5.205. Off-street parking.

The provisions of article IX shall apply.

Sec. 5.207. Signs.

The provisions of article VIII shall apply.

ADDITIONAL INFORMATION FOR CASE 24-ZN-05

PLANNING/DEVELOPMENT

1. **DENSITY CONTINGENCIES.** The approved density for each parcel may be decreased due to drainage issues, topography, and other site planning concerns which will need to be resolved at the time of preliminary plat or site plan approval. Appropriate design solutions to these constraints may preclude achievement of the proposed units or density on any or all parcels.
2. **FINAL LOT LOCATION.** The specific location of each lot shall be subject to Development Review Board approval.
3. **DEVELOPMENT REVIEW BOARD.** The City Council directs the Development Review Board's attention to:
 - a. a plan indicating the treatment of washes,
 - b. improvement plans for common open space and amenities such as ramadas, landscape buffers on public and/or private property (back-of-curb to right-of-way or access easement line included),
 - c. landscaping,
 - d. plans for the open space retention area shall include a "pocket park",
 - e. stormwater management systems,
 - f. walls.
4. **NOTICE TO PROSPECTIVE BUYERS.** The developer shall give the following information in writing to all prospective buyers of lots on the site:
 - a. The closest distance from the lot to the midpoint of the Scottsdale Airport runway.
 - b. The development's private streets shall not be maintained by the city.
 - c. The city shall not accept any common areas on the site for ownership or maintenance.
 - d. The location of all multi-use trails.
5. **NATIVE PLANT PRESERVATION.** The owner shall secure a native plant permit as defined in the Scottsdale Revised Code for each parcel. City staff will work with the owner to designate the extent of the survey required within large areas of proposed undisturbed open space. Where excess plant material is anticipated, those plants shall be offered to the public at no cost to the owner in accordance with state law and permit procedure or may be offered for sale.
7. **LOTS ADJACENT TO LESS INTENSIVE ZONING.** Residential lots on the perimeter of the site, within fifty (50) feet of the boundary of another residential parcel with less intensive zoning, shall have rear yard setbacks not less than the minimum rear yard setback of the adjacent lot(s) in the residential parcel with less intensive zoning.
8. **PRD BUILDING HEIGHTS.** No building on the site shall exceed 30 feet in height, measured as defined in the Scottsdale Zoning Ordinance. Buildings shall not exceed one (1) story within fifty (50) feet of an R-1 district boundary line where: 1) There exists on an adjacent lot a one-story residence, or 2) There are zoning restrictions which limit adjacent undeveloped lots to one-story residences.
9. **TRAILS.** The twenty-five (25) foot trail easement located at the southwest corner of the site should be incorporated into the proposed tract.
10. **MAINTENANCE AND PRESERVATION-RECORDED AGREEMENT.** Before any building permit for the site is issued, the developer shall record an agreement, satisfactory to city staff, detailing the maintenance and preservation by the developer and its successors of all common areas,

landscape buffers, natural areas, drainage easements and private access ways on the site and abutting rights-of-way. These designated areas shall not be accepted for maintenance or be accepted for ownership by the city without the approval of the City Council.

11. All future site plans shall show the preliminary E. Cactus Road street widening improvements. This is a City of Scottsdale capital improvement project and plans can be obtained from the City's CPM division.

ENGINEERING

1. **RESPONSIBILITY FOR CONSTRUCTION OF INFRASTRUCTURE.** The developer shall be responsible for all improvements associated with the development or phase of the development and/or required for access or service to the development or phase of the development. Improvements shall include, but not be limited to washes, storm drains, drainage structures, water systems, sanitary sewer systems, curbs and gutters, paving, sidewalks, streetlights, street signs, and landscaping. The granting of zoning/use permit does not and shall not commit the city to provide any of these improvements.
2. **FEES.** The construction of water and sewer facilities necessary to serve the site shall not be in-lieu of those fees that are applicable at the time building permits are granted. Fees shall include, but not be limited to the water development fee, water resources development fee, water recharge fee, sewer development fee or development tax, water replenishment district charge, pump tax, or any other water, sewer, or effluent fee.
3. **STREET CONSTRUCTION STANDARDS.** The streets for the site shall be designed and constructed to the standards in the Design Standards and Policies Manual.
4. **CITY CONTROL OF ACCESS.** The city retains the right to modify or void access within city right-of-way. The city's responsibility to promote safe conditions for the traveling public takes precedence over the stipulations above.

DRAINAGE AND FLOOD CONTROL

1. **CONCEPTUAL DRAINAGE REPORT.** With the Development Review Board submittal, the developer shall submit a conceptual drainage report and plan subject to city staff approval. The conceptual report and plan shall conform to the Design Standards and Policies Manual - Drainage Report Preparation. In addition, the conceptual drainage report and plan shall:
 - a. Identify all major wash corridors entering and exiting the site, and calculate the peak discharge (100-yr, 6-hr storm event) for a pre- versus post-development discharge comparison of ALL washes which exit the property.
 - b. Include the retention volume calculation and outflow (bleed-off) rate calculations in detail.
 - c. Provide calculations to show that the "drainage ditch" that receives the above outflow from the site has enough capacity to handle the flow without any adverse effect to the surroundings.
 - d. Copy of the referenced drainage reports need to accompany the final drainage report and need the flow numbers (offsite) updated or recalculated with present information.
 - e. Determine easement dimensions necessary to accommodate design discharges.
 - f. Demonstrate how the storm water storage requirement is satisfied, indicating the location, volume and drainage area of all storage.
 - g. Include flood zone information to establish the basis for determining finish floor elevations in conformance with the Scottsdale Revised Code.
 - h. Include a complete description of requirements relating to project phasing.

2. **STORM WATER STORAGE REQUIREMENT.** Before improvement plan approval, the developer shall submit a final drainage report and plan which calculates the storm water storage volume required, V_r , and the volume provided, V_p , using the 100-year, 2-hour storm event.
3. **STORM WATER STORAGE EASEMENTS.** With the Development Review Board submittal, the developer shall submit a site plan subject to city staff approval. The site plan shall include and identify tracts with easements dedicated for the purposes of storm water storage, in conformance with the Scottsdale Revised Code and the Design Standards and Policies Manual.
4. **DRAINAGE EASEMENTS.** Before the issuance of any building permit for the site, the developer shall dedicate to the city, in conformance with the Scottsdale Revised Code and the Design Standards and Policies Manual, all drainage easements necessary to serve the site.

VERIFICATION OF COMPLIANCE

1. **CONDITION FOR ISSUANCE OF GRADING & DRAINAGE PERMIT.** Before the issuance of a Grading & Drainage Permit:
 - a. The developer shall certify that it has retained an Inspecting Engineer by completing Part I (Project Information) and Part II (Owner's Notification of Special Inspection) of the Certificate of Special Inspection of Drainage Facilities (CSIDF); and,
 - b. The Inspecting Engineer shall seal, sign and date Part III (Certificate of Responsibility) of the CSIDF.
2. **CONDITION FOR ISSUANCE OF CERTIFICATE OF OCCUPANCY AND/OR LETTER OF ACCEPTANCE.** Before the issuance of a Certificate of Occupancy and/or a Letter of Acceptance:
 - a. The Inspecting Engineer shall seal, sign and date the Certificate of Compliance form.
 - b. The developer shall submit all required Special Inspection Checklists and the completed Certificate of Compliance form to the Inspection Services Division. The Certificate of Compliance form shall be sealed, signed and dated by the Inspecting Engineer, and shall be attached to all required Special Inspection Checklists completed by the Inspecting Engineer.
3. **AS-BUILT PLANS.** City staff may at any time request the developer to submit As-built plans to the Inspection Services Division. As-built plans shall be certified in writing by a registered professional civil engineer, using as-built data from a registered land surveyor. As-built plans for drainage facilities and structures shall include, but are not limited to, streets, lot grading, storm drain pipe, valley gutters, curb and gutter, flood walls, culverts, inlet and outlet structures, dams, berms, lined and unlined open channels, storm water storage basins and underground storm water storage tanks, bridges as determined by city staff.

WATER

1. **BASIS OF DESIGN REPORT (WATER).** Before the improvement plan submittal, the developer shall submit a basis of design report and plan subject to Water Resources Department approval. The basis of design report shall conform to the Design Standards and Policies Manual. In addition, the basis of design report and plan shall:

- a. Identify the location, size, condition and availability of existing water lines and water related facilities such as water valves, water services, fire hydrants, back-flow prevention structures, etc.
 - b. Identify the timing of and parties responsible for construction of all water facilities.
 - c. Include a complete description of requirements relating to project phasing.
2. **WATERLINE EASEMENTS.** Before the issuance of any building permit for the site, the developer shall dedicate to the city, in conformance with the Scottsdale Revised Code the Design Standards and Policies Manual, all water easements necessary to serve the site.

WASTEWATER

1. **BASIS OF DESIGN REPORT (SANITARY SEWER).** Before the improvement plan submittal, the developer shall submit a basis of design report and plan subject to Water Resources Department approval. The basis of design report shall be in conformance with the Design Standards and Policies Manual. In addition, the basis of design report and plan shall:
 - a. Identify the location of, the size, condition and availability of existing sanitary sewer lines and wastewater related facilities.
 - b. Identify the timing of and parties responsible for construction of all sanitary sewer facilities.
 - c. Include a complete description of requirements relating to project phasing.
2. **SANITARY SEWER EASEMENTS.** Before the issuance of any building permit for the site, the developer shall dedicate to the city, in conformance with the Scottsdale Revised Code and the Design Standards and Policies Manual, all sewer easements necessary to serve the site.

OTHER REQUIREMENTS

1. **ENVIRONMENTAL PROTECTION AGENCY (EPA) REQUIREMENTS.** All construction activities that disturb five or more acres, or less than five acres if the site is a part of a greater common plan, shall obtain coverage under the National Pollutant Discharge Elimination System (NPDES) General Permit for Construction Activities. [NOI forms are available in the City of Scottsdale One Stop Shop, 7447 East Indian School Road, Suite 100. Contact Region 9 of the U.S. Environmental Protection Agency at 415-744-1500, and the Arizona Department of Environmental Quality at 602-207-4574 or at web site <http://www.epa.gov/region>.

The developer shall:

- a. Submit a completed Notice of Intent (NOI) to the EPA.
 - b. Submit a completed Storm Water Pollution Prevention Plan (SWPPP) to the EPA.
2. **NOTICE OF INTENT (NOI).** With the improvement plan submittal to the Planning and Development Services Department, the developer shall submit a copy of the NOI.
3. **SECTION 404 PERMITS.** With the improvement plan submittal, the developer' engineer must certify that it complies with, or is exempt from, Section 404 of the Clean Water Act of the United States. [Section 404 regulates the discharge of dredged or fill material into a wetland, lake, (including dry lakes), river, stream (including intermittent streams, ephemeral washes, and arroyos), or other waters of the United States.]

4. **DUST CONTROL PERMITS.** Before commencing grading on sites 1/10 acre or larger, the developer shall have obtained a Dust Control Permit (earth moving equipment permit) from Maricopa County Division of Air Pollution Control. Call the county 602-507-6727 for fees and application information.
5. **UTILITY CONFLICT COORDINATION.** With the improvement plan submittal, the developer shall submit a signed No Conflict form (not required for city owned utilities) from every affected utility company.
6. **ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY REQUIREMENTS (ADEQ).** The developer shall be responsible for conformance with ADEQ regulations and requirements for submittals, approvals, and notifications. The developer shall demonstrate compliance with Engineering Bulletin #10 Guidelines for the Construction of Water Systems, and Engineering Bulletin #11 Minimum Requirements for Design, Submission of Plans, and Specifications of Sewerage Works, published by the ADEQ. In addition:
 - a. Before approval of final improvement plans, the developer shall submit a cover sheet for the final improvement plans with a completed signature and date of approval from the Maricopa County Environmental Services Department (MCESD).
 - b. Before issuance of encroachment permits by city staff, the developer shall provide evidence to city staff that a Certificate of Approval to Construct Water and/or Wastewater Systems has been submitted to the MCESD. This evidence shall be on a document developed and date stamped by the MCESD staff.
 - c. Before commencing construction, the developer shall submit evidence to city staff that Notification of Starting Construction has been submitted to the MCESD. This evidence shall be on a document developed and date stamped by the MCESD staff.
 - d. Before acceptance of improvements by the city Inspection Services Division, the developer shall submit a Certificate of Approval of Construction signed by the MCESD and a copy of the As-Built drawings.
 - (1). Before issuance of Letters of Acceptance by the city Inspection Services Division, the developer shall:
 - (2). Provide to the MCESD, As-Built drawings for the water and/or sanitary sewer lines and all related facilities, subject to approval by the MCESD staff, and to city staff, a copy of the approved As-Built drawings and/or a Certification of As-Built, as issued by the MCESD.
 - (3). Provide to the MCESD a copy of the Engineers Certificate of Completion with all test results, analysis results, and calculations, as indicated on the form.
 - (4). Provide to the MCESD a copy of the Request for Certificate of Approval of Construction of water and/or sanitary sewer lines with all appropriate quantities.
 - (5). Provide the city Inspection Services Division a copy of the Certificate of Approval of Construction, as issued by the MCESD.

DEVELOPMENT STANDARDS

SUBDIVISION NAME: 93rd Street and Cactus Road

CASE #: 24-ZN-2005

ZONING R1-35-PRD

	ORDINANCE REQUIREMENTS	AMENDED STANDARDS
A. MIN. LOT AREA	35,000sf	18,000sf
B. MIN. LOT WIDTH		
1. Standard Lot	135'	120'
2. Flag Lot		20'
C. MAXIMUM BUILDING HEIGHT	30'	30' (1) (3)
D. MIN. YARD SETBACKS		
1. FRONT YARD		
• FRONT (to face of building)	40'	20'
• FRONT (to face of garage)	40'	20'
• FRONT (corner lot, side street)	40'	20'
• FRONT (corner lot, adjacent to key lot, side street)	40'	20'
• FRONT (double frontage)	40'	20'
2. SIDE YARD		
• Minimum	15'	10'
3. REAR YARD		
• Standard Depth	35'	30' (2)
E. DISTANCE BETWEEN BUILDINGS (MIN)		
1. Accessory & Main	10'	No change
2. Main Buildings/Adjacent Lots	30'	20'
F. MAXIMUM WALL HEIGHT		
1. FRONT	3'	No change
2. SIDE	8'	No change
3. REAR	8'	No change
G. APPLICABLE ZONING CASES		24-ZN-2005
H. NOTES & EXCEPTIONS		
(1) Building height shall be restricted to twenty six (26) feet on lots 6, 7, 8, 9, 10, 15, 16 and 20.		
(2) Lots 6, 7, 8, and 9 shall have minimum fifty (50) foot rear building setbacks along North and West project boundaries.		
(3) There shall be no decks, patios, or towers associated with observation or any other purpose allowed above grade on the primary structure or any accessory structures, nor shall there be any exterior staircases or other access provided to any roofs on the property.		

Caballo Estates

93rd Street and Cactus Road

Project Narrative

Location

Caballo Estates is a proposed 20 acre (18.5 net) single-family community. It is situated north of Cactus Road, west of 93rd Street, east of the 92nd Street alignment, and south of Larkspur Drive alignment.

The Applicant is enhancing the equestrian theme of the corridor by providing trails around the entire perimeter of the site. The project promotes the semi-custom character set forth in the Cactus Corridor Area Study with larger lot sizes of 18,000 to 35,000 sq. ft. A 50' setback from Cactus Road has been established to apply the desirable landscape treatment and trail necessary for the Cactus Road corridor. The proposed land use, R1-35 PRD, will help preserve the historic character with the continuation of the equestrian trails, and bring new residential opportunities to the area with a lower residential density.

General Plan

The subject property is designated by the General Plan as Suburban Neighborhood. This land use designation generally provides for development densities usually more than one house per acre, but less than eight houses per acre. The designation promotes the preservation of environmental features (particularly in desert settings near the mountains) and is a key consideration under such designations.

Zoning Request

The Applicant is proposing the rezoning of approximately 20 acres from R1-35 to R1-35 PRD. Currently, the property is zoned R1-35 and contains low density residential with equestrian facilities. Adjacent properties north, south, and west include existing zoning of R1-18 PRD or PCD. Adjacent zoning and land uses east of 93rd Street include R1-35, and the Casy Private School with a staff only entrance situated off of 93rd Street. An accessible trail easement is situated within the (92nd Street alignment) existing wash. Additionally, the project is providing trail easements on all sides. These trail easements will be preserved for the enjoyment of existing equestrian users. The Cactus Corridor Area Study suggests a trend of redeveloped equestrian properties to semi-custom lots.

The PRD development meets the design criteria of preserving natural features, compatibility, provision of accessible, common open space, and innovative site plan design as mentioned in Sec. 6.208 of the Scottsdale Zoning Ordinance. As suggested in Sec. 6.205, the overall proposed site plan provides substantial open

space/trails system, is compatible with adjacent land uses, and provides a non-dominating street system design. The development plan for the subject property proposes 22 single-family lots distributed throughout the property. A single-gated access point has been proposed off of 93rd Street. All of the cul-de-sacs terminate into open space which includes trails connecting to the perimeter multiuse trails.

Development Plan

The proposed development has considered the surrounding context, neighborhood comments, balanced land use, and sound community planning. The proposed development is responsive to all of the above elements, thus providing a vision that is compatible to the area. The placement of the public trails promotes a higher degree of public safety by providing equestrian opportunity away from arterial networks. The locations of the proposed open space/retention basins allow visual accessibility to the greater community area, as well as, the proposed development.

Access to the site is from 93rd Street and will be electronically gated. Secondary access was removed from the plan based on comments at the Pre-Application meeting 317-PA-2003. These comments included the recognition of the proposed low density and small quantity of lots.

The proposed development will meet the development objectives set forth by the City of Scottsdale with regards to value and goals associated with rural character. These objectives have been prioritized within the proposed community by focusing on the importance of appropriate land uses, maintaining a balance between sensitive development and land preservation, and promoting the semi-rural character of the surrounding area. Furthermore, the Applicant has worked diligently with area residents to create and promote a development plan that is conducive to the interests of the area. Building setbacks along the northern property boundary were increased and building heights were reduced to address specific concerns.

Natural vegetation will be enhanced within the identified wash corridors, whereby protecting areas of greatest environmental sensitivity and vegetation density.

To promote the cohesiveness of character with the surrounding residential areas, the zoning change is incorporating appropriate residential densities. Public outreach, completed in association with the proposed project, has received the support of the majority of neighboring property owners.

Conclusion

The proposed development will meet the development objectives set forth by the City of Scottsdale with regards to values and goals associated with rural character. These objectives have been prioritized within the proposed community by focusing on the importance of appropriate land uses and development densities, maintaining a balance between sensitive development and land preservation, and complimenting the semi-rural character of the surrounding area. Furthermore, the Applicant has worked diligently with area residents to create and promote a development plan that is conducive to the interests of the area.

The key components for justifying the request are:

- Neighborhood Support
- Conformance to the General Plan
- Increased Open Space
- Trail System
- Compatibility with surrounding Zoning Context

We respectfully request the support and approval of the Caballo Estates community rezoning application.

Caballo Estates
317 - PA - 2003
Justification For Property Development Standards Modification
North of Cactus Road and West of 93rd Street

The property development standards are proposed to be amended to allow for smaller lots while maximizing community open space.

The community open space provided includes:

- Natural Wash Preservation
- Cactus Road Setback
- Detention Open Space adjacent to Cactus Road
- Trails/Open Space on all sides of Caballo Estates

A Planned Residential Development (PRD) rezoning is required to amend the standards.

The PRD requires that 3 factors be applied to allow for 22 lots.

Caballo Estates has provided 4 factors including the following:

1. Preservation of Natural features (Wash)
2. Provision of Common Open Space (20 %)
3. Innovative Site Plan (Open Space Connections and Trails)
4. Substantial Public Benefit.
 - Public Trails
 - Cactus Road Open Space

**Caballo Estates
Amended Development Standards
(317-PA-2003)**

Sec. 5.200. (R1-35) SINGLE-FAMILY RESIDENTIAL DISTRICT.

Sec. 5.201. Purpose.

This district is intended to promote and preserve residential development. The minimum lot size, although less than one (1) acre, still results in a low density of population. The principal land use is single-family dwellings and uses incidental or accessory thereto, together with required recreational, religious and educational facilities.

Sec. 5.202. Use regulations.

A. *Permitted uses.* Buildings, structures or premises shall be used and buildings and structures shall hereafter be erected, altered or enlarged only for the following uses:

Any use permitted in the (R1-43) single-family residential district. (see section 5.102A).

B. *Uses permitted by conditional use permit.* Any use permitted by conditional use permit in the (R1-43) district. (see section 5.102B).

(Ord. No. 3048, § 2, 10-7-97; Ord. No. 3034, § 1, 11-4-97; Ord. No. 3103, § 1, 1-6-98; Ord. No. 3493, § 1, 3-4-03)

Sec. 5.203. Approvals required.

Prior to development of any municipal use, or any use requiring a conditional use permit, Development Review Board approval shall be obtained as outlined in article I, section 1.900 hereof.

(Ord. No. 3225, § 1, 5-4-99)

Sec. 5.204. Property development standards.

The following property development standards shall apply to all land and buildings in the R1-35 district:

A. *Lot area.*

1. Each lot shall have a minimum lot area of not less than ~~thirty-five thousand (35,000)~~ eighteen thousand (18,000) square feet.

2. If a parcel of land or a lot of record in separate ownership has less width or area than herein required and has been lawfully established and recorded prior to the date of the passage of this ordinance, such lot may be used for any purpose permitted in this section.

B. *Lot dimension.*

1. Width. All lots shall have a minimum width of ~~one hundred and thirty-five (135)~~ one hundred and twenty (120) feet.

C. *Density.* There shall not be more than one (1) single-family dwelling unit on any one (1) lot.

D. *Building height.* No building shall exceed thirty (30) feet in height, except as provided in article VII. Lots 6, 7, 8, and 9 shall be limited to twenty-six (26) feet in height.

E. *Yards.*

1. *Front Yard.*

a. There shall be a front yard having a depth of not less than ~~forty (40)~~ twenty (20) feet.

b. Where lots have a double frontage on two (2) streets, the required front yard of ~~forty (40)~~ twenty (20) feet shall be provided on both streets.

c. On a corner lot, the required front yard of ~~forty (40)~~ twenty (20) feet shall be provided on each street. No accessory buildings shall be constructed in a front yard.

Exception: On a corner lot which does not abut a key lot or an alley adjacent to a key lot, accessory buildings may be constructed in the yard facing the side street.

2. *Side Yard.* There shall be side yards of not less than ~~fifteen (15)~~ ten (10) feet on each side of a building.

3. *Rear Yard.* There shall be a rear yard having a depth of not less than ~~thirty-five (35)~~ thirty (30) feet. Lots 6, 7, 8, & 9 shall have 50' rear building setbacks along North and West project boundaries after abandonments.

4. Other requirements and exceptions as specified in article VII.

F. *Distance between buildings.*

1. There shall not be less than ten (10) feet between an accessory building and the main building.

2. The minimum distance between main buildings on adjacent lots shall be not less than ~~thirty (30)~~ twenty (20) feet.

G. *Buildings, walls, fences and landscaping.* Walls, fences and hedges not to exceed eight (8) feet in height shall be permitted on the property line or within the required side or rear yard. Walls, fences and hedges shall not exceed three (3) feet in height on the front property line or within the required front yard, except as provided in article VII. The height of the wall or fence is measured from the inside of the enclosure. *Exception:* Where a corner lot does not abut a key lot or an alley adjacent to a key lot, the height of walls, fences and hedges in the yard facing the side street need only conform to the side yard requirements.

H. *Access.* All lots shall have vehicular access on a dedicated street, unless a secondary means of permanent vehicular access has been approved on a subdivision plat.

I. *Corral.* Corral not to exceed six (6) feet in height shall be permitted on the property line or within the required front, side or rear yard.

(Ord. No. 2509, § 1, 6-1-93)

Sec. 5.205. Off-street parking.

The provisions of article IX shall apply.

Sec. 5.207. Signs.

The provisions of article VIII shall apply.

DEVELOPMENT STANDARD**SUBDIVISION NAME: CABALLO ESTATES****CASE: # 317-PA-2003****Q.S. MAP 31-50****ZONING: R1-35**PCD ☐PRD ☒ESL ☐

	ORDINANCE REQUIREMENTS	AMENDED STANDARDS	% REDUCTION
MIN. LOT AREA	<u>35,000 sf</u>	<u>18,000 sf</u>	<u>49%</u>
MIN. LOT WIDTH			
Standard Lot	<u>135'</u>	<u>120'</u>	<u>11%</u>
Flag Lot	<u>30'</u>	<u>20'</u>	<u>25%</u>
MAXIMUM BUILDING HEIGHT	<u>30'</u>	<u>30' (1)</u>	<u>0%</u>
MIN. YARD SETBACKS			
FRONT YARD			
FRONT (to face of building)	<u>40'</u>	<u>20'</u>	<u>50%</u>
FRONT (corner lot, side street)	<u>40'</u>	<u>20'</u>	<u>50%</u>
FRONT (corner lot, side street)	<u>40'</u>	<u>20'</u>	<u>50%</u>
FRONT (corner lot, adjacent to key lot, side street)	<u>40'</u>	<u>20'</u>	<u>50%</u>
FRONT (double frontage)	<u>40'</u>	<u>20'</u>	<u>50%</u>
SIDE YARD			
Minimum	<u>15'</u>	<u>10' (2)</u>	<u>33%</u>
Minimum aggregate	<u>30'</u>	<u>20' (2)</u>	<u>33%</u>
REAR YARD			
Standard Depth	<u>35'</u>	<u>30' (2)</u>	<u>14%</u>
Min. Depth (% of difference) which can be occupied)	<u> </u>	<u> </u>	<u> </u>
DISTANCE BETWEEN BUILDINGS (MIN)			
Accessory & Main	<u>10'</u>	<u>10'</u>	<u>0%</u>
Main buildings/adjacent lots	<u>30'</u>	<u>20'</u>	<u>33%</u>
MAXIMUM WALL HEIGHT			
FRONT	<u>3'</u>	<u>3'</u>	<u>0%</u>
SIDE	<u>8'</u>	<u>8'</u>	<u>0%</u>
REAR	<u>8'</u>	<u>8'</u>	<u>0%</u>
CORNER SIDE (not next to key lot)	<u>8' on PL</u>	<u>8' on PL</u>	<u>0%</u>
CORRAL FENCE HEIGHT (on property line)	<u>6' on PL</u>	<u>6' on PL</u>	<u>0%</u>
DEVELOPMENT PERIMETER SETBACKS	<u> </u>	<u> </u>	<u> </u>
APPLICABLE ZONING CASES	<u> </u>	<u> </u>	<u> </u>

NOTES & EXCEPTIONS:

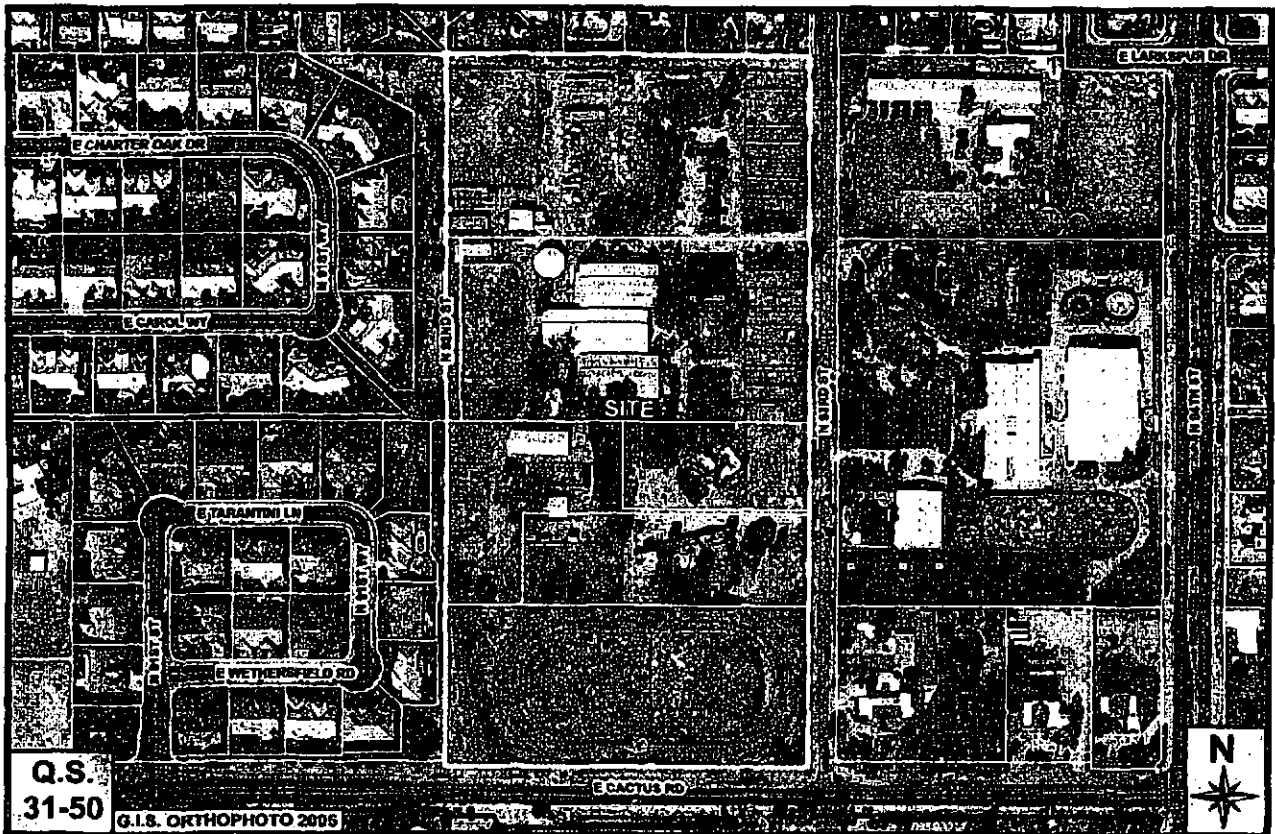
(1) Lots 6, 7, 8, & 9 shall be limited to 28' in height and one-story

(2) Lots 6, 7, 8, & 9 shall have 50' building setbacks along the North and West project boundaries after abandonments

24-ZN-2005

9-19-05

ATTACHMENT #4

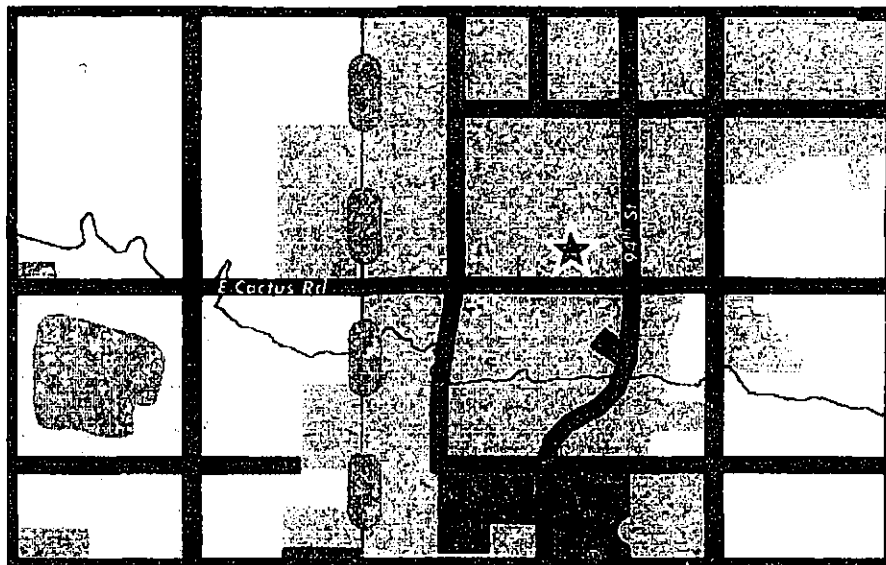


Caballo Estates

24-ZN-2005

ATTACHMENT #4A

General Plan

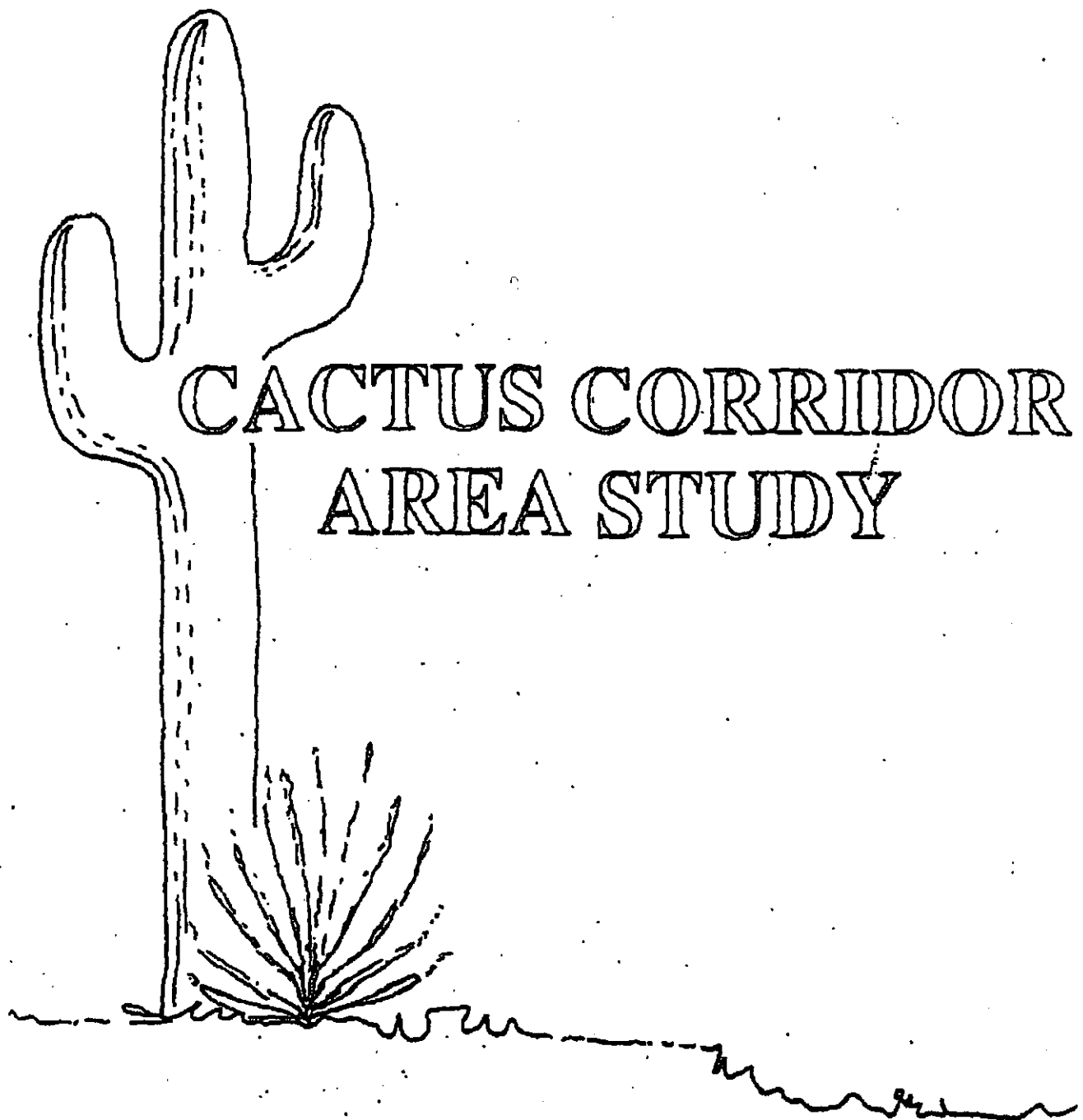


- | | |
|---|--------------------------------------|
| Rural Neighborhoods | Commercial |
| Suburban Neighborhoods | Office |
| Urban Neighborhoods | Employment |
| Mixed-Use Neighborhoods | Natural Open Space |
| Resorts/Tourism | Developed Open Space (Parks) |
| Shea Corridor | Developed Open Space (Golf Courses) |
| Mayo Support District | Cultural/Institutional or Public Use |
| Regional Use District | |
| McDowell Sonoran Preserve (as of 8/2003) | |
| Recommended Study Boundary of the McDowell Sonoran Preserve | |
| City Boundary | Location not yet determined |



24-ZN-2005
ATTACHMENT #5

Adopted by City Council October 30, 2001
 Ratified by Scottsdale voters March 12, 2002
 revised to show McDowell Sonoran Preserve as of May 2004
 revised to reflect General Plan amendments through June 2004



ATTACHMENT #6



APPROVED 5/5/92

The Cactus Corridor Study Area encompasses a diverse neighborhood. The heart of the area consists of low density residential lots ranging from 35,000 square feet to 2-1/2 acres, with minimal street improvements, and large front yard setbacks. In addition, the equestrian lifestyle is evident in an informal back yard setting, or as found in a larger ranch operation. The age of the housing is relatively equal in terms of what has been built in the past 10 years, and that which is older. The edges of the Corridor consist of suburban single family housing, with multi-family housing clustered at activity centers.

BACKGROUND ISSUES -

- 1) The equestrian experience for the current owners of larger properties has been declining over the years. They feel the adjacent suburban densities preclude a viable use of their property for horse related activities, and would therefore like to transition to development of like character. In addition to the land dynamics of the area, the economic picture for the equestrian business has faltered, thus leaving some ranches facing uncertain futures.
- 2) The development community has expressed interest in building a semi custom type of home on a medium sized lot. A potential match could happen through the re-use of equestrian properties.
- 3) Homeowners within the existing low density areas are concerned about the character created by new development and the trend toward smaller lots, project walls, and internalized site planning.

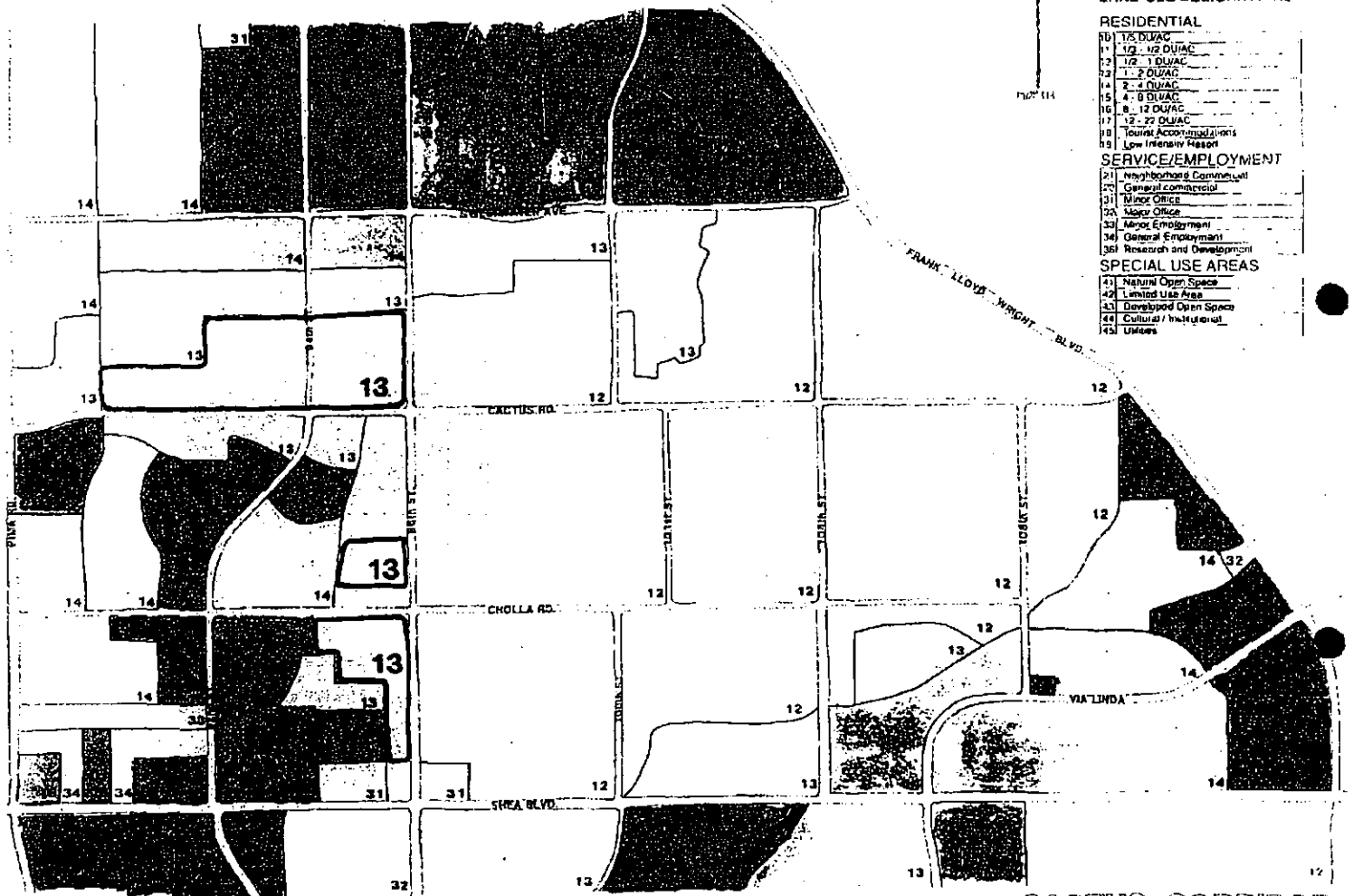
RECOMMENDATIONS

The following amendments to the General Plan are recommended:

CHARACTER

For areas west of 96th Street, the Suburban character is recommended. This change would allow the equestrian properties to redevelop with a semi-custom product while also matching densities established on the north and south of Cactus Road.

For areas east of 96th Street, the existing rural character is recommended to continue. Development in this area should reflect a low density, and where feasible, an equestrian flair. Development should also be compatible with the existing neighborhood. To reinforce this theme, the name "CACTUS ACRES" should be used to describe this unique district of the city. It is also recommended that a special streetscape treatment be designed for Cactus, Rd., 96th St., and 104th St. Potential components of this program would be district gateways and neighborhood entries, a street tree program, an informal path, landscaping, and rural/western fencing.



GENERAL PLAN LAND USE DESIGNATIONS

RESIDENTIAL

- 10 1/5 DUAC
- 11 1/2 - 1/2 DUAC
- 12 1/2 - 1 DUAC
- 13 1/2 - 2 DUAC
- 14 2 - 4 DUAC
- 15 4 - 8 DUAC
- 16 8 - 12 DUAC
- 17 12 - 27 DUAC
- 18 Tourist Accommodations
- 19 Low Intensity Resort

SERVICE/EMPLOYMENT

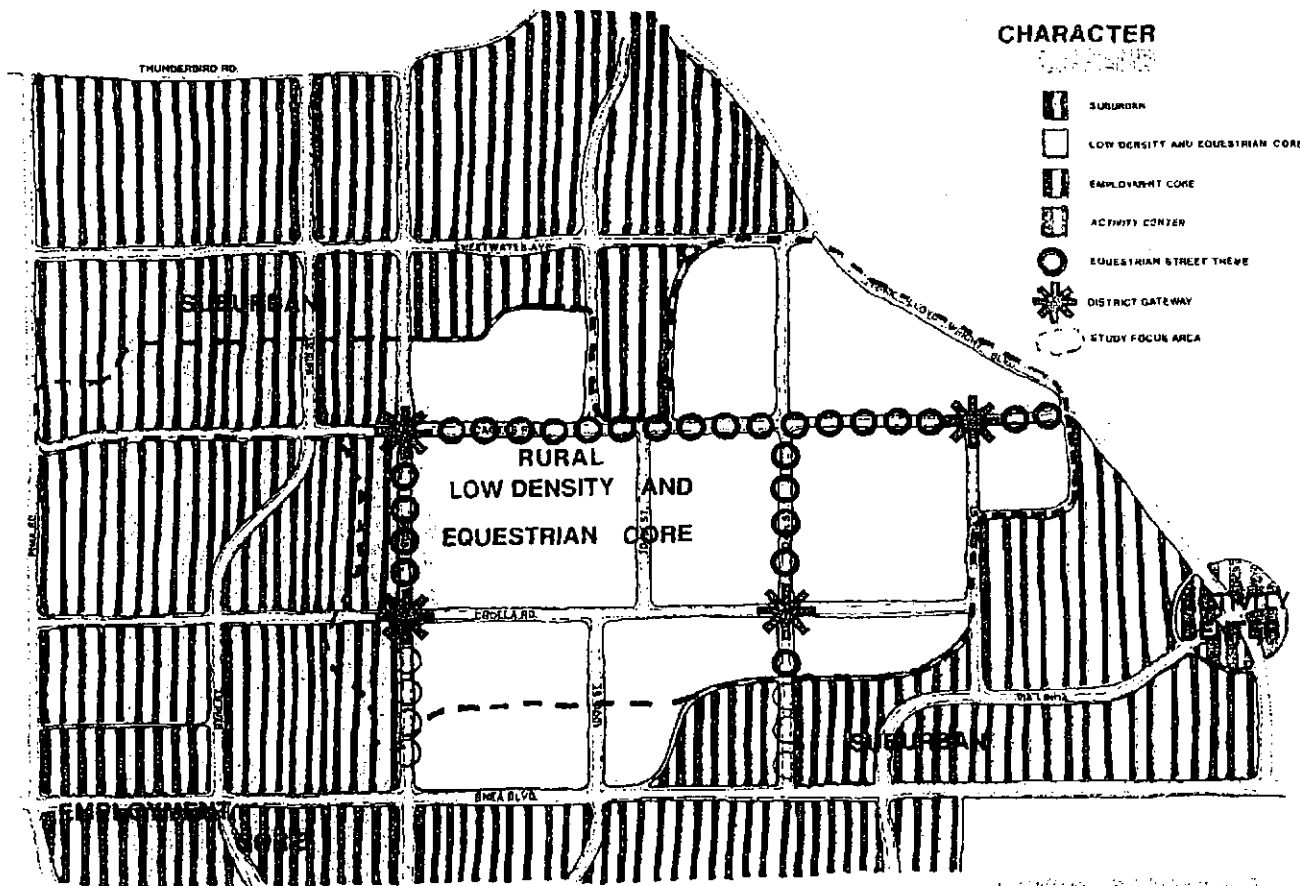
- 21 Neighborhood Community
- 22 General commercial
- 31 Minor Office
- 32 Major Office
- 33 Minor Employment
- 34 General Employment
- 35 Research and Development

SPECIAL USE AREAS

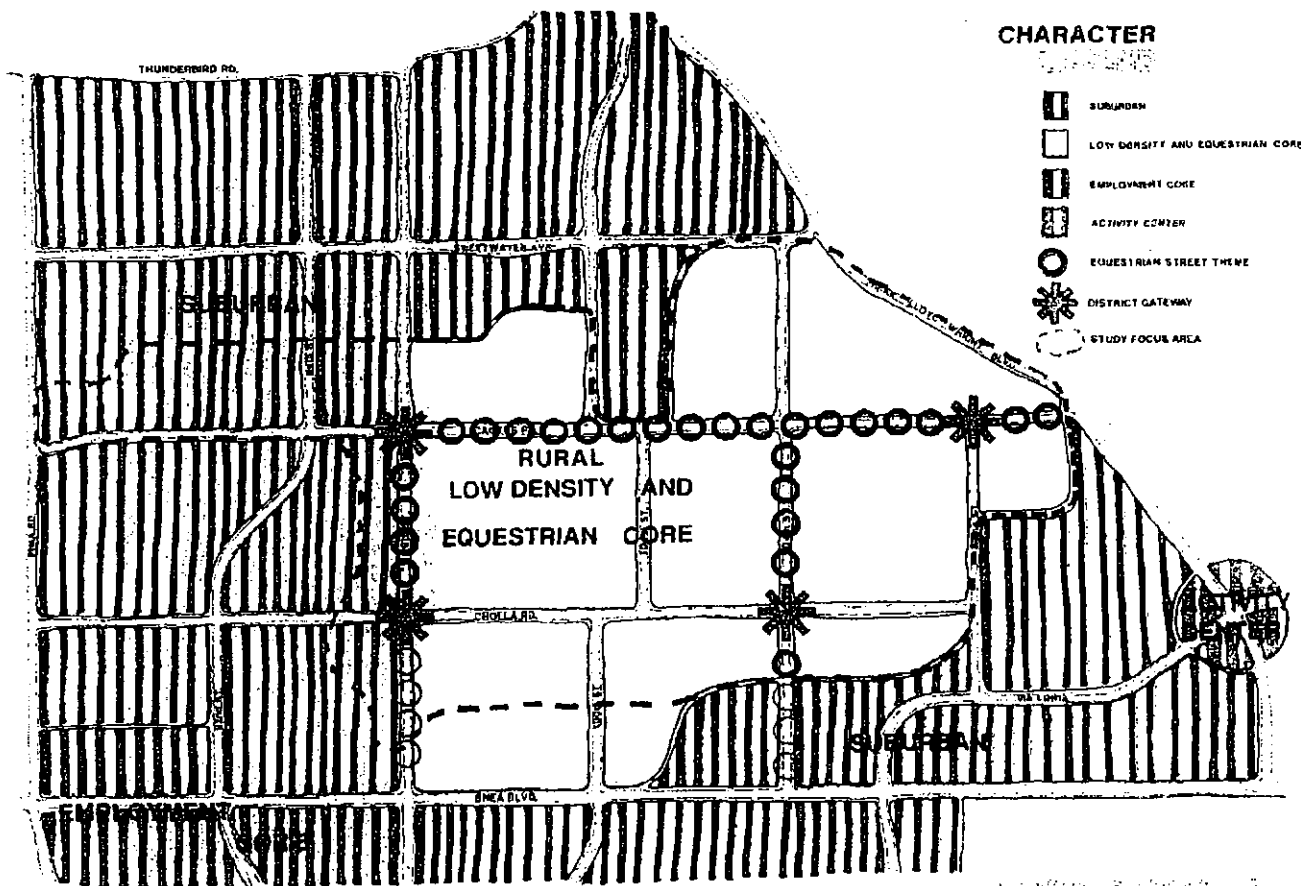
- 41 Natural Open Space
- 42 Limited Use Area
- 43 Developed Open Space
- 44 Cultural/Institutional
- 45 Utilities

APPROVED 5/5/92

CACTUS CORRIDOR
STUDY AREA



1970'S PHYSICAL
GROWTH PLAN



Map of the area around the Sunburst and Employment Cores, showing the Rural Low Density and Equestrian Core, and the Suburban area. The map also shows the Thunderbird Rd., Chollar Rd., and Inca Blvd.

NEIGHBORHOOD REPORT

Caballo Estates

February 2, 2006

This citizen outreach report is being performed in conjunction with the proposed rezoning of the property located at the northwest corner of 93rd Street and Cactus in Scottsdale. The proposed project will allow for 22 large home sites on approximately 20 acres of land.

The entire project team is sensitive to the importance of neighborhood involvement and creating a relationship with property owners, residents, business owners, homeowners associations, and other interested parties. Communication with these parties is ongoing throughout the process. Work on compiling stakeholders and preparing for the neighborhood outreach began prior to the application filing and will continue throughout the process. Communication with impacted and interested parties will take place with verbal, written, electronic, and door-to-door contact.

Beginning on June 4 through today the outreach team has done extensive door to door contact with the neighboring communities and will continue to do so until the project reaches its conclusion. The project was well received and the feedback overall was positive, with many neighbors voicing their support of the project.

To date, we have held two neighborhood Open Houses. The first occurred on September 27, 2005 and the second was held January 19, 2006. Both were held at Zuni elementary school. Surrounding property owners were noticed via first class mail within 800' of the proposed project for both of the meetings (see mailing attachments). A sign was posted at the site for the second meeting (see attached sign photo and affidavit).

The Open Houses were attended by approximately 15 neighbors (see attached sign in sheets) who were all interested in the project. Those in attendance expressed their support for the development and some expressed interest in purchasing property. A concern from one of the neighbors at the first meeting was regarding the layout of some of the lots. We addressed this concern at the second meeting and this neighbor was very pleased with the changes made.

Additionally, the team has been available to meet with any neighbors who wish to discuss the project. We have received several phone calls

regarding the project and have received letters from two nearby neighbors. We have worked with these neighbors on their concerns and will continue to have contact with them throughout the process.

A vital part of the outreach process is to allow people to express their concerns and understand issues and attempt to address them in a professional and timely matter. As previously stated the entire team realizes the importance of the neighborhood involvement process and is committed to communication and outreach for the project.

Attachments: Neighborhood Meeting Notification Letters
800' Notification Area Map
800' Notification Labels
Open House Sign In Sheets
Sign Posting Picture and Affidavit

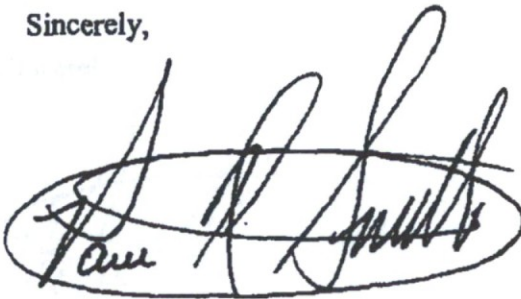
January 6, 2006

Dear Neighboring Property Owner:

As you are probably aware, a request is being made to the City of Scottsdale to rezone the property located on the northwest corner of 93rd Street and Cactus Road. The request is to change the zoning from R1-35 to R1-35 Planned Residential District, which will allow for a 22 large lot community. A neighborhood meeting was held in September to discuss this project. We will be holding a second neighborhood open house for those who were unable to attend the first one and to allow anyone to come and ask additional questions. This open house will take place on Thursday January 19, 2006 from 5:30 to 6:30 PM at Zuni Elementary School located at 9181 E. Redfield road in Scottsdale. The information at the open house will be the same information that was presented at the previous open house in September.

If you cannot attend the open house and would like more information, please feel free to contact Spencer Wright or Matthew Ludick at Technical Solutions 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,



Paul Smith
President

cc: Tim Curtis, City of Scottsdale



September 15, 2005

Dear Neighboring Property Owner:

The purpose of this letter is to advise you that a request is being considered for submittal to the City of Scottsdale for approval of a rezoning application from R1-35 to R1-35 Planned Residential District for the property located at the northwest corner of 93rd Street and Cactus Road. The proposal is a planned project of 22 large home sites on the approximately 20 acres. This new residential development will be a positive addition to the community and will be consistent with the existing surrounding neighborhood.

If you would like additional information, you are invited to attend a neighborhood open house on Tuesday, September 27, 2005 from 5:30 to 6:30 PM at Zuni Elementary School located at 9181 E. Redfield Road. If you cannot attend the open house and would like more information, please feel free to contact Colleen Katz or Matthew Ludick at Technical Solutions, who have been 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,

Paul Smith
President

cc: Tim Curtis, City of Scottsdale

24-ZN-2005
12-16-05

Caballo Estates
Neighborhood Open House Sign-In Sheet
Thursday, January 19, 2006

Print Name	Address	Phone	Email
1. Terri Karol	12229 N 91st Way Saddle	659-4106	tkarol@exc.net
2. DE-SUE SCHMITT	9151 E. TARANTINI LN "	275-6662	
3. D. Schwarz	12263 N. 91st Way	451-6868	dineshroif@aol
4. GIDEON ZEIDLER	10005 E. PARADISE	480-226-0904	gidegz@comcast
5. Amy Wilms	12475 N. 93rd	480-414-8812	amy@amylwilms
6. Rene Hamel	9144 E. WILSON LN	481-767-5840	
7. JACOB ADAMS	9148 E. PARADISE DR	480-451-2670	JADAMS140@comcast
8. Marielle Criscione	12052 N. 93rd way		machostec@aol
9. Craig Sherman	12565 N. 91st Way	480-607-1970	
10. BRIAN GOZZIOU	9377 E. CORRIE DR.	602-330-5859	briangozzio@gmail
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September 27, 2004

Mr. Tim Curtis
Project Coordinator
Office of Zoning and Planning
City of Scottsdale
7447 E. Indian School Road #100
Scottsdale, AZ 85251

Re: Rezoning of 20 Acre Parcel on the Northwest Corner of 93rd Street

Dear Mr. Curtis:

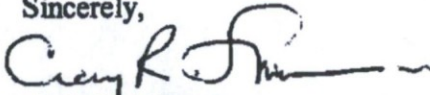
As a neighbor who resides adjacent to the northwest corner of the above listed property, I attended the September 27th Neighborhood Meeting with special interest in how this property may be developed. I respectfully request your consideration of the following issues as you specify stipulations for future development.

1. Preservation and enhancement of the existing wash: Unless previously abandoned by the City of Scottsdale, the above listed property should have a 33 foot GLO easement along its western boundary. This easement should be preserved as Natural Area Open Space to enhance the beauty of the contiguous wash, to facilitate pedestrian and equestrian rights of way, and to accommodate increased surface water that may flow from the two paved cul-de-sacs that would terminate along the western boundary of the parcel.
2. Potential for public disturbance: This past summer, a fire occurred in the wash along the western boundary of the above listed parcel. Although the cause was not identified, police suspected arson. The preliminary development plan presented during the Neighborhood Meeting indicated unobstructed access to the open area behind my house from the paved cul-de-sacs (particularly adjacent to lot #9). I am concerned that unsupervised youths may congregate in this open space and engage in inappropriate activities. Therefore, please consider the installation of a decorative fence or other barrier that would ameliorate this concern.
3. Loss of mountain views: It would be ironic if all of the homes that had views of the McDowell Mountains in my subdivision, Scottsdale Mountain View Estates II, lost their mountain views as a result of the development of the above listed property. Technically, this would result in the misrepresentation of our subdivision to future prospective home buyers. Please consider equitable stipulations on specific plots to minimize the adverse impact of the proposed

property development. For those plots within 100 feet of adjacent properties along the western boundary, I request a limitation of building heights from 30 to 24 feet and a prohibition on the planting of non-native, tall-growing trees (such as Queen Palm and Mexican Fan Palm trees) in the western GLO easement and in backyards.

Thank you for your consideration of the above suggestions. If these suggestions are incorporated into development plans, I will reverse my opposition to this project and advocate its passage by the Design Review Board and the City Council.

Sincerely,

A handwritten signature in black ink, appearing to read "Craig R. Sherman", followed by a horizontal line.

Craig R. Sherman
12565 N. 91st Way
Scottsdale, AZ 85260

93rd and Cactus
Neighborhood Open House
Tuesday, September 27, 2005

Print Name	Address	Phone
1. Brent Whittington	12720 N. 72nd Pl	480-661-4142
2. Jack Young	9360 E. Desert Trl.	480-314-7167
3. SUSAN WHEELER	9616 E Kalil Dr	480 860 4010
4. Craig Sherman	12565 N. 91st Way	480 604 1570
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Dear Planning Commission,

My name is Michelle Jennings and I currently serve as President of Tarantini Estates Homeowners Association. I am adamantly opposed to the request for right of way abandonment and the modified development standards for Caballo Estates (Case 24-ZN-2005 & 14-AB-2006).

Unfortunately, I will have to address my concerns to only rumor since our homeowners board was not contacted by the applicant. To my knowledge, none of the three homeowners bordering the property on the west reported any contact from the applicant. Two members of the community attended the meetings held months ago but both came away dissatisfied with the detail level of the current plan.

It is my understanding that this is not a planned community in the literal sense. This applicant is planning to sell each lot individually. The concern that this "PRD" become a hodge podge of homes with no design integrity is a grave concern. It is further rumored that the large lots in the front will be for the families of the applicant and that the rest are the "real" planned development. I strongly feel that if these lots are to be sold on an individual basis that the factoring for the Planned Residential Development standards not be used to get around the current zoning and that the applicant be held to all lot restrictions and set backs as stated in R1-35.

Using trails and open space as a factor to increase density seems disingenuous when many of the standards for NAOS would need to be met regardless of the development plan. In addition, the majority of the open space appears to be for the benefit of lots 19 through 22. The remaining 18 homes will have much smaller lots backing to an existing drainage/trail easement and a roadway.

The north side of Cactus Road from the 101 to 93rd Street continues to be developed as the horse property owners are forced to go further outside of the area to maintain their rural lifestyle. In the past 10 years the majority, if not all, of these planned communities now contain single story, custom or semi-custom homes. In order to maintain the aesthetics along Cactus Road and the privacy of the homeowners on the eastern border of our community, the single story precedent needs to be continued.

November 14, 2006

Dear Planning Commission,

I am writing to express my support for the zoning request currently under consideration for Caballo Estates (Case 24-ZN-2005 & 14-AB-2006).

Following my initial letter of concern, Wednesday, November 8th, I was promptly contacted by Terry Benson of Technical Solutions. Ms. Benson coordinated a meeting with the applicant's representatives that was held on Monday, November 13th. The residents of Tarantini Estates were able to listen to a detailed presentation by Steven Voss of LVA Urban Design Studio.

One of the factors in the initial opposition was the use of a multitude of architects and builders in such a small (22 home) development project. The presentation included information that the applicant is now planning to use a single architectural firm to insure a cohesive design plan versus the possibility of a different builder/architect on each lot. Tarantini Estates homeowners were reassured that the lots greater than 35,000 square foot would not contain corrals and that this will be a residential community only. The concerns of the neighbors directly to the west of the development were addressed by an offer of a stipulation that will be outlined in the planning documents limiting lots 10, 15, 16, and 20 to single story homes not to exceed 26 feet in height.

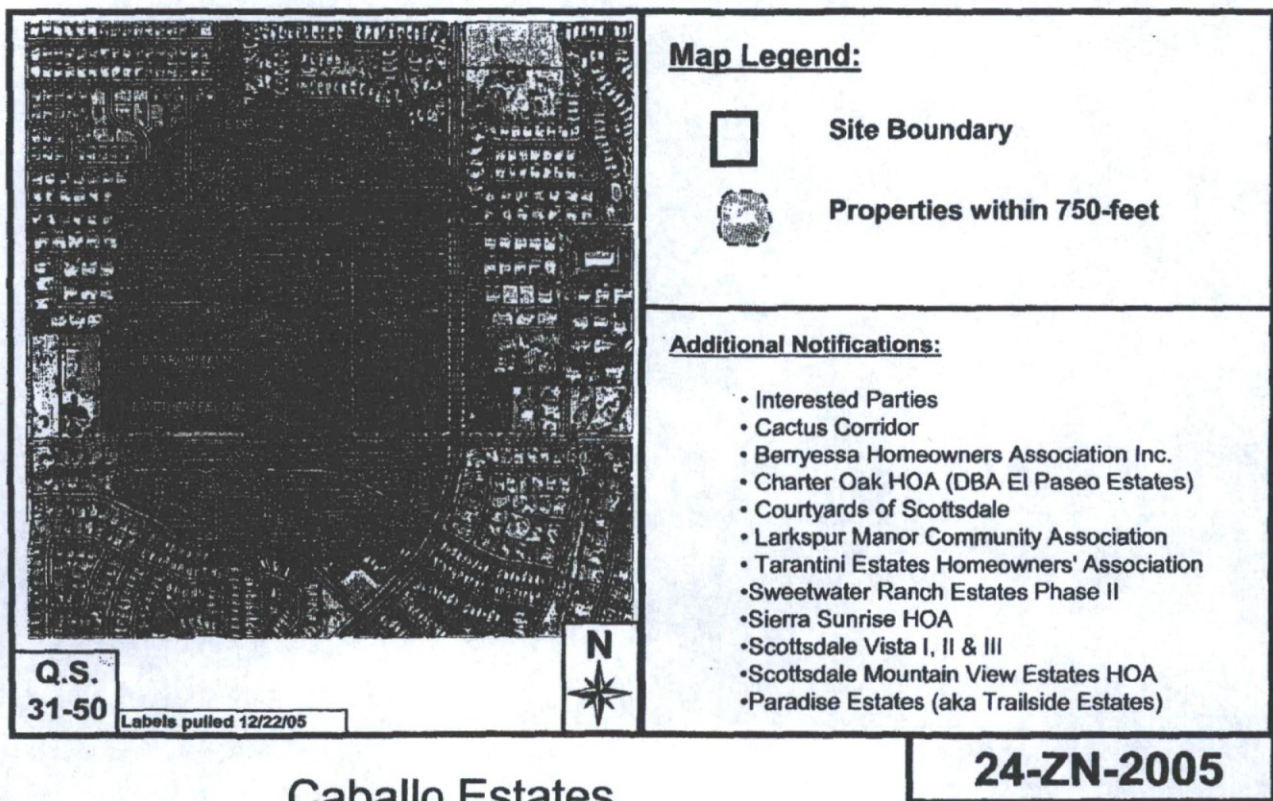
Homeowners were satisfied with the explanation that the disparate lots on the south end of the development are designed to make those lots more attractive to individuals that might be wary of the proximity to Cactus Road.

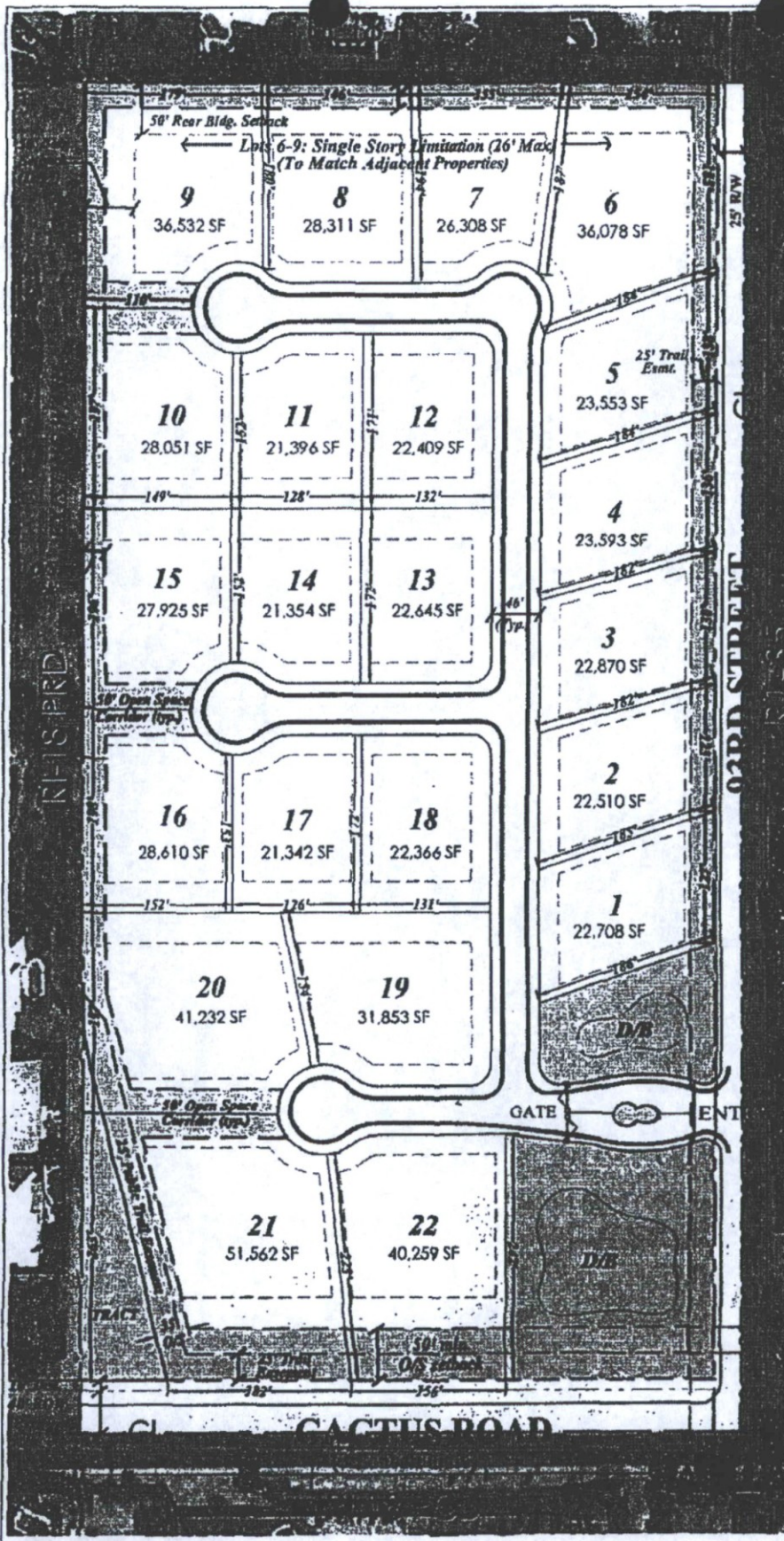
Mr. Voss was unable to give specific answers to minimum square foot requirements and the number of two story homes to be expected in the development but he assured our community that the Covenants, Conditions, and Restrictions would adequately protect and further enhance the quality and value of the community.

Sincerely,

Michelle Jennings, President
Tarantini Estates Homeowners Association

City Notifications – Mailing List Selection Map





LVA
 Urban Design
 Studio LLC.

2001 East Main Street
 Suite 100
 Scottsdale, AZ 85251
 Phone: 480-344-1111
 Fax: 480-344-1112
 www.lva-studio.com

CABALLO ESTATES Conceptual Site Plan
 N.W.C. of 93rd Street and Cactus Road SCOTTSDALE, AZ

SCALE: 1" = 100' NORTH

DATE: 11/10/05
 Job No.: 03A
 Drawn: PJA/LS
 Revised: 11/10/05

Vice-Chairman Jones commented that by having the building sunken, the entry comes off the alley, which is a back door from the mall. He commented that a handicapped person in a chair would have an easier time if the building were higher and the entrance rotated the other direction with access off of the mall; the building would look fine if it were more visible.

Mr. Abell explained the reasons for having the building sunken. Lowering the building five feet helped diminish the scale relative to the schoolhouse. Raising the building would require retaining walls and earthmoving that would create an unnecessary strain on the budget. He suggested that ADA access from the parking lot would be more convenient with the ramp facing the alley. He reiterated that the entire mall was scheduled to be renovated and it was difficult to plan without knowing what direction the mall would take.

In response to a question by Board Member D'Andrea, Mr. Abell explained that budget constraints on the mall renovations existed. Renovations for the restroom were chosen to be completed ahead of the rest of the mall because of an expressed need from merchants and patrons. Board Member D'Andrea expressed concern that the design of the bathroom may dictate the future design of the mall.

Board Member Edwards noted that he had concerns about the landscaping which could wait until the regular hearing for discussion. Mr. Abell remarked that landscaping was an important consideration and that his firm has experienced landscape architects; they have been encouraged to use native Arizona materials.

Board Member D'Andrea suggested that it would be prudent of the City to have the architect master plan the entire mall and bring in pieces at a time as the budget allows for construction; he opined that would allow the architect more flexibility and create a better product.

Study session recessed at 1:10 p.m. to commence the regular meeting and continued at 3:22 p.m.

2. 24-ZN-2005 Caballo Estates

Mr. Curtis reviewed the zoning case, noting the site plan superimposed with the context area depicted the 22 lots with a single access point off of 93rd Street.

Mr. John Berry addressed the Board. He reviewed the project which conforms to the General Plan and the Cactus Corridor study. Significant amounts of open space have been created to give the appearance of large estate lots from Cactus Road. One unique factor of the plan is the horse trails on all four sides of the property, which were included at the request of neighbors. The height of the buildings along the north edge are one story in keeping with the homes to the north. The project has support of the neighbors.

In response to an inquiry by Commissioner Barnett, Mr. Berry confirmed that there would be a 50-foot setback combined with a 30-foot building setback for a total 80-foot setback.

3. 23-ZN-2005 Dove Valley Residential

Mr. Hadder reviewed the request for rezoning from a C-2 to an R-3, which is a downzoning. He clarified that the residential areas to the north and east shown to be under construction have been completed. Presenting the site plan, he referenced the pool location which was being reconsidered. Mr. Hadder noted that the site was previously substantially developed as the Dick Van Dyke studio site and was now a vacant dirt lot.

Mr. Berry reiterated that the request was for a downzoning. Support from the neighbors as well as a non-opposition from the Coalition of Pinnacle Peak had been obtained. Heights and densities have been reduced and more open space has been provided than is required by Ordinance.

In response to a question by Commissioner Barnett, Mr. Berry confirmed that a staggered edge is planned for the east edge, because it would provide more interest and break up the massing for the neighbors. Mr. Berry discussed different location options for the pool.

In response to a question by Commissioner Barnett, Mr. Hadder clarified that a 75-foot setback was negotiated with the neighbors. A site plan with a creative edge would need to meet the separation that the neighbors have requested. The setbacks far exceed those required by the City; the typical setback on the edge is 15 feet. Mr. Berry confirmed that the plan is straight ESLO without the Foothills Overlay.

Board Member Schmitt commented that the interior courtyards leading to the parking garages may create a harsh space and suggested that ways to soften the area be reviewed. He inquired about the location of visitor parking. Mr. Berry suggested that visitor parking could be located in the current location of the pool or along the cul-de-sacs which were large enough to allow visitor parking while still allowing emergency access.

ADMINISTRATIVE REPORT

Staff Approvals

- Cunningham Hangar/Office - Time Extension (43-DR-2004)
- Cingular/Infranext P796-01 Light Pole WCF (85-DR-2006)
- Scottsdale Industrial Park, exterior remodel (75-DR-2006)

Ms. Galav inquired whether there were any questions or concerns on the staff approvals.

6. 17-AB-2006 Overgaard Residence

Request by owner to abandon the south 10 feet of the 25-foot public right-of-way (E. Gold Dust Avenue alignment) located on the north side of property at 11310 E. Arabian Park Drive.

Mr. Curtis depicted the area requested for abandonment just north of the property. Similar abandonments have been granted in the area. The Applicant has agreed to remove 16 feet of the horse shade structure in combination with the abandonment application.

Michael Barinbaum, 11315 East Beryl Avenue, addressed the Commission in opposition of the abandonment. He noted that although the report stated no opposition existed, he had written and telephoned in objection, with no response from staff. He presented a petition of objection signed by neighbors and requested that the application be denied.

In response to a request by Commissioner Schwartz, Mr. Curtis presented a map depicting other abandonments in the area; properties to the east and to the west have abandoned the right-of-way.

Mr. Berry clarified that the same notice provisions were taken with the other properties granted abandonments with no opposition. He noted that the general contractor hired to construct the shade structure was responsible for failing to acquire the proper permits.

Commissioner Steinke inquired about the comments in Mr. Barinbaum's petition regarding the loss of use of the bridal path as a result of the abandonment. Commissioner Schwartz noted that with 15 feet being retained, the use would not be eliminated. Mr. Berry confirmed that the 15-foot wide easement was being retained specifically for equestrian purposes, although overgrowth would indicate little use.

COMMISSIONER SCHWARTZ MOVED FOR APPROVAL OF 13-AB-2006 AND 17-AB-2006. SECONDED BY COMMISSIONER HESS, THE MOTION CARRIED UNANIMOUSLY BY A VOTE OF SEVEN (7) TO ZERO (0).

7. 24-ZN-2005 Caballo Estates

Request by owner to rezone from Single Family Residential District (R1-35) to Single Family Residential District, Planned Residential District (R1-35 PRD) with amended development standards on a 20 +/- acre parcel located at the northwest corner of E. Cactus Road and N. 93rd Street.

8. 14-AB-2006 Caballo Estates

Request by owner to abandon the right-of-way/roadway easements at the property located at the northwest corner of 93rd Street and Cactus Road.

COMMISSIONER BARNETT MOVED FOR APPROVAL OF 24-ZN-2005, CABALLO ESTATES, AND 14-AB-2006, CABALLO ESTATES. SECONDED

BY COMMISSIONER HESS, THE MOTION CARRIED UNANIMOUSLY BY A VOTE OF SIX (6) TO ZERO (0). COMMISSIONER SCHWARTZ WAS RECUSED.

9. 7-GP-2006 Arte

Request by owner for a non-major General Plan Amendment from Office to Urban Neighborhoods on a 3.8 +/- acres located at 11415 N. 114th Street.

10. 4-ZN-2006 Arte

Request by owner to rezone from Commercial Office District (C-O) to Multiple Family Residential District (R-5) on a 3.8 +/- acre parcel located at 11415 N. 114th Street.

11. 11-UP-2006 Arte

Request by owner for a conditional use permit for a residential healthcare facility on a 3.8 +/- acre parcel located at 11415 N. 114th Street with Commercial Office (C-O) zoning.

Mr. Curtis addressed the Commission. Highlights of his presentation included a context aerial and site plan. The current designation and zoning is office; previously plans for an office building on the property had been approved which expired. The reason for the request was to change the land use from office to residential health care facility. The site plan showed access on 114th street with no access to Via Linda.

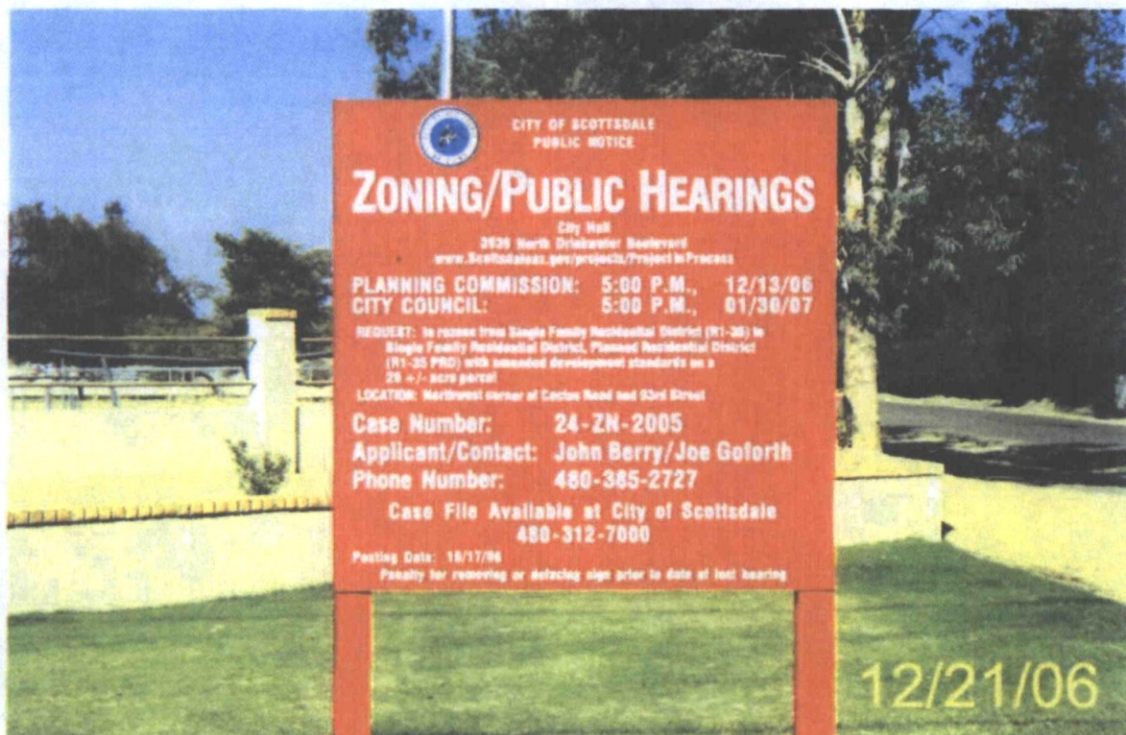
Richard Jacobs, 11426 East Ginnan Drive, addressed the Commission. He expressed concern about an increase in traffic in the area, as well as building height and density which would be overpowering for the neighborhood.

Mr. Berry reminded the Commission that the request was for a downzoning. The case requires that the site be developed for residential healthcare; any other use would be required to return for reapproval. He noted a 50 percent reduction with the use compared to what would be allowed under the current zoning. Mr. Berry noted that a letter of support from the NESPOA group was provided in the packets.

In response to a concern by Commissioner Hess about the traffic issue, Mr. Kercher explained that 114th Street and Via Linda is not a location that would typically be considered for a traffic signal because of spacing; other accesses exist for the neighborhood.

Vice-Chairman Heitel pointed out that the nature of healthcare facilities reduces traffic because traffic is generated during off-peak times.

Commissioner Steinke inquired about the timeframe for building a pedestrian underpass. Mr. Kercher clarified that the underpass was identified on the pedestrian bike plan but had yet to be funded.



Michelle Cohen, 8027 N Via de Lago, 85258, Vice Chair of the Environmental Quality Advisory Board, invited the Council and public to Design Day on February 10, 2007 at Saguaro High School. Ms. Cohen announced an electronics recycling event will be held the same day.

Joel Bramoweth, 7502 Buena Terra Way, 85250, suggested that Barrett-Jackson officials ground lease the land at WestWorld.

Neville Cramer, PO Box 14184, said the City's hiring process for background checks of potential employees is inadequate, and professional assistance should be obtained to protect citizens.

CONSENT AGENDA ITEMS 1-11

ITEMS 5 AND 6 WERE REMOVED FROM THE CONSENT AGENDA FOR SEPARATE ACTION.

1. Sereno Canyon Phase I Final Plat

Request: Approve final plat for Phase I (46 lots) of a 122 single-family residential subdivision.

Location: East of 122nd Street between Happy Valley Road and Pinnacle Peak Road section lines

Reference: 22-PP-2005

Staff Contact(s): Frank Gray, General Manager Planning and Development Services, 480-312-2890, fgray@scottsdaleaz.gov; Lusia Galav, Current Planning Director, 480-312-2506, lgalav@scottsdaleaz.gov

Councilman Nelssen asked if elements of the Dynamite Foothills Character Area Plan were being implemented in this case. Frank Gray replied that the Area Plan was specifically used in reviewing the proposal, and believes the project incorporates most of the goals set forth in the Plan.

2. Villa Contento Final Plat

Request: Approve final plat for a 38-lot townhome community.

Location: 8501 E. McDowell Road, 1504 N. 85th Place, and 1550 N. 85th Place.

Reference: 11-PP-2006

Staff Contact(s): Frank Gray, General Manager Planning and Development Services, 480-312-2890, fgray@scottsdaleaz.gov; Lusia Galav, Current Planning Director, 480-312-2506, lgalav@scottsdaleaz.gov

3. Caballo Estates Abandonment

Requests:

1. Abandon existing 25-foot-wide right-of-way located along the N. 92nd Street alignment north of East Cactus Road.

2. Adopt Resolution No. 7114 vacating and abandoning public rights-of-way.

Location: North 92nd Street alignment north of East Cactus Road

Related Policies, References:

- 14-AB-2006
- Case 24-ZN-2005 is an associated rezoning request to allow a Planned Residential Development consisting of 22 residential lots on the property

Staff Contact(s): Frank Gray, General Manager Planning and Development Services, 480-312-2890, fgray@scottsdaleaz.gov; Lusia Galav, Current Planning Director, 480-312-2506, lgalav@scottsdaleaz.gov

4. Overgaard Residence Abandonment

Requests:

1. Abandon the south 10 feet of the 25-foot public right-of-way (East Gold Dust Avenue alignment) located on the north side of the subject property at 11310 E. Arabian Park Drive.
2. Adopt Resolution No. 7115 vacating and abandoning public rights-of-way.

Location: 11310 E. Arabian Park Drive

Related Policies, References:

- 17-AB-2006
- Case 13-AB-2005 abandoned the same portion of right-of-way for the adjacent property to the east

Staff Contact(s): Frank Gray, General Manager Planning and Development Services, 480-312-2890, fgray@scottsdaleaz.gov; Lusia Galav, Current Planning Director, 480-312-2506, lgalav@scottsdaleaz.gov

5. Caballo Estates Rezoning

ITEM 5 REMOVED FROM CONSENT AGENDA FOR SEPARATE ACTION. SEE PAGE 5

6. Amend Scottsdale Revised Code Relating to Refuse and Recyclable Materials

ITEM 6 REMOVED FROM CONSENT AGENDA FOR SEPARATE ACTION. SEE PAGE 5.

7. Construction Bid for Cactus Road Improvements

Requests:

1. Adopt Resolution No. 7048 authorizing Construction Bid Award No. 07PB008 to Hunter Contracting Co., the lowest responsive bidder, at the unit price bid of \$9,348,745.81.
2. Authorize payment to Arizona Public Service in an approximate amount of \$1,200,000 for the conversion of overhead 12kV lines and the installation of streetlights along Cactus Road.

Related Policies, References:

- On October 14, 2003, Council approved Engineering Services Contract No. 2003-154-COS with Stantec Consulting for the design of improvements to Cactus Road from Pima Freeway to Frank Lloyd Wright Boulevard.
- On November 11, 2005, Council adopted Resolution No. 6723 authorizing the acquisition of various rights-of-way interests from properties located along Cactus Road from the Pima Freeway to Frank Lloyd Wright Boulevard.

Staff Contact(s): Dan Worth, Municipal Services General Manager, 480-312-2776, dworth@scottsdaleaz.gov

Mayor Manross opened public testimony.

Susan Wheeler, 9616 E Kalil Dr, 85260, said she prefers to have the horse art features placed on the roundabouts, rather than on the walls.

Mayor Manross closed public testimony.

Transportation General Manager Mary O'Connor said staff will continue to work with Ms. Wheeler to address her concerns.

8. Engineering Services Contract Modification for the Design of the Crosscut Canal Multi-Use Path Phase II Improvements

Request: Adopt Resolution No. 7116 authorizing Engineering Services Contract Modification No. 2004-131-COS-A1 with HDR Engineering, Inc., in the amount of \$343,739 for the design of the Crosscut Canal Multi-Use Path Phase II Improvements between Thomas and Indian School roads.

Related Policies, References:

- On September 21, 2004, Council authorized Engineering Services Contract No. 2004-131-COS with HDR Engineering, Inc., for the design of the Crosscut Canal Multi-Use Path Phase I Improvements.
- On January 16, 2007, Council awarded Construction Bid Award No.07PB009 for construction of Crosscut Canal Multi-Use Path Phase I Improvements.

Staff Contact(s): Dan Worth, Municipal Services General Manager, 480-312-2776, dworth@scottsdaleaz.gov

9. Amend Scottsdale Revised Code Relating to Criminal History Information for Prospective Contract Workers

Request: Adopt Ordinance No. 3717 amending Section 14-44 of the Scottsdale Revised Code, which authorizes the Human Resources General Manager to request and receive criminal history information for the purpose of evaluating the fitness of contract workers and certain independent contractors providing services to the City.

Related Policies, References: Arizona Revised Statutes § 41-1750; Public Law 92-544; Ordinance Nos. 2424 (1/19/93), 2689 (7/18/94), 3078 (11/17/97), 3659 (1/24/06), 3684 (7/10/06); Scottsdale Revised Code Section 14-41(i)

Staff Contact(s): Teri Traaen, Human Resources General Manager, 480-312-2615, ttraaen@scottsdaleaz.gov

10. Easement Agreement for Public Art at the Waterfront

Request: Approve Resolution No. 7131 authorizing the City to enter into Agreement No. 2007-022-COS, which grants the City an easement for the placement of public art at the Waterfront at the corner of Scottsdale and Camelback roads.

Related Policies, References:

- Ordinance No. 2018, which established a public art in private development requirement in downtown Scottsdale.
- Agreement No. 2003-164-COS between the City of Scottsdale and the Scottsdale Waterfront, LLC, which requires the developer to incorporate public art into the project.

Staff Contact(s): Ed Gawf, Assistant City Manager, 480-312-4510, egawf@scottsdaleaz.gov; John Little, Executive Director Downtown Group, 480-312-2539, jlittle@scottsdaleaz.gov

11. Payment of Legal Fees related to Arizona State Retirement System Class Action Lawsuit

Requests:

1. Approve payment of \$273,508.19, and additional accrued interest at 8% simple interest on the principal amount of \$166,269.67 from December 31, 2006 to the date of payment, for legal fees associated with the class action lawsuit titled, *Burke v. Arizona State Retirement System*.
2. Approve a General Fund contingency transfer in the same amount.
3. Authorize staff to support State legislation and/or appropriations to reimburse the City and other impacted employers for legal fees associated with the lawsuit.

Staff Contact(s): Teri Traaen, Human Resources General Manager, 480-312-2615,
ttraaen@scottsdaleaz.gov

MOTION AND VOTE – CONSENT AGENDA

COUNCILMAN ECTON MOVED TO APPROVE CONSENT AGENDA ITEMS 1 THROUGH 11, MINUS ITEMS 5 AND 6. COUNCILMEMBER DRAKE SECONDED THE MOTION, WHICH CARRIED 6-0.

ITEM 5 REMOVED FROM CONSENT AGENDA FOR SEPARATE ACTION:

5. Caballo Estates Rezoning

Requests:

1. Rezone from Single Family Residential District (R1-35) to Single Family Residential District, Planned Residential District (R1-35 PRD) with amended development standards on a 20± acre parcel located at the northwest corner of East Cactus Road and North 93rd Street.
2. Adopt Ordinance No 3720 affirming the rezoning.

Location: Northwest corner of East Cactus Road and North 93rd Street

Related Policies, References:

- 24-ZN-2005
- 14-AB-2006 is an associated request to abandon right-of-way/roadway easements on the property
- Cases 38-UP-1987 and 36-UP-1983 allowed a commercial ranch to operate on this site
- City General Plan designates the property as Suburban Neighborhoods
- Cactus Corridor Area Study recommends a suburban character west of North 96th Street

Staff Contact(s): Frank Gray, General Manager Planning and Development Services, 480-312-2890, fgray@scottsdaleaz.gov; Lusia Galav, Current Planning Director, 480-312-2506, lgalav@scottsdaleaz.gov

Councilmember Drake requested a separate vote because she is sentimental about this historic former Arabian horse-training facility.

MOTION AND VOTE – ITEM 5

COUNCILMAN ECTON MOVED TO APPROVE ITEM 5. VICE MAYOR LANE SECONDED THE MOTION, WHICH CARRIED 5-1, WITH COUNCILMEMBER DRAKE DISSENTING.

ITEM 6 REMOVED FROM CONSENT AGENDA FOR SEPARATE ACTION:

6. Amend Scottsdale Revised Code Relating to Refuse and Recyclable Materials

Request: Approve Ordinance No. 3709 amending Sections 24-50 of the Scottsdale Revised Code relating to refuse and recyclable materials collection by adding a prohibition against unauthorized removal.

Staff Contact(s): Alan Rodbell, Chief of Police, 480-312-1900,
arodbell@scottsdaleaz.gov; Deborah W. Robberson, City Attorney, 480-312-2405,
drobberson@scottsdaleaz.gov