

**Official signed Ordinances/Resolutions
and approved Minutes can found at:**

<https://eservices.scottsdaleaz.gov/cityclerk/DocumentSearch>

Planning Commission Hearing: 12/13/2017

City Council Hearing: 01/23/2018

Case History: 227-PA-2017

5-AB-2017

Rosewood 17

**Marked Agendas
Approved Minutes
Approved Reports**

PLANNING COMMISSION REPORT



Meeting Date: December 13, 2017
General Plan Element: *Land Use*
General Plan Goal: *Coordinate Planning to Balance Infrastructure*

ACTION

Rosewood 17 Abandonment (Hawk Nest Estates Abandonment) 5-AB-2017

Request to consider the following:

1. A recommendation to City Council regarding a request by owner to abandon the northern fifteen-foot (15-ft) portion of right-of-way, located along the north side of E. Hawknest Road, adjacent to parcel 216-34-013C, with Single-family Residential, Environmentally Sensitive Lands (R1-35 ESL) zoning located at 8604 E. Hawknest Road.

Goal/Purpose of Request

This request is to abandon the northern fifteen (15) feet of the northern 40-foot half street along the site's Hawknest Road frontage. This request is in association with a preliminary plat case to create a 17-lot subdivision on approximately twenty (21) acres.

Key Items for Consideration

- Request in conformance with the Transportation Master Plan
- Abandonment associated with Preliminary Plat case 8-PP-2017
- Access not impacted by this proposed abandonment
- Conformance with the Transportation Master Plan and Local Area Infrastructure Plan
- No public input received regarding the proposed abandonment
- A previous abandonment case, 11-AB-2008, was approved by the City Council in February of 2009, and expired prior to recordation.

OWNER

RFP Investments Lllp.
(602) 906-1374

APPLICANT CONTACT

Mike Delmarter
Kimley-Horn and Associates Inc
(602) 906-1374



Action Taken _____

LOCATION

8604 E Hawknest Rd

BACKGROUND

General Plan

The General Plan Land Use Element designates the property as Rural Neighborhoods. This category includes areas of relatively large lot single-family neighborhoods. Densities are usually one house per one acre of land. Clustering is encouraged to preserve desert vegetation, washes, and natural features.

Character Area Plan

The subject site is located within the un-adopted Boulders Character Area. The Boulders Character area is a tourism center and destination, home to both full and part-time residents, and a service center for other areas within and outside of the city. It has a board diversity of housing types, most of which are upscale. The area street systems serve both as a major gateway to the city as well as a regional crossroads for the area.

Zoning

The site was rezoned to R1-35/HD/HC, along with the Desert Mountain and The Boulders communities, through case 2-ZN-1985. In 1991, the Environmentally Sensitive Lands (ESL) ordinance was adopted to replace the Hillside District. The current revision to the ESL overlay took effect in 2004.

Context

This property is located east of the northeast corner of N. Windmill Road and E. Hawknest Road. The surrounding properties are zoned R1-35 ESL.

Adjacent Uses and Zoning:

- North: Single-Family Residential, Environmentally Sensitive Lands, zoned R1-35/ESL; Windmill Subdivision.
- South: Single-Family Residential, Environmentally Sensitive Lands zoned R1-190/ESL; vacant land.
- East: Single-Family Residential, Environmentally Sensitive Lands, zoned R1-35/ESL; Hawknest Trail Subdivision.
- West: Single-Family Residential, Environmentally Sensitive Lands, zoned R1-35/ESL; Single-Family Residences.

Related Policies, References:

2-ZN-1985, 4-PP-2008, 11-AB-2008, and 8-PP-2017

2001 City of Scottsdale General Plan

2004 Trails Master Plan

2014 Transportation Master Plan

APPLICANTS PROPOSAL

Development Information

This application is being submitted concurrently with a preliminary plat application for a 17-lot subdivision. This request is necessary to allow Hawknest Road to be developed consistent with local collector street standards.

IMPACT ANALYSIS

Land Use

This request is in conjunction with preliminary plat case number 8-PP-2017. If approved, the abandonment will allow the project site plan, as proposed, to be implemented. The Transportation Master Plan has reclassified E. Hawknest Road from a minor collector to a local collector. The Applicant will dedicate a public utility easement over the proposed abandonment area.

Traffic/Trails

The Transportation Master Plan has reclassified E. Hawknest Road from a minor collector to a local collector, which decreases the half-street width requirement from forty (40) feet to twenty-five (25) feet. Thus, the Transportation Department supports the abandonment. The proposed trail is located along the northwestern border of the property, and the final plat will dedicate the required trail easement.

Emergency/Municipal Services and Utilities

All existing emergency and municipal access will be provided to the properties surrounding the abandonment area and maintained through existing dedicated public right-of-way along Hawknest Road. No impacts are anticipated.

Design of the internal streets will conform to ESL local residential, 40-foot tract width. Additionally, a minimum 40-foot-wide Emergency and Service Access Vehicle Easement will be provided over all internal streets.

Public Utilities

The public utilities have been notified of the applicant's request. The utility companies have indicated that there are no conflicts with the proposed abandonment and support the abandonment. A public utility easement will be dedicated over the northern eight (8) feet of the fifteen-foot (15-ft) abandonment area.

Community Involvement

The applicant distributed a notification to property owners within 750 feet of the proposed subdivision site. City staff has not received any comments with regards to this case.

Community Impact

No properties will be denied access as a result of this abandonment, and provisions for public utilities are provided.

Policy Implications

The owner will be required to record the associated final plat, 8-PP-2017, simultaneously with the recordation of this subject abandonment application, to assure the abandonment area is located in conformance with the preliminary plat approved by the Development Review Board on October 5, 2017.

OTHER BOARDS & COMMISSIONS

Development Review Board:

The Development Review Board heard and approved the associated preliminary plat case at the October 5, 2017, hearing with a vote of 7-0.

OPTIONS & STAFF RECOMMENDATION

Recommended Approach:

Staff recommends that the Planning Commission make a recommendation to City Council for approval to abandon the northern fifteen-foot (15-ft) portion of right-of-way, located along the north side of E. Hawknest Road, adjacent to parcel 216-34-013C, finding that the proposal is consistent with and conforms to the adopted General Plan.

- A public utility easement will be retained and dedicated over the northern eight (8) feet of the fifteen-foot (15-ft) abandonment area.
- The property owner shall pay to the city an amount to be determined as compensation to the city for the abandonment of right-of-way.
- The property owner shall record a final plat, 8-PP-2017, to dedicate the proposed private street system and public trail.

RESPONSIBLE DEPARTMENTS

Planning and Development Services

Current Planning Services

STAFF CONTACTS

Jesus Murillo
Senior Planner
480-312-7849
E-mail: jmurillo@scottsdaleAZ.gov

APPROVED BY



Jesus Murillo, Report Author

12-3-17

Date



Tim Curtis, AICP, Current Planning Director
480-312-4210, tcurtis@scottsdaleaz.gov

12/4/2017

Date



Randy Grant, Director
Planning and Development Services
480-312-2664, rgrant@scottsdaleaz.gov

12/4/17

Date

ATTACHMENTS

1. Context Aerial
2. Detail Aerial
3. Applicant's Narrative
4. Dimensioned Aerial
5. Legal Description and Graphic Abandonment Area
6. Local Area Infrastructure Plan
7. Associated Preliminary Plat
8. City Notification Map



Hawknest Estates Abandonment

ATTACHMENT #1

5-AB-2017



Hawknest Estates Abandonment

ATTACHMENT #2

5-AB-2017



**Rosewood 17 – Abandonment Application
Project Narrative
May 2017**

Project Request

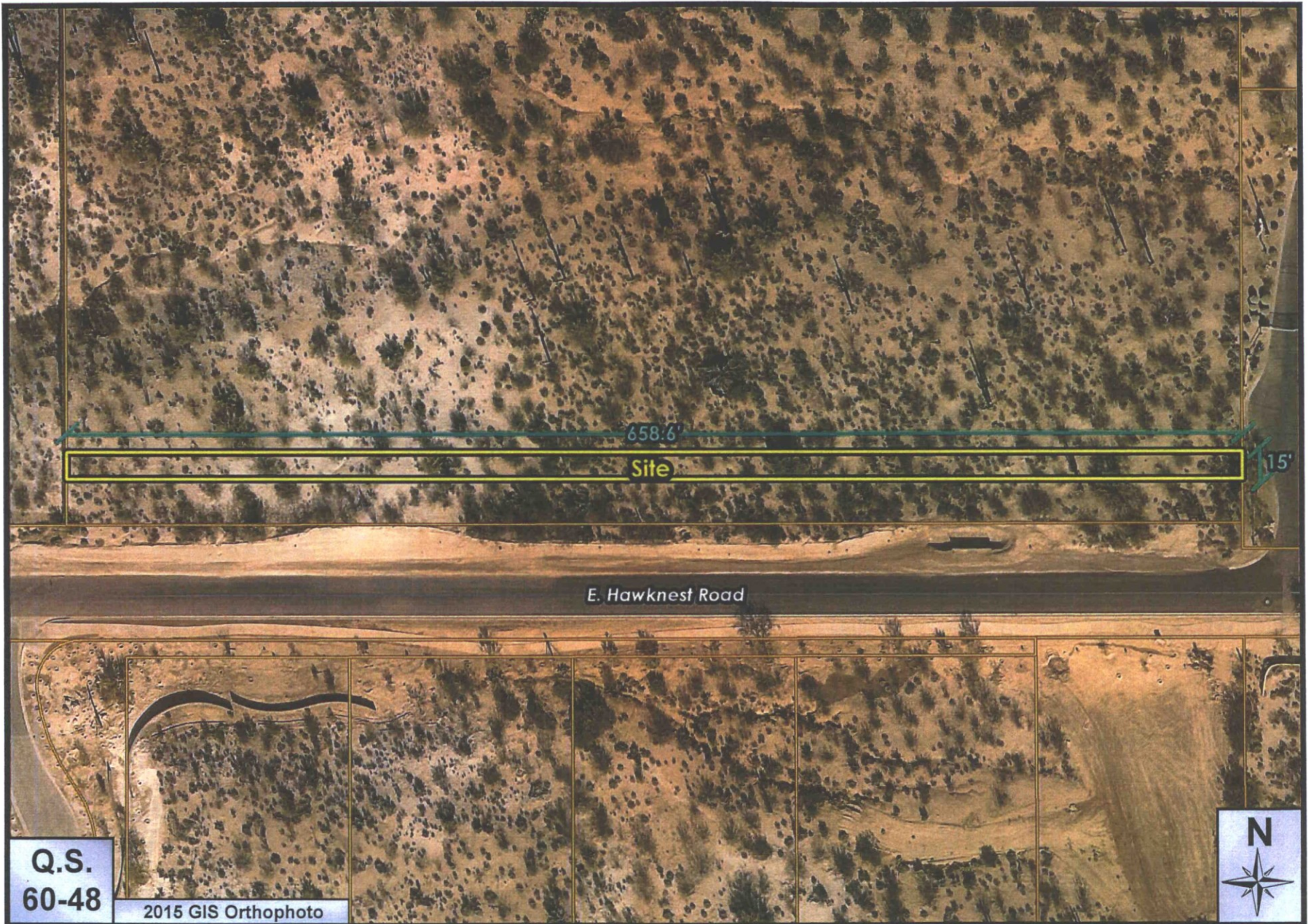
This request is to reduce the existing 40 foot half street right of way located along the north side of E. Hawknest Road to a 25 foot half street right of way by requesting the abandonment of the northern fifteen (15) feet.

Consideration

This is consistent with the 2008 Transportation Master Plan which reclassified E. Hawknest Road from a minor collector to a local collector. The 25 foot half street right of way is consistent with the City's roadway requirement for a local collector street.

This request is in conjunction with a preliminary plat, Rosewood 17. If approved, the abandonment will provide approximately 9,900 additional square feet to the net lot area of the proposed Rosewood 17 subdivision site. In addition, a 15 foot public utility easement will be dedicated over the proposed area being abandoned.

ATTACHMENT 3



Hawknest Estates Abandonment

ATTACHMENT #4

5-AB-2017

**LEGAL DESCRIPTION
RIGHT OF WAY ABANDONMENT
HAWKNEST ROAD**

DATE 04-14-08
JOB NO.2007-192
PAGE 1 of 1

AN ABANDONMENT OF A PORTION OF RIGHT A WAY LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 5 NORTH; RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 1, FROM WHICH THE CENTER OF SAID SECTION 1 BEARS NORTH 89 DEGREES 53 MINUTES 48 SECONDS WEST 2634.16 FEET;

THENCE NORTH 89 DEGREES 53 MINUTES 48 SECONDS WEST, ALONG THE NORTH LINE OF SOUTHEAST QUARTER OF SAID SECTION 1, A DISTANCE OF 1,317.01 FEET;

THENCE NORTH 00 DEGREES 06 MINUTES 32 SECONDS EAST, LEAVING SAID NORTH LINE OF SAID SECTION 1. A DISTANCE OF 25.00 FEET TO THE POINT OF BEGINNING OF THE RIGHT OF WAY ABANDONMENT HEREIN DESCRIBED;

THENCE NORTH 89 DEGREES 53 MINUTES 48 SECONDS WEST, ALONG A LINE PARALLEL TO AND 25 FEET NORTH OF THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 1, A DISTANCE OF 658.60 FEET;

THENCE NORTH 00 DEGREES 06 MINUTES 12 SECONDS EAST, LEAVING SAID PARALLEL LINE, A DISTANCE OF 15.00 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY OF HAWKNEST ROAD;

THENCE SOUTH 89 DEGREES 53 MINUTES 48 SECONDS EAST, ALONG THE NORTHERLY RIGHT OF WAY OF HAWKNEST ROAD, A DISTANCE OF 658.60 FEET;

THENCE SOUTH 00 DEGREES 06 MINUTES 12 SECONDS WEST, LEAVING SAID NORTHERLY RIGHT OF HAWKNEST ROAD, A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING OF THE RIGHT OF WAY ABANDONMENT HEREIN DESCRIBED.

ABANDONMENT CONTAINS 9879 SQUARE FEET OR 0.227 ACRES.



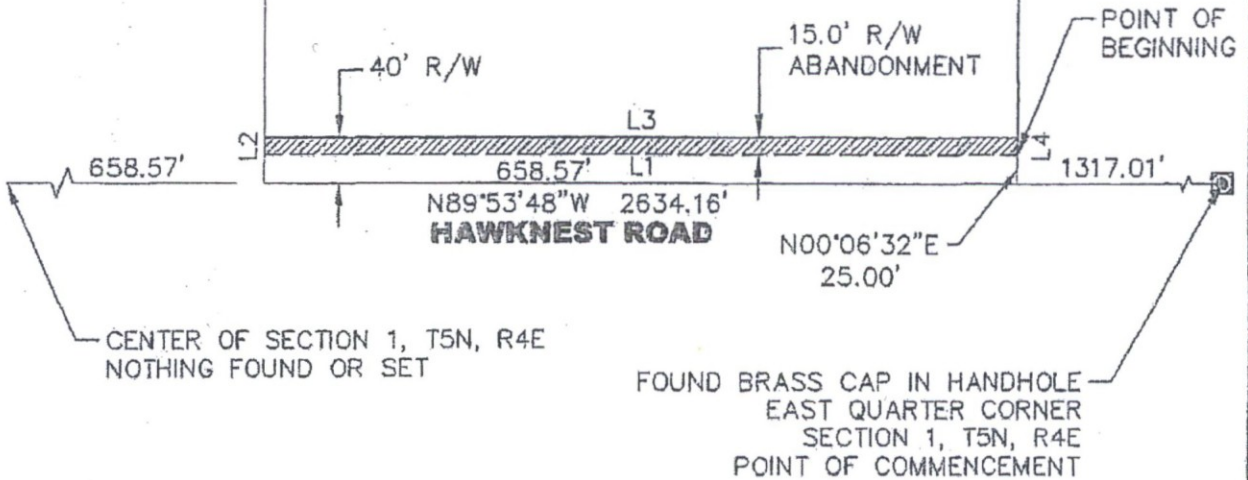
LINE TABLE		
LINE	BEARING	LENGTH
L1	N89°53'48"W	658.60
L2	N00°06'12"E	15.00
L3	S89°53'48"E	658.60
L4	S00°06'32"W	15.00



APN 216-34-013C



N.T.S.



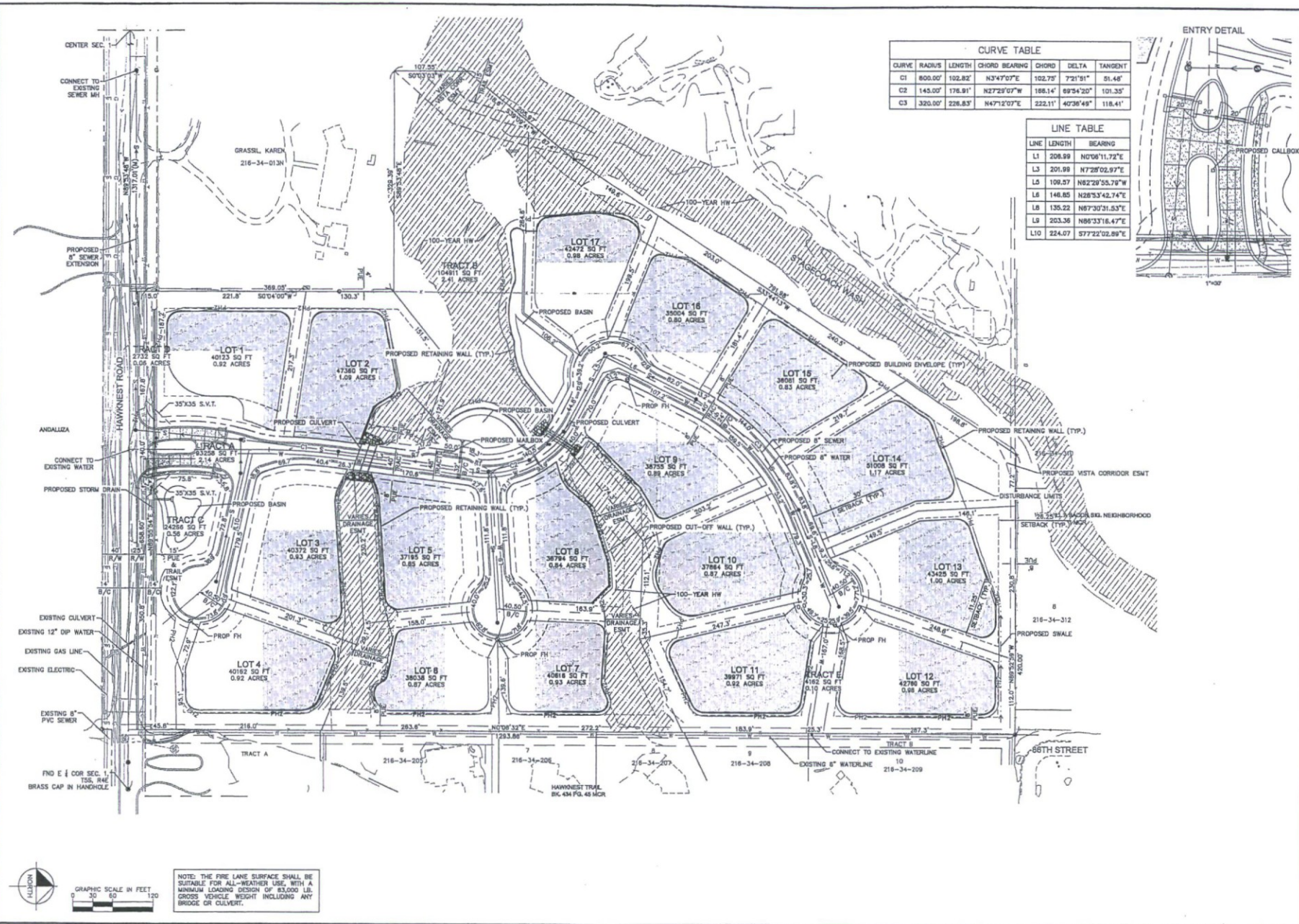
SIG

**SURVEY INNOVATION
GROUP, INC**

**RIGHT OF WAY ABANDONMENT
HAWKNEST ROAD
SCOTTSDALE, ARIZONA**

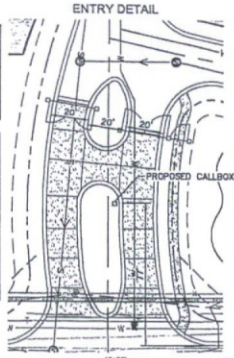
Ph (480) 922 0780 Land Surveying Services Fx (480) 922 0781
16414 N. 91st STREET, STE #102, SCOTTSDALE, AZ 85260

JOB 2007-192	DWG: ABANDONMENT EXHIBIT	DATE 4-14-08
SCALE: N.T.S.	DRAWN: JAW	CHK: RMH
		SHEET 1 OF 1



CURVE TABLE						
CURVE	RADIUS	LENGTH	CHORD BEARING	CHORD	DELTA	TANGENT
C1	800.00'	102.82'	N34°07'E	102.75'	7°21'51"	51.48'
C2	143.00'	176.91'	N27°29'07"W	188.14'	89°54'20"	101.35'
C3	320.00'	226.83'	N47°12'07"E	232.11'	40°36'49"	118.41'

LINE TABLE		
LINE	LENGTH	BEARING
L1	208.99	N0°08'11.72"E
L3	201.99	N7°28'02.97"E
L5	109.57	N62°28'55.78"W
L6	146.85	N26°53'42.74"E
L8	135.22	N67°30'31.53"E
L9	203.38	N85°33'16.47"E
L10	224.07	S77°22'02.89"E



REVISION
 NO.
 DATE

Kimley»Horn
 © 2017 KIMLEY-HORN AND ASSOCIATES, INC.
 7140 North 16th Street, Suite 300
 Phoenix, Arizona 85020 (602) 944-0500

SCALE: 1"=40'
 SCALE (IF NEEDED)
 DESIGNED BY: KAC
 DRAWN BY: KAC
 CHECKED BY: JMD
 DATE: 04/20/17

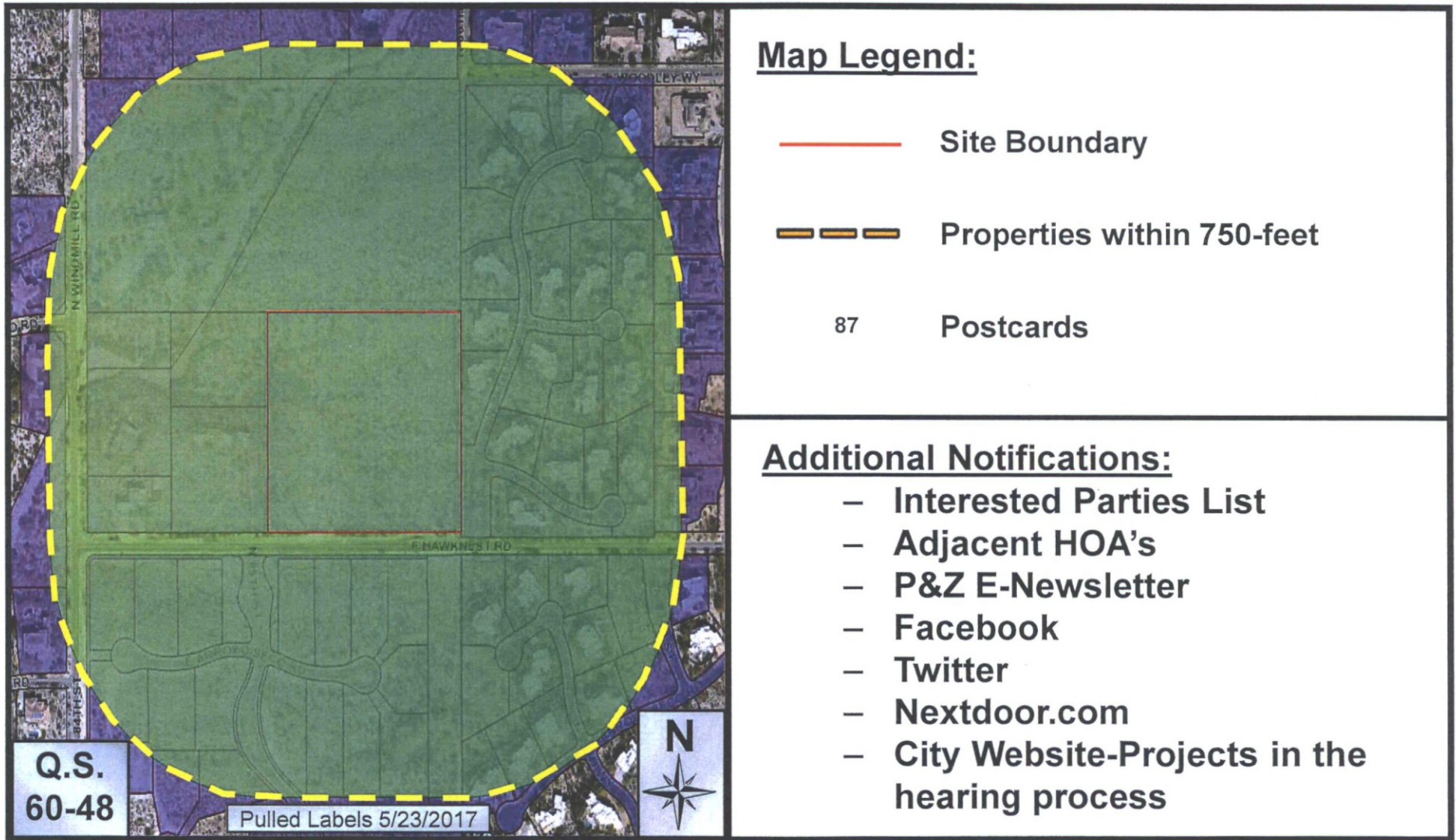
ROSEWOOD 17
 PRELIMINARY PLAT
 SCOTTSDALE, ARIZONA

PROJECT NO.
 191822001
 DRAWING NAME
 22001PP.DWG
 CASE NO. 20-0000-XX
 CS: 59-48
 PLAN CHECK NO: 0000-XX
 ZONING: 000-XX

Kimley»Horn
 ENGINEER
 PE NO. 30888, DATE 03/11/17

PROJECT NO.
 191822001
 DRAWING NAME
 22001PP.DWG
 02 of 3

City Notifications – Mailing List Selection Map



Hawknest Estates

ATTACHMENT #8

5-AB-2017

CITY COUNCIL REPORT



Meeting Date: January 23, 2018
 General Plan Element: *Land Use*
 General Plan Goal: *Coordinate Planning to Balance Infrastructure*

ACTION

Rosewood 17 Abandonment (Hawk Nest Estates Abandonment) 5-AB-2017

Request to consider the following:

Adopt Resolution No. 11003 approving the abandonment of the northern fifteen-foot (15-ft) portion of right-of-way, located along the north side of E. Hawknest Road, adjacent to parcel 216-34-013C, with Single-family Residential, Environmentally Sensitive Lands (R1-35 ESL) zoning located at 8604 E. Hawknest Road.

Goal/Purpose of Request

This request is to abandon the northern fifteen (15) feet of the northern 40-foot half street along the site's Hawknest Road frontage. This request is in association with a preliminary plat case to create a 17-lot subdivision on approximately twenty (21) acres.

Key Items for Consideration

- Request in conformance with the Transportation Master Plan
- Abandonment associated with Preliminary Plat case 8-PP-2017
- Access not impacted by this proposed abandonment
- Conformance with the Transportation Master Plan and Local Area Infrastructure Plan
- No public input received regarding the proposed abandonment
- A previous abandonment case, 11-AB-2008, was approved by the City Council in February of 2009, and expired prior to recordation.
- Planning Commission heard this case on December 13, 2017 with a 7-0 vote for approval.

OWNER

RFP Investments Lllp.
(602) 906-1374

APPLICANT CONTACT

Mike Delmarter
Kimley-Horn and Associates Inc



602-906-1374

LOCATION

8604 E Hawknest Rd

BACKGROUND

General Plan

The General Plan Land Use Element designates the property as Rural Neighborhoods. This category includes areas of relatively large lot single-family neighborhoods. Densities are usually one house per one acre of land. Clustering is encouraged to preserve desert vegetation, washes, and natural features.

Character Area Plan

The subject site is located within the un-adopted Boulders Character Area. The Boulders Character area is a tourism center and destination, home to both full and part-time residents, and a service center for other areas within and outside of the city. It has a broad diversity of housing types, most of which are upscale. The area street systems serve both as a major gateway to the city as well as a regional crossroads for the area.

Zoning

The site was rezoned to R1-35/HD/HC, along with the Desert Mountain and The Boulders communities, through case 2-ZN-1985. In 1991, the Environmentally Sensitive Lands (ESL) ordinance was adopted to replace the Hillside District. The current revision to the ESL overlay took effect in 2004.

Context

This property is located east of the northeast corner of N. Windmill Road and E. Hawknest Road. The surrounding properties are zoned R1-35 ESL.

Adjacent Uses and Zoning:

- North: Single-Family Residential, Environmentally Sensitive Lands, zoned R1-35/ESL; Windmill Subdivision.
- South: Single-Family Residential, Environmentally Sensitive Lands zoned R1-190/ESL; vacant land.
- East: Single-Family Residential, Environmentally Sensitive Lands, zoned R1-35/ESL; Hawknest Trail Subdivision.
- West: Single-Family Residential, Environmentally Sensitive Lands, zoned R1-35/ESL; Single-Family Residences.

Related Policies, References:

2-ZN-1985, 4-PP-2008, 11-AB-2008, and 8-PP-2017

2001 City of Scottsdale General Plan

2004 Trails Master Plan

2014 Transportation Master Plan

APPLICANTS PROPOSAL

Development Information

This application is being submitted concurrently with a final plat for a 17-lot subdivision. This request is necessary to allow Hawknest Road to be developed consistent with local collector street standards.

IMPACT ANALYSIS

Land Use

This request is in conjunction with final plat case number 8-PP-2017. If approved, the abandonment will allow the project site plan, as proposed, to be implemented. The Transportation Master Plan has reclassified E. Hawknest Road from a minor collector to a local collector. The Applicant will dedicate a public utility easement over the proposed abandonment area.

Traffic/Trails

The Transportation Master Plan has reclassified E. Hawknest Road from a minor collector to a local collector, which decreases the half-street width requirement from forty (40) feet to twenty-five (25) feet. Thus, the Transportation Department supports the abandonment. The proposed trail is located along the northwestern border of the property, and the final plat will dedicate the required trail easement.

Emergency/Municipal Services and Utilities

All existing emergency and municipal access will be provided to the properties surrounding the abandonment area and maintained through existing dedicated public right-of-way along Hawknest Road. No impacts are anticipated.

Design of the internal streets will conform to ESL local residential, 40-foot tract width. Additionally, a minimum 40-foot-wide Emergency and Service Access Vehicle Easement will be provided over all internal streets.

Public Utilities

The public utilities have been notified of the applicant's request. The utility companies have indicated that there are no conflicts with the proposed abandonment and support the abandonment. A public utility easement will be dedicated over the northern eight (8) feet of the fifteen-foot (15-ft) abandonment area.

Community Involvement

The applicant distributed a notification to property owners within 750 feet of the proposed subdivision site. City staff has not received any comments with regards to this case.

Community Impact

No properties will be denied access as a result of this abandonment, and provisions for public utilities are provided.

Policy Implications

The owner will be required to record the associated final plat, 8-PP-2017, simultaneously with the recordation of this subject abandonment application, to assure the abandonment area is located in

in conformance with the preliminary plat approved by the Development Review Board on October 5, 2017.

OTHER BOARDS & COMMISSIONS

Development Review Board:

The Development Review Board heard and approved the associated preliminary plat case at the October 5, 2017, hearing with a vote of 7-0.

OTHER BOARDS & COMMISSIONS

Staff Recommendation to Planning Commission:

Staff recommended that the Planning Commission make a recommendation to City Council for approval to abandon the northern fifteen-foot (15-ft) portion of right-of-way, located along the north side of E. Hawknest Road, adjacent to parcel 216-34-013C, finding that the proposal is consistent with and conforms to the adopted General Plan.

- A public utility easement will be retained and dedicated over the northern eight (8) feet of the fifteen-foot (15-ft) abandonment area.
- The property owner shall pay to the city an amount to be determined as compensation to the city for the abandonment of right-of-way.
- The property owner shall record a final plat, 8-PP-2017, to dedicate the proposed private street system and public trail.

Planning Commission:

Planning Commission heard this case on December 13, 2017 and recommended approval with a 7-0 vote.

RECOMMENDATION

Adopt Resolution No. 10968 approving the abandonment of the northern fifteen-foot (15-ft) portion of right-of-way, located along the north side of E. Hawknest Road, adjacent to parcel 216-34-013C, with Single-family Residential, Environmentally Sensitive Lands (R1-35 ESL) zoning located at 8604 E. Hawknest Road.

RESPONSIBLE DEPARTMENTS


Planning and Development Services

Current Planning Services

STAFF CONTACTS

Jesus Murillo
Senior Planner
480-312-7849
E-mail: jmurillo@scottsdaleAZ.gov

APPROVED BY

 For

Jesus Murillo, Report Author



Date



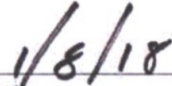
Tim Curtis, AICP, Current Planning Director
480-312-4210, tcurtis@scottsdaleaz.gov



Date



Randy Grant, Director
Planning and Development Services
480-312-2664, rgrant@scottsdaleaz.gov



Date

ATTACHMENTS

1. Context Aerial
2. Detail Aerial
3. Resolution No. 11003
4. Applicant's Narrative
5. Dimensioned Aerial
6. Local Area Infrastructure Plan
7. Associated Preliminary Plat
8. City Notification Map
9. December 13, 2017 Planning Commission meeting minutes



Hawknest Estates Abandonment

5-AB-2017

ATTACHMENT #1



Hawknest Estates Abandonment

ATTACHMENT #2

5-AB-2017

RESOLUTION NO. 11003

A RESOLUTION OF THE COUNCIL OF THE CITY OF SCOTTSDALE,
MARICOPA COUNTY, ARIZONA, ABANDONING RIGHT-OF-WAY
ALONG THE NORTH SIDE OF E. HAWKNEST ROAD WEST OF 86TH
PLACE

(5-AB-2017)

WHEREAS:

A. A.R.S. Sec. 28-7201, et seq., provides that a city may dispose of a public roadway or portion thereof that is no longer necessary for public use.

B. After notice to the public, hearings have been held before the City of Scottsdale ("City") planning commission and City Council on the proposed abandonment of that portion of the street right-of-way (the "Abandonment Right-of-way") described on **Exhibit "A"** and **Exhibit "B"** attached hereto.

C. The Abandonment Right-of-Way falls within, serves, affects or is near a parcel comprising approximately 21 acres on the north side of E. Hawknest Road as depicted on **Exhibit "C"** attached hereto.

D. The City Council finds that, subject to the conditions, requirements and limitations of this resolution, the Abandonment Right-of-way is no longer necessary for public use.

E. The City Council finds that consideration and other public benefit commensurate with the value of the Abandonment Right-of-way, giving due consideration to its degree of fragmentation and marketability, will be provided to City by the owner of the abutting property.

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

1. Abandonment. Subject to the reservations and conditions below, City's interests comprising the Abandonment Right-of-way are hereby abandoned.

2. Reservations. All of the following cumulative, perpetual interests are reserved in favor of City and excluded from this abandonment:

2.1 A perpetual 8 foot (8') public utility easement as follows:

2.1.1 The easement shall be upon, over, under and across the northern eight 8 feet (8') of the fifteen (15) foot Abandonment Right-of-way.

2.1.2 The purpose of the easement is for electricity, water, wastewater, storm water, drainage, telecommunications, and all other manner of utilities, and for construction, operation, use, maintenance, repair, modification and replacement from time to time of improvements related thereto.

2.2 Any V.N.A.E. or other vehicular non-access easement or covenant in favor of the City that may already have been imposed on the Abandonment Right-of-way prior to this resolution, if any.

2.3 Any N.A.O.S. or other open space or similar easement or covenant in favor of the City that may already have been imposed on the Abandonment Right-of-way prior to this resolution, if any.

2.4 An easement for all existing utilities, if any.

2.5 Such rights and interests, if any, as are required to be reserved by A.R.S. Sec. 28-7210 and A.R.S. Sec. 28-7215.

3. Effective Date. This resolution shall not be recorded or become effective until all of the following conditions are satisfied in accordance with all applicable laws, regulations and policies and at no expense to City:

3.1 Applicant shall pay the City the amount of \$31,386.60.

3.2 The owners of the parcels described on **Exhibit "D"** attached hereto (and all lenders, tenants, and other interest holders in such parcels) shall obtain City approval for and record a final plat covering both the parcel and the Abandonment Right-of-way, and shall dedicate to City such rights-of-way and other real property interests in connection therewith as City may require, and shall create such private easements and other interests as City may require. The plat shall be substantially as shown on said exhibit.

3.3 The zoning administrator executes the certificate at the bottom of this resolution indicating that the above conditions have been satisfied.

3.4 If any of the foregoing conditions are not satisfied within two years after the date of this resolution, then the city clerk shall mark this resolution to indicate that this resolution is void.

PASSED AND ADOPTED by the Council of the City of Scottsdale this ____ day of _____, 2018.

City of Scottsdale, an Arizona
municipal corporation

W. J. "Jim" Lane, Mayor

ATTEST:

By: _____
Carolyn Jagger, City Clerk

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY

Margaret Wilson

Bruce Washburn, City Attorney

By: Margaret Wilson, Senior Assistant City Attorney

CERTIFICATE

I am the zoning administrator of the City of Scottsdale. I certify that I have confirmed that the conditions stated in paragraph 3 of the abandonment resolution above have been fulfilled and the resolution is ready to be recorded and become effective

DATED this _____ day of _____, 20_____.

signature

name printed

Table of Exhibits

<u>Exhibit</u>	<u>Paragraph</u>	<u>Description</u>
A	B	Legal description of street right-of-way to be abandoned
B	B	Scaled and dimensioned drawing to accompany the legal description of the Abandonment Right-of-way.
C	C	Depiction of parcel served by the Abandonment Right-of-way.
D	3.2	Legal description of parcel to be platted

LEGAL DESCRIPTION
RIGHT OF WAY ABANDONMENT
HAWKNEST ROAD

DATE 04-14-08
JOB NO.2007-192
PAGE 1 of 1

AN ABANDONMENT OF A PORTION OF RIGHT A WAY LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 5 NORTH; RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 1, FROM WHICH THE CENTER OF SAID SECTION 1 BEARS NORTH 89 DEGREES 53 MINUTES 48 SECONDS WEST 2634.16 FEET;

THENCE NORTH 89 DEGREES 53 MINUTES 48 SECONDS WEST, ALONG THE NORTH LINE OF SOUTHEAST QUARTER OF SAID SECTION 1; A DISTANCE OF 1,317.01 FEET;

THENCE NORTH 00 DEGREES 06 MINUTES 32 SECONDS EAST, LEAVING SAID NORTH LINE OF SAID SECTION 1, A DISTANCE OF 25.00 FEET TO THE POINT OF BEGINNING OF THE RIGHT OF WAY ABANDONMENT HEREIN DESCRIBED;

THENCE NORTH 89 DEGREES 53 MINUTES 48 SECONDS WEST, ALONG A LINE PARALLEL TO AND 25 FEET NORTH OF THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 1, A DISTANCE OF 658.60 FEET;

THENCE NORTH 00 DEGREES 06 MINUTES 12 SECONDS EAST, LEAVING SAID PARALLEL LINE, A DISTANCE OF 15.00 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY OF HAWKNEST ROAD;

THENCE SOUTH 89 DEGREES 53 MINUTES 48 SECONDS EAST, ALONG THE NORTHERLY RIGHT OF WAY OF HAWKNEST ROAD, A DISTANCE OF 658.60 FEET;

THENCE SOUTH 00 DEGREES 06 MINUTES 12 SECONDS WEST, LEAVING SAID NORTHERLY RIGHT OF HAWKNEST ROAD, A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING OF THE RIGHT OF WAY ABANDONMENT HEREIN DESCRIBED.

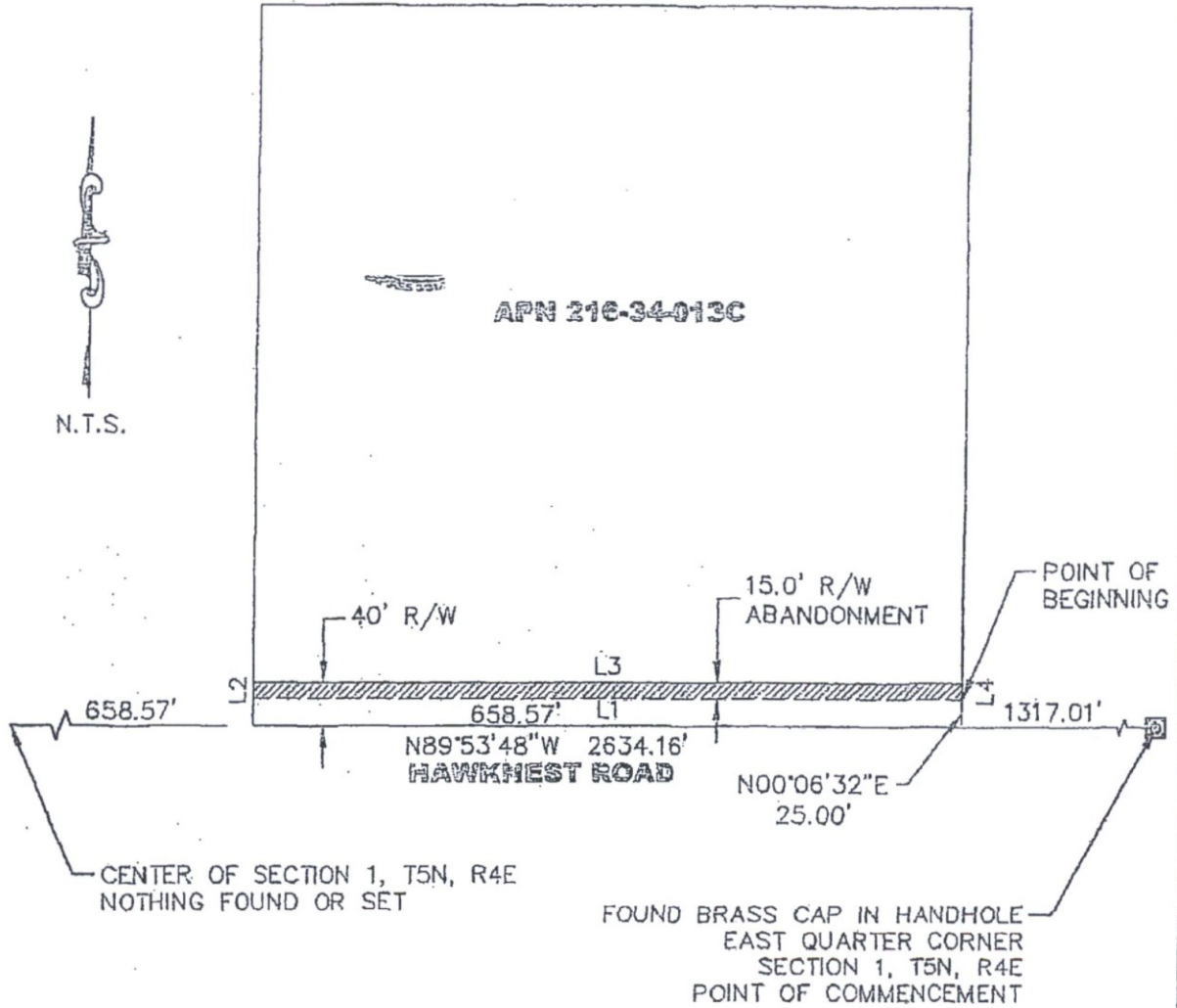
ABANDONMENT CONTAINS 9879 SQUARE FEET OR 0.227 ACRES.



LINE TABLE		
LINE	BEARING	LENGTH
L1	N89°53'48"W	658.60
L2	N00°06'12"E	15.00
L3	S89°53'48"E	658.60
L4	S00°06'32"W	15.00



APN 216-34-013C



CENTER OF SECTION 1, T5N, R4E
NOTHING FOUND OR SET

FOUND BRASS CAP IN HANDHOLE
EAST QUARTER CORNER
SECTION 1, T5N, R4E
POINT OF COMMENCEMENT

SIG

**SURVEY INNOVATION
GROUP, INC**

**RIGHT OF WAY ABANDONMENT
HAWKNEST ROAD
SCOTTSDALE, ARIZONA**

Ph (480) 922 0720 Land Surveying Services Fax (480) 922 0781
16414 N. 91st STREET, STE #102, SCOTTSDALE, AZ 85260

JOB 2007-192	DWG: ABANDONMENT EXHIBIT	DATE 4-14-08
SCALE: N.T.S.	DRAWN: JAW	CHK: RMH
		SHEET 1 OF 1



**Q.S.
60-48**

2015 GIS Orthophoto

Hawknest Estates Abandonment

Resolution No. 11003
Exhibit C
Page 1 of 1

5-AB-2017

EXHIBIT "A"

PARCEL NO. 1

THAT PORTION OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 5 NORTH, RANGE 4 EAST AND THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 1;

THENCE SOUTH 00 DEGREES 06 MINUTES 32 SECONDS WEST ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER A DISTANCE OF 659.38 FEET TO THE NORTH LINE OF THE SOUTH HALF OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER;

THENCE NORTH 89 DEGREES 53 MINUTES 38 SECONDS WEST ALONG SAID NORTH LINE A DISTANCE OF 659.08 FEET TO THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 1 AND THE POINT OF BEGINNING;

THENCE SOUTH 00 DEGREES 04 MINUTES 00 SECONDS WEST ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER A DISTANCE OF 267.47 FEET TO THE NORTH LINE OF THE SOUTH 392.00 FEET OF SAID SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER;

THENCE NORTH 89 DEGREES 54 MINUTES 13 SECONDS WEST ALONG SAID NORTH LINE A DISTANCE OF 329.43 FEET TO THE WEST LINE OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 1;

THENCE NORTH 00 DEGREES 02 MINUTES 43 SECONDS EAST ALONG SAID WEST LINE A DISTANCE OF 107.52 FEET;

THENCE NORTH 39 DEGREES 09 MINUTES 41 SECONDS EAST A DISTANCE OF 208.04 FEET TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 1;

THENCE SOUTH 89 DEGREES 53 MINUTES 36 SECONDS EAST ALONG THE NORTH LINE A DISTANCE OF 199.54 FEET TO THE POINT OF BEGINNING;

EXCEPT ALL COAL AND OTHER MINERALS AS RESERVED IN THE PATENT FROM THE UNITED STATES OF AMERICA.

PARCEL NO. 2

THAT PORTION OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 5 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 1;

THENCE SOUTH 00 DEGREES 08 MINUTES 32 SECONDS WEST ALONG THE EAST LINE OF SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER A DISTANCE OF 659.36 FEET TO THE SOUTHEAST CORNER THEREOF;

THENCE NORTH 89 DEGREES 53 MINUTES 38 SECONDS WEST ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER A DISTANCE OF 856.61 FEET;

THENCE NORTH 33 DEGREES 44 MINUTES 13 SECONDS EAST, A DISTANCE OF 792.00 FEET TO THE NORTH LINE OF SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER;

THENCE SOUTH 89 DEGREES 52 MINUTES 59 SECONDS EAST, ALONG SAID NORTH LINE A DISTANCE OF 420.00 FEET TO THE POINT OF BEGINNING;

EXCEPT ALL COAL AND OTHER MINERALS AS RESERVED IN THE PATENT FROM THE UNITED STATES OF AMERICA.

PARCEL NO. 3

THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 5 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT ALL COAL AND OTHER MINERALS AS RESERVED IN THE PATENT FROM THE UNITED STATES OF AMERICA, AND

EXCEPT THE SOUTH 40 FEET THEREOF AS CONVEYED TO THE COUNTY OF MARICOPA, ARIZONA BY QUIT-CLAIM DEED RECORDED IN DOCKET 1927, PAGE 453, RECORDS OF MARICOPA COUNTY, ARIZONA.



**Rosewood 17 – Abandonment Application
Project Narrative
May 2017**

Project Request

This request is to reduce the existing 40 foot half street right of way located along the north side of E. Hawknest Road to a 25 foot half street right of way by requesting the abandonment of the northern fifteen (15) feet.

Consideration

This is consistent with the 2008 Transportation Master Plan which reclassified E. Hawknest Road from a minor collector to a local collector. The 25 foot half street right of way is consistent with the City's roadway requirement for a local collector street.

This request is in conjunction with a preliminary plat, Rosewood 17. If approved, the abandonment will provide approximately 9,900 additional square feet to the net lot area of the proposed Rosewood 17 subdivision site. In addition, a 15 foot public utility easement will be dedicated over the proposed area being abandoned.

ATTACHMENT 4



Q.S.
60-48

2015 GIS Orthophoto

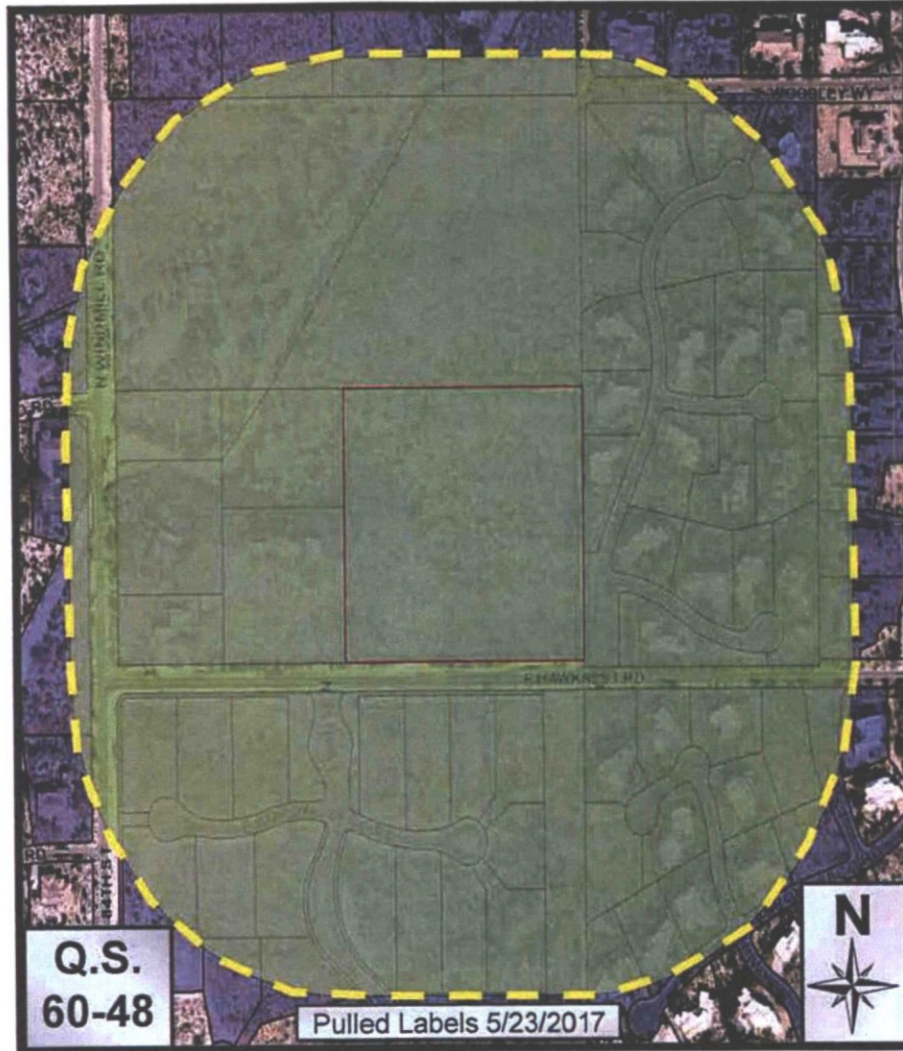


Hawknest Estates Abandonment



5-AB-2017

ATTACHMENT 5

City Notifications – Mailing List Selection Map



Map Legend:

-  Site Boundary
-  Properties within 750-feet
- 87 Postcards

Additional Notifications:

- Interested Parties List
- Adjacent HOA's
- P&Z E-Newsletter
- Facebook
- Twitter
- Nextdoor.com
- City Website-Projects in the hearing process

Hawknest Estates

ATTACHMENT #8

5-AB-2017



**SCOTTSDALE PLANNING COMMISSION
COMMUNITY DESIGN STUDIO
7506 E. INDIAN SCHOOL RD
SCOTTSDALE, ARIZONA**

WEDNESDAY, DECEMBER 13, 2017

***DRAFT SUMMARIZED MEETING MINUTES ***

PRESENT: Paul Alessio, Chair
Larry S. Kush, Commissioner
Prescott Smith, Commissioner
Kelsey Young, Commissioner
Kevin Bollinger, Commissioner
Christian Serena, Commissioner

ABSENT: Ali Fakih, Vice Chair

STAFF: Tim Curtis
Joe Padilla
Kroy Ekblaw
Brad Carr
Jesus Murillo
Jeff Barnes
Lorraine Castro
Alex Acevedo

CALL TO ORDER

Chair Alessio called the regular session of the Scottsdale Planning Commission to order at 5:00 p.m.

ROLL CALL

A formal roll call was conducted confirming members present as stated above.

* Note: These are summary action minutes only. A complete copy of the meeting audio is available on the Planning Commission page on ScottsdaleAZ.gov, search "Planning Commission"

MINUTES REVIEW AND APPROVAL

1. Approval of the November 8, 2017 Regular Meeting Minutes including Study Session.
COMMISSIONER KUSH MOVED TO APPROVE THE NOVEMBER 8, 2017 REGULAR MEETING MINUTES, INCLUDING STUDY SESSION, SECONDED BY COMMISSIONER SERENA, THE MOTION CARRIED UNANIMOUSLY WITH A VOTE OF SIX (6) TO ZERO (0).

EXPEDITED AGENDA

2. Approval of the Planning Commission 2018 Calendar.
3. 5-AB-2017 (Rosewood 17)
Request by owner to abandon the northern fifteen-foot (15-ft) portion of right-of-way located along the north side of E. Hawknest Road, adjacent to parcel 216-34-013C, with Single-family Residential, Environmentally Sensitive Lands (R1-35 ESL) zoning located at 8604 E. Hawknest Road. Staff contact person is Jesus Murillo, 480-312-7849. Applicant contact person is Mike Delmarter, (602) 906-1374.
4. 8-AB-2017 (Wilshire Place Abandonment)
Request by owner to abandon +/- 989-square feet of E. Wilshire Drive right-of-way located along the northwestern boundary of parcel 129-05-010D, with Medium Density Residential (R-3) zoning located at 7121 E. Wilshire Drive. Staff contact person is Brad Carr, AICP, 480-312-7713. Applicant contact person is Edmir Dzudza, 602-481-9282.
5. 9-AB-2017 (Lawrence Abandonment)
Request by owner to abandon +/- 630-square feet of right-of-way located along the southern boundary of E. Indian School Road, with Single-family Residential District (R1-7) zoning located at 4013 N. 86th Street. Staff contact person is Jeff Barnes, 480-312-2376. Applicant contact person is James Lawrence, 480-949-9597.
6. 10-AB-2017 (Lewis Abandonment)
Request by owner to abandon portions of a 33-foot GLO easement along the east and south boundaries of parcel 217-32-017G, with Single-family Residential Environmentally Sensitive Lands (R1-43 ESL) zoning located at 12424 E. Cochise Drive. Staff contact person is Jeff Barnes, 480-312-2376. Applicant contact person is Reece Ubben, 623-703-0399.
7. 11-UP-2017 (Fraesfield Mountain Trailhead MUMSP)
Request by City of Scottsdale for approval of a Municipal Use Master Site Plan for the improvement of a trailhead (located within the McDowell Sonoran Preserve) with Single-family Residential, Environmentally Sensitive Lands (R1-70/ESL and R1-190/ESL) zoning, located at 13400 E. Rio Verde Drive (northwest corner of E. Rio Verde Dr. and N. 136th St.). Staff contact person is Jesus Murillo, 480-312-7849. Applicant contact person is Scott Mars, 480-312-2619.

* Note: These are summary action minutes only. A complete copy of the meeting audio is available on the Planning Commission page on ScottsdaleAZ.gov, search "Planning Commission"

8. 12-UP-2017 (Granite Mountain Trailhead)

Request by City of Scottsdale for approval of a Municipal Use Master Site Plan for the improvement of a trailhead (located within the McDowell Sonoran Preserve) with Single-family Residential, Environmentally Sensitive Lands (R1-190/ESL) zoning, located at 31402 N 136th Street (northwest corner of E. Lone Mountain Road and N. 136th Street). Staff contact person is Jesus Murillo, 480-312-7849. Applicant contact person is Scott Mars, 480-312-2619.

Item No's 2, 3, 4, 5, 6, 7 & 8: Move to approve the 2018 Planning Commission Calendar and make a recommendation to City Council for approval of cases 5-AB-2017, 8-AB-2017, 9-AB-2017, 10-AB-2017, 11-UP-2017 and 12-UP-2017, by a vote of 6-0; Motion by Commissioner Kush, per the staff recommended stipulations, based upon the finding that the Abandonments and the Municipal Use Master Site Plan criteria have been met and are consistent and conform with the adopted General Plan, 2nd by Commissioner Young.

9. 11-UP-2016 (The Outpost)

Request by owner for a Conditional Use Permit (CUP) for a gas station use on +/- 2.25-acres of an +/- 8.61-acre site, with Planned Neighborhood Center, Environmentally Sensitive Lands Foothills Overlay (PNC/ESL/FO) zoning, located at 8738 E Dynamite Blvd. Staff contact person is Jesus Murillo, 480-312-7849. Applicant contact person is Andrew J. Armstrong, 480-429-3060.

Item No 9: Recommended City Council approve case 11-UP-2016, by a vote of 5-0; Motion by Commissioner Kush, per the staff recommended stipulations, based upon the finding that the Conditional Use Permit criteria have been met, 2nd by Commissioner Bollinger with Commissioner Smith recused himself.

Request to speak card: Brian Caliendo

Adjournment – Motion to adjourn at 5:12 p.m.

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