

**Application
Narrative
Cash Transmittal
Pre-Application
Pre-App Narrative
Pre-App Cash Transmittal
Development Standards**

**ABANDONMENT OF GENERAL LAND OFFICE PATENT
EASEMENT PROJECT NARRATIVE**

**SIENNA HILLS PH. II
A RESIDENTIAL DEVELOPMENT**

PARCEL NUMBERS:
217-29-036A & 217-29-035

CITY OF SCOTTSDALE

PREPARED BY:

LVA URBAN DESIGN STUDIO, LLC
120 E. Ash Ave.
Tempe, AZ 85281

DECEMBER 6, 2017

ASSOCIATED CASES
(6-GP-2017 & 15-ZN-2017)

13-AB-2017
12/06/17

Introduction

The subject site consists of two contiguous parcels (APN #217-29-036A & 217-29-035) located at the northeast corner of Shea Boulevard and the Central Arizona Project Canal. The 8.2 acre site hosts a decommissioned water reservoir on the western parcel and vacant desert on the eastern parcel. The subject property is currently under consideration for a non-major general plan amendment and rezoning (case #6-GP-2017 & 15-ZN-2017) to accommodate phase two of Sienna Hills, a 16 lot Blandford Homes residential community.

Surrounding each parcel on the north, east and west perimeters are 33' wide Government Land Office Patent Easements (G.L.O.P.E.). The applicant is requesting abandonment of all existing GLOPEs as they present hardship to any development, specifically the development of future residential community. Considering the GLOPE alignment is not within the City's master transportation plan, no access impact is anticipated with this abandonment.

A legal and graphical depiction of the subject abandonment areas are included with this submittal.

The GLOPE area totals 1.92 acres of the 8.2 acre site, and does not include GLOPE area located within the existing Shea Boulevard right of way. Based on the net site area of 7.6 acres, the total GLOPE encumbrance on the property is 25% for the combined properties. With the current sixteen lot site plan, approximately 1.1 acres of the 1.9 acre GLOPE is proposed as open space, while 0.82 acres are proposed within development areas (lot or internal street).

Compensation

City of Scottsdale GLOPE compensation policy, backed by the review of recent abandonments, indicate a standard compensation of 20 cents per square foot. The applicant is requesting consideration for reduction/offset of the compensation amount based on the following factors:

- The applicant has researched survey principles as documented in ***Brown's Boundary Control & Legal Principles, Fourth Edition*** which states, "...easements are terminated by merger. Because a person can never have an easement over his or her own land, if he or she acquires a parcel of land over which he or she has an easement, the easement ceases to exist." In this case of the subject, the property owner is the City of Scottsdale, and therefore all easements that run exclusively to the benefit of the City (i.e. existing GLOPEs) were nullified at the time of property acquisition. Therefore, it can be argued that the City cannot request the applicant to provide compensation for the GLOPE areas located within the westernmost (City owned) parcel (APN #217-29-036A). This area equates to approximately 35,847 square feet.
- The City's Street Transportation department has advocated an interest in reducing or eliminating future public access points from Shea Boulevard. The abandonment of these GLOPE areas align with the mandate to minimize

public/private access points from this arterial roadway. The proposed site plan gains access from 124th St., through Sienna Hills Phase I, therefore ensuring no additional access points would be added to Shea Boulevard along the subject site's frontage.

- With companion zoning case (15-ZN-2017), the applicant will be dedicating a Scenic Corridor easement to the City along Shea Boulevard frontage. The corridor will be a minimum of 85 feet in depth for the entire frontage of the property. The applicant is requesting that this area be offset against an equitable portion of the GLOPE abandonment area, as the exchange of area within a city dedicated easement is equivalent.
- With the companion zoning case (15-ZN-2017), the applicant will be providing public sidewalk improvements along the Shea Boulevard frontage. The multi-use path will be a minimum of 10 feet wide, comprised of concrete and extend for approximately 330 linear feet. The applicant is requesting that the improvement value of this public benefit be offset against an equitably valued portion of the GLOPE abandonment area.
- Approximately 58% of the GLOPE area in the combined properties is being committed to either natural area open space or community open space.
- The applicant will be purchasing approximately 135,509 sq.ft. of property from the City of Scottsdale that had been formerly utilized as a water reservoir site. The condition of the property when sold will include a large earthen pit that will require grading mitigation by the applicant. The cost of this mitigation was not factored into the appraisal of the property and therefore the cost should be considered as a compensatory offset against the value of the requested abandonment.

Through the review of recent GLOPE abandonment cases (specifically 7-AB-2012#3), the City of Scottsdale's most recent policy for GLOPE compensation is 20 cents per square foot for fee title GLOPE abandonments. Given the disproportionate burden of GLOPE area on the subject property, the applicant respectfully requests that consideration of the above factors be applied to the subject property to offset the compensation value of the GLOPE abandonment areas or to be commensurate with a reasonable and equitable amount.

Conclusion

The applicant proposes to abandon unnecessary on-site GLOPEs in order to provide a quality community on a revitalized and vacant piece of land along the Shea Corridor. In consideration for the abandonment of the GLOPE areas on the two subject properties, the applicant agrees to provide the aforementioned compensation offsets including access mitigation, City of Scottsdale dedications and public improvements.

April 25, 2017

Via Hand-Delivery with Application, to:

City of Scottsdale
Planning & Development Department
7447 E. Indian School Rd.
Scottsdale, AZ 85251

Re: Letter of Authorization – Sienna Hills Ph. II – NEC Shea Blvd. & CAP Canal

Dear Sir or Madam:

This letter authorizes LVA Urban Design Studio LLC and Kimley-Horn and Associates to represent this ownership in all matters related to the City of Scottsdale's Pre-Application, Rezoning, Preliminary Plat and any other development related matters regarding the property located at the northeast corner of Shea Boulevard and the Central Arizona Project Canal (APN #217-29-035) in the City of Scottsdale, Maricopa County, Arizona.

Entity/Owner:

*Christine and Jalmer
Bong Foundation*

Signature:

[Handwritten Signature], president

13-AB-2017
12/06/17



Water Resources

9379 E. San Salvador
Scottsdale, AZ 85258

PHONE 480-312-5685
FAX 480-312-5615

August 22, 2017

Via Hand-Delivery with Application, to:

City of Scottsdale
Planning & Development Department
7447 E. Indian School Rd.
Scottsdale, AZ 85251

Re: Letter of Authorization – Sienna Hills Ph. II – NEC Shea Blvd. & CAP Canal

Dear Sir or Madam:

This letter authorizes LVA Urban Design Studio LLC and Kimley-Horn and Associates to represent this ownership in all matters related to the City of Scottsdale's Pre-Application, Rezoning, Preliminary Plat and any other development related matters regarding the property located at the northeast corner of Shea Boulevard and the Central Arizona Project Canal (APN #217-29-035) in the City of Scottsdale, Maricopa County, Arizona. LVA and Kimley Horn shall secure written consent prior to making any and all development related filings regarding parcel #217-29-035 from the City of Scottsdale Real Estate Department.

Entity/Owner:

Chris Hassert, Planning & Engineering Director
City of Scottsdale, Water Resources

Signature:

A handwritten signature in black ink, appearing to read "Chris Hassert", written over a horizontal line.



City of Scottsdale Cash Transmittal

113285

113285
 1 01086965
 12/6/2017 PLN-1STOP
 KWHEELER HP60062020
 12/6/2017 2:13 PM
 \$2,250.00

Received From :

Sienna Hills 21 Corp
 3321 E BASELINE RD
 GILBERT, AZ 85234
 480-892-4492

Bill To :

Alex Stedman
 120 S. Ash Ave.
 Tempe, AZ 85281
 (480) 994-0994

Reference # 105-pa-2017**Issued Date** 12/6/2017**Address** E SHEA BL/N 124TH ST (NE)**Paid Date** 12/6/2017**Subdivision****Payment Type** CHECK**Marketing Name****Lot Number****Cost Center****MCR****Metes/Bounds** No**Jurisdiction** SCOTTSDALE**APN****Gross Lot Area** 0**Water Zone****Owner Information****NAOS Lot Area** 0**Water Type**

Berg Estate

Net Lot Area 0**Sewer Type**

PO BOX 1348

Number of Units 1**Meter Size**

Eureka, CA 95502

Density**QS**

(480) 994-0994

Code	Description	Additional	Qty	Amount	Account Number
3136	ABANDONMENT		1	\$2,250.00	100-21200-44209

13-AB-2017
12/06/17

Total Amount \$2,250.00

SIGNED BY ALEX STEDMAN ON 12/6/2017

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

3" and larger water meter fees are based on cost recovery. The city will contact the owner of the construction permit if additional funds are due. Payment will be due within 30 days notification.

TO HAVE WATER METER SET - CALL 480-312-5650 AND REFER TO TRANSMITTAL # 113285

Request To Submit Concurrent Development Applications

Acknowledgment and Agreement



The City of Scottsdale recognizes that a property owner may desire to submit concurrent development applications for separate purposes where one or more of the development applications are related to another development application. City Staff may agree to process concurrently where one or more the development applications related to the approval of another development application upon receipt of a complete form signed by the property owner.

Development Application Types		
Please check the appropriate box of the types of applications that you are requesting to submit concurrently		
Zoning	Development Review	Signs
<input type="checkbox"/> Text Amendment (TA)	<input type="checkbox"/> Development Review (Major) (DR)	<input type="checkbox"/> Master Sign Program (MS)
<input checked="" type="checkbox"/> Rezoning (ZN)	<input type="checkbox"/> Development Review (Minor) (SA)	<input type="checkbox"/> Community Sign District (MS)
<input type="checkbox"/> In-fill Incentive (II)	<input type="checkbox"/> Wash Modification (WM)	Other
<input type="checkbox"/> Conditional Use Permit (UP)	<input type="checkbox"/> Historic Property (HP)	<input type="checkbox"/> Annexation/De-annexation (AN)
Exemptions to the Zoning Ordinance	Land Divisions (PP)	<input type="checkbox"/> General Plan Amendment (GP)
<input type="checkbox"/> Hardship Exemption (HE)	<input checked="" type="checkbox"/> Subdivisions	<input type="checkbox"/> In-Lieu Parking (IP)
<input type="checkbox"/> Special Exception (SX)	<input type="checkbox"/> Condominium Conversion	<input checked="" type="checkbox"/> Abandonment (AB)
<input type="checkbox"/> Variance (BA)	<input type="checkbox"/> Perimeter Exceptions	Other Application Type Not Listed
<input type="checkbox"/> Minor Amendment (MA)	<input type="checkbox"/> Plat Correction/Revision	<input type="checkbox"/>

Owner: Christine and Jalmer Berg Foundation

Company: _____

Address: PO Box 1348, Eureka, CA 95502

Phone: _____ Fax: _____

E-mail: _____

As the property owner, by providing my signature below, I acknowledge and agree: 1) that the concurrent development applications are processed at the property owner's risk; 2) to hold the City harmless of all cost, expense, claims, or other liability arising in connection with the concurrent development applications; 3) to the City of Scottsdale's Substantive Policy Statement pertaining to Concurrent Applications; 4) to placing a development application on hold in order to continue processing a concurrent development application that is related to an another development application; and 5) that upon completion of the City review(s) of the development applications, one or more of the development application(s) may not be approved.

Property owner (Print Name): Christine and Jalmer Berg Foundation Title: by Robert D. Fazio, President

[Signature] Signature Date: 8/07/17

Official Use Only:	Submittal Date: _____
Request: <input type="checkbox"/> Approved or <input type="checkbox"/> Denied	
Staff Name (Print): _____	
Staff Signature: _____	Date: _____

13-AB-2017
12/06/17



Request To Submit Concurrent Development Applications

Acknowledgment and Agreement

The City of Scottsdale recognizes that a property owner may desire to submit concurrent development applications for separate purposes where one or more the development applications are reliant upon the approval of another development application. City Staff may agree to process concurrently where one or more the development applications are reliant upon the approval of another development application upon receipt of a complete form signed by the property owner.

Development Application Types		
Please check the appropriate box of the types of applications that you are requesting to submit concurrently		
Zoning	Development Review	Signs
<input type="checkbox"/> Text Amendment (TA)	<input type="checkbox"/> Development Review (Major) (DR)	<input type="checkbox"/> Master Sign Program (MS)
<input checked="" type="checkbox"/> Rezoning (ZN)	<input type="checkbox"/> Development Review (Minor) (SA)	<input type="checkbox"/> Community Sign District (MS)
<input type="checkbox"/> In-fill Incentive (II)	<input type="checkbox"/> Wash Modification (WM)	Other
<input type="checkbox"/> Conditional Use Permit (UP)	<input type="checkbox"/> Historic Property (HP)	<input type="checkbox"/> Annexation/De-annexation (AN)
Exemptions to the Zoning Ordinance	Land Divisions (PP)	<input type="checkbox"/> General Plan Amendment (GP)
<input type="checkbox"/> Hardship Exemption (HE)	<input type="checkbox"/> Subdivisions	<input type="checkbox"/> In-Lieu Parking (IP)
<input type="checkbox"/> Special Exception (SX)	<input type="checkbox"/> Condominium Conversion	<input checked="" type="checkbox"/> Abandonment (AB)
<input type="checkbox"/> Variance (BA)	<input type="checkbox"/> Perimeter Exceptions	Other Application Type Not Listed
<input type="checkbox"/> Minor Amendment (MA)	<input type="checkbox"/> Plat Correction/Revision	<input type="checkbox"/>

Owner: City of Scottsdale

Company: _____

Address: 7447 E. Indian School Rd. Ste. 205

Phone: _____ Fax: _____

E-mail: _____

As the property owner, by providing my signature below, I acknowledge and agree: 1) that the concurrent development applications are processed at the property owner's risk; 2) to hold the City harmless of all cost, expense, claims, or other liability arising in connection with the concurrent development applications; 3) to the City of Scottsdale's Substantive Policy Statement pertaining to Concurrent Applications that states that a concurrent development application that is reliant on a decision of separate development application and is submitted at the risk of the property owner, is not considered to be subject to the provisions and timeframes of the Regulatory Bill of Rights (A.R.S. §9-831 – 9-840); and 4) that upon completion of the City review(s) of the development applications, the development application(s) may not be approved.

Property owner (Print Name): CHRIS HASSERT Title: PLANNING & ENGINEERING DIRECTOR
WATER RESOURCES
 Signature: Date: 08/22/2017

Official Use Only:	Submittal Date: _____
Request: <input type="checkbox"/> Approved or <input type="checkbox"/> Denied	
Staff Name (Print): _____	
Staff Signature: _____	Date: _____

**Request for Site Visits and/or Inspections
Development Application (Case Submittals)**



This request concerns all property identified in the development application.

Pre-application No: 105 -PA- 2017

Project Name: SIENNA HILLS - PHASE 2

Project Address: 12182 E SHEA BLVD.

STATEMENT OF AUTHORITY:

1. I am the owner of the property, or I am the duly and lawfully appointed agent of the property and have the authority from the owner to sign this request on the owner's behalf. If the land has more than one owner, then I am the agent for all owners, and the word "owner" refer to them all.
2. I have the authority from the owner to act for the owner before the City of Scottsdale regarding any and all development application regulatory or related matter of every description involving all property identified in the development application.

STATEMENT OF REQUEST FOR SITE VISITS AND/OR INSPECTIONS

1. I hereby request that the City of Scottsdale's staff conduct site visits and/or inspections of the property identified in the development application in order to efficiently process the application.
2. I understand that even though I have requested the City of Scottsdale's staff conduct site visits and/or inspections, city staff may determine that a site visit and/or an inspection is not necessary, and may opt not to perform the site visit and/or an inspection.

Property owner/Property owner's agent: Robert D. Puroh
Print Name

[Signature]
Signature

City Use Only:

Submittal Date: _____ Case number: _____

Planning and Development Services
7447 E Indian School Road, Suite 105, Scottsdale, AZ 85251 ♦ Phone: 480-312-7000 ♦ Fax: 480-312-7088

Rev. 02/02/2015

13-AB-2017
12/06/17



City of Scottsdale Cash Transmittal

112188

112188
 1 01064037
 9/7/2017 PLN-1STOP
 KWHEELER HPTC600512
 9/7/2017 11:46 AM
 \$1,950.00

Received From :
 Sienna Hills 21 Corp
 3321 E BASELINE RD
 GILBERT, AZ 85234
 480-892-4492

Bill To :
 Alex Stedman
 120 S. Ash Ave.
 Tempe, AZ 85281
 (480) 994-0994

Reference #	105-pa-2017	Issued Date	9/7/2017
Address	E SHEA BL/N 124TH ST (NE)	Paid Date	9/7/2017
Subdivision		Payment Type	CHECK
Marketing Name		Cost Center	
MCR		Jurisdiction	SCOTTSDALE
APN		Water Zone	
Owner Information		Water Type	
Berg Estate	Lot Number	Sewer Type	
PO BOX 1348	Metes/Bounds No	Meter Size	
Eureka, CA 95502	Gross Lot Area 0	QS	
(480) 994-0994	NAOS Lot Area 0		
	Net Lot Area 0		
	Number of Units 1		
	Density		

Code	Description	Additional	Qty	Amount	Account Number
3173	GENERAL PLAN APPLICATION		1	\$1,950.00	100-21300-44221

15-ZN-2017
09/07/17

Total Amount **\$1,950.00**

SIGNED BY ALEX STEDMAN ON 9/7/2017

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

3" and larger water meter fees are based on cost recovery. The city will contact the owner of the construction permit if additional funds are due. Payment will be due within 30 days notification.

TO HAVE WATER METER SET - CALL 480-312-5650 AND REFER TO TRANSMITTAL # 112188