



# Wash Modification Staff Approval

10-WM-2016

StoryRock Phase 1C - Wash Modification

### APPLICATION INFORMATION

LOCATION: E RANCH GATE RD / N 128TH ST ( Corner)	APPLICANT: Keith Nichter
PARCEL: 000-00-000	COMPANY: Lva Urban Design Studio
Q.S.: 00-00	ADDRESS: 120 S Ash Ave Tempe, AZ 85281
CODE VIOLATION #:	PHONE: 480-994-0994

**Request:** Request by owner for approval of a Wash Modification for washes located in Storyrock Phase 1C (associated case 5-PP-2016#3) with Single-family Residential (R1-18 PCD ESL, R1-35 PCD ESL, and R1-43 PCD ESL) zoning.

### STIPULATIONS

1. Wash Modification approval for Storyrock Phase 1C subdivision.
2. Final plans shall be in conformance with the preliminary plat submitted by Kimley-Horn, with a city staff date of 9/13/17 and Case Drainage Report for Storyrock for Phase 1C; submitted by Kimley-Horn, accepted on 10/3/17.
3. Submit a final drainage report that demonstrates consistency with the DSPM and the case drainage report accepted in concept by the Stormwater Manager, or designee.

### CONSTRUCTION DOCUMENT PLAN REVIEW SUBMITTAL REQUIREMENTS

Submit one copy of this approval letter, and a completed Owner/Builder form if applicable, and a permit application along with the following plan set(s) to the One-Stop-Shop for plan review:

- ARCHITECTURAL:  Construction Document Requirements for 5-PP-2016#3
- IMPROVEMENTS:  Construction Document Requirements for 5-PP-2016#3

### Expiration of Wash Modification Approval

The approval of this application is subject to the criteria set forth in Section 6.1070.G.I of the Zoning Ordinance, which have been established to protect the public health, safety, welfare, and the City of Scottsdale.

This approval expires two (2) year from date of approval if a permit has not been issued.

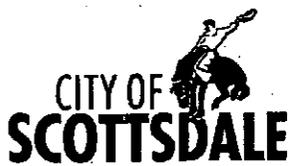
Staff Signature: \_\_\_\_\_

Randy Grant

Planning and Development Services  
Director/Zoning Administrator

DATE: \_\_\_\_\_

4/13/18



12/8/16

Keith Nichter  
Lva Urban Design Studio  
120 S Ash Ave  
Tempe, AZ 85281

RE: 10-WM-2016, 11-WM-2016 and 12-WM-2016  
Storyrock Wash Modifications Phase 1C, Phase 3A and Phase 2A & B

Dear Mr. Nichter:

The Planning & Development Services Division has completed the review of the above referenced development application submitted on 11/17/16. The following **1<sup>st</sup> Review Comments** represent the review performed by our team, and is intended to provide you with guidance for compliance with city codes, policies, and guidelines related to this application.

**Zoning Ordinance and Scottsdale Revise Code Significant Issues**

The following code and ordinance related issues have been identified in the first review of this application, and shall be addressed in the resubmittal of the revised application material. Addressing these items is critical to scheduling the application for public hearing, and may affect the City Staff's recommendation. Please address the following:

**Drainage:**

1. The Wash Modifications approvals are contingent upon the preliminary plat approval for each Phase. Please address preliminary drainage report, Grading and Drainage plan comments and planning comments for each Phase under the preliminary plat phases.

Please resubmit the revised application requirements and additional information identified in Attachment A, Resubmittal Checklist, and a written summary response addressing the comments/corrections identified above as soon as possible for further review. The City will then review the revisions to determine if the application is to be scheduled for a hearing date, or if additional modifications, corrections, or additional information is necessary.

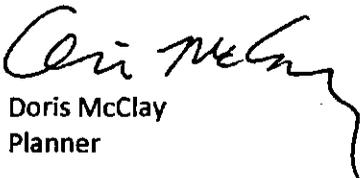
**PLEASE CALL 480-312-7000 TO SCHEDULE A RESUBMITTAL MEETING WITH ME PRIOR TO YOUR PLANNED RESUBMITTAL DATE. DO NOT DROP OFF ANY RESUBMITTAL MATERIAL WITHOUT A SCHEDULED MEETING. THIS WILL HELP MAKE SURE I'M AVAILABLE TO REVIEW YOUR RESUBMITTAL AND PREVENT ANY UNNECESSARY DELAYS. RESUBMITTAL MATERIAL THAT IS DROPPED OFF MAY NOT BE ACCEPTED AND RETURNED TO THE APPLICANT.**

The Planning & Development Services Division has had this application in review for 14 Staff Review Days since the application was determined to be administratively complete.

These **1<sup>st</sup> Review Comments** are valid for a period of 180 days from the date on this letter. The Zoning Administrator may consider an application withdrawn if a revised submittal has not been received within 180 days of the date of this letter (Section 1.305. of the Zoning Ordinance).

If you have any questions, or need further assistance please contact me at 480-312-4214 or at [dmcclay@ScottsdaleAZ.gov](mailto:dmcclay@ScottsdaleAZ.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Doris McClay". The signature is fluid and cursive, with a long, sweeping tail that extends downwards and to the right.

Doris McClay  
Planner

cc: OWNER

ASSIGNED WITH PRELIMINARY PLAT FOR PHASE 1C

Pre-Application No.: 286 -PA- 2015 Submittal Date: \_\_\_\_\_



**ESLO Wash Modifications  
(Administrative Staff Approval)  
Development Application Checklist**

Official Use:  
City Staff Contact: \_\_\_\_\_ Email: \_\_\_\_\_  
Phone: \_\_\_\_\_

Project Name: STORYROCK PHASE 1C

Property's Address: SEC OF 128TH STREET & RANCH GATE ROAD A.P.N.: \_\_\_\_\_

Property's Zoning District Designation: PCD

Application Request:

Owner: TAYLOR MORRISON/ARIZONA INC Applicant: JASON BURM, PE

Company: \_\_\_\_\_ Company: KIMLEY-HORN AND ASSOCIATES

Address: 9000 E. PIMA CENTER PARKWAY, #350 Address: 1855 W BASELINE ROAD #200

Phone: 480-344-7000 Fax: \_\_\_\_\_ Phone: 480-207-2666 Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_ E-mail: JASON.BURM@KIMLEY-HORN.COM

**Submittal Requirements: Please submit materials requested below. All plans must be folded.**

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Completed Application (this form) and Application Fee -- <u>\$460</u> (fee subject to change every July)   | <input checked="" type="checkbox"/> Site plan 24" x 36" 2 color copies folded. Indicate the extent and location of antenna additions, buildings and other structures, including all equipment cabinets. Site plan shall indicate dimensions of existing and proposed structures, dimensions of existing and proposed ROW, setbacks and sight distance visibility triangles. Indicate any improvements, easements, and drainage facilities on adjacent properties within 100 feet of the site. |
| <input checked="" type="checkbox"/> Affidavit of Authority to Act for Property Owner, letter of authorization, or signature below  |   |
| <input checked="" type="checkbox"/> Narrative - Description of request   |   |
| <input checked="" type="checkbox"/> Request for Site Visits and/or Inspections form  |   |
| <input checked="" type="checkbox"/> Description of Alternatives Considered.<br>Other watercourse management/engineering techniques considered.   | <input checked="" type="checkbox"/> Drainage Report. - 2 Copies<br>The Drainage Report shall be prepared in accordance with the Design Standards and Policies Manual.   |
| <input checked="" type="checkbox"/> Justification Form (provided)  | <input checked="" type="checkbox"/> Revegetation Plan.  |
| <input type="checkbox"/> Color photographs of site -on 8-1/2" x 11" sheets (showing existing site, structures & adjacent properties)   | <input checked="" type="checkbox"/> Topographic Map<br>contours at 1-foot intervals.  |
| <input type="checkbox"/> Context Aerial<br>• 24" x 36" - 2 color copies, folded<br>• 8 1/2" x 11" - 1 color copy (quality suitable for reproduction)<br>Aerial shall not be more than 1 year old and shall include and overlay of the site plan showing lot lines, tracts, easements, street locations/names and surrounding zoning for a radius from the site of:<br>_____ 750 foot radius from site<br>_____ 1/4 mile radius from site<br>Other: _____ | <input checked="" type="checkbox"/> Native Plant Submittal 24" x 36" 1 - copy, folded.<br><br>_____<br>_____<br>_____<br>_____<br>_____   |

Please indicate in the checkbox below the requested review methodology (please see the descriptions on page 2):

- Enhanced Application Review: I hereby authorize the City of Scottsdale to review this application utilizing the Enhanced Application Review methodology.
- Standard Application Review: I hereby authorize the City of Scottsdale to review this application utilizing the Standard Application Review methodology.

Owner Signature \_\_\_\_\_ Agent/Applicant Signature [Signature] **10-WM-2016**  
**11/17/16**



# Development Review

## Methodologies and Required Notice

### Review Methodologies

The City of Scottsdale maintains a business and resident friendly approach to new development and improvements to existing developments. In order to provide for flexibility in the review of Development Applications, and Applications for Permitting, the City of Scottsdale provides two methodologies from which an owner or agent may choose to have the City process the application. The methodologies are:

1. **Enhanced Application Review Methodology**

Within the parameters of the Regulatory Bill-of-Rights of the Arizona Revised Statutes, the Enhanced Application Review method is intended to increase the likelihood that the applicant will obtain an earlier favorable written decision or recommendation upon completion of the city's reviews. To accomplish this objective, the Enhanced Application Review allows:

- the applicant and City staff to maintain open and frequent communication (written, electronic, telephone, meeting, etc.) during the application review;
- City staff and the applicant to collaboratively work together regarding an application; and
- City staff to make requests for additional information and the applicant to submit revisions to address code, ordinance, or policy deficiencies in an expeditious manner.

Generally, the on-going communication and the collaborative work environment will allow the review of an application to be expedited within the published Staff Review Time frames.

2. **Standard Application Review Methodology:**

Under the Standard Application Review, the application is processed in accordance with the Regulatory Bill-of-Rights of the Arizona Revised Statutes. These provisions significantly minimize the applicant's ability to collaboratively work with City Staff to resolve application code, ordinance, or policy deficiencies during the review of an application. After the completion the city's review, a written approval or denial, recommendation of approval or denial, or a written request for additional information will be provided.

The City is not required to provide an applicant the opportunity to resolve application deficiencies, and staff is not permitted to discuss or request additional information that may otherwise resolve a deficiency during the time the City has the application. Since the applicant's ability to collaboratively work with Staff's to resolve deficiencies is limited, the total Staff Review Time and the likelihood of a written denial, or recommendation of denial is significantly increased.

### Notice

1. Pursuant to A.R.S. §9-836, an applicant may receive a clarification from the City regarding interpretation or application of a statute, ordinance, code or authorized substantive policy statement. A request to clarify an interpretation or application of a statute, ordinance, code, policy statement administered by the Planning and Development Services Division shall be submitted in writing to the One Stop Shop to the attention of the Planning and Development Services director designee. All such requests must be submitted in accordance with the A.R.S. §9-839 and the City's applicable administrative policies available at the Planning and Development Services Division's One Stop Shop, or from the city's website: <http://www.scottsdaleaz.gov/bldgresources/forms>.

Planning and Development Services  
One Stop Shop  
Planning and Development Services Director  
7447 E. Indian School Rd, Suite 105  
Scottsdale, AZ 85251



# Development Application Process

## Enhanced Application Review

### Staff Review Applications: SA, WM, & MD

#### Enhanced Application Review Methodology

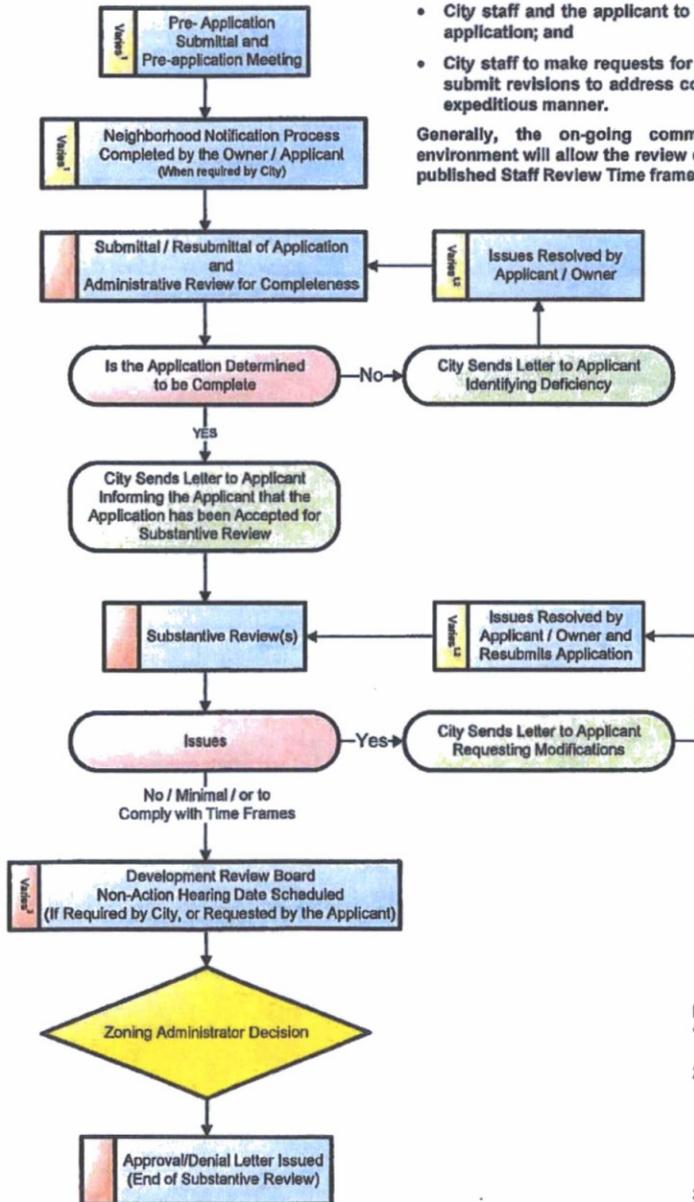
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- City staff to make requests for additional information and the applicant to submit revisions to address code, ordinance, or policy deficiencies in an expeditious manner.

Generally, the on-going communication and the collaborative work environment will allow the review of an application to be expedited within the published Staff Review Time frames.

#### Application Types:

- Development Review – Minor (SA)
- Wash Modifications (WM)
- Land Division – Minor Subdivision (MD)



#### Note:

1. Time period determined by owner/ applicant.
2. All reviews and time frames are suspended from the date a the letter is issued requesting additional information until the date the City receives the resubmittal from the owner/applicant.
3. Owner/applicant may agree to extend the time frame by 25 percent

#### Time Line

Administrative Review 15 Staff Working Days Per Review	Substantive Review 50 Total Staff Working Days, Multiple City Reviews in This Time Frame <sup>2,3,4</sup>	Approval/Denial Letter Issued
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# Development Application Process

## Standard Application Review

### Staff Review Applications: SA, WM, & MD

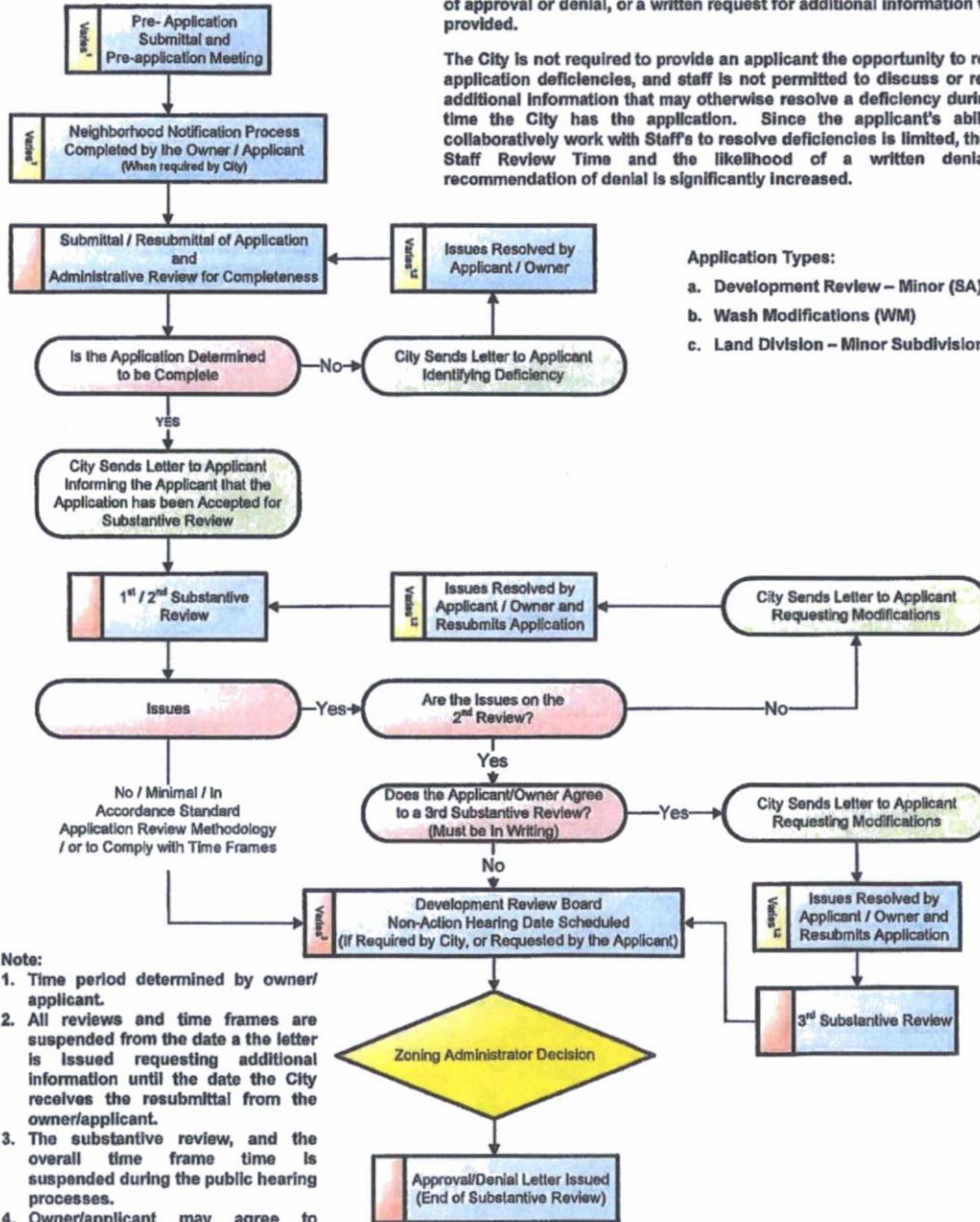
#### Standard Application Review Methodology:

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The City is not required to provide an applicant the opportunity to resolve application deficiencies, and staff is not permitted to discuss or request additional information that may otherwise resolve a deficiency during the time the City has the application. Since the applicant's ability to collaboratively work with Staff's to resolve deficiencies is limited, the total Staff Review Time and the likelihood of a written denial, or recommendation of denial is significantly increased.

#### Application Types:

- Development Review – Minor (SA)
- Wash Modifications (WM)
- Land Division – Minor Subdivision (MD)

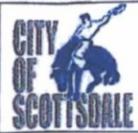


#### Note:

- Time period determined by owner/ applicant.
- All reviews and time frames are suspended from the date a the letter is issued requesting additional information until the date the City receives the resubmittal from the owner/applicant.
- The substantive review, and the overall time frame time is suspended during the public hearing processes.
- Owner/applicant may agree to extend the time frame by 25 percent

#### Time Line

Administrative Review 15 Staff Working Days Per Review	Substantive Review 50 Total Staff Working Days, Two Reviews in This Time Frame <sup>2,3,4</sup>	Approval/Denial Letter Issued
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The Zoning Administrator may authorize a Wash Modification if ALL of the following criteria are met. Use the space provided to present your evidence that the requested exemption satisfies the modification requirements; please attach all supporting documentation.

- 1. Proposed modifications will result in an equal or enhanced quality of open space:

THE PROPOSED WASH MODIFICATION ALTERS A SMALL PORTION OF THE LOW FLOW CHANNEL OF THE EXISTING WASH. THIS MODIFICATION MAINTAINS THE OVERALL WASH CORRIDOR AND MAXIMIZES THE CONTINUOS OPEN SPACE PROVIDED.

- 2. Modifications will include restoration of the watercourse with vegetation of the same type and density removed:

THE PROPOSED WASH WILL MATCH THE EXISTING WASH IN NATURE AND APPEARANCE OF EXISTING VEGETATION.

- 3. Is the wash being redirected or modified?  No  Yes

If yes, the wash must enter and exit the site at the historic locations, and the result of the modifications shall not impact drainage considerations for adjacent properties:

THE MODIFICATION IS COMPLETELY LOCATED WITHIN THE DEVELOPMENT. NO ALTERATION TO THE HISTORIC UPSTREAM OR DOWNSTEAM CONDITIONS WILL OCCUR.

- 4. Is the wash being diverted into a structural solution (e.g. underground pipe)?  No  Yes

If yes, the change must not impact the drainage conditions on adjacent properties and shall not reduce the integrity of any upstream or downstream corridor as meaningful open space:



**ESLO Wash Modifications  
(Administrative Staff Approval)  
Arizona Revised Statutes Notice**

**§9-834. Prohibited acts by municipalities and employees; enforcement; notice**

- A. A municipality shall not base a licensing decision in whole or in part on a licensing requirement or condition that is not specifically authorized by statute, rule, ordinance or code. A general grant of authority does not constitute a basis for imposing a licensing requirement or condition unless the authority specifically authorizes the requirement or condition.
- B. Unless specifically authorized, a municipality shall avoid duplication of other laws that do not enhance regulatory clarity and shall avoid dual permitting to the maximum extent practicable.
- C. This section does not prohibit municipal flexibility to issue licenses or adopt ordinances or codes.
- D. A municipality shall not request or initiate discussions with a person about waiving that person's rights.
- E. This section may be enforced in a private civil action and relief may be awarded against a municipality. The court may award reasonable attorney fees, damages and all fees associated with the license application to a party that prevails in an action against a municipality for a violation of this section.
- F. A municipal employee may not intentionally or knowingly violate this section. A violation of this section is cause for disciplinary action or dismissal pursuant to the municipality's adopted personnel policy.
- G. This section does not abrogate the immunity provided by section 12-820.01 or 12-820.02.

# Kimley»Horn

## MEMORANDUM

To: City of Scottsdale  
From: Jason Burn, PE  
Kimley-Horn and Associates, Inc.  
Date: October 31, 2016  
Subject: Storyrock Phase 1C ESLO Wash Modifications

## NARRATIVE

This memo is provided to support the ELSO Wash Modification submittal for the Storyrock Phase 1C Preliminary Plat. The preliminary drainage report (PDR) for Phase 1C identified three significant washes on the project site. The goal of the development is to meet DS&PM standards and limit the impact to these primary washes. The proposed development implements a roadway and lotting layout that contours to the existing topography and maintains the existing wash corridors. A small portion of the significant wash identified as Wash160 within the PDR impacts two proposed lots. It is proposed to modify the low flow channel of the wash to route around these lots, while maintaining the main wash corridor. The proposed re-routing will occur over approximately 200 feet, and is designed to match the natural condition as much as possible. Flows are conveyed to the same location downstream. The wash modification occurs entirely within the proposed development, and will not impact adjacent properties.

## ALTERNATIVES

Multiple site layouts were considered in the preliminary design stages of this project. The selected layout has the least impact to any of the three significant washes.

## CONCLUSION

The proposed wash modification request meets the requirements of the City of Scottsdale and DS&PM guidelines.

If you have any further questions please feel free to contact me at (602) 216-1232.

Sincerely,  
KIMLEY-HORN AND ASSOCIATES, INC.



Jason Burn, P.E.

K:\EAV\_Civil\191069020 - Cavalliere 80\Correspondence\City\Wash Mod\Phase 1C Wash Modification.docx



# 108707

11/17/2016 PLN-1STOP  
KWHEELER HPDC600552  
11/17/2016 4:07 PM  
\$460.00

**Received From :**

Cal-Ranch Properties LLC  
7598 E MCDONALD DR STE 120  
SCOTTSDALE, AZ 85250

**Bill To :**

LVA URBAN DESIGN STUDIO  
120 S ASH AVE  
TEMPE, AZ 85281  
480-994-0994

**Reference #** 286-pa-2015

**Issued Date** 11/17/2016

**Address** E RANCH GATE RD/N 128TH ST ()

**Paid Date** 11/17/2016

**Subdivision**

**Payment Type** CHECK

**Marketing Name**

**Lot Number**

**Cost Center**

**MCR**

**County** No

**Metes/Bounds** No

**APN**

**Gross Lot Area** 0

**Water Zone**

**Owner Information**

**NAOS Lot Area** 0

**Water Type**

George & Margery

**Net Lot Area** 0

**Sewer Type**

14850 N SCOTTSDALE RD

**Number of Units** 1

**Meter Size**

SCOTTSDALE, AZ 85254

**Density** 1

**QS**

Code	Description	Additional	Qty	Amount	Account Number
3230	WASH MODIFICATION (CASE)		1	\$460.00	100-21300-44221

**10-WM-2016**

**11/17/16**

Total Amount

**\$460.00**

Applicant Signature

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