

**Correspondence Between  
Staff and Applicant  
Approval Letter**



**CenturyLink**  
**5025 N. Black Canyon Hwy**  
**Phoenix, AZ 85015**

July 3, 2018

Joel Simoneau  
27301 N. 79<sup>th</sup> St.  
Scottsdale, AZ 85266  
joel@vantageater.com

RE: Request for Partial Abandonment of 33' Patent Easement and the 20' and 25' Deed of Right Dedication located on APN 212-22-025, 27301 N. 79<sup>th</sup> St., Scottsdale AZ

Dear Mr. Simoneau:

Qwest Corporation d/b/a CenturyLink QC has reviewed the request for the partial abandonment of the 33' Patent Easement of Patent No. 1206484 and partial abandonment of a Right of Way Grant to the City of Scottsdale, Arizona, recorded October 18, 2001, as Document No. 2001-969874.

CenturyLink has no objection to the abandonment of the north 33' Patent Easement and no objection to the decrease of the west 33' down to 20' thereby abandoning the east 13' as depicted on Partial GLO Abandonment Survey, attached.

CenturyLink has no objection to the abandonment of the Right of Way granted to the City of Scottsdale recorded October 18, 2001, as Document No. 2001-969874 as depicted on Partial Right of Way Abandonment Survey, attached.

If you have any questions, please contact Lisa Gallegos-Thompson, CP at 406-443-0583.

Respectfully,

*Karen Caime*

**Karen Caime**  
**Network Real Estate**  
**Karen.Caime@centurylink.com**  
**P801449 / N.380874**



**Land Services**  
P.O. Box 53933  
Phoenix, Arizona 85072  
Mail Station 3286

June 28, 2018

Joel Simoneau  
27301 North 79th Street  
Scottsdale, Arizona 85266

**RE: Right of Way Abandonment**

Dear Joel Simoneau:

Per your request for Arizona Public Service Company's (APS) concurrence to abandon the 25' ROW along the northerly line of the property; the 20' ROW along the southerly line of the property; and the 33' GLO Patent Easement, all located at 27301 North 79th Street, Scottsdale, Arizona 85266, the following information is provided.

I have researched our records and found that the subject property is situated within the APS service territory. There are no APS facilities in the vicinity of the above listed abandonment areas. Therefore APS does concur to the abandonment of said areas.

APS does have facilities in the 13' wide area of the westerly portion of said property. APS does not concur with this abandonment area unless a Public Utility Easement is retained over this 13' area.

Should you have further questions concerning this matter, please contact me at (602) 371-7295 or david.schlief@aps.com.

Sincerely,

A handwritten signature in black ink that reads "David Schlief". The signature is written in a cursive, flowing style.

David Schlief R.L.S. SR/WA  
Land Agent II  
Land Services Department  
Arizona Public Service Company

## Barnes, Jeff

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**From:** Joel Simoneau <joel@vantagewater.com>  
**Sent:** Thursday, July 05, 2018 4:33 PM  
**To:** Barnes, Jeff  
**Subject:** FW: Request Easement Abandonment Clearance Per attached

Here is the water response.

**Joel Simoneau**  
(480) 363-6690  
joel@vantagewater.com



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**From:** Rahman, Rezaur [mailto:RRahman@Scottsdaleaz.gov]  
**Sent:** Monday, July 2, 2018 5:11 PM  
**To:** Joel Simoneau  
**Subject:** RE: Request Easement Abandonment Clearance Per attached

Hello Joel,

In reviewing the request for the abandonment of the G.L.O.P.E. and RW bordering the North, West and South side of the property located at 27301 N 79<sup>th</sup> St, Scottsdale (APN: 212-22-025A), the City of Scottsdale's Water Resources Department has the following comments:

1. **Abandonment request of the G.L.O.P.E. (along E Pinnacle Vista Dr ) bordering the North of the property located at 27301 N 79<sup>th</sup> St, Scottsdale (APN: 212-22-025A):**

The City's requires a minimum of 20-ft of sewer easement for a future sewer line along E Pinnacle Vista Dr. As the City has no plan to install a waterline along E Pinnacle Vista Dr, the sewer line can be installed along the centerline of the GLOPE. Therefore, a minimum of 10-ft of easement will be required from each side (north and south) of the centerline of the GLO easement. Therefore, a 23-ft of GLOPE can be abandoned.

2. **Abandonment request of the G.L.O.P.E. (along N 79<sup>th</sup> St ) bordering the West of the property located at 27301 N 79<sup>th</sup> St, Scottsdale (APN: 212-22-025A):**

There is an existing 6-inch waterline along N 79<sup>th</sup> St alignment. The City requires a minimum of 20-ft of easement for this waterline. A 13-ft of GLOPE may be abandoned meeting the following criteria:

- Waterline must maintain a minimum of 6-ft horizontal distance from the edge of the easement per DSPM Section 6-1.419.
- Waterline shall not be located within 10-ft of a building or retaining wall per DSPM Section 6-1.402.
- Waterline must maintain 3-ft of horizontal clearance to dry utilities per DSPM Section 6-1.402.

3. **Abandonment request of the RW bordering the South of the property located at 27301 N 79<sup>th</sup> St, Scottsdale (APN: 212-22-025A):**

The City of Scottsdale's Water Resources Department has **NO OBJECTION** with this request.

Please Note that City of Scottsdale's other departments or other Utility service providers may have interests on these GLOPE and RW and the abandonments may not be allowed.

Let me know if you have any questions.

Thanks,

Rezaur.

**Rezaur Rahman, Ph.D., P.E.**

Principal Engineer, Water Resources

9379 E San Salvador Dr

Scottsdale, AZ 85258

Ph: 480-312-5636

[rrahman@scottsdaleaz.gov](mailto:rrahman@scottsdaleaz.gov)



"Water Sustainability through Stewardship, Innovation and People"

**For sending attachments over 5MB, please use the link below:**

<https://securemail.scottsdaleaz.gov/filedrop/rrahman@scottsdaleaz.gov>

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**From:** Joel Simoneau <joel@vantagewater.com>

**Sent:** Thursday, June 28, 2018 9:51 AM

**To:** Rahman, Rezaur <RRahman@Scottsdaleaz.gov>

**Subject:** FW: Request Easement Abandonment Clearance Per attached

**Importance:** High

Dear Rezaur,

I was given your contact information as the person I need to request this from.

Please send me a letter stating everything is OK on the proposed easement abandonment. Any questions please call.

Requesting a partial abandonment of the GLO patent easement on the north and west sides of the property. Also requesting a partial abandonment of the dedicated right-of-way on the north and south sides of the property. The right-of-way was originally dedicated in document no. 2001-969874.

We don't have centurylink or southwest gas but I understand that we need your clearance as well.

Thanks!

**Joel Simoneau**

(480) 363-6690

[joel@vantagewater.com](mailto:joel@vantagewater.com)



S

Joel Simoneau  
27301 N. 79th St  
Scottsdale, AZ 85266-9004



Thomas/Louise Sawie  
7843 E Nimitz Rd  
Scottsdale AZ 85255

NOV  
28 2018  
AZ 85266-9004



Sharon/Mark Kuhlman  
7986 E Redbird Rd  
Scottsdale AZ 85262

June 27, 2018

Subject: Abandonment Application Notice

Hello neighbor,

We are required by the City of Scottsdale to send you this announcement.

The Simoneau family at 27301 N. 79<sup>th</sup> St. is requesting a partial abandonment of the GLO patent easement on the north and west sides of the property. We are also requesting a partial abandonment of the dedicated right-of-way on the north and south sides of the property.

The right-of-way was originally dedicated in document no. 2001-969874.

If you have any questions you may call:

Joel Simoneau	480-363-6690	Owner
Jeff Barnes	480-312-2376	City of Scottsdale Planner

Thank you,

*Joel Simoneau*



## Planning and Development Services Division

7447 East Indian School Road  
Scottsdale, Arizona 85251

10/4/2018

Joel Simoneau  
27301 N 79Th St  
Scottsdale, AZ 85266

RE: Determination of a Planning Commission hearing

Dear Mr. Simoneau:

Your Development Application 13-AB-2018, Simoneau Abandonment, is scheduled on the 11/14/2018 Planning Commission hearing agenda.

You may be required to make a presentation to the Planning Commission. If you choose to present your application to the Planning Commission utilizing a Power Point presentation, please submit the electronic file to your project coordinator by 1:00 p.m. on Monday 11/12/18. Please limit your presentation to a maximum of 10 minutes.

The Planning and Development Services Division has had this application in review for 25 Staff Review Days.

Thank you,

Jeff Barnes  
Senior Planner



7/27/2018

Joel Simoneau  
27301 N 79Th St  
Scottsdale, AZ 85266

RE: 13-AB-2018 (Simoneau Abandonment)

Dear Mr. Simoneau:

The Planning & Development Services Division has completed the review of the above referenced development application submitted on 6/27/2018. 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:

**Zoning:**

1. Please revise the Project Narrative to address the changes to the project scope resulting from the comments below.
2. A response letter from COX Communications was not provided. Please include their response to the abandonment request with the resubmittal.
3. The response letter from APS identifies existing facilities in the GLO area proposed for abandonment along N. 79<sup>th</sup> Street. With the resubmittal, please provide legal and graphic survey exhibits of a Public Utility Easement (PUE) to be dedicated over the GLO abandonment area along the N. 79<sup>th</sup> Street property frontage.

**Circulation:**

4. In accordance with the Desert Foothills 9B Local area Infrastructure Plan (LAIP), staff is unable to support the abandonment of the right-of-way along E. Pinnacle Vista Drive. Please revise the application to exclude that portion from the abandonment request.
5. With the resubmittal, please include legal and graphic survey exhibits of the dedication of a 25-foot wide right-of-way along E. Pinnacle Vista Drive and N. 79<sup>th</sup> Street, per the current Desert Foothills 9B LAIP for this area and to protect the existing water line located within N. 79<sup>th</sup> Street.

6. With the resubmittal, please include revised legal and graphic survey exhibits of the abandonment of the remaining 8-foot wide GLO area along E. Pinnacle Vista Drive and N. 79<sup>th</sup> Street, reflecting the required right-of-way widths identified above.

#### Technical Corrections

The following technical ordinance or policy related corrections have been identified in the first review of the project. While these items are not as critical to scheduling the case for public hearing, they will likely affect a decision on the final plans submittal (construction and improvement documents) and should be addressed as soon as possible. Correcting these items before the hearing may also help clarify questions regarding these plans. Please address the following:

#### Circulation:

7. With the dedications outlined above and pending the approval of the abandonment, staff would support the release of the existing 15-foot wide Public Trail Easement along N. Pinnacle Vista Drive. That would occur under separate Release of Easement application following the abandonment processing.

Please resubmit the revised application requirements and additional/supplemental 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/supplemental information is necessary.

**PLEASE CALL 480-312-7767 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.**


In an effort to get this Abandonment request to a Planning Commission hearing, please submit the revised material identified in Attachment A as soon as possible.

The Planning & Development Services Division has had this application in review for 22 Staff Review Days since the application was determined to have the minimal information to be reviewed.

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 480-312-2376 or at [jbarnes@ScottsdaleAZ.gov](mailto:jbarnes@ScottsdaleAZ.gov).

Sincerely,



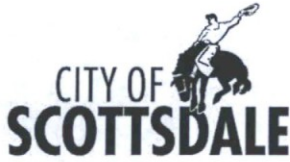
Jeff Barnes  
Senior Planner

**ATTACHMENT A**  
**Resubmittal Checklist**

Case Number: **13-AB-2018**

Please provide the following documents, in the quantities indicated, with the resubmittal (all plans larger than 8 ½ x11 shall be folded):

- |                                     |              |  |
|-------------------------------------|--------------|--|
| <input checked="" type="checkbox"/> | Four copies: | Revised Narrative for Project                      |
| <input checked="" type="checkbox"/> | One copy:    | Cox Communications response letter/email           |
| <input checked="" type="checkbox"/> | Four copies: | Revised GLO Abandonment Survey exhibits            |
| <input checked="" type="checkbox"/> | Four copies: | Revised Right-of-Way Abandonment Survey exhibits   |
| <input checked="" type="checkbox"/> | Four copies: | Right-of-Way Dedication survey exhibits            |
| <input checked="" type="checkbox"/> | Four copies: | Public Utility Easement Dedication survey exhibits |



Planning and Development Services Division

7447 East Indian School Road  
Scottsdale, Arizona 85251

Date: 6/27/18  
Contact Name: Joel Simoneau  
Firm Name: \_\_\_\_\_  
Address: 27301 N. 79th St  
City, State, Zip: Scottsdale AZ

RE: Application Accepted for Review.  
238 - PA - 2018

Dear Mr. Simoneau \_\_\_\_\_ :

It has been determined that your Development Application for Abandonment has been accepted for review.

Upon completion of the Staff's review of the application material, I will inform you in writing or electronically either: 1) the steps necessary to submit additional information or corrections; 2) the date that your Development Application will be scheduled for a public hearing or, 3) City Staff will issue a written or electronic determination pertaining to this application. If you have any questions, or need further assistance please contact me.

Sincerely,

Name: Jeff Barnes  
Title: Sr. Planner  
Phone Number: (480) 312 - 2376  
Email Address: jbarnes @ScottsdaleAZ.gov

**13-AB-2018**  
**06/27/18**