

DEVELOPMENT REVIEW BOARD REPORT



Meeting Date:

August 15, 2019

Item No. 4

General Plan Element:

Character and Design

General Plan Goal:

Determine the appropriateness of all development in terms of community goals, surrounding area character, and the specific

context of the surrounding neighborhood.

ACTION

Diamond Mountain Estates

8-PP-2018

Request to consider the following:

Request by the applicant for approval of a preliminary plat, for three lots, on an approximately 45-acre site, located on parcel 216-80-007H, with Single-family Residential, Environmentally Sensitive Lands (R1-190/ESL) zoning designation.

Goal/Purpose of Request

The applicant's request is to establish a three-lot (3-lot) subdivision, including the existing lot that is not a part of this application, with no amended development standards.

Key Items for Consideration

- Dynamite Foothills Character Area Plan and Implementation Program recommends that existing allowable densities under current zoning and General Plan land use designations are appropriate for the subject properties.
- Proposes 3 lots on 43.3 acres (45 gross acres)
- Environmentally Sensitive Lands Ordinance
- Significant Public Comment
- Applicant requested a continuance from the June 20, 2019 Development Review Board

LOCATION

North side of East Jomax Road Between North 110th Street and North 112th Street alignment (Parcel 216-80-007H)

OWNER

John Campo Diamond Creek Family Lp. 602-955-0149

| Action Taken | |
|--------------|--|
|--------------|--|

APPLICANT CONTACT

Curt Johnson Coe and Van Loo 602-264-6831

BACKGROUND

General Plan

City of Scottsdale General Plan 2001 Conceptual Land Use Map designates the subject property as Rural Neighborhoods and Natural Open Space. Within the Rural Neighborhoods category, land uses typically include areas of relatively large lot single-family neighborhoods or subdivisions. Densities in Rural Neighborhoods are usually one house per acre, or more, of land. The Natural Open Space Category applies to locations where significant environmental amenities or hazards may exist. In most cases, these areas represent mountainous terrain.

It is intended that land in the Natural Open Space category remains as permanent open space. This Natural Open Space classification is often result of rezoning actions where developers have agreed to leave part of a property in a natural condition in return for placing greater development intensity on a less environmentally sensitive portion of the property. Low impact recreational activities are also suitable for these sensitive areas and may include activities like hiking, equestrian, or mountain biking trails.

Character Area Plan

The General Plan 2001 established Character Area planning as a means of ensuring that quality of development and consistency of character will guide Scottsdale's General Plan within the context of community-wide goals. The subject property is located within the Dynamite Foothills Character Area boundary, which is located between Scottsdale's McDowell Mountain Preserve on the south, the Lone Mountain Road Alignment to the north, and east of North 112th Street to the City's terminus at North 136th Street (Reference Attachment #11 for location of the Dynamite Foothills Character Area boundary).

Zoning

This site is zoned Single-family Residential, Environmentally Sensitive Lands (R1-190/ESL) District, which allows single-family residential uses and has an Environmentally Sensitive Lands Overlay zoning designation. The subject parcel was annexed into the City in December of 1981. The annexed parcel was rezoned from the County's single-family designation to the City's Single-Family Residential, Hillside District (R1-190/HD/HC) zoning designation through case 32-ZN-1982.

In 1991, the Environmentally Sensitive Lands (ESL) overlay was added as an amendment to the Hillside District overlay. The newly adopted ESL overlay included these properties; which were previously zoned into the Hillside District overlay area. The current ESL overlay version (February 2004) focuses on preservation of environmental features and implements sensitive design principles found in the Dynamite Foothills Character Area Plan and Implementation Program.

Context

Generally located near the northeast corner of the North Alma School Parkway and East Jomax Road the subject property, more specifically, is located on the north side of East Jomax Road, between

the North 110th Street and the North 112th Street alignments. Please refer to context graphics Attachment #1A.

Adjacent Uses and Zoning

• North: Single-family Residential District, Environmentally Sensitive Lands, zoned R1-190/ESL;

single-family residents and vacant land.

South: Single-family Residential District, Environmentally Sensitive Lands, zoned R1-18/ESL;

the Troon Village Parcel "C," and Windy Walk Estates Communities.

East: Single-family Residential District, Environmentally Sensitive Lands, zoned R1-70/ESL

and R1-35/ESL; the Desert Summit Community.

West: Single-family Residential District, Environmentally Sensitive Lands, zoned R1-10/ESL;

vacant land (recently approved Cavalliere Flats subdivision)

Other Related Policies, References:

Scottsdale General Plan 2001, as amended Dynamite Foothills Character Area Plan Zoning Ordinance Land Division Ordinance 2004 Trails Master Plan 2014 Transportation Master Plan

Ordinance 1432, 32-ZN-1982, 33-LS-1989, 11-TA-2000#3, 11-GP-1997, 5-GP-1999, 1-ZN-2011, and 7-PP-2014

APPLICANT'S PROPOSAL

Development Information

The development proposal includes approval of a 3-lot subdivision on an approximately 45 gross acre site with Single-family Residential, Environmentally Sensitive Lands (R1-190/ESL) zoning designation.

Existing Use: Single-family Residence, and Vacant Land

Proposed Use: 3-lot Subdivision

• Parcel Size: 45+/- acres gross (of a larger 50-acre site)

Building Height Allowed: 24 feet
Building Height Proposed: 24 feet

NAOS Required: 17.9 acres (39.7% of the proposed 45 acres)

• NAOS Provided: 17.9 acres (39.7% of the proposed 45 acres)

Density Allowed: 0.21 du/ac
Density Proposed: 0.06 du/ac

IMPACT ANALYSIS

Dynamite Foothills Character Area Plan

The proposed preliminary plat identifies a density that is at or less than one (1) dwelling unit per acre. This proposal implements the existing General Plan land use categories of Rural Neighborhoods and Natural Open Space.

Dynamite Foothills Character Area Plan envisions a Rural Desert Character with an element of openness. Projects located within the Dynamite Foothills Character Area preserve natural open space areas and scenic and vista corridors, provide minimal impact development with low building footprints, support trails and connections, and maintain natural vegetation. The Dynamite Foothills Character Area Plan considers low scale and intensity land uses, similar in character to residential development, as appropriate for the area, along with the preservation of meaningful open space.

Land Use

In addition to the City of Scottsdale General Plan 2001, the analysis for the preliminary plat request has been evaluated against the Dynamite Foothills Character Area Plan and Implementation Program, as well as the Environmentally Sensitive Lands (ESL) overlay. The Character Area Plan, and its implementation program, encourages development with rural character and sensitive design. The Dynamite Foothills Character Area Implementation Program states that construction envelopes should not be placed on slopes greater than fifteen (15%) percent. The intent is to use cluster development to protect more sensitive terrain. The conceptual preliminary plat provides a graphic illustrating the locations with fifteen (15%) percent to twenty-five (25%) percent, and greater slopes.

Dynamite Foothills Character Area Plan states that the existing allowable densities under current zoning and General Plan designations are appropriate for all but a few areas. Densities under the current General Plan designation of Rural Neighborhoods are usually one house per one acre or more of land which the applicant proposes to maintain. Current zoning densities are that of 4.5 acre lots. The proposal requests a decrease in zoning density, from 0.21 du/ac to 0.06 du/ac.

Plat

The proposed preliminary play includes 45 acres of an overall 50-acres site. In November of 1991, the overall 50-acre site received approval for a land division that created two (2) parcels; an approximate 5-acre lot and approximate 45-acre lot (Case 33-LS-1989). The 5-acre parcel is located in the center of the overall 50-acre site. This parcel, created by the land division, contains a single-family residence, Natural Area Easement (NAE), and a driveway (for access). This single-family parcel is not a part of this preliminary plat request. The preliminary plat seeks to further subdivide the remaining the gross 45-acre parcel into three additional lots. As stated before, the application will decrease the density, from 0.21 du/ac to 0.06 du/ac. The 0.06 du/ac is calculated for the 45 acres. The density will amount to 0.08 du/ac for the overall 50-acre site.

The applicant's narrative indicates that the request will not include an amendment to development standards, as is typical for most preliminary plats in the Environmentally Sensitive Lands overlay area. The proposed subdivision has been designed to meet all applicable City requirements, including access and utility service.

Transportation/Trails

Proposed lots "1" and "2" will be accessed from East Jomax Road via the proposed North 112th Street extension. The North 112th Street alignment is located along the eastern boundary of the site. The proposed street extension will be located 20 feet off the eastern boundary property line. The 20-foot-wide separation will not affect the yard designation of the properties located within the Desert Summit subdivision. The preliminary plat identifies this 20-foot-wide area to be dedicated as Natural Area Open Space (NAOS) and as a Non-Motorized Public Access Easement (NMPAE). Proposed lot "3" will access directly off of East Jomax Road.

The owner will provide a 50-foot-wide Scenic Corridor Easement "Desert Scenic buffer" and a 15-foot-wide Non-Motorized Public Access Easement along the East Jomax Road frontage for trail purposes. All internal streets will meet the Design Standards and Policies Manual widths and improvements for internal private streets. Additionally, the owner will provide a 25-foot-wide Non-Motorized Public Access Easement along the eastern boundary of the property (Reference Attachment #5). The applicant is not obligated to provide the 25-foot-wide Non-Motorized Public Access Easement along the eastern boundary of the property. The NMPAE will allow future planned access to the Doc Cavalliere Park (located farther north of this site).

The applicant has agreed to provide the adequate street right-of-way dedications for all the right-of-way that shall remain as public access. Street right-of-way dedication has been stipulated according to the Transportation Master Plan and the Local Area Infrastructure Plan. Design of the internal private-streets will conform to ESL local residential standards.

Water/Sewer

The Water Resources Department has reviewed the applications and finds that there are adequate water and wastewater services for the proposed use. The updated basis of water/wastewater reports and the sewer reports are conceptually acceptable to the City's Water and Sewer department. The applicant will be required to design, construct, and upgrade any water and sewer infrastructure necessary to provide services to the site.

Public Safety

The Public Safety Department has reviewed the applications and finds that there is adequate ability to provide fire and police services for the proposed use. Overall, emergency and non-emergency activities in Scottsdale are continually monitored and tracked to evaluate the effectiveness of our service delivery and to identify any potential for future public safety resource needs for the community.

Open Space/NAOS

Dynamite Foothills Character Area Plan, implementation Program, and the Environmentally Sensitive Lands ordinance state that slopes and sensitive natural features should be protected. Environmentally Sensitive Lands (ESL) ordinance requires 17.9 acres of NAOS to be dedicated for the 45-acre site, and the owner is proposing to dedicate 17.9 acres of NAOS (Reference Attachment #6). Potentially there will be more NAOS dedicated once proposed Lot "3" is developed. The provided drainage report did not identify washes that are large enough to qualify for protection as vista corridor easements. A wash modification application will be required for any proposed changes to the 50-cfs desert washes.

The applicant has been stipulated to provide Natural Area Open Space (NAOS) and Conservation Area Easement (CAE) over the mountainous area located in the central/eastern portion of the site. These easements will encompass the areas of the rock outcropping area containing the fifteen (15%) percent, and greater, slopes, and the required 300-foot buffer required of protected peaks (See Attachment #5).

Community Involvement

The Applicant sent notification to property owners within 750 feet of the site and other interested parties. The neighborhood notification report stated that received one inquiry was received, in regards to the project, and the inquiry related to the name of the proposed street extension (Reference Attachment #10).

Staff also sent notification to property owners within 750 feet of the site and other interested parties. Staff has received emails and phone calls from the Desert Summit residents located to the east. The resident stated concerns over the location of the street, crossing of washes, and sensitive features (Reference Attachment #11). Staff had prepared a report which included this information, The applicant then requested to "hold" the case until such time that the stipulations were further discussed with staff. Attachment #13 provides the public correspondence received after the June 20, 2019 report had been prepared.

Community Impact

The proposal will extend the North 112th Street alignment north of East Jomax Road. This extension will create approximately 500 feet of new street along the eastern boundary of the site, which will be setback a minimum of 20 feet from the Desert Summit Subdivision. The street location will not affect the setbacks or yard designation for the properties located in the Desert Summit subdivision.

Policy Implications

The proposed preliminary plat identifies a density that is less than one (1) dwelling unit per acre, this proposal implements the existing General Plan land use categories of Rural Neighborhoods and Natural Open Space.

The Dynamite Foothills Character Area Plan and Implementation Program recommends that existing allowable densities under current zoning and General Plan designations are appropriate for the subject properties. The request is to maintain the existing General Plan designations (Rural Neighborhoods and Natural Open Space). The proposed density is less dense than the character of surrounding properties.

STAFF RECOMMENDATION

Recommended Approach:

Staff recommends that the Development Review Board approve the request by the applicant for approval of a Diamond Mountain Estates preliminary plat, for three lots, on an approximately 45-acre site, located on parcel 216-80-007H, with Single-family Residential, Environmentally Sensitive Lands (R1-190/ESL) zoning designation.

RESPONSIBLE DEPARTMENT

Planning and Development Services

Current Planning Services

STAFF CONTACT

Jesus Murillo Senior Planner

480-312-7849

E-mail: jmurillo@scottsdaleAZ.gov

APPROVED BY

esus Murillo, Report Author

Date

Steve Venker, Development Review Board Coordinator

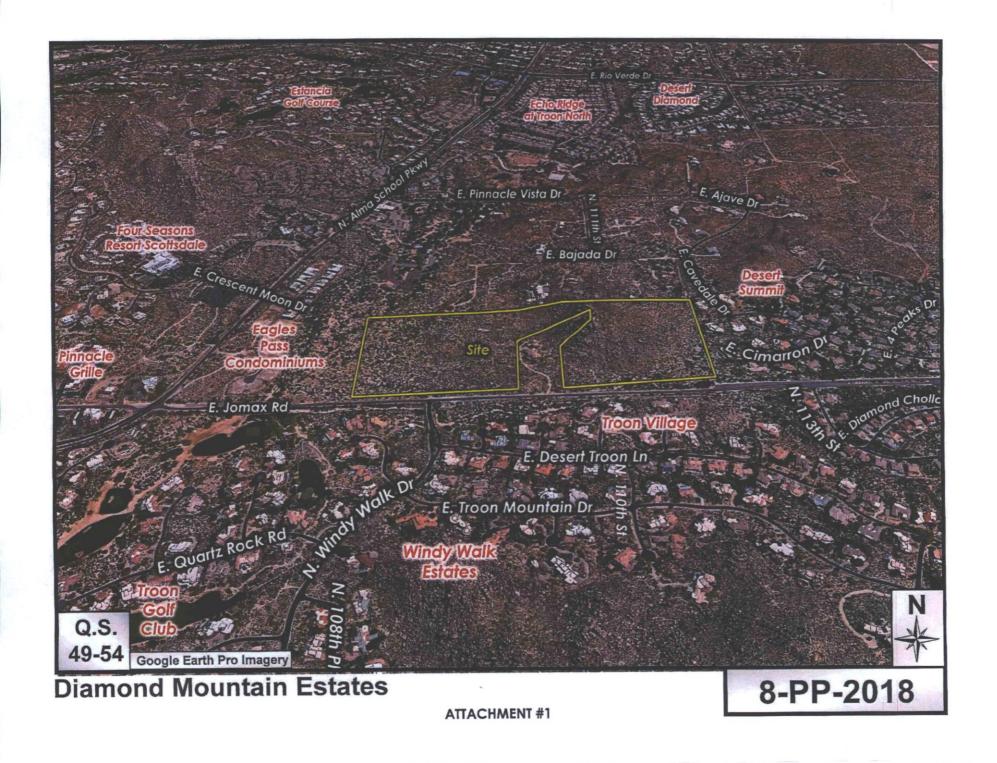
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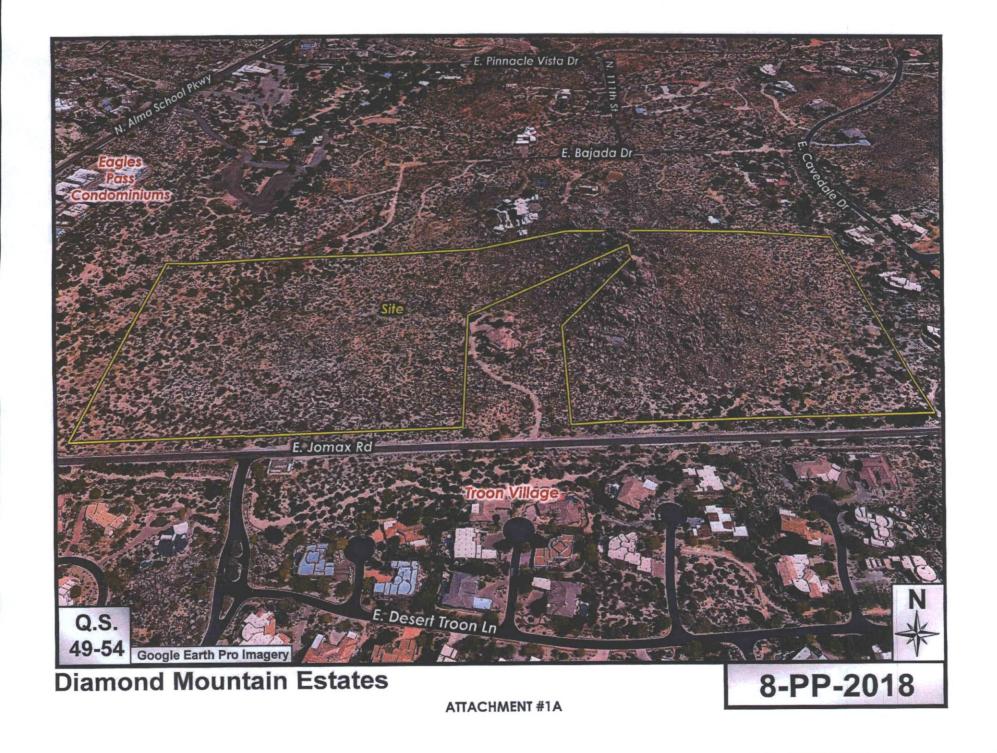
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Planning and Development Services 480-312-2664, rgrant@scottsdaleaz.gov 8/7/

ATTACHMENTS

- 1. Context Aerial
- 1A. Aerial Close-Up
- 2. Stipulations
- 3. Project Narrative
- 4. Zoning Map
- 5. Preliminary Plat
- 6. Natural Area Open Space Exhibit
- 7. Construction Envelope Exhibit
- 8. Cuts and Fills Exhibit
- 9. Dynamite Foothills Character Area Boundary Map
- 10. Neighborhood Notification Report
- 11. Community Correspondence (Prior to the June 20, 2019 Development Review Board Report)
- 12. Applicant Continuance Request from the June 20, 2019 Development Review Board Hearing
- 13. Community Correspondence (After the June 20, 2019 Development Review Board Report)
- 14. City Notification Map





Stipulations for the Development Review Board Application: Diamond Mountain Estates

Case Number: 8-PP-2018

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

APPLICABLE DOCUMENTS AND PLANS:

- 1. Except as required by the Scottsdale Revised Code (SRC), the Design Standards and Policies Manual (DSPM), and the other stipulations herein, the civil construction documents and plat shall substantially conform to the following documents:
 - a. The Preliminary Plat submitted by Coe and Van Loo Consultants, Inc., with a city staff date of April 18, 2019.
 - b. The Natural Area Open Space (NAOS) analysis exhibit and plan submitted by Coe and Van Loo Consultants, Inc., with a city staff date of April 18, 2019.
 - c. The construction envelope exhibit submitted by Coe and Van Loo Consultants, Inc., with a city staff date of April 18, 2019.
 - d. The cut and fill exhibit submitted by Coe and Van Loo Consultants, Inc., with a city staff date of April 18, 2019.
 - e. Case Drainage Report for Diamond Mountain Estates; submitted by Coe & Van Loo Consultants, Inc., accepted on May 10th.
 - f. Case Grading and Drainage Plan for Diamond Mountain Estates; submitted by Coe & Van Loo Consultants, Inc., accepted on May 10th.
 - g. Water System Basis of Design Report for Diamond Mountain Estates; submitted by Coe and Van Loo Consultants, Inc., accepted as noted on March 5, 2019.
 - h. Wastewater System Basis of Design Report for Diamond Mountain Estates; submitted by Coe and Van Loo Consultants, Inc., accepted as noted on March 5, 2019.

ARCHAEOLOGICAL RESOURCES:

Ordinance

A. Any development on the property is subject to the requirements of Scottsdale Revised Code, Chapter 46, Article VI, Section 46-134 - Discoveries of archaeological resources during construction.

SUBDIVISION PLAT REQUIREMENTS

SUBDIVISION DESIGN:

DRB Stipulations

2. On the final subdivision plat, Lot 3 shall not be referenced as "Future" as it is being created by the approval and recordation of the final plat.

STREET DEDICATIONS:

DRB Stipulations

- 3. Prior to the issuance of a permit for the development project, the owner shall make the following fee simple right-of-way dedications to the City of Scottsdale on the final subdivision plat:
 - a. East Jomax Road. 45-foot dedication, for a total forty-five 45-foot-wide north half-street right-of-way along project frontage, approximately two thousand (2,000) linear feet.
 - b. North 112th Street (Local). 40-foot dedication, for a total 40-foot-wide street right-of-way.

EASEMENT DEDICATIONS:

DRB Stipulations

- 4. Prior to the issuance of a permit for the development project, the owner shall dedicate the following easements to the City of Scottsdale on the final subdivision plat:
 - a. SIGHT DISTANCE EASEMENTS. A Sight Distance easement, in conformance with figure 5.3-27 of Section 5.3 of the DSPM to the City of Scottsdale, where sight distance triangles in cross on to the property.
 - b. SCENIC CORRIDOR EASEMENT. A Desert Scenic Roadway Easement to the City of Scottsdale a fifty-foot (50-ft) setback width along East Jomax Road. The easement shall be a minimum of fifty-foot-wide, measured from right-of-way. Unless otherwise approved by the Development Review Board, the Desert Scenic Roadway setback shall be left in a natural condition.
 - c. PUBLIC NON-MOTORIZED ACCESS EASEMENT. A minimum 20-foot-wide Public Non-Motorized Access (PNMA) easement, to accommodate a multi-use trail along the eastern property line, as shown on the Preliminary Plat with the city staff date of April 18, 2019.
 - d. PUBLIC NON-MOTORIZED ACCESS EASEMENT. A minimum twenty-five-foot-wide Public Non-Motorized Access (PNMA) easement, to accommodate a multi-use trail along the property's East Jomax Street frontage, as shown on the Preliminary Plat with the city staff date of April 18, 2019.
 - PUBLIC NON-MOTORIZED ACCESS EASEMENT. A continuous Public Non-Motorized Access
 Easement to the City of Scottsdale to contain the public sidewalk in locations where the
 sidewalk crosses on to a lot.
 - f. VEHICLE NON-ACCESS EASEMENT. A one (1) foot Vehicle Non-Access Easement (VNAE) shall be dedicated along East Jomax Road and North 112th Street adjacent to Lots 1 and 2 for all areas not intended for private driveway access.

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OTHER PROPERTY DEDICATIONS:

Ordinance ...

B. CONSERVATION AREA EASEMENT. Conservation Area Easement (CAE) shall be dedicated over the mountainous area located in the central/eastern portion of the site. These easements will encompass the areas of the rock outcropping area containing the fifteen (15%) percent, and greater, slopes, and the required 300-foot buffer required of protected peaks.

DRB Stipulations

5. Natural Area Open Space (NAOS), in conjunction with the Conservation Area Easement (CAE), shall be dedicated over the mountainous area located in the central/eastern portion of the site. These easements will encompass the areas of the rock outcropping area containing the fifteen (15%) percent, and greater, slopes, and the required 300-foot buffer required of protected peaks

INFRASTURCTURE AND IMPROVEMENT REQUIREMENTS

WALLS AND FENCSE:

Ordinance

C. Walls within an intersection and driveway sight distance triangle and/or a traffic safety triangle shall conform with DSPM Section 5.3.

NATURAL AREA OPEN SPACE (NAOS):

Ordinance

D. With the final plat submittal, the final plat shall dedicate 17.9 acres of Natural Area Open Space.

DRB Stipulations

6. NAOS that is dedicated over a Public Utility Easement shall be considered as revegetated NAOS.

LANDSCAPE DESIGN:

Ordinance

E. Prior to the issuance of permit, the owner shall submit landscape construction documents that require the utilization of the City of Scottsdale Supplement to MAG Standard Specifications for the landscape and irrigation improvements within the public right-of-way median(s). All landscape within the rights-of-way including median landscaping shall be maintained by the adjacent property owner.

DRB Stipulations

7. Prior to the issuance of a permit, the owner shall submit landscape construction documents that demonstrate how the salvaged vegetation from the site will be incorporated into the design of the landscape improvements.

EXTERIOR LIGHTING DESIGN:

Ordinance

F. All exterior luminaires shall have integral lighting shield and be directed downward, including landscape lighting.

DRB Stipulations

- 8. All exterior luminaires for parking lot and site lighting shall comply with the IES requirements for full cutoff and shall be aimed downward and away from property line except for sign lighting.
 - a. Incorporate the following into the project's design:
 - i. The maintained average horizontal luminance level, at grade on the site, shall not exceed 1.5 foot-candles. All exterior luminaires shall be included in this calculation.
 - ii. The maintained maximum horizontal luminance level, at grade on the site, shall not exceed 4.0 foot-candles. All exterior luminaires shall be included in this calculation. All exterior luminaires shall be included in this calculation.
 - iii. The initial vertical luminance at 6-foot above grade, along the entire property line shall not exceed 0.3 foot-candles. All exterior luminaires shall be included in this calculation.
 - b. The total lumen per luminaire shall not exceed 24,000 lumens.

STREETS AND RELATED INFRASTUCTURE IMPROVEMENTS:

Ordinance

G. All street infrastructure improvements shall be constructed in accordance with this City of Scottsdale Supplement to MAG Specifications and Details, and the Design Standards and Policies Manual.

DRB Stipulations

- 9. Prior to the issuance of a permit for the development project, the owner shall submit and obtain approval of civil construction documents to construct the following improvements:
 - a. East Jomax Road.
 - i. Construct north half-street improvements (curb, gutter, sidewalk, pavement, etc.) in accordance with the minor collector per DSPM Figure 5-3.12 and Section 5-3.500 from North 112th Street to the western line of Lot 1. Including the construction of the median island (with 4-inch roll curb) along this frontage with tapers from the new pavement to existing pavement. The remainder of the frontage shall be improved if/when Lot 3 is subdivided.
 - ii. Construct a 6-foot-wide sidewalk along the frontage of East Jomax Road separated from the back of curb, not meandering per DSPM Section 5-3.100.
 - iii. Signing and Striping plan shall be provided for this project.
 - iv. All landscape with in the rights of way including median landscaping shall be maintained by the adjacent property owner to be noted on the final plat.
 - b. North 112th Street.
 - Construct the full width improvements in accordance with a Local Residential Rural/ESL per DSPM Figure 5-3.19.
 - a) Construct the full width to a minimum 22-foot-wide surface per COS MAG Supplement Standard Detail 2207.

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- b) Construct a minimum 6-foot-wide shoulder on each side capable of supporting 83,000 pounds gross vehicle weight for emergency vehicles.
- c) Constructed surface shall be treated for dust control.
- 10. All public sidewalks, curbs, gutters, and drainage improvements shall be integral colored concrete to match Davis, San Diego Buff.
- 11. All curb ramps for public and pedestrian sidewalks that intersect public and private streets, or driveways that intersect public and private streets, shall have truncated domes that are colored to match Frazee Western Reserve (8617N) color, or Sherwin Williams (SW7055) Enduring Bronze (246-C7).

MULTI-USE TRAILS AND PATHS:

DRB Stipulations

12. Prior to any building permit issuance for the development project, the owner shall submit and obtain approval of civil construction documents to construct a minimum 8-foot-wide multi-use path along the eastern property line. The alignment of the multi-use path shall be subject to approval by the Transportation General Manager or designee and shall be designed in conformance with the Design Standards and Policies Manual. The owner shall provide signs and markers for all trails as specified in the Design Standards and Policies Manual. The location and design of the signs and markers shall be per DSPM Chapter 8, Section 8-3.200 and 8-3.203 and shall be shown on the civil construction documents.

DRAINAGE AND FLOOD CONTROL:

DRB Stipulations

- 13. All headwalls and drainage structures shall be integrally colored concrete to blend with the color of the surrounding natural desert.
- 14. 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.

WATER AND WASTEWATER STIPULATIONS:

DRB Stipulations

- 15. Prior to the issuance of a permit for the development project, the owner shall submit and obtain approval of civil construction documents to construct the following improvements:
 - a. Sewer line extension along East Jomax Road from North 112th Street to North 110th Place.
 - b. Water pressure reducing valve required to be located in the south east corner of East Jomax Road and North 112th Street.
 - c. Water and sewer main extensions shall be constructed along the eastern frontage (North 112th Street alignment) from East Jomax Road north to the northern property boundary.
 - d. Existing water and sewer service lines to this site shall be utilized or shall be disconnected at the main pursuant to the Water Resources Department requirements.



Diamond Mountain Estates

City of Scottsdale, Arizona

Preliminary Plat Narrative

Developer:

Diamond Creek Family Partnership

6318 E Sage Drive Scottsdale, AZ 85253 Attn: C/O Robert J. Campo 602-421-2047

Planning/Civil Engineering Consultant:

Coe & Van Loo Consultants, Inc.

4550 North 12th Street
Phoenix, Arizona 85014-4291
Attn: Curt Johnson
602-285-4708
Cjohnson@cvlci.com



Preliminary Plat Narrative

for

Diamond Mountain Estates

City of Scottsdale, AZ

April 16, 2019

Developer

Diamond Creek Family Partnership

6318 E Sage Drive Scottsdale, AZ 85253

Attn: C/O Robert J. Campo

602-421-2047

Planning/Civil Engineering Consultant

Coe & Van Loo Consultants, inc.

4550 North 12th Street Phoenix, Arizona 85014-4291

Attn: Curt Johnson 602-285-4708

cjohnson@cvlci.com

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1. Introduction

Diamond Mountain Estates is proposed as three overall lots with custom-lot single family homes proposed on Lot 1 and Lot 2, Lot 3 shall remain undisturbed at this time. The 3 proposed Lots shall utilize approximately 45.10 gross acres of land located at the northwest corner of East Jomax Road and the 112th Street alignment in Scottsdale, Arizona. The site is located at the south half of the southeast quarter of section 33.

The focus of the site is to develop Lots 1 & 2 as custom lots while Lot 3 shall remain as undisturbed with the potential to be developed at a later time. The focus of Lots 1 & 2 is to blend naturally with the rolling terrain of this site and to incorporate many of the unique site characteristics and features into this new design. Those features include the wash corridors, existing rock outcroppings, hillside areas, view corridors and NAOS distribution.

Careful consideration was given to make this project stand alone on its own merits as homes that can maintain a rural desert character with carefully planned building envelopes and site design, while maintaining the Single Family Residential R1-190 ESL standards without any proposed amendment to those standards.

The resulting plan promotes special consideration for the building envelopes between wash corridors and utilizes the existing rock outcroppings as site amenities and landmarks. The plan proposes a driveway alignment within a public right of way that closely relates to the existing terrain and makes every effort to minimize the impact on the site.

The primary access off of Jomax Road is designed as a 40 foot public right-of-way with a 22 foot drive lane to have a lesser impact on the terrain and the existing homes on the eastern boundary of this site. To further reduce the impact on the terrain, the driveway is designed to the minimum length necessary to provide adequate access to Lots 1 & 2 while locating the cul-de-sac in an area of minimum slope and vegetation.

The proposed access is directly in line with an existing rock outcropping. A modification to the short, narrow driveway with the intent to meander around the rocks would require sharp reverse curves and generate considerable obstructions to traffic safety visibility. Additionally, if left in place, the rock outcropping would provide undesirable screening from Jomax Road, creating an alcove of limited public visibility with the potential to pose safety concerns for residents.

Detailed information regarding the site design is provided on the Preliminary Plat.

2. Existing Conditions

The site contains one parcel, APN 216-80-007H, which is undeveloped and in a natural state. The parcel is currently zoned R1-190 ESL. The site is characterized by a hillside area and protected ridgeline, which rises approximately 200 feet in elevation above the remainder of the site. It is proposed that no development occur on that hillside protected ridgeline.

The project falls within the Dynamite Foothills Character Area Plan. The site also fronts to a "Desert Scenic Roadway", a third level scenic roadway designation as part of the Scenic Corridor Overlay. This designation applies to the one-mile and half-mile roads within the

Environmentally Sensitive Lands overlay district, which includes Jomax Road. The scenic corridor is 50' wide, measured from East Jomax Road.

3. Project Description

The applicant is seeking a Preliminary Plat approval for three lots. Lots 1 & 2 will be custom lots with a proposed minimum lot size of 190,000 square feet or 4.36 acres. Lot 3 has a proposed lot size of 35.41 gross acres and shall remain as an undisturbed lot with the potential to be developed at a later time. The main focus of this plan is the development of Lots 1 & 2 as no improvements are planned on Lot 3 at this time.

In accordance with the R1-190 ESL property development standards, Lots 1 & 2 shall be developed with one home on each lot, resulting in density of 0.04 du/ac. This proposed density conforms to the current City of Scottsdale General Plan designation of Rural Neighborhood. Diamond Mountain Estates proposes 70% NAOS with this application, maintaining compliance with the City of Scottsdale requirements for Natural Area Open Space (NAOS). Final design shall be coordinated with City of Scottsdale staff.

4.Project Context

Diamond Mountain Estates is located within the Dynamite Foothills Character Area Plan. Surrounding properties include:

- Northern Boundary: Developed Single Family Residential parcels zoned R1-190 ESL abut the northern boundary of the project site.
- Eastern Boundary: Developed Single Family Residential parcels zoned R1-70 ESL abut the eastern boundary of the project site.
- Southern Boundary: The Jomax Road right-of-way is located directly to the south of the site. The existing improvements along the property are currently two paved lanes. Jomax Road is developed to four-lanes with a median. Directly to the south of Jomax Road are developed Single Family Residential parcels zoned R1-18 HD.
- Western Boundary: Directly to the west of the project are Single Family Residential parcels zoned R1-10.

The site will adhere to all required R1-190 ESL standards and the requirements of the Dynamite Foothills Character Area Plan. The proposed density conforms to the current City of Scottsdale General Plan designation of Rural Neighborhood.

The residential lots are designed to have building envelopes and NAOS easements that were sited to respond to the natural topography, wash corridors, rock outcroppings, and vegetation. The natural site will be the focus of the project and its inherent amenity. The open space and rock outcroppings have been integrated into the design at entry locations, with rock outcroppings becoming part of the entry experience, and views focused on open space to be preserved.

No walls will be built on the project perimeter; rather, security walls and fences will be provided with each individual lot and contained within the building envelopes.

5. Compliance with General Plan

This proposed development is in conformance with the General Plan Elements, Goals, and Approaches. Below are a listing of the Approaches used to comply with the Goals for the Character and Design, Land Use, Housing, Neighborhoods, and Community Mobility elements of the General Plan.

Character and Design Element

Goal 1: Determine the appropriateness of all development in terms of community goals, surrounding area character, and the specific context of the surrounding neighborhood.

The following approaches were utilized:

- Relationships to surrounding land forms and land uses.
- Consistently high community quality standards.
- Visual Impacts Visual and accessibility connections and separations.
- Enrich the lives of all Scottsdale citizens by promoting safe, attractive and context compatible developments.
- Encourage projects that are responsive to the natural environment, site conditions, and unique character of each area, while being responsive the people's needs.
- Ensure that all development is part of and contributes to the established or planned character of the area of the proposed location.

Goal 2: Review the design of all development proposals to foster quality design that enhances Scottsdale as a unique southwestern desert community.

The following approaches were utilized:

 Promote development that respects and enhances the unique climate, topography, vegetation, and historical context of Scottsdale's Sonoran Desert Environment.

Goal 3: Identify Scottsdale's historic, archaeological and cultural resources, promote and awareness of them for future generations, and support their preservation and conservation.

The following approaches were utilized:

 Continue the process of identifying Scottsdale's historic, archaeological, and cultural resources.

Goal 4: Encourage "streetscapes" for major roadways that promote the city's visual quality and character, and blend into the character of the surrounding area.

The following approaches where utilized:

 Visually significant roadways include Jomax Road with buffered setbacks and Desert Scenic Roadways (in ESLO districts).

Goal 6: Recognize the value and visual significance that landscaping has upon the character of the community, and maintain standards that result in substantial, mature landscaping that reinforces the character of the city.

The following approaches were utilized:

- Substantial existing landscaping to remain as part of the new development.
- Maintain the landscaping materials and pattern within a character area.
- Discourage plant materials that contribute substantial air-borne pollen.
- Promote water conservation and reduce heat island.
- Encourage retention of mature landscape plants.

Land Use Element

Goal 1: Recognize Scottsdale's role as a major regional economic and cultural center, featuring business, tourism, and cultural activities.

The following approaches were utilized:

• Encourage land uses that preserve a high quality of life and define Scottsdale's sense of place within the region.

Goal 3: Encourage the transition of land uses form more intense regional and citywide activity areas to less intense activity areas within local neighborhoods.

The following approaches were utilized:

- Ensure that neighborhood edges transition to one another by considering appropriate land uses, development patterns, character elements and access to various mobility networks.
- Encourage transitions between different land uses and intensities through the use of gradual land use changes or maintain equivalent intensities.

Goal 6: Promote Land Use patterns that conserve resources, such as land, clean air, water, and energy, and serve all people within the community.

The following approaches were utilized:

• Respect and preserve the biodiversity of the Sonoran Desert Environment in development.

Goal 7: Sensitively integrate land uses into the surrounding physical and natural environments, the neighborhood setting, and the neighborhood itself.

The following approaches were utilized:

- Protect sensitive natural features from incompatible design.
- Incorporate appropriate land uses to help integrate into surrounding neighborhoods.

Goal 8: Encourage land uses that create a sense of community among those who work, live, and play within local neighborhoods.

The following approaches were utilized:

• Promote development patterns and standards that are consistent with the surrounding uses and reinforce the area's character.

Housing Element

Goal 2: Seek a variety of housing options that blend with the character of the surrounding community.

The following approaches were utilized:

 Encourage physical design, building structure, and lot layout relationships between existing and new construction to help the new developments complement the surrounding neighborhoods.

Goal 4: Encourage housing development that provides for "live, work, play" relationships as a way to reduce traffic congestion, encourage economic expansion, and increase overall quality of life for our residents.

The following approaches were utilized:

• Encourage housing linked/connected to our city's mobility system.

Goal 4: Preserve and enhance the unique sense of neighborhood found in diverse areas of Scottsdale through neighborhood conservation.

The following approaches were utilized:

- Maintain and expand the Character Area and Neighborhood Plans program developed by the city to recognize, preserve and enhance the unique and diverse neighborhoods found throughout Scottsdale.
- Create, preserve and enhance pedestrian, vehicular, and alternative transportation
 mode connections and links between the neighborhoods and other neighborhood
 supporting land uses throughout the community.

Goal 5: promote and encourage context-appropriate new development in established areas of the community.

The following approaches were utilized:

- Encourage new development efforts toward existing developed areas in Scottsdale.
- Promote the use of existing infrastructure.

Open Space and Recreation Element

Goal 1: Protect and improve the quality of Scottsdale's natural and urban environments as defined in the quality and quantity of its open spaces.

The following approaches were utilized:

- Provide ample opportunity for people to experience and enjoy the magnificent Sonoran Desert and mountains, balancing access with preservation.
- Evaluate open space design with these primary determinants: aesthetics, public safety, maintenance needs, water consumption, drainage considerations, and multi-use and desert preservation.
- Protect the visual quality of open space, unique city characteristics, and community landmarks.
- Preserve scenic views and vistas of mountains, natural features, and rural landmarks.
- Protect and use existing native plants, and design themes of character areas within which they are sited, and respond to local conditions in the landscape design.

• Apply a Desert Scenic Roadway designation along the one mile and half mile streets within the ESLO district that are not classified as scenic corridors or buffered roadways to maintain and enhance open space along roadways in ESL areas.

Preservation and Environmental Planning Element

Goal 2: Enhance the quality of life in Scottsdale by safeguarding the natural environment.

The following approaches were utilized:

- Retain Scottsdale's image and heritage of the Sonoran Desert.
- Preserve the unique, rare, and significant features of Scottsdale's natural environment.
- Encourage developments to retain and integrate the desert ecosystem where appropriate.
- Preserve local plants, wildlife, and natural resources to maintain the biodiversity and long term sustainability of the area's ecology.
- Maintain scenic views to preserve the aesthetic values of the area for all to enjoy and for its contribution to the quality of life for residents and visitors.

Goal 4: Reduce energy consumption and promote energy conservation.

The following approaches were utilized:

Use landscaping that contributes to energy conservation in residential environments.

Goal 5: Conserve Water and encourage the reuse of wastewater.

The following approaches were utilized:

- Encourage the retention of mature native trees as they use less water to maintain.
- Encourage landscape improvements, which limit the amount of turf area and make optimal use of indigenous desert plants.
- Promote residential water conservation.

Goal 9: Protect and conserve native plants as a significant natural and visual resource.

The following approaches were utilized:

- Enhance, restore and sustain the health, productivity and biodiversity of our Sonoran desert ecosystem through native plant retention.
- Retain and preserve native plants to retain a Sonoran desert character.
- Encourage the retention of mature trees because trees recycle air pollutants through photosynthesis.
- Retain and protect indigenous native vegetation to reduce water consumption, stabilize the soil, and provide desert wildlife habitat.
- Encourage the landscape improvements that limit the amount of turf area and make optimal use of indigenous desert plants.
- Discourage non-indigenous plans that produce pollen in the landscape design.

Community Mobility Elements

Goal 1: Protect the function and form of regional air and land corridors.

The following approaches were utilized:

- Maintain Scottsdale's high development standards. The character of regional corridors in Scottsdale should reflect an image that is uniquely Scottsdale through unified streetscapes, street signage, and public art.
- Enhance the natural beauty and unique character of Scottsdale through design and aesthetics of regional corridors.
- Protect the regional corridor flow and function by considering use of grade separations to enhance safety and provide choices for mobility of different modes.

Goal 5: Relieve traffic congestion.

The following approaches were utilized:

• Provide for alternative modes of transportation on city wide corridors that are accessible to all socio-economic and demographic groups within the community.

Goal 7: Maintain Scottsdale's high aesthetic values and environmental standards in the city's transportation system.

The following approaches were utilized:

• Ensure that the streets designated as scenic corridors are sensitively integrated into the natural desert setting and the integrity of the scenic setback is preserved.

Goal 9: Protect neighborhoods from negative impacts of regional and citywide networks.

The following approaches were utilized:

- Provide neighborhood systems that safely move people and connect neighborhoods to citywide and regional networks, while discouraging citywide and regional cutthrough automobile traffic.
- Protect livability of local neighborhoods from citywide and regional network influences by developing measures to reduce noise levels, and discourage high volume traffic and speeds within local neighborhoods.
- Minimize traffic speeds, volumes and through traffic by appropriate street planning and design.
- Provide open space and buffering in design to protect neighborhoods.

Goal 11: Provide opportunities for building "community" through neighborhood mobility.

The following approaches were utilized:

- Provide a high level of service for pedestrians through facilities that are separated and protected from vehicle travel.
- Emphasize strong pedestrian orientation to foster strong sense of community.

6. Dynamite Foothills Character Area

This proposed development is in conformance with the Goals and strategies of the 2000 Dynamite Mountain Foothills Character Area Plan. Below are the three goals from the plan and a description of the strategies utilized in this proposed development.

GOAL 1: Preserve the existing Rural Desert Character of the Dynamite Foothills which will result in a unique desert community distinguished from other parts of Scottsdale and the Valley.

Strategy 2: Use infrastructure to preserve the Rural Desert Character.

This strategy has been utilized as follows:

- The 50' scenic corridor has been utilized along Jomax Road. This setback also meets the requirements for the Desert Scenic Corridors.
- Minimizing impact to wash and watercourse areas by protecting them in NAOS areas.
- Provide an augmented driveway access in lieu of a full local street cross section to mitigate impact to the site and adjacent neighbors as well as maintaining a Rural Desert Character.

Strategy 3: Promote use of site planning techniques which minimize the visual impact of development and promote a Rural Desert Character.

This strategy has been utilized as follows:

- Use of construction envelopes to limit impact to the site.
- Restricting walls to the construction envelope and eliminating perimeter walls around the site. The openings between lots will also allow for wildlife migration.

GOAL 2: Recognize the topographic diversity of the Dynamite Foothills area and provide guidelines for balancing the relationship of different types of development to the unique environmental nature of the area.

Strategy 4: Encourage property developers to provide meaningful open space following the guidelines of the Desert Preservation Task Force.

This strategy has been utilized as follows:

- The western portion of the hillside area/protected ridgeline within our boundary has been incorporated into the site plan and is part of the future protected NAOS area.
- NAOS areas are contiguous and connect to the future protected peak area and wash corridors.

GOAL 3: Promote open space in accordance with the CityShape 2020 Guiding Principles and the recommendations of the Desert Preservation Task Force, and support the efforts of the McDowell Sonoran Preserve Commission to provide open space.

Strategy 3: Use open space and conservation/preservation areas to preserve a Rural Desert Character through the following methods:

From the methods listed in the Dynamite Foothills Character Area Plan for this strategy, the following items have been implemented:

- Provide visual open space amenities along and near streets and use natural open space between new developments and existing roadways to minimize the impact on existing views
- Encourage use of natural area open space in site planning.

- Sustain natural flora and fauna resources and systems through the provision of natural area open space.
- Encourage integration of natural area open space throughout development projects to ensure open space connections and a feel of openness throughout the area.
- Encourage the location of natural area open space where it will be a visual, recreation, or character enhancing amenity for development projects and the planning area.
- Preserve and protect unique open spaces and archaeological and historical sites.
- Encourage large continuous areas of open space (wash corridors, NAOS) rather than small fragmented pieces.

Strategy 4: Encourage open spaces throughout development projects and on the perimeter of projects where appropriate, to promote an open space transition from development to development, to ensure open space connections and a feel of openness throughout the area.

This strategy has been utilized as follows:

- The entire perimeter of the project provides a continuous NAOS area.
- NAOS areas are central to the project, with the protected peak NAOS area connecting to adjacent development.

7. Drainage Statement

According to the Flood Insurance Rate Map (FIRM) Panel 04013C1330L, Lots 1 and 2 of Diamond Mountain Estates are located in FEMA Zone X. Zone X is defined as: Areas of 500-year flood; areas of 100-year flood with average depths of less than one foot or with drainage areas less than one square mile; and areas protected by levees from 100-year flood.

On-site drainage evaluations will be prepared by the individual lot owner as each lot develops. Evaluations will need to satisfy the City of Scottsdale Design Standards and Policies Manual and the requirements of the City's Single Family Engineering Checklist for plan submittals. There is a significant desert wash feature which passes through Lot 1 which will require verification of the Q100 peak flow and determination of the highest adjacent water surface elevation relative to the finished floor of any proposed structures. A revised Preliminary Drainage Report dated February 11th 2019 is provided with this application for review and approval.

8. Landscape Statement

The intent of the Diamond Mountain Estates landscape is to complement the existing natural landscape, while preserving the adjacent hillside and the beauty of its natural rock outcroppings and formations. Extensive research and analysis of the site was undertaken to understand the existing flora, hydrology, and geology of the area. The landscape approach is to maximize the amount of native undisturbed landscape (allocated as undisturbed NAOS), and return any disturbed areas to a natural state (revegetated NAOS).

In compliance with the of City of Scottsdale's Natural Open Space (NAOS) requirements, Diamond Mountain Estates shall leave approximately 70% of the site undisturbed for Lots 1 & 2, Lot 3 shall remain undisturbed until future development is proposed at which time a CAE will be dedicated in conjunction with that future development. There shall be minimal disturbance necessary for 112th Street leading to custom Lots 1 and 2.

A pedestrian connection (currently not shown on this plan) will be provided from the cul-desac to Jomax Road. A future 20' wide trail access easement will be dedicated from the end of the driveway to the northeast corner of the project site. This access easement is provided to accommodate potential future trail improvements in the event the parcel directly to the north of the project site, APN 216-80-007E, provides a trail connection to the Diamond Mountain Estates community. This 20' wide trail easement will be dedicated to the city of Scottsdale at such time as adjacent community connections are made.

Disturbed NAOS along I 12th Street and Jomax Road shall be revegetated with plant material similar to the adjacent undisturbed NAOS. Native seed mixes in addition to salvaged vegetation and desert appropriate plant material will be introduced into the disturbed NAOS to buffer and blend into the natural, surrounding landscape. Working within the Native Plant Ordinance, protected plants will be assessed and salvaged per city requirements for reuse on the site. An automatic irrigation system shall be installed in revegetated NAOS for the first 3 years as plants become established. The system shall be designed in order to comply with the city's water conservation requirements. Detailed landscape plans will be submitted as each lot develops.

9. Water and Wastewater Statement

The Diamond Mountain Estates water system will be owned and operated by the City of Scottsdale. There is no existing water infrastructure within the property resulting in the placement of an 8-inch distribution main along 112th Street connecting to the existing 12-inch waterline within Jomax Road. The water designed distribution system will maintain 30 psi pressure under design fire flow conditions of 1,000 gpm as per the City of Scottsdale. Utilizing the City of Scottsdale Design Standards & Policies Manual, dated January 2018, Diamond Mountain Estates is estimated to use an average day flow of 971 GPD, max day flow of 1942 GPD, and a peak flow of 3399 GPD.

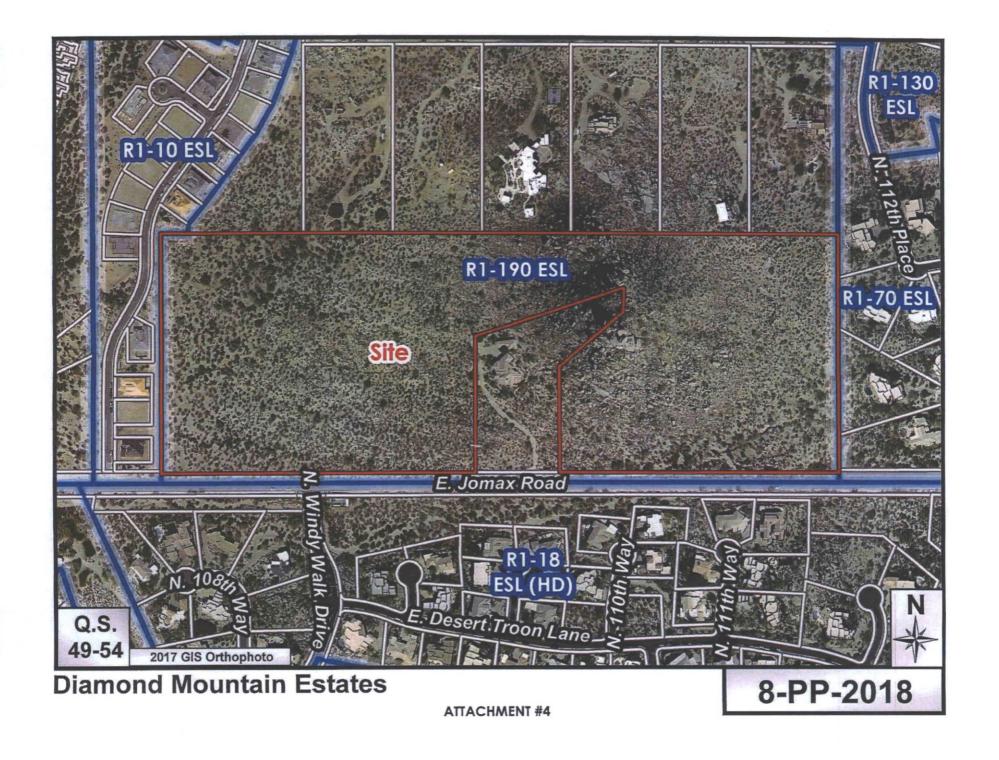
Wastewater flows generated by the Diamond Mountain Estates were estimated using the City of Scottsdale Design Standards & Policies Manual, dated January 2018. The development is estimated to generate an average day flow of 500 GPD of wastewater and a peak flow of 880 GPD. There is no existing sewer infrastructure within the property as the project is currently on undeveloped desert. An 8-inch sanitary sewer line will be placed along the newly constructed 112th Street and tie into the existing 8-inch sewer in Jomax Road through gravity flow. The sewer then flows west to North Alma School Parkway, where it then turns south toward the City of Scottsdale Water Campus, located at 8787 East Hualapai Drive, Scottsdale, Arizona.

The Water and Wastewater Basis of Design Reports for Diamond Mountain Estates dated November 08th, 2018 are provided with this application for review and approval.

10. Conclusion

Diamond Mountain Estates provides a visual connection and a natural feel to the existing desert landscape. The proposed three lot neighborhood will serve as a positive catalyst among neighbors due to the minimal amount of site impact.

The development team believes that this request represents an appropriate and favorable planning of the site. We look forward to working with staff in the processing of this project.



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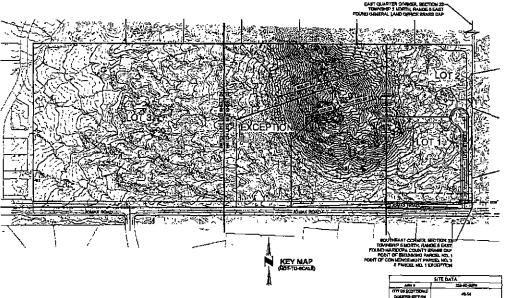
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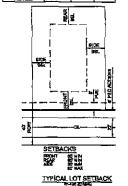
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PRELIMINARY PLAT **FOR**

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OWNER / DEVELOPER DIAMOND CREEK FAMILY PARTNERSHIP CO ROBERT I, CAMPO ION E. SAGE DRIVE SCOTTEDULE, ARZUMA 19225 PHONE: (802)—QLI-2047

CVL DESIGN TEAM CVL CONSULTANTS, INC. 4550 N. 12TH 6TREET PHOENIX, AZ 55014 PHONE; (802) 265-4706 CONTACT; CLIRT JOHNSO



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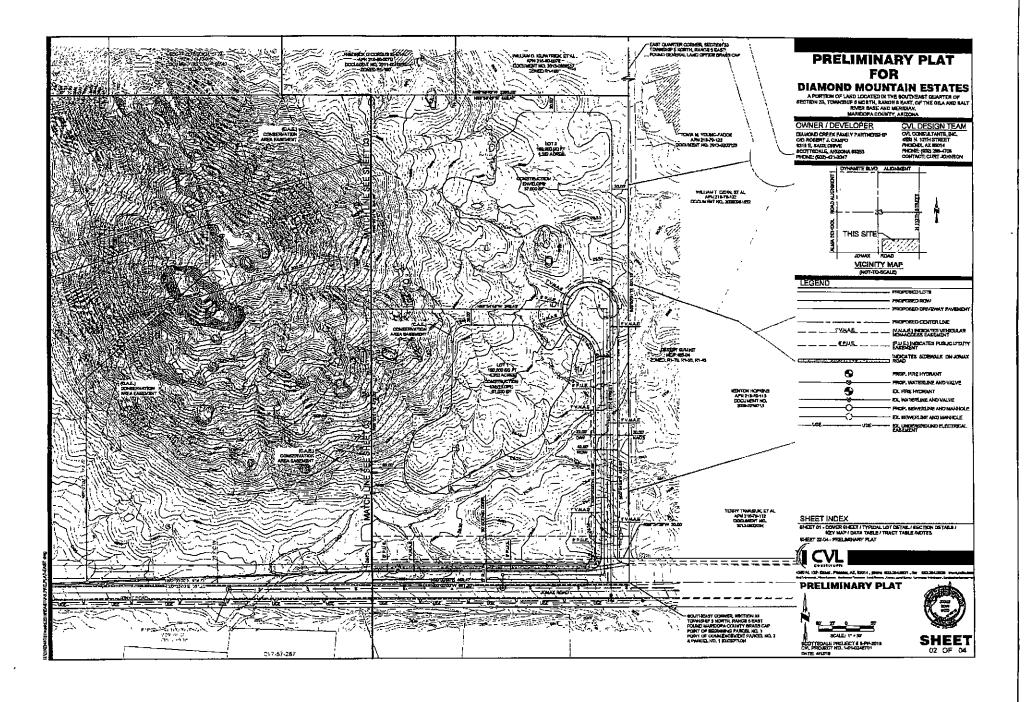


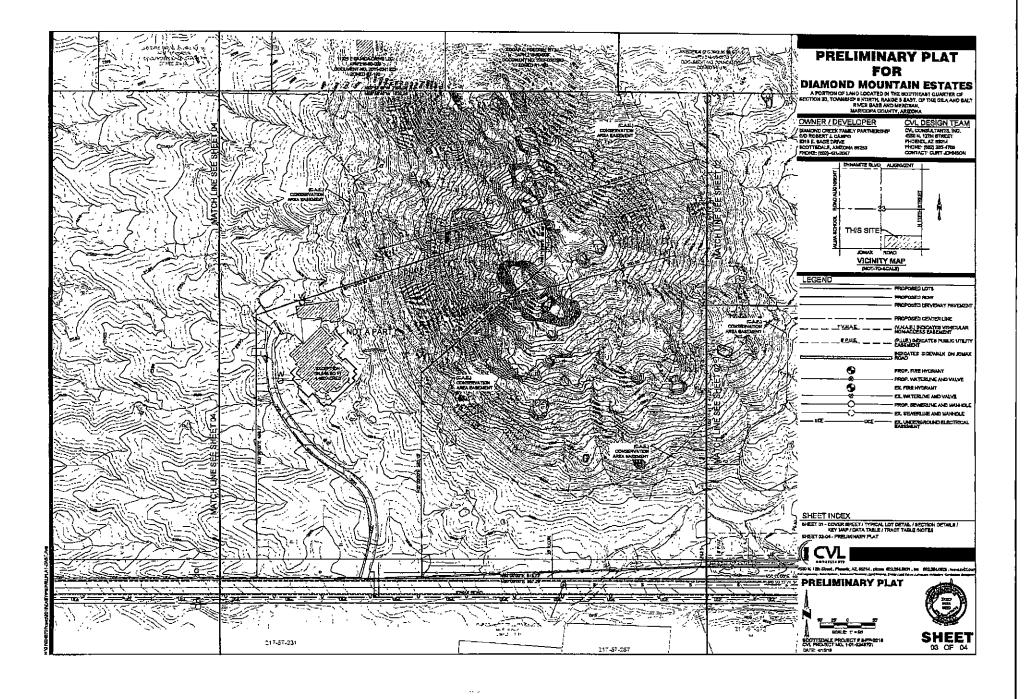
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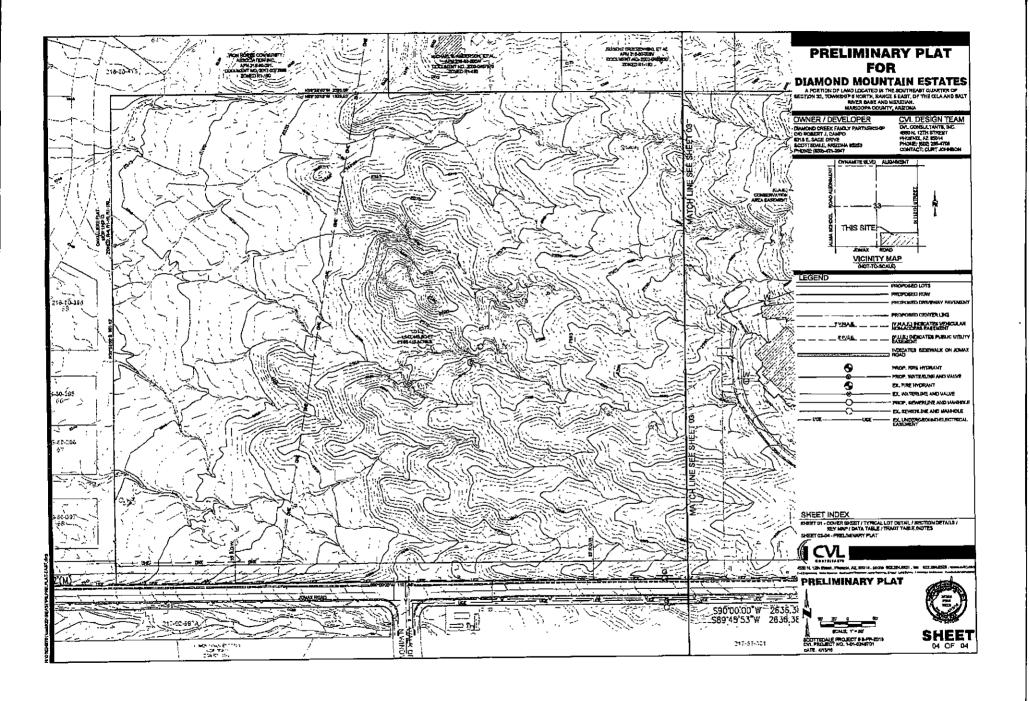
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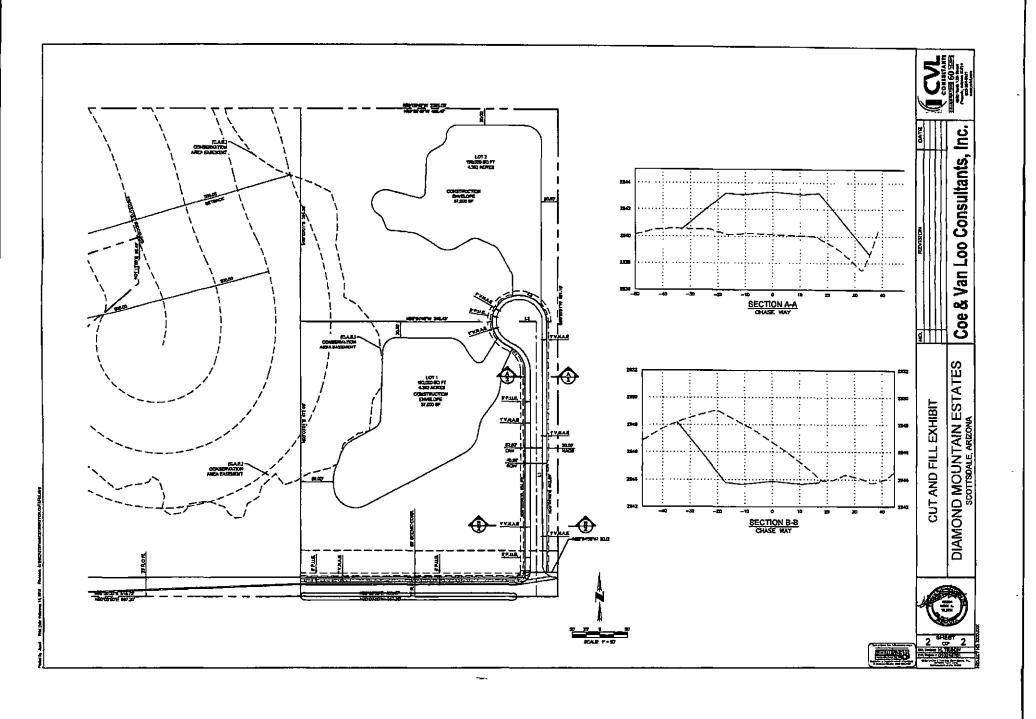
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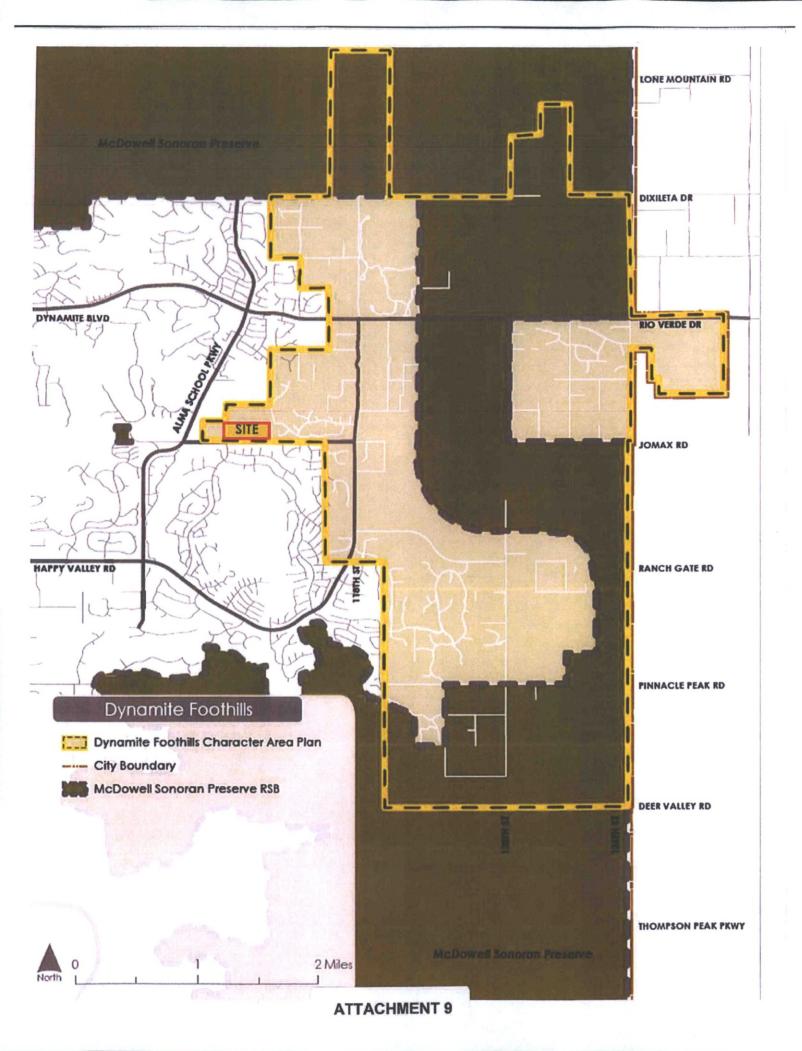
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July 17, 2018

Re: Diamond Mountain Estates Public Participation Process

City of Scottsdale Pre-App #: 866-PA-2017

Location: NWC of Jomax Road and the 112th Street alignment in Scottsdale, Arizona

This letter is to notify you that Coe & Van Loo Consultants, Inc. (CVL) has sent public notification by 1st Class Letter to neighbors and HOAs within 750' of the proposed Diamond Mountain Estates site. This notification included the City's standard interested parties and the City project coordinator.

To date CVL has received feedback from one neighbor regarding the public notification mailed out on 06/27/2018. The neighbor, Jill Anderson, called CVL on July 17th to discuss the street name chosen for the community. Jill Anderson lives at 10841 E Bajada Road Scottsdale, Arizona 85262 and can be reached at 602-369-7799.

Should you have questions or concerns, please contact me directly at (602) 285-4708 or cjohnson@cvlci.com.

Sincerely,

COE & VAN LOO Consultants, Inc.

Curt Johnson

Senior Vice President

CJ:ac

Attachments:

- Notification Mailing List
- Notification Map
- Notification Letter and Exhibit

8-PP-2018 07/20/18



June 26, 2018

Re: Diamond Mountain Estates Preliminary Plat

CVL Project No: 1.01.0248701

Location: City of Scottsdale, Maricopa County, Arizona

Township: 5N

Section: 33

Range: 5E

To Whom It May Concern,

This letter is to notify you that Coe & Van Loo Consultants, Inc. will submit the enclosed Preliminary Plat for a single family residential subdivision to the City of Scottsdale for review.

The proposed preliminary plat is for 2 lots that will meet standards of the city of Scottsdale R1-190 zoning district without the need to amend any of the underlying development standards.

Sincerely,

COE & VAN LOO Consultants, Inc.

Curt Johnson

Senior Vice President

CJ:

Encl.: Diamond Mountain Estates Preliminary Plat

Diamond Mountain Estates

750' Mailing List

| Name | Address | City | ST | ZIP Code |
|--|---------------------------------|--------------------|----|----------|
| 11025 E BAJADA DRIVE LLC | 11025 E BAJADA DR | SCOTTSDALE | ΑZ | 85262 |
| ANDERSON MICHAEL BRIAN/JILL SUZANNE TR | 10841 E BAJADA RD | SCOTTSDALE | ΑZ | 85262 |
| BRZOZOWSKI EUGENE/IRENE TR | 8301 E SAN SIMON DR | SCOTTSDALE | ΑZ | 85258 |
| CIMARRON 444 LLC | 11230 E CIMARRON DR | SCOTTSDALE | ΑZ | 85262 |
| CORBUS FREDERICK G III/JAN P | 11101 E BAJADA RD | SCOTTSDALE | ΑZ | 85255 |
| DAHM ROBERT/DONITA | 27137 N 112TH PL | SCOTTSDALE | ΑZ | 85262 |
| DAVIS CRAIG A/LYNDA R TR | 11251 E CIMARRON DR | SCOTTSDALE | ΑZ | 85262 |
| DEHN WILLIAM T/DONNA L TR | 203 SARATOGA VEIN CT | CASTLE ROCK | co | 80108 |
| DESERT SUMMIT LOT 12 LLC | PO BOX 1018 | VAIL | co | 81658 |
| DESERT SUMMIT OWNERS ASSOCIATION | 26546 N ALMA SCHOOL RD STE 100 | SCOTTSDALE | ΑZ | 85255 |
| DESERT SUMMIT OWNERS ASSOCIATION | 9362 E RAINTREE DR | SCOTTSDALE | ΑZ | 85260 |
| DOLIN KENNETH R/SUSAN S | 11154 E DESERT TROON LN | SCOTTSDALE | ΑZ | 85225 |
| FOEDISH EDGAR L/KELLY A | 11085 E BAJADA DR | SCOTTSDALE | ΑZ | 85262 |
| GNATOVICH GEORGE N ESTATE OF | 8711 E PINNACLE PEAK RD STE 174 | SCOTTSDALE | ΑZ | 85255 |
| GONSALVES N DENNIS/MONICA P TR | 26495 N 111TH WAY | SCOTTSDAL E | ΑZ | 85255 |
| GORDON FAMILY REVOCABLE TRUST | 11163 E DESERT TROON LN | SCOTTSDALE | ΑZ | 85255 |
| GRUBENHOFF RICHARD | 3080 TROTTERS PKWY | ALPHARETTA | GA | 30004 |
| HANDLEY MICHAEL J/LOUISE J | 26496 N 113TH ST | SCOTTSDALE | ΑZ | 85255 |
| HUNSBERGER RICHARD A/HUNSBERGER FAMILY TRUST | 8711 E PINNACLE PEAK RD D100 | SCOTTSDALE | ΑZ | 85255 |
| JOYCE FRANCIS T/DONNA R | 19 BRIANS WAY | PRINCETON JUNCTION | NJ | 08550 |
| KECSKEMETY PAUL J/PAMELA J TR | 11127 E DESERT TROON WY | SCOTTSDALE | ΑZ | 85255 |
| KILPATRICK WILLIAM DEXTER/YVONNE | 11127 E BAJADA DR | SCOTTSDALE | ΑZ | 85262 |
| GERALD G KOKOS FAMILY REVOCABLE TRUST | 44 EAGLE DR | MASHPEE | MA | 02649 |
| KOLIN MICHAEL J/ELIZABETH M | 11280 E CAVEDALE DR | SCOTTSDALE | ΑZ | 85255 |
| KONOPKA LIVING TRUST | 26446 N 111TH WAY | SCOTTSDALE | ΑZ | 85255 |
| KRANSDORF MARK J/JUDITH N TR | 11145 E DESERT TROON LN | SCOTTSDALE | ΑZ | 85255 |
| KUSH JOSEPH A/MARY LOUISE/CAMPO JOHN J III | 11020 E JOMAX RD | SCOTTSDALE | ΑZ | 85262 |
| LARREW TERY R/JULIA P | 47 GOLDEN EAGLE LN | LITTLETON | CO | 80127 |
| LONG SIENA | 26452 N 110TH WY | SCOTTSDALE | ΑZ | 85255 |
| MICHAEL K MERRION TEES | 3033 E 1ST AVE STE 820 | DENVER | co | 80206 |
| MINARICH DONALD J/ANTOINETTE I TR | 11260 E DESERT TROON LN | SCOTTSDALE | ΑZ | 85255 |
| NAYLOR ROBERT F/DONNA J | 26491 N 113TH ST | SCOTTSDALE | ΑZ | 85255 |

Diamond Mountain Estates

750' Mailing List

| Name | Address | City | ST | ZIP Code |
|---|-----------------------------------|------------|-----|----------|
| NELSON BRYAN HARVEY | 11269 E CIMARRON DR | SCOTTSDALE | AZ | 85262 |
| NOYES WILLIAM E/NANCY A | 26474 N 113TH ST | SCOTTSDALE | AZ | 85255 |
| PACQUER FAMILY REVOCABLE TRUST | 26464 N 111TH WY | SCOTTSDALE | AZ | 85255 |
| PICTURE PERFECT INC | 3232 W THOMAS RD | PHOENIX | AZ | 85017 |
| PRISTO LARRY/DEBRA | 28150 N ALMA SCHOOL RD NO 103 500 | SCOTTSDALE | AZ | 85262 |
| RICHARD G SCALISE LIVING TRUST | 231 FIALA WOODS CT | NAPERVILLE | IL | 60565 |
| SANITO MARIANO F/CATHERINE TR | 26470 N 110TH WY | SCOTTSDALE | ΑZ | 85255 |
| SCHUMACHER HENRY J II | 26562 N 113TH ST | SCOTTSDALE | AZ | 85255 |
| SKOGLIND JEFFREY/MOLANO PATRICIA TR | 11225 E CAVEDALE DR | SCOTTSDALE | AZ | 85262 |
| STOCKSTILL COURTNEY G/EDITH C TR | 11256 E CAVEDALE DR | SCOTTSDALE | AZ | 85262 |
| STUNS DOUGLAS R TR/STUNS CATHRYN B | 26463 N 110TH WY | SCOTTSDALE | AZ | 85255 |
| TANASIUK TERRY/PEGGY | 11215 E CIMARROM DR | SCOTTSDALE | AZ | 85262 |
| TAYLOR EDWARD D/LINDA L TR | 11289 E CAVEDALE DR | SCOTTSDALE | AZ | 85262 |
| VASQUEZ BRANDON P/SCHMIDT DANA L | 26557 N 113TH ST | SCOTTSDALE | AZ | 85255 |
| WARWARUK FAMILY LIVING TRUST | 11017 E DESERT TROON LN | SCOTTSDALE | AZ | 85255 |
| WEITZMAN JAY/PATRICIA/HOFMAN PAUL/LEIGH | 804 HAPP RD | NORTHFIELD | IL | 60093 |
| WORKER KAREN A TR | 383 S WALNUT RIDGE CT | FRANKFORT | IL | 60423 |
| YOUNG FADOK TONIA M | 26956 N 112TH PL | SCOTTSDALE | AZ | 85262 |
| YUN SUKSHIN/HAESIL | 31719 N 15TH DR | PHOENIX | AZ | 85085 |
| ZOSLOW STANLEY H/BARBARA B | 26449 N 110TH PL | SCOTTSDALE | AZ | 85255 |
| SABATINI FAMILY TRUST | 11266 E CIMARRON DR | SCOTTSDALE | AZ. | 85262 |
| HANCER JULIE J / MARK L | 11257 E CAVEDALE DR | SCOTTSDALE | AZ | 85262 |
| STAR HILL PROPERTIES ARIZONA LLC | 11241 E CAVEDALE DR | SCOTTSDALE | AZ | 85262 |
| MATSON MICHELLE L / MATHEWS | 26969 N 112TH PL | SCOTTSDALE | AZ | 85262 |
| JEC TRUST | 11268 E CAVEDALE DR | SCOTTSDALE | AZ | 85262 |
| CLAIRE H CHAMPLIN TRUST | 11120 E BAJADA DR | SCOTTSDALE | AZ | 85262 |
| SUPER MITCHELL R / GALANTE MICHELLE M | 26452 N 113TH ST | SCOTTSDALE | AZ | 85255 |
| PARCEL D AT TRRON VILLAGE HOA | 26546 N ALMA SCHOOL RD SUITE 100 | SCOTTSDALE | AZ | 85262 |
| TROON MOUNTAIN COMMUNIT ASSOCIATION | PO BOX 62073 | PHOENIX | AZ | 85082 |
| NORTH FAMILY TRUST | 11206 E DESERT TROON LN | SCOTTSDALE | AZ | 85255 |
| EVERSON MONTY/HENRY ANGELICA | 26477 N 111TH WY | SCOTTSDALE | AZ | 85255 |
| TRASDAMARD FAMILY TRUST | 26481 N 110TH WAY | SCOTTSDALE | ΑZ | 85255 |

Diamond Mountain Estates

750' Mailing List

| Name | Address | City | ST | ZIP Code |
|---|------------------------------------|------------|----|---------------|
| GUTEN GARY N /JUDITH L | 11062 E DESERT TROON LN | SCOTTSDALE | AZ | 85255 |
| GUTEN JUDITH/GARY | 11044 E DESERT TROON LN | SCOTTSDALE | AZ | 85255 |
| GUTEN JUDITH/GARY | 11044 E DESERT TROON LN | SCOTTSDALE | AZ | 8525 5 |
| BLANDCHAT MICHAEL/JUDITH L | 11035 E DESERT TROON LN | SCOTTSDALE | ΑZ | 85255 |
| LYLE G HENRY AND NANCY S HENRY 1998 REV TRUST | 11053 E DESERT TROON LN | SCOTTSDALE | AZ | 85255 |
| LOUIS WILLIAMS REITHMANN III REVOCABLE TRUST | 11071 E DESERT TROON LN | SCOTTSDALE | ΑZ | 85255 |
| S/L EVANS FAMILY TRUST | PO BOX 2620 | BIGFORK | MT | 59911 |
| DONAL J SIEGLE FAMILY TRUST OF 1991 | 11213 E DESERT TROON LN | SCOTTSDALE | AZ | 85255 |
| CARL STEIN AND WENDY HELLER-STEIN FAMILY TRUST | 26540 N 113TH ST | SCOTTSDALE | AZ | 85255 |
| SCOTTSDALE SCHOOL DISTRICT | 3811 N. 44TH STREET | PHOENIX | AZ | 85018-5420 |
| PARADISE VALLEY SCHOOL DISTRICT | 15002 N. 32ND STREET | PHOENIX | AZ | 85032 |
| SCOTTSDALE POSTMASTER | 1776 N. SCOTTSDALE ROAD | SCOTTSDALE | AZ | 85257-2115 |
| SALT RIVER PROJECT - ATTN: SUSANA ORTEGA, MAIL STOP PAB 106 | P.O. BOX 52025 | PHOENIX | AZ | 85072-2025 |
| SALT RIVER PROJECT - ATTN: BILL SANTISTEVEN, MAIL STOP XCT330 | P.O. BOX 52025 | PHOENIX | ΑŻ | 85072-2025 |
| ARIZONA PUBLIC SERVICE | P.O.BOX 53933 | PHOENIX | AZ | 85072-3933 |
| CAVE CREEK SCHOOL DISTRICT | P.O.BOX 426 | CAVE CREEK | AZ | 853827 |
| SOUTHWEST GAS CORPORATION | 1600 E. NORTHERN AVE. | PHOENIX | AZ | 85020-3982 |
| AZ DEPARTMENT OF ADOT TRANSPORTATION | 205 S. 17TH AVENUE | PHOENIX | AZ | 85007 |
| MARICOPA COUNTY ENVIROMENTAL SERVICES | 1001 N. CENTRAL AVENUE, SUITE 201 | PHOENIX | AZ | 85004 |
| MARICOPA COUNTY PLANNING & DEVELOPMENT | 501 N. 44TH STREET #200 | PHOENIX | ΑZ | 85008 |
| MARICOPA COUNTY FLOOD CONTROL | 2801 W DURANGO STREET | PHOENIX | AZ | 85009 |
| CENTRAL AZ WATER CONSERVATION DISTRICT | P.O.BOX 43020 | PHOENIX | ΑZ | 85080-3020 |
| CENTURY LINK | 135 W. ORION STREET | TEMPE | AZ | 85283 |
| JESUS MURILLO | 7447 E INDIAN SCHOOL RD, SUITE 105 | SCOTTSDALE | AZ | 85251 |

Murillo, Jesus

From:

Murillo, Jesus

Sent:

Monday, May 13, 2019 6:23 PM

To:

Kenton Hopkins

Cc:

Bill Dehn; jeff.artinprogress@gmail.com; Fred Corbus; Young-Fadok, Tonia; Terry

Tanasiuk; Sonnie Kirtley; Jan Perozeni-Corbus; William Kilpatrick

Subject:

RE: Diamond Mountain Estates Case 8-PP-2018

Attachments:

8-PP-2018_3-PRE.PLAT.pdf

Here you go Sir.

From: Kenton Hopkins <kentonhopkins@live.com>

Sent: Monday, May 13, 2019 6:06 PM

To: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov>

Cc: Bill Dehn bill.dehn@gmail.com; jeff.artinprogress@gmail.com; Fred Corbus corbus@earthlink.net; Young-Fadok, Tonia <youngfadok.tonia@mayo.edu>; Terry Tanasiuk terryt@krawford.com; Sonnie Kirtley azsonnie@gmail.com;

Jan Perozeni-Corbus <jpzenizeni@earthlink.net>; William Kilpatrick <realbilly@aol.com>

Subject: Re: Diamond Mountain Estates Case 8-PP-2018

Hi Jesus, Will you please forward the plat that shows three lots Thank you Kenton Hopkins

Sent from my iPhone

On May 13, 2019, at 5:55 PM, Murillo, Jesus < JMurillo@scottsdaleaz.gov > wrote:

Hello Mr. Dehn,

I wanted to confirm the tentative date for accuracy. It appears as though the preliminary plat is scheduled for the June 20, 2019 Development Review Board hearing. Having confirmed this, I would see your scheduled to be close to what the process might end up being. Your timeline would usually be a bit expeditious, but the applicant has provided plans that are close to final plans, and the pre-plat is for three lots (versus several lots). The City Council hearing may be closer to September/October due to these points. I will keep you posted as the date is finalled (legal ad created and report is written).

Sincerely,

Jesus

From: Bill Dehn < bill.dehn@gmail.com > Sent: Monday, May 13, 2019 2:25 PM

To: Murillo, Jesus <

Cc: <u>jeff.artinprogress@gmail.com</u>; 'Kenton Hopkins' < <u>kentonhopkins@live.com</u>>; 'Fred Corbus' < corbus@earthlink.net>; 'Young-Fadok, Tonia' < youngfadok.tonia@mayo.edu>; 'Terry Tanasiuk'

<terryt@krawford.com>; 'Sonnie Kirtley' <azsonnie@gmail.com>; 'Jan Perozeni-Corbus'

<jpzenizeni@earthlink.net>; 'William Kilpatrick' <realbilly@aol.com>

Subject: RE: Diamond Mountain Estates Case 8-PP-2018

Mr. Murillo:

Maybe you don't have any new information to share, but I thought I would follow up to see where the applicant is in their process and what the schedule might look like for their development moving forward. You could comment on my estimates below if they are at all accurate.

Thank you,

Bill Dehn

From: Bill Dehn < bill.dehn@gmail.com > Sent: Friday, April 26, 2019 2:40 PM

To: 'Murillo, Jesus' < JMurillo@ScottsdaleAz.Gov>

Cc: <u>jeff.artinprogress@gmail.com</u>; 'Kenton Hopkins' <<u>kentonhopkins@live.com</u>>; 'Fred Corbus' <<u>corbus@earthlink.net</u>>; 'Young-Fadok, Tonia' <<u>youngfadok.tonia@mayo.edu</u>>; 'Terry Tanasiuk'

<terryt@krawford.com</p>
; 'Sonnie Kirtley' <azsonnie@gmail.com</p>
; 'Jan Perozeni-Corbus'

<jpzenizeni@earthlink.net>; 'William Kilpatrick' <realbilly@aol.com>

Subject: RE: Diamond Mountain Estates Case 8-PP-2018

Mr. Murillo:

OK, trying now to understand where we are in the process so we can plan to attend any upcoming meetings, should we assume that the April 19 submittal will start the series of events that you indicate below? If so, the future schedule would look something like this:

- Development Review Board mid-June Opportunity for Comments
- Applicant prepares Final Plat and Improvement Plans completed by mid-August?
- City Review of Final Plat and Improvement Plans mid-August to mid-October?
- City Council Hearing November? Opportunity for Comments
- If approved, applicant can proceed with sale of the property with entitlements or development

This tentative schedule assumes that the applicant and you have agreed on the items covered in your letters. If that is not the case yet, have you given them another letter in response to their latest submittal? If so, please provide a copy to us, or is their next step now to get on a Development Review Board agenda?

Please clarify the assumed schedule above in case I have misunderstood the process going forward.

As always, thank you for your replies to our questions.

Best Regards,

Bill Dehn

From: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov>

Sent: Monday, April 8, 2019 4:38 PM To: Bill Dehn

bill.dehn@gmail.com>

Cc: <u>jeff.artinprogress@gmail.com</u>; 'Kenton Hopkins' <<u>kentonhopkins@live.com</u>>; 'Fred Corbus' <<u>corbus@earthlink.net</u>>; 'Young-Fadok, Tonia' <<u>youngfadok.tonia@mayo.edu</u>>; 'Terry Tanasiuk' <<u>terryt@krawford.com</u>>; 'Sonnie Kirtley' <<u>azsonnie@gmail.com</u>>; 'Jan Perozeni-Corbus' <<u>ipzenizeni@earthlink.net</u>>; 'William Kilpatrick' <<u>realbilly@aol.com</u>>; Grant, Randy

<RGrant@Scottsdaleaz.gov>

Subject: RE: Diamond Mountain Estates Case 8-PP-2018

Thank you for your kind words and understanding.

The applicant would need to first resubmit, then the case could be scheduled (saying they meet the ordinance portions of the request) to the Development Review Board (typically about 8 weeks out from their resubmittal). That would be the first of the two opportunities you would have to provide your comments. Then if approved by the DRB, the applicant would have to submit for final plat and improvement plans (this review type typically takes about two to three months. Once the plans reach 95% of conformance to the ordinance, preliminary plat stipulations, and policies, the final plat would be scheduled for a City Council hearing date. This would be the second of the opportunities you would have to provide your comments. The City Council would then provide the final vote that night – unless they vote to continue the case.

Sincerely,

Jesus

From: Bill Dehn < bill.dehn@gmail.com > Sent: Monday, April 08, 2019 4:29 PM

To: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov

Cc: <u>jeff.artinprogress@gmail.com</u>; 'Kenton Hopkins' <<u>kentonhopkins@live.com</u>>; 'Fred Corbus' <corbus@earthlink.net>; 'Young-Fadok, Tonia' <<u>youngfadok.tonia@mayo.edu</u>>; 'Terry Tanasiuk'

<terryt@krawford.com>; 'Sonnie Kirtley' <azsonnie@gmail.com>; 'Jan Perozeni-Corbus' <ipzenizeni@earthlink.net>; 'William Kilpatrlck' <realbilly@aol.com>; Grant, Randy

< RGrant@Scottsdaleaz.gov >

Subject: RE: Diamond Mountain Estates Case 8-PP-2018

Jesus:

Thank you for your reply and i, for one, am glad you are still with the City and helping manage this case. It is understandable that you didn't know how the project was conveyed on the website, but I was monitoring it for any updates and never clicked on the attached file, because the date didn't indicate that there had been any changes. That caused my confusion. Now we are up to date and can respond, as needed, to what is being proposed.

We understand that the applicant is complying with current zoning and so we are limited to comments as to how their platting of the site complies with development standards and how we might suggest mitigation of impacts on our adjacent properties.

Once we can assess your latest comments back to the applicant, we may have additional comments for consideration by the Planning Commission and/or the City Council. What would be the timing of this plat going in front of the Planning Commission or the Council?

Thanks for your reply. We are glad you are still on this case!

Best Regards,

Bill Dehn

From: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov>

Sent: Monday, April 8, 2019 3:42 PM
To: Bill Dehn < bill.dehn@icloud.com >

Cc: jeff.artinprogress@gmail.com; Kenton Hopkins < kentonhopkins@live.com >; Fred Corbus

<<u>corbus@earthlink.net</u>>; Young-Fadok, Tonia <<u>youngfadok.tonia@mayo.edu</u>>; Terry Tanasiuk <<u>terryt@krawford.com</u>>; Sonnie Kirtley <<u>azsonnie@gmail.com</u>>; Jan Perozeni-Corbus

<ipzenizeni@earthlink.net>; William Kilpatrick <realbilly@aol.com>; Grant, Randy

<RGrant@Scottsdaleaz.gov>

Subject: RE: Diamond Mountain Estates Case 8-PP-2018

Hello Mr. Dehn,

I have tried to respond below.

Jesus

From: Bill Dehn < bill.dehn@icloud.com > Sent: Saturday, April 06, 2019 5:07 PM

To: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov>

Cc: <u>jeff.artinprogress@gmail.com</u>; Kenton Hopkins <<u>kentonhopkins@live.com</u>>; Fred Corbus <<u>corbus@earthlink.net</u>>; Young-Fadok, Tonia <<u>youngfadok.tonia@mayo.edu</u>>; Terry Tanasiuk

<terryt@krawford.com>; Sonnie Kirtley <azsonnie@gmail.com>; Jan Perozeni-Corbus <ipzenizeni@earthlink.net>; William Kilpatrick <realbilly@aol.com>; Grant, Randy

<RGrant@Scottsdaleaz.gov>

Subject: Diamond Mountain Estates Case 8-PP-2018

Dear Mr. Murillo:

As you know, several residents of Desert Summit and property to the north of the proposed Diamond Mountain Estates have been actively interested in plans for the proposed development of the site north of Jomax and a little east of Alma School. We were aware of a submittal to segregate a 43 acre parcel into three lots that was submitted to the City for review in July 2018. We provided comments to the Planning Department requesting significant changes to the access road on that submittal and subsequently you provided comments back to the applicant requesting a fairly lengthy set of actions (including considering access road realignment) to be undertaken before the case could be resubmitted. That letter was sent to the applicant on August 24, 2018 (see attached). You have always been very good at keeping us informed on this project and although several of us have asked questions about the status of the applicant's resubmittal since January, we have heard nothing in return.

You are correct, staff included your comments to the applicant in the November comment letter. Staff did provide the applicant a review comment letter on March 17, and met with them last Friday to discuss the comments. I have attached the letter to this email. My applogies for not providing the letter sooner to your team. I remember an email to you on January 12, and at that time there had not been a resubmittal. But your are correct, a resubmittal was provided by the applicant on February 15, 2019.

Today, one of our group discovered that a resubmittal had been made in November, but the case file search does not indicate a different submittal date (still says July 2018), so we would have assumed that no new submittal had been made. However, if you access the pdf of the case file for the July submittal, you see a November submittal, which you wouldn't know about unless you clicked on the pdf. This makes us unsure as to where in the process the latest submittal stands. Is it a resubmittal in response to your August comments?

As stated above, there was a submittal in November. When we communicated in January, I assumed that you were referring to a resubmittal after that date. I did not realize you did not the website did not display the November submittal, and that you were inquiring about a resubmittal after the original July submittal. Again, I apologize. I have spoken with the Planning Assistants to update the web link. Yes, the resubmittal in November was an additional submittal after the July date.

To us, it doesn't seem very responsive to them. If not, what happens next? What is puzzling is that in an email exchange in January, you indicated no subsequent submittal to your comments had been made by that date.

Again, I thought you were referring to a resubmittal after the November date, not after the July date. This was my mistake. The meeting with the applicant, that we discussed in January, was based off the November review comment letter (attached to this email). It was my misunderstanding. The first attachment is the third review letter, and the second attachment is the second review comment letter.

I sent a message to you on February 18 inquiring about the status of this case and didn't hear anything back. Because you have been so responsive to us in the past, are you no longer at the City and that is perhaps the reason why we have not heard back from our more recent inquiries about this project. (I am copying the Planning Director in case that is the situation).

Fortunately/Unfortunately (depending on your viewpoint), I am still here with the City, and again apologize for my misunderstanding. I have attached both letters to make sure you see all of staff's comments.

Since there is a November submittal that has not been clearly noted by date on the case record nor has anything new been indicated on the P&Z Update that I regularly review, we are unsure of what the applicant is doing to respond to the City's comment letter. Maybe the November documents was the applicant's basis for a meeting with the City before they make a formal resubmittal. If so, it seems that could be more clearly noted in the case file. We continue to be concerned about the proposed access road and its impacts on our properties.

The submittals have not changed in design overall very much. The applicant addressed some key issues, but there remained some larger scale concerns. If the applicant decided to be non-responsive, Staff will provide stipulation to the items that the applicant did not respond to, and the applicant could bring up those issues with the Planning Commission and the City Council. The Council will vote on what will be the project's approved or denied.

I have three questions for you:

Why is the date of the file for case 8-PP-2018 not changed to reflect a November submittal, and
if that was not a formal submittal, why isn't the original file still associated with the case? Failing
to be clear about what is currently being proposed by the applicant and the date of the latest
submittal is a problem for those following the case progress

The date should reflect this change. I am not sure why the change was not present on the link. I have instructed my staff to provide the most recent update on the web. I have provide both review comment letters so you could still see the chronological review in regards to staff's comments.

Who is the planning coordinator for this case if it is not you? We need to be able to be in touch
with that person to make sure our comments are considered and to be aware of any hearings or
public meetings about the case

I am still the planning coordinator. Your comments were considered, and provide to the applicant. Staff provided the ultimate review based on ordinance and policy. Staff also reviewed the comments your community made in the past applications (1-2N-2011), in an effort to try to meet as many of those requests as possible (Please see your previous comments under your signature below in red).

 Has the department made any comments on the November submittal, and if so, why haven't we been made aware of them? You have done that for us in the past and we assumed you would continue to do so in the future.

Yes, I have provided both letters, and not providing them earlier was my mistake. Correct, in the past I have done the best I could to keep you updated. I make it my promise to continue to keep you updated.

We continue to be interested in making sure that however this site is developed, that it is done in such a way as to minimize the impacts on adjacent properties, while still allowing the applicant to create a plat that will be both sensitive to the environment and commercially viable.

Understood.

Thank you for looking into the concerns expressed in this message. My pleasure, and I thank you for your understanding.

Bill Dehn 11209 E Cavedale Dr 720-560-3564

Jesus:

You asked me to tell you how the meeting tonight went.

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From:

Kenton Hopkins < kentonhopkins@live.com>

Sent:

Monday, May 13, 2019 6:06 PM

To:

Murillo, Jesus

Cc:

Bill Dehn; jeff.artinprogress@gmail.com; Fred Corbus; Young-Fadok, Tonia; Terry

Tanasiuk; Sonnie Kirtley; Jan Perozeni-Corbus; William Kilpatrick

Subject:

Re: Diamond Mountain Estates Case 8-PP-2018

Hi Jesus, Will you please forward the plat that shows three lots Thank you Kenton Hopkins

Sent from my iPhone

On May 13, 2019, at 5:55 PM, Murillo, Jesus < JMurillo@scottsdaleaz.gov wrote:

Hello Mr. Dehn,

I wanted to confirm the tentative date for accuracy. It appears as though the preliminary plat is scheduled for the June 20, 2019 Development Review Board hearing. Having confirmed this, I would see your scheduled to be close to what the process might end up being. Your timeline would usually be a bit expeditious, but the applicant has provided plans that are close to final plans, and the pre-plat is for three lots (versus several lots). The City Council hearing may be closer to September/October due to these points. I will keep you posted as the date is finalled (legal ad created and report is written).

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Subject: RE: Diamond Mountain Estates Case 8-PP-2018

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From: Bill Dehn < bill.dehn@gmail.com > Sent: Friday, April 26, 2019 2:40 PM

To: 'Murillo, Jesus' < < iMurillo@ScottsdaleAz.Gov >

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Please clarify the assumed schedule above in case I have misunderstood the process going forward.

As always, thank you for your replies to our questions.

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Subject: Diamond Mountain Estates Case 8-PP-2018

Dear Mr. Murillo:

As you know, several residents of Desert Summit and property to the north of the proposed Diamond Mountain Estates have been actively interested in plans for the proposed development of the site north of Jomax and a little east of Alma School. We were aware of a submittal to segregate a 43 acre parcel into three lots that was submitted to the City for review in July 2018. We provided comments to the Planning Department requesting significant changes to the access road on that submittal and subsequently you provided comments back to the applicant requesting a fairly lengthy set of actions (Including considering access road realignment) to be undertaken before the case could be resubmitted. That letter was sent to the applicant on August 24, 2018 (see attached). You have always been very good at keeping us informed on this project and although several of us have asked questions about the status of the applicant's resubmittal since January, we have heard nothing in return.

You are correct, staff included your comments to the applicant in the November comment letter. Staff did provide the applicant a review comment letter on March 17, and met with them last Friday to discuss the comments. I have attached the letter to this email. My apologies for not providing the letter sooner to your team. I remember an email to you on January 12, and at that time there had not been a resubmittal. But your are correct, a resubmittal was provided by the applicant on February 15, 2019.

Today, one of our group discovered that a resubmittal had been made in November, but the case file search does not indicate a different submittal date (still says July 2018), so we would have assumed that no new submittal had been made. However, if you access the pdf of the case file for the July submittal, you see a November submittal, which you wouldn't know about unless you clicked on the pdf. This makes us unsure as to where in the process the latest submittal stands. Is it a resubmittal in response to your August comments?

As stated above, there was a submittal in November. When we communicated in January, I assumed that you were referring to a resubmittal after that date. I did not realize you did not the website did not display the November submittal, and that you were inquiring about a resubmittal after the original July submittal. Again, I apologize. I have spoken with the Planning Assistants to update the web link. Yes, the resubmittal in November was an additional submittal after the July date.

To us, it doesn't seem very responsive to them. If not, what happens next? What is puzzling is that in an email exchange in January, you indicated no subsequent submittal to your comments had been made by that date.

Again, I thought you were referring to a resubmittal after the November date, not after the July date. This was my mistake. The meeting with the applicant, that we discussed in January, was based off

the November review comment letter (attached to this email). It was my misunderstanding. The first attachment is the third review letter, and the second attachment is the second review comment letter.

I sent a message to you on February 18 inquiring about the status of this case and didn't hear anything back. Because you have been so responsive to us in the past, are you no longer at the City and that is perhaps the reason why we have not heard back from our more recent inquiries about this project. (I am copying the Planning Director in case that is the situation).

Fortunately/Unfortunately (depending on your viewpoint), I am still here with the City, and again apologize for my misunderstanding. I have attached both letters to make sure you see all of staff's comments.

Since there is a November submittal that has not been clearly noted by date on the case record nor has anything new been indicated on the P&Z Update that I regularly review, we are unsure of what the applicant is doing to respond to the City's comment letter. Maybe the November documents was the applicant's basis for a meeting with the City before they make a formal resubmittal. If so, it seems that could be more clearly noted in the case file. We continue to be concerned about the proposed access road and its impacts on our properties.

The submittals have not changed in design overall very much. The applicant addressed some key issues, but there remained some larger scale concerns. If the applicant decided to be non-responsive, Staff will provide stipulation to the items that the applicant did not respond to, and the applicant could bring up those issues with the Planning Commission and the City Council. The Council will vote on what will be the project's approved or denied.

I have three questions for you:

Why is the date of the file for case 8-PP-2018 not changed to reflect a November submittal, and
if that was not a formal submittal, why isn't the original file still associated with the case? Failing
to be clear about what is currently being proposed by the applicant and the date of the latest
submittal is a problem for those following the case progress

The date should reflect this change. I am not sure why the change was not present on the link. I have instructed my staff to provide the most recent update on the web. I have provide both review comment letters so you could still see the chronological review in regards to staff's comments.

Who is the planning coordinator for this case if it is not you? We need to be able to be in touch
with that person to make sure our comments are considered and to be aware of any hearings or
public meetings about the case

I am still the planning coordinator. Your comments were considered, and provide to the applicant. Staff provided the ultimate review based on ordinance and policy. Staff also reviewed the comments your community made in the past applications (1-ZN-2011), in an effort to try to meet as many of those requests as possible (Please see your previous comments under your signature below in red).

 Has the department made any comments on the November submittal, and if so, why haven't we been made aware of them? You have done that for us in the past and we assumed you would continue to do so in the future.

Yes, I have provided both letters, and not providing them earlier was my mistake. Correct, in the past I have done the best I could to keep you updated. I make it my promise to continue to keep you updated.

We continue to be interested in making sure that however this site is developed, that it is done in such a way as to minimize the impacts on adjacent properties, while still allowing the applicant to create a plat that will be both sensitive to the environment and commercially viable.

Understood.

Thank you for looking into the concerns expressed in this message.

My pleasure, and I thank you for your understanding.

Bill Dehn 11209 E Cavedale Dr 720-560-3564

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RE: Diamond Mountain Estates Case 8-PP-2018

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From: Bill Dehn < bill.dehn@icloud.com > Sent: Saturday, April 06, 2019 5:07 PM

To: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov>

Cc: jeff.artinprogress@gmail.com; Kenton Hopkins < kentonhopkins@live.com >; Fred Corbus < corbus@earthlink.net >; Young-Fadok, Tonia < youngfadok.tonia@mayo.edu >; Terry Tanasiuk < terryt@krawford.com >; Sonnie Kirtley < azsonnie@gmail.com >; Jan Perozeni-Corbus < jpzenizeni@earthlink.net >; William Kilpatrick < realbilly@aol.com >; Grant,

Randy < RGrant@Scottsdaleaz.gov>

Subject: Diamond Mountain Estates Case 8-PP-2018

Dear Mr. Murillo:

As you know, several residents of Desert Summit and property to the north of the proposed Diamond Mountain Estates have been actively interested in plans for the proposed development of the site north of Jomax and a little east of Alma

School. We were aware of a submittal to segregate a 43 acre parcel into three lots that was submitted to the City for review in July 2018. We provided comments to the Planning Department requesting significant changes to the access road on that submittal and subsequently you provided comments back to the applicant requesting a fairly lengthy set of actions (including considering access road realignment) to be undertaken before the case could be resubmitted. That letter was sent to the applicant on August 24, 2018 (see attached). You have always been very good at keeping us informed on this project and although several of us have asked questions about the status of the applicant's resubmittal since January, we have heard nothing in return.

You are correct, staff included your comments to the applicant in the November comment letter. Staff did provide the applicant a review comment letter on March 17, and met with them last Friday to discuss the comments. I have attached the letter to this email. My apologies for not providing the letter sooner to your team. I remember an email to you on January 12, and at that time there had not been a resubmittal. But your are correct, a resubmittal was provided by the applicant on February 15, 2019.

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 - Has the department made any comments on the November submittal, and if so, why haven't we been made aware of them? You have done that for us in the past and we assumed you would continue to do so in the future.

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We continue to be interested in making sure that however this site is developed, that it is done in such a way as to minimize the impacts on adjacent properties, while still allowing the applicant to create a plat that will be both sensitive to the environment and commercially viable.

Understood.

Thank you for looking into the concerns expressed in this message. My pleasure, and I thank you for your understanding.

Bill Dehn 11209 E Cavedale Dr 720-560-3564

Jesus:

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We continue to be concerned about the practicality of siting lots with all the rock outcroppings and boulders that are present. Curt says they have a detailed map of boulders on the site that they have used to site the current lots. It isn't in any public file, but he said he'd get a copy to Betty Drake. It will be interesting to see what they can do regarding lots once they have to "pinch" the eastern portion available sites between the peak/slope easement and the 150' C/OS or NAOS easement. We don't think there's much room there.

If they make changes along the lines suggested above, this can probably move forward without more than a few minor tweaks.

We still expect you to hold strong on the exclusion of the protected peak/slopes as discussed in my earlier message. It wasn't clear tonight if they agree to do it the way you require in the stipulations. We want the most restrictive treatment of the peak/slopes that is possible under zoning policies.

Bill

Murillo, Jesus

From:

Bill Dehn <bill.dehn@gmail.com>

Sent:

Monday, May 13, 2019 2:25 PM

To:

Murillo, Jesus

Cc:

jeff.artinprogress@gmail.com; 'Kenton Hopkins'; 'Fred Corbus'; 'Young-Fadok, Tonia';

'Terry Tanasiuk'; 'Sonnie Kirtley'; 'Jan Perozeni-Corbus'; 'William Kilpatrick'

Subject:

RE: Diamond Mountain Estates Case 8-PP-2018

Mr. Murillo:

Maybe you don't have any new information to share, but I thought I would follow up to see where the applicant is in their process and what the schedule might look like for their development moving forward. You could comment on my estimates below if they are at all accurate.

Thank you,

Bill Dehn

From: Bill Dehn <bill.dehn@gmail.com> Sent: Friday, April 26, 2019 2:40 PM

To: 'Murillo, Jesus' < JMurillo@ScottsdaleAz.Gov>

Cc: jeff.artinprogress@gmail.com; 'Kenton Hopkins' <kentonhopkins@live.com>; 'Fred Corbus' <corbus@earthlink.net>; 'Young-Fadok, Tonia' <youngfadok.tonia@mayo.edu>; 'Terry Tanasiuk' <terryt@krawford.com>; 'Sonnie Kirtley' <azsonnie@gmail.com>; 'Jan Perozeni-Corbus' <jpzenizeni@earthlink.net>; 'William Kilpatrick' <realbilly@aol.com> Subject: RE: Diamond Mountain Estates Case 8-PP-2018

Mr. Murillo:

OK, trying now to understand where we are in the process so we can plan to attend any upcoming meetings, should we assume that the April 19 submittal will start the series of events that you indicate below? If so, the future schedule would look something like this:

- Development Review Board mid-June Opportunity for Comments
- Applicant prepares Final Plat and Improvement Plans completed by mid-August?
- City Review of Final Plat and Improvement Plans mid-August to mid-October?
- City Council Hearing November? Opportunity for Comments
- If approved, applicant can proceed with sale of the property with entitlements or development

This tentative schedule assumes that the applicant and you have agreed on the items covered in your letters. If that is not the case yet, have you given them another letter in response to their latest submittal? If so, please provide a copy to us, or is their next step now to get on a Development Review Board agenda?

Please clarify the assumed schedule above in case I have misunderstood the process going forward.

As always, thank you for your replies to our questions.

Best Regards,

Bill Dehn

From: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov">JMurillo@ScottsdaleAz.Gov

Sent: Monday, April 8, 2019 4:38 PM To: Bill Dehn
bill.dehn@gmail.com>

Cc: <u>jeff.artinprogress@gmail.com</u>; 'Kenton Hopkins' <<u>kentonhopkins@live.com</u>>; 'Fred Corbus' <<u>corbus@earthlink.net</u>>;

'Young-Fadok, Tonia' <<u>youngfadok.tonia@mayo.edu</u>>; 'Terry Tanasiuk' <<u>terryt@krawford.com</u>>; 'Sonnie Kirtley' <azsonnie@gmail.com>; 'Jan Perozeni-Corbus' <<u>ipzenizeni@earthlink.net</u>>; 'William Kilpatrick' <<u>realbilly@aol.com</u>>;

Grant, Randy < RGrant@Scottsdaleaz.gov>

Subject: RE: Diamond Mountain Estates Case 8-PP-2018

Thank you for your kind words and understanding.

The applicant would need to first resubmit, then the case could be scheduled (saying they meet the ordinance portions of the request) to the Development Review Board (typically about 8 weeks out from their resubmittal). That would be the first of the two opportunities you would have to provide your comments. Then if approved by the DRB, the applicant would have to submit for final plat and improvement plans (this review type typically takes about two to three months. Once the plans reach 95% of conformance to the ordinance, preliminary plat stipulations, and policies, the final plat would be scheduled for a City Council hearing date. This would be the second of the opportunities you would have to provide your comments. The City Council would then provide the final vote that night — unless they vote to continue the case.

Sincerely,

Jesus

From: Bill Dehn < bill.dehn@gmail.com > Sent: Monday, April 08, 2019 4:29 PM

To: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov>

Cc: jeff.artinprogress@gmail.com; 'Kenton Hopkins' <<u>kentonhopkins@live.com</u>>; 'Fred Corbus' <<u>corbus@earthlink.net</u>>; 'Young-Fadok, Tonia' <<u>youngfadok.tonia@mayo.edu</u>>; 'Terry Tanasiuk' <<u>terryt@krawford.com</u>>; 'Sonnie Kirtley' <<u>azsonnie@gmail.com</u>>; 'Jan Perozeni-Corbus' <<u>jpzenizeni@earthlink.net</u>>; 'William Kilpatrick' <<u>realbilly@aol.com</u>>; Grant, Randy <<u>RGrant@Scottsdaleaz.gov</u>>

Crant, name victante Scottsdalear.gov

Subject: RE: Diamond Mountain Estates Case 8-PP-2018

Jesus:

Thank you for your reply and I, for one, am glad you are still with the City and helping manage this case. It is understandable that you didn't know how the project was conveyed on the website, but I was monitoring it for any updates and never clicked on the attached file, because the date didn't indicate that there had been any changes. That caused my confusion. Now we are up to date and can respond, as needed, to what is being proposed.

We understand that the applicant is complying with current zoning and so we are limited to comments as to how their platting of the site complies with development standards and how we might suggest mitigation of impacts on our adjacent properties.

Once we can assess your latest comments back to the applicant, we may have additional comments for consideration by the Planning Commission and/or the City Council. What would be the timing of this plat going in front of the Planning Commission or the Council?

Thanks for your reply. We are glad you are still on this case!

Best Regards,

Bill Dehn

From: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov>

Sent: Monday, April 8, 2019 3:42 PM
To: Bill Dehn bill.dehn@icloud.com

Cc: jeff.artinprogress@gmail.com; Kenton Hopkins < kentonhopkins@live.com >; Fred Corbus < corbus@earthlink.net >;

Young-Fadok, Tonia < youngfadok.tonia@mayo.edu>; Terry Tanasiuk < terryt@krawford.com>; Sonnie Kirtley

<azsonnie@gmail.com>; Jan Perozeni-Corbus <ipzenizeni@earthlink.net>; William Kilpatrick <realbilly@aol.com>; Grant,

Randy < RGrant@Scottsdaleaz.gov>

Subject: RE: Diamond Mountain Estates Case 8-PP-2018

Hello Mr. Dehn,

I have tried to respond below.

Jesus

From: Bill Dehn < bill.dehn@icloud.com > Sent: Saturday, April 06, 2019 5:07 PM

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Cc: jeff.artinprogress@gmail.com; Kenton Hopkins < kentonhopkins@live.com >; Fred Corbus < corbus@earthlink.net >;

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<azsonnie@gmail.com>; Jan Perozeni-Corbus <ipzenizeni@earthlink.net>; William Kilpatrick <realbilly@aol.com>; Grant,

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Bill Dehn 11209 E Cavedale Dr 720-560-3564

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Bill

Murillo, Jesus

From:

Kenton Hopkins <kentonhopkins@live.com>

Sent:

Monday, April 22, 2019 2:22 PM

To:

Murillo, Jesus

Cc:

Bill Dehn; Jeffrey Skoglind; Tanasiuk Terry and Peggy

Subject:

Re: Diamond Mtn Estates Case 8-PP-2018

Great, Thank you

Sent from my iPhone

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> On Apr 22, 2019, at 1:03 PM, Murillo, Jesus < JMurillo@scottsdaleaz.gov> wrote:
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>

> Hello Mr. Hopkins,

>

> I will forward your suggestions to the applicant for their consideration.

>

> Sincerely,

>

> Jesus

.

- > -----Original Message-----
- > From: Kenton Hopkins <kentonhopkins@live.com>
- > Sent: Monday, April 22, 2019 12:24 PM
- > To: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov> >
- > Cc: Bill Dehn <bill.dehn@gmail.com>; Jeffrey Skoglind <jeff.artinprogress@gmail.com>; Tanasiuk Terry and Peggy <terryt@krawford.com>
- > Subject: Re: Diamond Mtn Estates Case 8-PP-2018

>

- > HI Again Jesus,
- >> I received the PDF of the preliminary Drainage Report this morning from Mr Baronas the drainage engineer, per your recommendation, which I thank you for. We also had a good phone conversation. He stated that while in a meeting with the applicant he suggested that "a road situated to the west of where the two main drainages confluence would make much more sense. It would require only one crossing of the drainage for the Primary water shed of Diamond Mtn and would require less grading."
- >> I also spoke with an Environmental Engineer who stated that the best way to limit Environmental Impact is to limit grading. Upon review of the site Topo he stated that there are options to the west of the existing alignment of 112st that would require far less grading thus having less environmental impact.
- >> Believe the SCOTTSDALE's MISSION in these type situations are:
- >> 1) to preserve as much of the existing stream bed as possible
- >> 2) to have as little environmental impact as possible.
- >> 3) to have new development impact the neighboring properties as little as possible.
- >> The current alignment of 112th could not address the above three items any worse.
- >> It is clear that the current Preliminary road alignment will be the worst option for the environment and the surrounding properties.
- >> And there is a simple, far less costly, good option!
- >> Move the road West so it will cross the drainage once and creates the need for far less grading.
- >> Will you kindly consider these facts when you next discuss the Property with the applicant.
- > Thank you as always.

- > Kenton Hopkins
- >>
- >> Sent from my iPad

From:

Murillo, Jesus

Sent:

Monday, April 22, 2019 1:08 PM

To:

Bill Dehn

Subject:

RE: Case 8-PP-2018 April 19 Submittal

Mr. Dehn,

I understand now about the date you are referring to. That date will not change because it is the date that the application was received by the City. All the expiration dates and response requirements are based off of that date. The resubmittals are updated as staff receives the materials. Maybe we should have an initial submittal date, and resubmittal dates below that date. I will forward your suggestion to my Planning Assistant Director.

Sincerely,

Jesus

From: Bill Dehn <bill.dehn@gmail.com> Sent: Monday, April 22, 2019 11:30 AM

To: Murillo, Jesus <JMurillo@ScottsdaleAz.Gov>
Subject: Re: Case 8-PP-2018 April 19 Submittal

Jesus:

I can get this IF I click on the applicant submitted on the records site attached to case 8-PP-2018. The problem I have is that the date that is shown when the case comes up on the site is still 7/20/2018, even though there have been several submit alas since that date.

An interested citizen would not know there had been a more recent submittal unless they click on the pdf. I think the date of the case on the records site ought to be updated each time there is a new submittal. I also think the P&Z Link Update should alert those subscribing to it that there has been new information that they might want to review.

Thanks,

Bill

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Sincerely,

Jesus

From: Bill Dehn < bill.dehn@gmail.com > Sent: Saturday, April 20, 2019 12:50 PM

To: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov>

Cc: Sonnie Kirtley <azsonnie@gmail.com>; jeff.artinprogress@gmail.com; Kenton Hopkins <kentonhopkins@live.com>; Terry Tanasiuk <terryt@krawford.com>; Young-Fadok, Tonia <voungfadok.tonia@mayo.edu>; Fred Corbus <corbus@earthlink.net>; Jan Perozenl-Corbus

<ipzenizeni@earthlink.net>; William Kilpatrick <realbilly@aol.com>

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From:

Murillo, Jesus

Sent:

Monday, April 22, 2019 1:03 PM

To:

Kenton Hopkins

Cč:

Bill Dehn; Jeffrey Skoglind; Tanasiuk Terry and Peggy

Subject:

RE: Diamond Mtn Estates Case 8-PP-2018

Hello Mr. Hopkins,

I will forward your suggestions to the applicant for their consideration.

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Jesus

----Original Message----

From: Kenton Hopkins <kentonhopkins@live.com>

Sent: Monday, April 22, 2019 12:24 PM

To: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov>

Cc: Bill Dehn bill.dehn@gmail.com; Jeffrey Skoglind jeff.artinprogress@gmail.com; Tanasiuk Terry and Peggy

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- > 1) to preserve as much of the existing stream bed as possible
- > 2) to have as little environmental impact as possible.
- > 3) to have new development impact the neighboring properties as little as possible.
- > The current alignment of 112th could not address the above three items any worse.
- > It is clear that the current Preliminary road alignment will be the worst option for the environment and the surrounding properties.
- > And there is a simple, far less costly, good option!
- > Move the road West so it will cross the drainage once and creates the need for far less grading.
- > Will you kindly consider these facts when you next discuss the Property with the applicant.

Thank you as always.

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Bill Déhn

Subject:

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I believe that the file has 8.5x11, 11x17, and 24x36 inch sheets. You may come down and have records run the copies at any of these sizes for you.

Sincerely,

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From: Kenton Hopkins < kentonhopkins@live.com>

Sent: Monday, April 22, 2019 9:21 AM

To: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov>

Cc: Bill Dehn <bill.dehn@gmail.com>

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From: Sent: Bill Dehn bill.dehn@gmail.com Monday, April 22, 2019 11:30 AM

To:

Murillo, Jesus

Subject:

Re: Case 8-PP-2018 April 19 Submittal

Jesus:

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An interested citizen would not know there had been a more recent submittal unless they click on the pdf. I think the date of the case on the records site ought to be updated each time there is a new submittal. I also think the P&Z Link Update should alert those subscribing to it that there has been new information that they might want to review.

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Bill Dehn

Preliminary Plat Narrative

for

Diamond Mountain Estates

City of Scottsdale, AZ

April 15, 2019

Developer

Diamond Creek Family Partnership 6318 E Sage Drive Scottsdale, AZ 85253 Attn: C/O Robert J. Campo 602-421-2047

Planning/Civil Engineering Consultant

Coe & Van Loo Consultants, Inc. 4550 North 12th Street
Phoenix, Arizona 85014-4291
Attn: Curt Johnson 602-285-4708
cjohnson@cylci.com

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1. Introduction

Diamond Mountain Estates is proposed as three overall lots with custom-lot single family homes proposed on Lot 1 and Lot 2, Lot 3 shall remain undisturbed at this time. The 3 proposed Lots shall utilize approximately 45.10 gross acres of land located at the northwest corner of East Jomax Road and the 112th Street alignment in Scottsdale, Arizona. The site is located at the south half of the southeast quarter of section 33.

The focus of the site is to develop Lots 1 & 2 as custom lots while Lot 3 shall remain as undisturbed with the potential to be developed at a later time. The focus of Lots 1 & 2 is to blend naturally with the rolling terrain of this site and to incorporate many of the unique site characteristics and features into this new design. Those features include the wash corridors, existing rock outcroppings, hillside areas, view corridors and NAOS distribution.

Careful consideration was given to make this project stand alone on its own merits as homes that can maintain a rural desert character with carefully planned building envelopes and site design, while maintaining the Single Family Residential R1-190 ESL standards without any proposed amendment to those standards.

The resulting plan promotes special consideration for the building envelopes between wash corridors and utilizes the existing rock outcroppings as site amenities and landmarks. The plan proposes a driveway alignment within a public right of way that closely relates to the existing terrain and makes every effort to minimize the impact on the site.

The primary access off of Jomax Road is designed as a 40 foot public right-of-way with a 22 foot drive lane to have a lesser impact on the terrain and the existing homes on the eastern boundary of this site. To further reduce the impact on the terrain, the driveway is designed to the minimum length necessary to provide adequate access to Lots 1 & 2 while locating the cul-de-sac in an area of minimum slope and vegetation.

The proposed access is directly in line with an existing rock outcropping. A modification to the short, narrow driveway with the intent to meander around the rocks would require sharp reverse curves and generate considerable obstructions to traffic safety visibility. Additionally, if left in place, the rock outcropping would provide undesirable screening from Jomax Road, creating an alcove of limited public visibility with the potential to pose safety concerns for residents.

Detailed information regarding the site design is provided on the Preliminary Plat.

2. Existing Conditions

The site contains one parcel, APN 216-80-007H, which is undeveloped and in a natural state. The parcel is currently zoned R1-190 ESL. The site is characterized by a hillside area and protected ridgeline, which rises approximately 200 feet in elevation above the remainder of the site. It is proposed that no development occur on that hillside protected ridgeline.

The project falls within the Dynamite Foothills Character Area Plan. The site also fronts to a "Desert Scenic Roadway", a third level scenic roadway designation as part of the Scenic Corridor Overlay. This designation applies to the one-mile and half-mile roads within the

Environmentally Sensitive Lands overlay district, which includes Jomax Road. The scenic corridor is 50' wide, measured from East Jomax Road.

3. Project Description

The applicant is seeking a Preliminary Plat approval for three lots. Lots 1 & 2 will be custom lots with a proposed minimum lot size of 190,000 square feet or 4.36 acres. Lot 3 has a proposed lot size of 35.41 gross acres and shall remain as an undisturbed lot with the potential to be developed at a later time. The main focus of this plan is the development of Lots 1 & 2 as no improvements are planned on Lot 3 at this time.

In accordance with the R1-190 ESL property development standards, Lots 1 & 2 shall be developed with one home on each lot, resulting in density of 0.04 du/ac. This proposed density conforms to the current City of Scottsdale General Plan designation of Rural Neighborhood. Diamond Mountain Estates proposes 70% NAOS with this application, maintaining compliance with the City of Scottsdale requirements for Natural Area Open Space (NAOS). Final design shall be coordinated with City of Scottsdale staff.

4.Project Context

Diamond Mountain Estates is located within the Dynamite Foothills Character Area Plan. Surrounding properties include:

- Northern Boundary: Developed Single Family Residential parcels zoned R1-190 ESL abut the northern boundary of the project site.
- Eastern Boundary: Developed Single Family Residential parcels zoned R1-70 ESL abut the eastern boundary of the project site.
- Southern Boundary: The Jomax Road right-of-way is located directly to the south of
 the site. The existing improvements along the property are currently two paved
 lanes. Jomax Road is developed to four-lanes with a median. Directly to the south of
 Jomax Road are developed Single Family Residential parcels zoned R1-18 HD.
- Western Boundary: Directly to the west of the project are Single Family Residential parcels zoned R1-10.

The site will adhere to all required R1-190 ESL standards and the requirements of the Dynamite Foothills Character Area Plan. The proposed density conforms to the current City of Scottsdale General Plan designation of Rural Neighborhood.

The residential lots are designed to have building envelopes and NAOS easements that were sited to respond to the natural topography, wash corridors, rock outcroppings, and vegetation. The natural site will be the focus of the project and its inherent amenity. The open space and rock outcroppings have been integrated into the design at entry locations, with rock outcroppings becoming part of the entry experience, and views focused on open space to be preserved.

No walls will be built on the project perimeter; rather, security walls and fences will be provided with each individual lot and contained within the building envelopes.

5. Compliance with General Plan

This proposed development is in conformance with the General Plan Elements, Goals, and Approaches. Below are a listing of the Approaches used to comply with the Goals for the Character and Design, Land Use, Housing, Neighborhoods, and Community Mobility elements of the General Plan.

Character and Design Element

Goal 1: Determine the appropriateness of all development in terms of community goals, surrounding area character, and the specific context of the surrounding neighborhood.

The following approaches were utilized:

- Relationships to surrounding land forms and land uses.
- Consistently high community quality standards.
- Visual Impacts Visual and accessibility connections and separations.
- Enrich the lives of all Scottsdale citizens by promoting safe, attractive and context compatible developments.
- Encourage projects that are responsive to the natural environment, site conditions, and unique character of each area, while being responsive the people's needs.
- Ensure that all development is part of and contributes to the established or planned character of the area of the proposed location.

Goal 2: Review the design of all development proposals to foster quality design that enhances Scottsdale as a unique southwestern desert community.

The following approaches were utilized:

• Promote development that respects and enhances the unique climate, topography, vegetation, and historical context of Scottsdale's Sonoran Desert Environment.

Goal 3: Identify Scottsdale's historic, archaeological and cultural resources, promote and awareness of them for future generations, and support their preservation and conservation.

The following approaches were utilized:

 Continue the process of identifying Scottsdale's historic, archaeological, and cultural resources.

Goal 4: Encourage "streetscapes" for major roadways that promote the city's visual quality and character, and blend into the character of the surrounding area.

The following approaches where utilized:

• Visually significant roadways include Jomax Road with buffered setbacks and Desert Scenic Roadways (in ESLO districts).

Goal 6: Recognize the value and visual significance that landscaping has upon the character of the community, and maintain standards that result in substantial, mature landscaping that reinforces the character of the city.

The following approaches were utilized:

- Substantial existing landscaping to remain as part of the new development.
- Maintain the landscaping materials and pattern within a character area.
- Discourage plant materials that contribute substantial air-borne pollen.
- Promote water conservation and reduce heat island.
- Encourage retention of mature landscape plants.

Land Use Element

Goal 1: Recognize Scottsdale's role as a major regional economic and cultural center, featuring business, tourism, and cultural activities.

The following approaches were utilized:

• Encourage land uses that preserve a high quality of life and define Scottsdale's sense of place within the region.

Goal 3: Encourage the transition of land uses form more intense regional and citywide activity areas to less intense activity areas within local neighborhoods.

The following approaches were utilized:

- Ensure that neighborhood edges transition to one another by considering appropriate land uses, development patterns, character elements and access to various mobility networks.
- Encourage transitions between different land uses and intensities through the use of gradual land use changes or maintain equivalent intensities.

Goal 6: Promote Land Use patterns that conserve resources, such as land, clean air, water, and energy, and serve all people within the community.

The following approaches were utilized:

 Respect and preserve the biodiversity of the Sonoran Desert Environment in development.

Goal 7: Sensitively integrate land uses into the surrounding physical and natural environments, the neighborhood setting, and the neighborhood itself.

The following approaches were utilized:

- Protect sensitive natural features from incompatible design.
- Incorporate appropriate land uses to help integrate into surrounding neighborhoods.

Goal 8: Encourage land uses that create a sense of community among those who work, live, and play within local neighborhoods.

The following approaches were utilized:

 Promote development patterns and standards that are consistent with the surrounding uses and reinforce the area's character.

Housing Element

Goal 2: Seek a variety of housing options that blend with the character of the surrounding community.

The following approaches were utilized:

 Encourage physical design, building structure, and lot layout relationships between existing and new construction to help the new developments complement the surrounding neighborhoods.

Goal 4: Encourage housing development that provides for "live, work, play" relationships as a way to reduce traffic congestion, encourage economic expansion, and increase overall quality of life for our residents.

The following approaches were utilized:

• Encourage housing linked/connected to our city's mobility system.

Goal 4: Preserve and enhance the unique sense of neighborhood found in diverse areas of Scottsdale through neighborhood conservation.

The following approaches were utilized:

- Maintain and expand the Character Area and Neighborhood Plans program developed by the city to recognize, preserve and enhance the unique and diverse neighborhoods found throughout Scottsdale.
- Create, preserve and enhance pedestrian, vehicular, and alternative transportation mode connections and links between the neighborhoods and other neighborhood supporting land uses throughout the community.

Goal 5: promote and encourage context-appropriate new development in established areas of the community.

The following approaches were utilized:

- Encourage new development efforts toward existing developed areas in Scottsdale.
- Promote the use of existing infrastructure.

Open Space and Recreation Element

Goal 1: Protect and improve the quality of Scottsdale's natural and urban environments as defined in the quality and quantity of its open spaces.

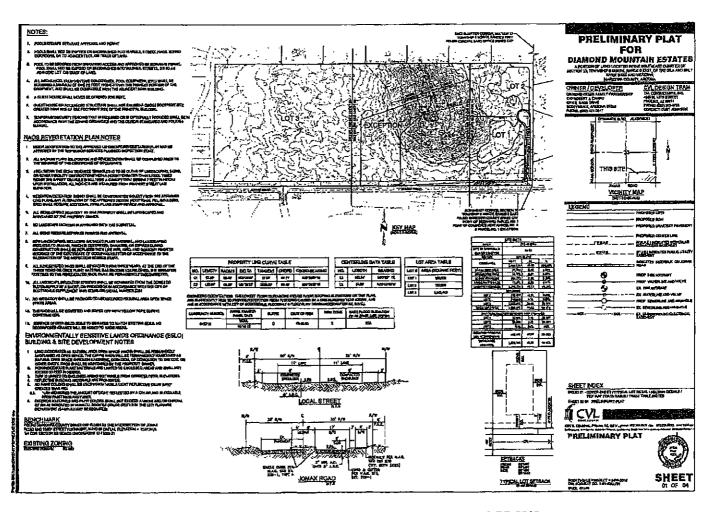
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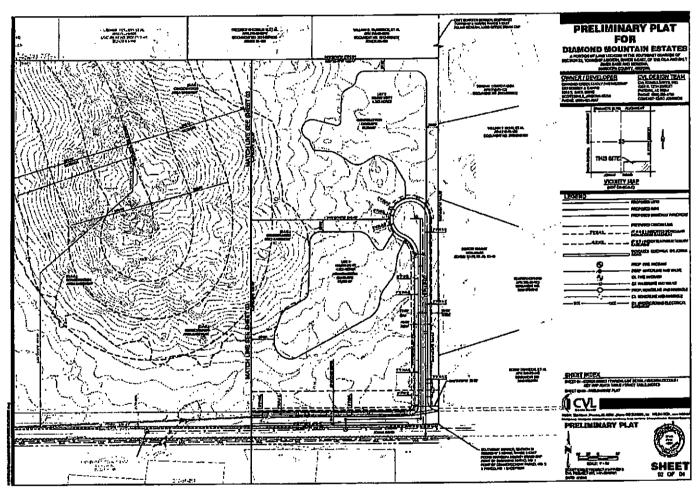
- Provide ample opportunity for people to experience and enjoy the magnificent Sonoran Desert and mountains, balancing access with preservation.
- Evaluate open space design with these primary determinants: aesthetics, public safety, maintenance needs, water consumption, drainage considerations, and multi-use and desert preservation.
- Protect the visual quality of open space, unique city characteristics, and community landmarks.
- Preserve scenic views and vistas of mountains, natural features, and rural landmarks.
- Protect and use existing native plants, and design themes of character areas within which they are sited, and respond to local conditions in the landscape design.

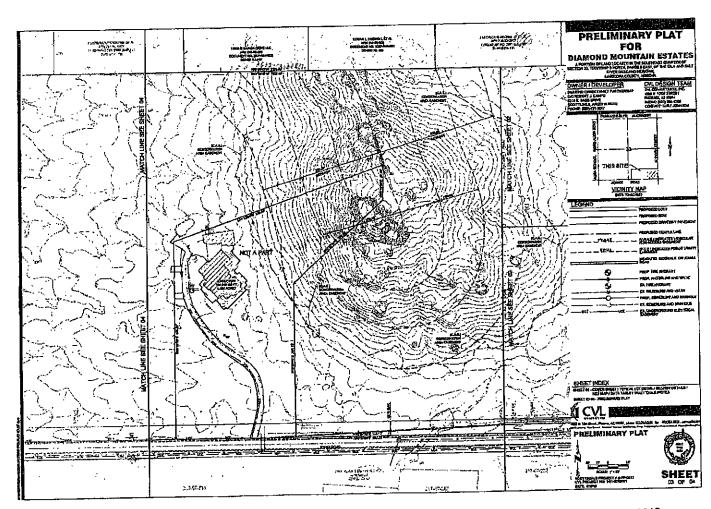
10. Conclusion

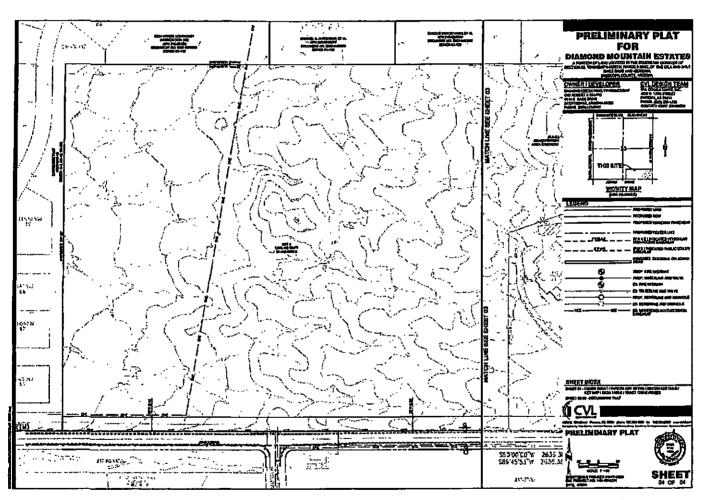
Diamond Mountain Estates provides a visual connection and a natural feel to the existing desert landscape. The proposed three lot neighborhood will serve as a positive catalyst among neighbors due to the minimal amount of site impact.

The development team believes that this request represents an appropriate and favorable planning of the site. We look forward to working with staff in the processing of this project.









From: Murillo, Jesus

Sent: Wednesday, April 17, 2019 3:52 PM

To: Bill Dehn

Subject: RE: Diamond Mountain Estates Case 8-PP-2018

Mr. Dehn.

As you can imagine, the City must rely on obtaining portions of right-of-way, easements, trails, and other such dedication in a piece-meal fashion. As each property develops, the City tries to acquire the needed improvements and dedications. If/When this project develops, the City will require the trail easement and will begin the process to acquiring the second half of that easement along he N. 112th Street alignment (see graphic below). The yellow dashed-line is the areas where the City has successfully acquired trail easement, the yellow dashed-line is where the City will be requiring a trail easement with this proposal, and the red dashed-line portions of trail easement where the City would like to see trail easement dedicated. With all trails in this area leading to Doc Cavalliere Park, and some day to the Preserve.

The trial easement along your site's western boundary is 25 feet in width. This dimension may be enough to house a trail, depending on the terrain. The improvements long this trail alignment do not seem to be in an immediate priority at this time. Transportation staff may be waiting to see the overall width of easement prior to wanting the construction for this path location. I don't know if transportation will wait until all the easements are acquired, or whether they will attempt to construct the trail in the existing 25-foot easement.



From: Bill Dehn <bill.dehn@gmail.com>
Sent: Monday, April 15, 2019 9:00 PM

To: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov>

Subject: Re: Diamond Mountain Estates Case 8-PP-2018

Mr. Murillo:

Thank you once again for your thoughtful and explanatory comments.

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Insofar as the easement on this property and our own, is there a full easement for all the properties that would allow access for the public to get from E Jomax Rd to Cavallele Park now? Is that access planned to be developed in any way in the future?

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Jesus

From: Bill Dehn < bill.dehn@gmail.com > Sent: Wednesday, April 10, 2019 5:11 PM To: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov >

Cc: jeff.artinprogress@gmail.com; Kenton Hopkins < kentonhopkins@live.com >; Terry Tanasiuk

<terryt@krawford.com>; Young-Fadok, Tonia <youngfadok.tonia@mayo.edu>

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This design takes a coupled of elements into account. The applicant did not want to request amended development standards, or make a request that required any deviation from the ordinance. They felt that there would probably be opposition to any deviation from the ordinance. The current application is designed under straight zoning standards. The further west, from the eastern property line, the more sensitive the environment becomes, the higher/steeper slopes get, and the more sensitive rock-outcroppings exist. If the road were to be constructed on the base of the peak, the road would have to be cut deeper into the peak, and disturb more area, to meet fire and engineering requirements. There are more rock outcroppings the further the site goes to the west and south (Please see mage below).

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If they make changes along the lines suggested above, this can probably move forward without more than a few minor tweaks.

We still expect you to hold strong on the exclusion of the protected peak/slopes as discussed in my earlier message. It wasn't clear tonight if they agree to do it the way you require in the stipulations. We want the most restrictive treatment of the peak/slopes that is possible under zoning policies.

Bill

From:

Murillo, Jesus

Sent:

Tuesday, April 16, 2019 9:38 AM

To:

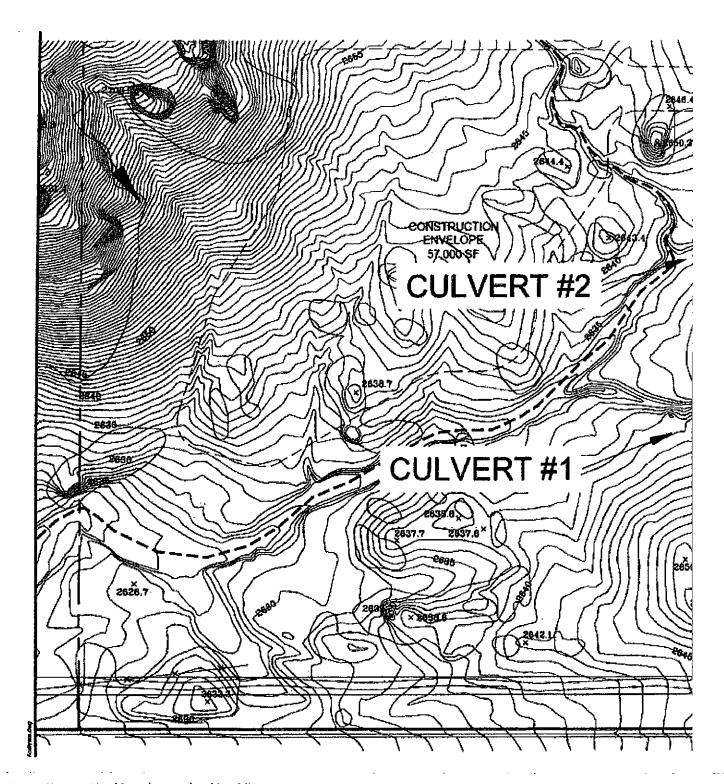
Kenton Hopkins

Subject:

RE: Diamond Mtn Estates Case 8-PP-2018

Hello Mr. Hopkins,

Please forgive me for not attempting to draw in the existing drainage, as I would not trust myself to give you the detailed information I think you seek. Instead, I have provided a graphic, the most clear in my opinion, from the drainage report. I think that it does a good job of showing where the main flows are located and how much flow there is. I would rather direct you towards Mr. Baronas, the drainage engineer for the City that reviewed the project (NBaronas@Scottsdaleaz.gov). From my understanding, the improvements to Jomax Road will be reviewed with the final plans submittal. At this point in time, the owner is only required to dedicate the right-of-way. That analysis will be done with the final plans and final plat review – currently the request is only for the preliminary plat.



From: Kenton Hopkins < kentonhopkins@live.com>

Sent: Monday, April 15, 2019 7:46 PM

To: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov>
Subject: Re: Diamond Mtn Estates Case 8-PP-2018

Thank you Jesus for your response.

Would you be so kind as to draw in, the existing main drainage, to the graphic attached. Believe it runs 15-20 ft wide and 6-10 ft deep through the envelope.

Please also provide answer to how the water will be controlled so that the road remains stable.

I very much look forward to your response Respectfully Kenton Hopkins

Sent from my iPhone

On Apr 15, 2019, at 7:14 PM, Murillo, Jesus < JMurillo@scottsdaleaz.gov> wrote:

Hello Kent,

Thank you, and I hope you have been well since we last spoke/communicated. I have responded below.

Jesus

----Original Message----

From: Kenton Hopkins < kentonhopkins@live.com>

Sent: Thursday, April 11, 2019 10:44 AM

To: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov Subject: Diamond Mtn Estates Case 8-PP-2018

Helio Jesusi

Hope all is well with you! Thank you for continuing to keep the interested neighbors of the above case informed.

I have been following the dialogue and believe I understand that the owners of the property have now decided to develop the eastern 10 acres as it is currently zoned. That is for two units. Will you please confirm?

Technically, the request if for three lots, because the total is approximately 45 acres, and there will be a third lot 35-acre "left over," lot once the entire parcel is subdivided, and these two parcels are created.

Would the owner have the right to reapply at a later date for more density?

Yes, as any owner has the right to ask for more density.

If this is the case the only remaining Issue is that the two sites are developed responsibly.

Of Paramount concern is the access road currently referred to 112 St. The suggested alignment makes NO sense for anyone.

I stated this in an email that you were also included on: The further west, from the eastern property line, the more sensitive the environment becomes, the higher/steeper slopes get, and the more sensitive rock-outcroppings exist. If the road were to be constructed on the base of the peak, the road would have to be cut deeper into the peak, and disturb more area, to meet fire and engineering requirements. There are more rock outcroppings the further the site goes to the west and south (Please see mage below). The current location of the street, provides a 20-foot buffer of NAOS, then the 40-foot street, and then the required 60-foot front yard setback. This totals 120-foot buffer to the structures. This does not meet the 150 buffer your team requested with the rezoning, but the most that could be provided with this type of request.

As you can see form the graphic below, the majority of the western portion of the proposed lot will be dedicated as Conservation Area Easement due to the slope and sensitivity of the peak.

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And for no good Reason.

I an understand how someone may feel this way. Placing the street on the eastside of the peak would also move the building envelope to within 30 feet of the properties along the sites eastern boundary.

2) The current alignment of 112th st will cross two major drainage beds.

The North most drainage bed is 15' below grade at the property line.

Putting a road in there would cause the greatest possible impact to the environment and be the most expensive to construct.

It makes the most sense for all involved to look seriously at aligning the access west of where the two drainage beds confluence into one. Placement there will impact the environment the least, Be far less costly for the developer and create the least impact on the neighbors rights.

Please take a look at this and let me know if you don't agree.

Kind Regards

Kenton HOPKINS

Sent from my iPhone

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bill.dehn@gmail.com>
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To:

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Murillo, Jesus

Sent:

Monday, April 15, 2019 7:15 PM

To:

Kenton Hopkins

Subject:

RE: Diamond Mtn Estates Case 8-PP-2018

Hello Kent,

Thank you, and I hope you have been well since we last spoke/communicated. I have responded below.

Jesus

-----Original Message-----

From: Kenton Hopkins <kentonhopkins@live.com>

Sent: Thursday, April 11, 2019 10:44 AM

To: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov> Subject: Diamond Mtn Estates Case 8-PP-2018

Hello Jesus!

Hope all is well with you! Thank you for continuing to keep the interested neighbors of the above case informed. I have been following the dialogue and believe I understand that the owners of the property have now decided to develop the eastern 10 acres as it is currently zoned. That is for two units. Will you please confirm?

Technically, the request if for three lots, because the total is approximately 45 acres, and there will be a third lot 35-acre "left over," lot once the entire parcel is subdivided, and these two parcels are created.

Would the owner have the right to reapply at a later date for more density?

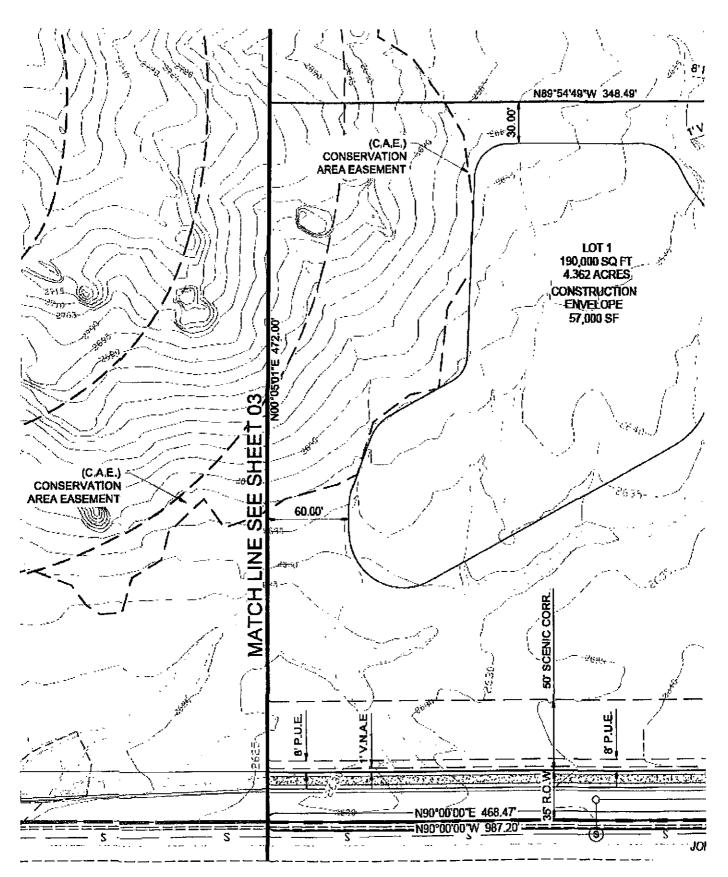
Yes, as any owner has the right to ask for more density.

If this is the case the only remaining issue is that the two sites are developed responsibly.

Of Paramount concern is the access road currently referred to 112 St. The suggested alignment makes NO sense for anyone.

I stated this in an email that you were also included on: The further west, from the eastern property line, the more sensitive the environment becomes, the higher/steeper slopes get, and the more sensitive rock-outcroppings exist. If the road were to be constructed on the base of the peak, the road would have to be cut deeper into the peak, and disturb more area, to meet fire and engineering requirements. There are more rock outcroppings the further the site goes to the west and south (Please see mage below). The current location of the street, provides a 20-foot buffer of NAOS, then the 40-foot street, and then the required 60-foot front yard setback. This totals 120-foot buffer to the structures. This does not meet the 150 buffer your team requested with the rezoning, but the most that could be provided with this type of request.

As you can see form the graphic below, the majority of the western portion of the proposed lot will be dedicated as Conservation Area Easement due to the slope and sensitivity of the peak.



1) The homes bordering the site on the east all face west and would look directly on to 112th St. This would dramatically invade their Privacy. It would also invade their homes with road noise and head lights. Clearly reducing their property right of Quite Enjoyment.

And for no good Reason.

I an understand how someone may feel this way. Placing the street on the eastside of the peak would also move the building envelope to within 30 feet of the properties along the sites eastern boundary.

2) The current alignment of 112th st

will cross two major drainage beds.

The North most drainage bed is 15' below grade at the property line.

Putting a road in there would cause the greatest possible impact to the environment and be the most expensive to construct.

It makes the most sense for all involved to look seriously at aligning the access west of where the two drainage beds confluence into one. Placement there will impact the environment the least, Be far less costly for the developer and create the least impact on the neighbors rights.

Please take a look at this and let me know if you don't agree.

Kind Regards

Kenton HOPKINS

Sent from my iPhone

From: Murillo, Jesus

Sent: Monday, April 15, 2019 6:59 PM

To: Bill Dehn

Cc: jeff.artinprogress@gmail.com; Kenton Hopkins; Terry Tanasiuk; Young-Fadok, Tonia

Subject: RE: Diamond Mountain Estates Case 8-PP-2018

Hello Sir,

I have responded below. Please understand that when I reference what the applicant was trying to achieve, I am making an assumption, by gathering several comments made by the applicant and not by what the applicant directly stated to staff. I think explaining this will better help the dialogue. I have also deleted our previous conversation from this email strand to provide less space between your last email, and comments that were provided by your team with the last rezoning application (highlighted below accordingly).

Jesus

From: Bill Dehn <bill.dehn@gmail.com>
Sent: Wednesday, April 10, 2019 5:11 PM
To: Murillo, Jesus <JMurillo@ScottsdaleAz.Gov>

Cc: jeff.artinprogress@gmail.com; Kenton Hopkins <kentonhopkins@live.com>; Terry Tanasiuk <terryt@krawford.com>;

Young-Fadok, Tonia <youngfadok.tonia@mayo.edu>
Subject: RE: Diamond Mountain Estates Case 8-PP-2018

Mr. Murilio:

As you know, the Desert Summit neighbors to the east of the Diamond Mountain project are most concerned with how the access road to the two lots might appear from our properties and how close to the property line it would be in the final approved plan. It will also be important for us to minimize the removal of existing boulders that shield our view of 112th St and the proposed cul-de-sac. Unfortunately, the proposed alignment of 112th St does just that, particularly where it is proposed to intersect E Jomax Rd.

This design takes a coupled of elements into account. The applicant did not want to request amended development standards, or make a request that required any deviation from the ordinance. They felt that there would probably be opposition to any deviation from the ordinance. The current application is designed under straight zoning standards. The further west, from the eastern property line, the more sensitive the environment becomes, the higher/steeper slopes get, and the more sensitive rock-outcroppings exist. If the road were to be constructed on the base of the peak, the road would have to be cut deeper into the peak, and disturb more area, to meet fire and engineering requirements. There are more rock outcroppings the further the site goes to the west and south (Please see mage below).

The current location of the street, provides a 20-foot buffer of NAOS, then the 40-foot street, and then the required 60-foot front yard setback. This totals 120-foot buffer to the structures. This does not meet the 150 buffer your team requested with the rezoning, but the most that could be provided with this type of request.

The current proposal also meets your teams previous request of keeping the existing zoning (highlighted below). Because there will be no amended development standards, the number of lots along this boundary will be two (2), not three (3).



Moving the access to the west would avoid this and not create a sight hazard as the applicant has suggested. Having significant revegetation along 112th St and on the eastern side of the cul-de-sac would also be important enhancements to us.

Again, because of the how the site slopes to the west, from the eastern boundary, if the road were to be constructed on the base of the peak, the road would have to be cut deeper into the peak, and disturb more area, to meet fire and engineering requirements.

I am confused about two comments in your letter.

How does the proposed non-motorized 25' easement affect the positioning of 112th St with respect to our property lines? Does this requirement move it westward?

Yes, the proposed 25-foot tract would be shared between the NOAS area, and the proposed street right-of-way.

Is there some sort of requirement that a "trail" be established along the eastern border of the two lots? For what purpose? I don't think it can connect to any public trail at the north end of the property. I am confused by the statement: "The rezoning case will be stipulated to provide a pedestrian connection from the cul-de-sacs on west side of the site to E. Jomax Road. The owner may provide a decomposed granite trail." I find this statement confusing because there are no cul-de-sacs shown on the west side of the site. Can you clarify what this refers to?

Yes. The trail along this projects eastern boarder, will eventually allow for pedestrian access to Doc Cavalliere park. There already exists a 25-foot trail easement on your community's western boundary. The trail easements are usually shared between two communities if possible. The trail is shown on the 2010 transportation master plan and trail plan.

Thanks for your help in our understanding of these issues. Again, I apologize for my note about the case file date. However, I checked back on the case file search site and it still shows 7/20/2018 as the date for the most recent filing.

I have again brought this to my staff's attention. No need to apologize – our records should be up to date and accurate.

I always feel uneasy to provide such detail on a project, because it may sometimes feel like I am defending the application. Defending a project Is not my job. So I hope your team sees this email as my attempt to answer your questions in relationship to the ordinance and policies, and being an advocate for the request.

Best Regards,

Bill Dehn

Jesus:

You asked me to tell you how the meeting tonight went.

We had a good and open discussion of the concerns neighbors had with the current development plan. Attendance was around 20 (Curt had a sign in sheet) and included most of the people who attended the hearing, including Kenton Hopkins, who is now back in town.

Curt provided a series of site layouts chronologically from the initial grid plan in February 2011 to the current plan, showing the relatively minor (from our perspective) changes after the initial modifications of the very first plan. This is not to say that there haven't been improvements through these iterations, but they don't address our primary concerns, which are that there are too many lots for the setting and the relevant General and Character Plan overlays.

The whole discussion was very professional and almost everyone had something to say about how the proposed plan affected them and what they would like to see modified. Curt and his colleague took notes of all of these things as best we could tell. The same family member of the owners was also present for the whole discussion.

In an attempt to give Curt something we, collectively, could support, Jeff Skoglind offered the following, which was generally supported by all those present (probably with some minor enhancements that were important to only one or two people):

- Provide a 150' buffer of NAOS or C/OS on both the eastern and northern boundaries
- -- Provide a separate NAOS tract for the peak and slopes 15 percent or more
- -- West side zoning R1-70, east side remains as R1-190
- -- Approximately 20 total lots (2 east, 18 west) vs 11 current zoning and 30 proposed
- -- One more neighbor meeting as soon as a revised plan is developed from this meeting

We talked about another meeting on April 20, but Betty Drake cautioned that that would only be two days before the PC hearing. Curt didn't commit to this and both didn't know what it would take to make any changes the applicant would support and didn't know about his own schedule at that time. I would like to see this meeting be earlier, even if it is only to outline what they plan to do in response. They will have to know this long before April 20 or they'll need to postpone the hearing.

So you know, we plan to meet with some of the PC members as soon as we can arrange it. We want them to understand our concerns with the proposed plan and our basis for wanting the changes in the bullet points above, which are based upon what was approved for Talon Ranch (Atalon 12-ZN-2010). That was a 150' C/OS buffer along the boundary of Desert Summit, R1-70 zoning on the rest of the site, and conservation easements on their relatively minor peaks.

Those of us on the east side want to limit development to only the two lots we always thought might be there (not knowing there might be the possibility of a third lot through amended standards. We now think that the combination of the buffer and the exclusion of the peak and slopes will practically limit them to space for only two lots.

We continue to be concerned about the practicality of siting lots with all the rock outcroppings and boulders that are present. Curt says they have a detailed map of boulders on the site that they have used to site the current lots. It isn't in any public file, but he said he'd get a copy to Betty Drake. It will be interesting to see what they can do regarding lots once they have to "pinch" the eastern portion available sites between the peak/slope easement and the 150' C/OS or NAOS easement. We don't think there's much room there.

If they make changes along the lines suggested above, this can probably move forward without more than a few minor tweaks.

We still expect you to hold strong on the exclusion of the protected peak/slopes as discussed in my earlier message. It wasn't clear tonight if they agree to do it the way you require in the stipulations. We want the most restrictive treatment of the peak/slopes that is possible under zoning policies.

Bill

From:

Kenton Hopkins <kentonhopkins@live.com>

Sent:

Thursday, April 11, 2019 10:44 AM

To:

Murillo, Jesus

Subject:

Diamond Mtn Estates Case 8-PP-2018

Hello Jesus!

Hope all is well with you! Thank you for continuing to keep the interested neighbors of the above case informed. I have been following the dialogue and believe I understand that the owners of the property have now decided to develop the eastern 10 acres as it is currently zoned. That is for two units. Will you please confirm? Would the owner have the right to reapply at a later date for more density?

If this is the case the only remaining issue is that the two sites are developed responsibly.

Of Paramount concern is the access road currently referred to 112 St. The suggested alignment makes NO sense for anyone.

1) The homes bordering the site on the east all face west and would look directly on to 112th St. This would dramatically invade their Privacy. It would also invade their homes with road noise and head lights. Clearly reducing their property right of Quite Enjoyment.

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Please take a look at this and let me know if you don't agree.

Kind Regards

Kenton HOPKINS

Sent from my iPhone

From:

Bill Dehn bill.dehn@gmail.com Wednesday, April 10, 2019 5:11 PM

To: Murillo, Jesus

Cc: jeff.artinprogress@gmail.com; Kenton Hopkins; Terry Tanasiuk; Young-Fadok, Tonia

Subject: RE: Diamond Mountain Estates Case 8-PP-2018

Mr. Murillo:

Sent:

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I am confused about two comments in your letter.

- How does the proposed non-motorized 25' easement affect the positioning of 112th St with respect to our property lines? Does this requirement move it westward?
- Is there some sort of requirement that a "trail" be established along the eastern border of the two lots? For what purpose? I don't think it can connect to any public trail at the north end of the property. I am confused by the statement: "The rezoning case will be stipulated to provide a pedestrian connection from the cul-de-sacs on west side of the site to E. Jomax Road. The owner may provide a decomposed granite trail." I find this statement confusing because there are no cul-de-sacs shown on the west side of the site. Can you clarify what this refers to?

Thanks for your help in our understanding of these issues. Again, I apologize for my note about the case file date. However, I checked back on the case file search site and it still shows 7/20/2018 as the date for the most recent filing.

Best Regards,

Bill Dehn

From: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov>

Sent: Monday, April 8, 2019 3:42 PM
To: Bill Dehn bill.dehn@icloud.com

Cc: jeff.artinprogress@gmail.com; Kenton Hopkins <kentonhopkins@live.com>; Fred Corbus <corbus@earthlink.net>; Young-Fadok, Tonia <youngfadok.tonia@mayo.edu>; Terry Tanasiuk <terryt@krawford.com>; Sonnie Kirtley <azsonnie@gmail.com>; Jan Perozeni-Corbus <jpzenizeni@earthlink.net>; William Kilpatrick <realbilly@aol.com>; Grant, Road to the Corbus delanges and the corbus delanges are corbus delanges.

Randy < RGrant@Scottsdaleaz.gov>

Subject: RE: Diamond Mountain Estates Case 8-PP-2018

Hello Mr. Dehn,

I have tried to respond below.

Jesus

From: Bill Dehn < bill.dehn@icloud.com > Sent: Saturday, April 06, 2019 5:07 PM

To: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov

Cc: <u>ieff.artinprogress@gmail.com</u>; Kenton Hopkins < <u>kentonhopkins@live.com</u>>; Fred Corbus < <u>corbus@earthlink.net</u>>;

Young-Fadok, Tonia <<u>youngfadok.tonia@mayo.edu</u>>; Terry Tanasiuk <<u>terryt@krawford.com</u>>; Sonnie Kirtley

<azsonnie@gmail.com>; Jan Perozeni-Corbus <ipzenizeni@earthlink.net>; William Kilpatrick <realbilly@aol.com>; Grant,

Randy < RGrant@Scottsdaleaz.gov>

Subject: Diamond Mountain Estates Case 8-PP-2018

Dear Mr. Murillo:

As you know, several residents of Desert Summit and property to the north of the proposed Diamond Mountain Estates have been actively interested in plans for the proposed development of the site north of Jomax and a little east of Alma School. We were aware of a submittal to segregate a 43 acre parcel into three lots that was submitted to the City for review in July 2018. We provided comments to the Planning Department requesting significant changes to the access road on that submittal and subsequently you provided comments back to the applicant requesting a fairly lengthy set of actions (including considering access road realignment) to be undertaken before the case could be resubmitted. That letter was sent to the applicant on August 24, 2018 (see attached). You have always been very good at keeping us informed on this project and although several of us have asked questions about the status of the applicant's resubmittal since January, we have heard nothing in return.

You are correct, staff included your comments to the applicant in the November comment letter. Staff did provide the applicant a review comment letter on March 17, and met with them last Friday to discuss the comments. I have attached the letter to this email. My apologies for not providing the letter sooner to your team. I remember an email to you on January 12, and at that time there had not been a resubmittal. But your are correct, a resubmittal was provided by the applicant on February 15, 2019.

Today, one of our group discovered that a resubmittal had been made in November, but the case file search does not indicate a different submittal date (still says July 2018), so we would have assumed that no new submittal had been made. However, if you access the pdf of the case file for the July submittal, you see a November submittal, which you wouldn't know about unless you clicked on the pdf. This makes us unsure as to where in the process the latest submittal stands. Is it a resubmittal in response to your August comments?

As stated above, there was a submittal in November. When we communicated in January, I assumed that you were referring to a resubmittal after that date. I did not realize you did not the website did not display the November submittal, and that you were inquiring about a resubmittal after the original July submittal. Again, I apologize. I have spoken with the Planning Assistants to update the web link. Yes, the resubmittal in November was an additional submittal after the July date.

To us, it doesn't seem very responsive to them. If not, what happens next? What is puzzling is that in an email exchange in January, you indicated no subsequent submittal to your comments had been made by that date.

Again, I thought you were referring to a resubmittal after the November date, not after the July date. This was my mistake. The meeting with the applicant, that we discussed in January, was based off the November review comment letter (attached to this email). It was my misunderstanding. The first attachment is the third review letter, and the second attachment is the second review comment letter.

I sent a message to you on February 18 inquiring about the status of this case and didn't hear anything back. Because you have been so responsive to us in the past, are you no longer at the City and that is perhaps the reason why we have not heard back from our more recent inquiries about this project. (I am copying the Planning Director in case that is the situation).

Fortunately/Unfortunately (depending on your viewpoint), I am still here with the City, and again apologize for my misunderstanding. I have attached both letters to make sure you see all of staff's comments.

Since there is a November submittal that has not been clearly noted by date on the case record nor has anything new been indicated on the P&Z Update that I regularly review, we are unsure of what the applicant is doing to respond to the City's comment letter. Maybe the November documents was the applicant's basis for a meeting with the City before they make a formal resubmittal. If so, it seems that could be more clearly noted in the case file. We continue to be concerned about the proposed access road and its impacts on our properties.

The submittals have not changed in design overall very much. The applicant addressed some key issues, but there remained some larger scale concerns. If the applicant decided to be non-responsive, Staff will provide stipulation to the items that the applicant did not respond to, and the applicant could bring up those issues with the Planning Commission and the City Council. The Council will vote on what will be the project's approved or denied.

I have three questions for you:

Why is the date of the file for case 8-PP-2018 not changed to reflect a November submittal, and if that was not a
formal submittal, why isn't the original file still associated with the case? Failing to be clear about what is
currently being proposed by the applicant and the date of the latest submittal is a problem for those following
the case progress

The date should reflect this change. I am not sure why the change was not present on the link. I have instructed my staff to provide the most recent update on the web. I have provide both review comment letters so you could still see the chronological review in regards to staff's comments.

- Who is the planning coordinator for this case if it is not you? We need to be able to be in touch with that person to make sure our comments are considered and to be aware of any hearings or public meetings about the case I am still the planning coordinator. Your comments were considered, and provide to the applicant. Staff provided the ultimate review based on ordinance and policy. Staff also reviewed the comments your community made in the past applications (1-ZN-2011), in an effort to try to meet as many of those requests as possible (Please see your previous comments under your signature below in red).
 - Has the department made any comments on the November submittal, and if so, why haven't we been made aware of them? You have done that for us in the past and we assumed you would continue to do so in the future.

Yes, I have provided both letters, and not providing them earlier was my mistake. Correct, in the past I have done the best I could to keep you updated. I make it my promise to continue to keep you updated.

We continue to be interested in making sure that however this site is developed, that it is done in such a way as to minimize the impacts on adjacent properties, while still allowing the applicant to create a plat that will be both sensitive to the environment and commercially viable.

Understood.

Thank you for looking into the concerns expressed in this message. My pleasure, and I thank you for your understanding.

Bill Dehn 11209 E Cavedale Dr 720-560-3564

Jesus:

You asked me to tell you how the meeting tonight went.

We had a good and open discussion of the concerns neighbors had with the current development plan. Attendance was around 20 (Curt had a sign in sheet) and included most of the people who attended the hearing, including Kenton Hopkins, who is now back in town.

Curt provided a series of site layouts chronologically from the initial grid plan in February 2011 to the current plan, showing the relatively minor (from our perspective) changes after the initial modifications of the very first plan. This is not to say that there haven't been improvements through these iterations, but they don't address our primary concerns, which are that there are too many lots for the setting and the relevant General and Character Plan overlays.

The whole discussion was very professional and almost everyone had something to say about how the proposed plan affected them and what they would like to see modified. Curt and his colleague took notes of all of these things as best we could tell. The same family member of the owners was also present for the whole discussion.

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If they make changes along the lines suggested above, this can probably move forward without more than a few minor tweaks.

We still expect you to hold strong on the exclusion of the protected peak/slopes as discussed in my earlier message. It wasn't clear tonight if they agree to do it the way you require in the stipulations. We want the most restrictive treatment of the peak/slopes that is possible under zoning policies.

From:

Murillo, Jesus

Sent:

Monday, April 08, 2019 4:38 PM

To:

'Bill Dehn'

Cc:

jeff.artinprogress@gmail.com; 'Kenton Hopkins'; 'Fred Corbus'; 'Young-Fadok, Tonia';

'Terry Tanasiuk': 'Sonnie Kirtley'; 'Jan Perozeni-Corbus'; 'William Kilpatrick'; Grant, Randy

Subject:

RE: Diamond Mountain Estates Case 8-PP-2018

Thank you for your kind words and understanding.

The applicant would need to first resubmit, then the case could be scheduled (saying they meet the ordinance portions of the request) to the Development Review Board (typically about 8 weeks out from their resubmittal). That would be the first of the two opportunities you would have to provide your comments. Then if approved by the DRB, the applicant would have to submit for final plat and improvement plans (this review type typically takes about two to three months. Once the plans reach 95% of conformance to the ordinance, preliminary plat stipulations, and policies, the final plat would be scheduled for a City Council hearing date. This would be the second of the opportunities you would have to provide your comments. The City Council would then provide the final vote that night — unless they vote to continue the case.

Sincerely,

Jesus

From: Bill Dehn <bill.dehn@gmail.com>
Sent: Monday, April 08, 2019 4:29 PM

To: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov>

Cc: jeff.artinprogress@gmail.com; 'Kenton Hopkins' <kentonhopkins@live.com>; 'Fred Corbus' <corbus@earthlink.net>; 'Young-Fadok, Tonia' <youngfadok.tonia@mayo.edu>; 'Terry Tanasiuk' <terryt@krawford.com>; 'Sonnie Kirtley' <azsonnie@gmail.com>; 'Jan Perozeni-Corbus' <jpzenizeni@earthlink.net>; 'William Kilpatrick' <realbilly@aol.com>;

Grant, Randy < RGrant@Scottsdaleaz.gov>

Subject: RE: Diamond Mountain Estates Case 8-PP-2018

Jesus:

Thank you for your reply and I, for one, am glad you are still with the City and helping manage this case. It is understandable that you didn't know how the project was conveyed on the website, but I was monitoring it for any updates and never clicked on the attached file, because the date didn't indicate that there had been any changes. That caused my confusion. Now we are up to date and can respond, as needed, to what is being proposed.

We understand that the applicant is complying with current zoning and so we are limited to comments as to how their platting of the site complies with development standards and how we might suggest mitigation of impacts on our adjacent properties.

Once we can assess your latest comments back to the applicant, we may have additional comments for consideration by the Planning Commission and/or the City Council. What would be the timing of this plat going in front of the Planning Commission or the Council?

Thanks for your reply. We are glad you are still on this case!

Best Regards,

Bill Dehn

From: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov>

Sent: Monday, April 8, 2019 3:42 PM
To: Bill Dehn bill.dehn@icloud.com

Cc: <u>jeff.artinprogress@gmail.com</u>; Kenton Hopkins <<u>kentonhopkins@live.com</u>>; Fred Corbus <<u>corbus@earthlink.net</u>>;

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Sent:

Monday, April 08, 2019 4:29 PM

To: Cc: Murillo, Jesus jeff.artinprogress@gmail.com; 'Kenton Hopkins'; 'Fred Corbus'; 'Young-Fadok, Tonia';

'Terry Tanasiuk'; 'Sonnie Kirtley'; 'Jan Perozeni-Corbus'; 'William Kilpatrick'; Grant, Randy

Subject:

RE: Diamond Mountain Estates Case 8-PP-2018

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Thank you for your reply and I, for one, am glad you are still with the City and helping manage this case. It is understandable that you didn't know how the project was conveyed on the website, but I was monitoring it for any updates and never clicked on the attached file, because the date didn't indicate that there had been any changes. That caused my confusion. Now we are up to date and can respond, as needed, to what is being proposed.

We understand that the applicant is complying with current zoning and so we are limited to comments as to how their platting of the site complies with development standards and how we might suggest mitigation of impacts on our adjacent properties.

Once we can assess your latest comments back to the applicant, we may have additional comments for consideration by the Planning Commission and/or the City Council. What would be the timing of this plat going in front of the Planning Commission or the Council?

Thanks for your reply. We are glad you are still on this case!

Best Regards,

Bill Dehn

From: Murillo, Jesus <JMurillo@ScottsdaleAz.Gov>

Sent: Monday, April 8, 2019 3:42 PM To: Bill Dehn bill.dehn@icloud.com

Cc: Jeff.artinprogress@gmail.com; Kenton Hopkins <kentonhopkins@live.com>; Fred Corbus <corbus@earthlink.net>;

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Attachments:

APPLICANT30DAYLETTER 3RDNOTICE_48834.doc; APPLICANT30DAYLETTER_

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Those of us on the east side want to limit development to only the two lots we always thought might be there (not knowing there might be the possibility of a third lot through amended standards. We now think that the combination of the buffer and the exclusion of the peak and slopes will practically limit them to space for only two lots.

We continue to be concerned about the practicality of siting lots with all the rock outcroppings and boulders that are present. Curt says they have a detailed map of boulders on the site that they have used to site the current lots. It isn't in any public file, but he said he'd get a copy to Betty Drake. It will be interesting to see what they can do regarding lots once they have to "pinch" the eastern portion available sites between the peak/slope easement and the 150' C/OS or NAOS easement. We don't think there's much room there.

If they make changes along the lines suggested above, this can probably move forward without more than a few minor tweaks.

We still expect you to hold strong on the exclusion of the protected peak/slopes as discussed in my earlier message. It wasn't clear tonight if they agree to do it the way you require in the stipulations. We want the most restrictive treatment of the peak/slopes that is possible under zoning policies.

Bill

From:

Berry, Melissa

Sent:

Monday, April 08, 2019 7:55 AM

To:

Murillo, Jesus

Subject:

FW: Case Update: Case 8-PP-2018

From: jeff.artinprogress@gmail.com <jeff.artinprogress@gmail.com>

Sent: Saturday, April 6, 2019 12:31 PM

To: Berry, Melissa < MBerry@Scottsdaleaz.gov>

Subject: Case Update: Case 8-PP-2018



Would you please provide a stats update on this case - Diamond Mountain Estates. Thank you, Jeffrey Skoglind 480-302-0939 -- sent by Jeffrey Skoglind (case# 8-PP-2018)



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From: Bill Dehn <bill.dehn@icloud.com>

Sent: Saturday, April 06, 2019 5:07 PM

To: Murillo, Jesus

Cc: jeff.artinprogress@gmail.com; Kenton Hopkins; Fred Corbus; Young-Fadok, Tonia; Terry

Tanasiuk; Sonnie Kirtley; Jan Perozeni-Corbus; William Kilpatrick; Grant, Randy

Subject: Diamond Mountain Estates Case 8-PP-2018

Attachments: ProjInfo_8_PP_2018.pdf; Diamond Mountain Estates - 8-PP-2018

Dear Mr. Murillo:

As you know, several residents of Desert Summit and property to the north of the proposed Diamond Mountain Estates have been actively interested in plans for the proposed development of the site north of Jomax and a little east of Alma School. We were aware of a submittal to segregate a 43 acre parcel into three lots that was submitted to the City for review in July 2018. We provided comments to the Planning Department requesting significant changes to the access road on that submittal and subsequently you provided comments back to the applicant requesting a fairly lengthy set of actions (including considering access road realignment) to be undertaken before the case could be resubmitted. That letter was sent to the applicant on August 24, 2018 (see attached). You have always been very good at keeping us informed on this project and although several of us have asked questions about the status of the applicant's resubmittal since January, we have heard nothing in return.

Today, one of our group discovered that a resubmittal had been made in November, but the case file search does not indicate a different submittal date (still says July 2018), so we would have assumed that no new submittal had been made. However, if you access the pdf of the case file for the July submittal, you see a November submittal, which you wouldn't know about unless you clicked on the pdf. This makes us unsure as to where in the process the latest submittal stands. Is it a resubmittal in response to your August comments? To us, it doesn't seem very responsive to them. If not, what happens next? What is puzzling is that in an email exchange in January, you indicated no subsequent submittal to your comments had been made by that date. I sent a message to you on February 18 inquiring about the status of this case and didn't hear anything back. Because you have been so responsive to us in the past, are you no longer at the City and that is perhaps the reason why we have not heard back from our more recent inquiries about this project. (I am copying the Planning Director in case that is the situation). Since there is a November submittal that has not been clearly noted by date on the case record nor has anything new been indicated on the P&Z Update that I regularly review, we are unsure of what the applicant is doing to respond to the City's comment letter. Maybe the November documents was the applicant's basis for a meeting with the City before they make a formal resubmittal. If so, it seems that could be more clearly noted in the case file. We continue to be concerned about the proposed access road and its impacts on our properties.

I have three questions for you:

- Why is the date of the file for case 8-PP-2018 not changed to reflect a November submittal, and if that was not a
 formal submittal, why isn't the original file still associated with the case? Falling to be clear about what is
 currently being proposed by the applicant and the date of the latest submittal is a problem for those following
 the case progress
- Who is the planning coordinator for this case if it is not you? We need to be able to be in touch with that person to make sure our comments are considered and to be aware of any hearings or public meetings about the case
- Has the department made any comments on the November submittal, and if so, why haven't we been made aware of them? You have done that for us in the past and we assumed you would continue to do so in the future.

We continue to be interested in making sure that however this site is developed, that it is done in such a way as to minimize the impacts on adjacent properties, while still allowing the applicant to create a plat that will be both sensitive to the environment and commercially viable.

Thank you for looking into the concerns expressed in this message.

Bill Dehn 11209 E Cavedale Dr 720-560-3564

November 09, 2018

Diamond Mountain Estates

City of Scottsdale, Arizona

Preliminary Plat Narrative

Developer:

Diamond Creek Family Partnership

6318 E Sage Drive

Scottsdale, AZ 85253

Attn: C/O Robert J. Campo

602-421-2047

Planning/Civil Engineering Consultant:

Coe & Van Loo Consultants, Inc.

4550 North 12th Street

Phoenix, Arizona 85014-4291

Attn: Curt Johnson

602-285-4708

Cjohnson@cvlci.com



Preliminary Plat Narrative

for

Diamond Mountain Estates

City of Scottsdale, AZ

November 09, 2018

Developer

Diamond Creek Family Partnership

6318 E Sage Drive Scottsdale, AZ 85253

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ciohnson@cvlci.com

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1. Introduction

Diamond Mountain Estates is proposed as three overall lots with custom-lot single family homes proposed on Lot 1 and Lot 2, Lot 3 shall remain undisturbed at this time. The 3 proposed Lots shall utilize approximately 45.10 gross acres of land located at the northwest corner of East Jomax Road and the 112th Street alignment in Scottsdale, Arizona. The site is located at the south half of the southeast quarter of section 33.

The focus of the site is to develop Lots 1 & 2 as custom lots while Lot 3 shall remain as undisturbed with the potential to be developed at a later time. The focus of Lots 1 & 2 is to blend naturally with the rolling terrain of this site and to incorporate many of the unique site characteristics and features into this new design. Those features include the wash corridors, existing rock outcroppings, hillside areas, view corridors and NAOS distribution.

Careful consideration was given to make this project stand alone on its own merits as homes that can maintain a rural desert character with carefully planned building envelopes and site design, while maintaining the Single Family Residential R1-190 ESL standards without any proposed amendment to those standards.

The resulting plan promotes special consideration for the building envelopes between wash corridors and utilizes the existing rock outcroppings as site amenities and landmarks. The plan proposes a driveway alignment within a public right of way that closely relates to the existing terrain and makes every effort to minimize the impact on the site.

The primary access off of Jomax Road is designed as a 40 foot public right-of-way with a 22 foot drive lane to have a lesser impact on the terrain and the existing homes on the eastern boundary of this site. To further reduce the impact on the terrain, the driveway is designed to the minimum length necessary to provide adequate access to Lots 1 & 2 while locating the cul-de-sac in an area of minimum slope and vegetation.

The proposed access is directly in line with an existing rock outcropping. A modification to the short, narrow driveway with the intent to meander around the rocks would require sharp reverse curves and generate considerable obstructions to traffic safety visibility. Additionally, if left in place, the rock outcropping would provide undesirable screening from Jomax Road, creating an alcove of limited public visibility with the potential to pose safety concerns for residents.

Detailed information regarding the site design is provided on the Preliminary Plat.

2. Existing Conditions

The site contains one parcel, APN 216-80-007H, which is undeveloped and in a natural state. The parcel is currently zoned R1-190 ESL. The site is characterized by a hillside area and protected ridgeline, which rises approximately 200 feet in elevation above the remainder of the site. It is proposed that no development occur on that hillside protected ridgeline.

The project falls within the Dynamite Foothills Character Area Plan. The site also fronts to a "Desert Scenic Roadway", a third level scenic roadway designation as part of the Scenic Corridor Overlay. This designation applies to the one-mile and half-mile roads within the

Environmentally Sensitive Lands overlay district, which includes Jomax Road. The scenic corridor is 50' wide, measured from East Jomax Road.

3. Project Description

The applicant is seeking a Preliminary Plat approval for three lots. Lots 1 & 2 will be custom lots with a proposed minimum lot size of 190,000 square feet or 4.36 acres. Lot 3 has a proposed lot size of 34.11 acres and shall remain as an undisturbed lot with the potential to be developed at a later time. The main focus of this plan is the development of Lots 1 & 2 as no improvements are planned on Lot 3 at this time.

In accordance with the R1-190 ESL property development standards, Lots 1 & 2 shall be developed with one home on each lot, resulting in density of 0.04 du/ac. This proposed density conforms to the current City of Scottsdale General Plan designation of Rural Neighborhood. Diamond Mountain Estates proposes 70% NAOS with this application, maintaining compliance with the City of Scottsdale requirements for Natural Area Open Space (NAOS). Final design shall be coordinated with City of Scottsdale staff.

4.Project Context

Diamond Mountain Estates is located within the Dynamite Foothills Character Area Plan. Surrounding properties include:

- Northern Boundary: Developed Single Family Residential parcels zoned R1-190 ESL abut the northern boundary of the project site.
- Eastern Boundary: Developed Single Family Residential parcels zoned R1-70 ESL abut the eastern boundary of the project site.
- Southern Boundary: The Jomax Road right-of-way is located directly to the south of
 the site. The existing improvements along the property are currently two paved
 lanes. Jomax Road is developed to four-lanes with a median. Directly to the south of
 Jomax Road are developed Single Family Residential parcels zoned R1-18 HD.
- Western Boundary: Directly to the west of the project are Single Family Residential parcels zoned R1-10.

The site will adhere to all required R1-190 ESL standards and the requirements of the Dynamite Foothills Character Area Plan. The proposed density conforms to the current City of Scottsdale General Plan designation of Rural Neighborhood.

The residential lots will be constrained by building envelopes and NAOS easements that were sited to respond to the natural topography, wash corridors, rock outcroppings, and vegetation. The natural site will be the focus of the project and its inherent amenity. The open space and rock outcroppings have been integrated into the design at entry locations, with rock outcroppings becoming part of the entry experience, and views focused on open space to be preserved.

No walls will be built on the project perimeter; rather, security walls and fences will be provided with each individual lot and contained within the building envelopes.

5. Compliance with General Plan

This proposed development is in conformance with the General Plan Elements, Goals, and Approaches. Below are a listing of the Approaches used to comply with the Goals for the Character and Design, Land Use, Housing, Neighborhoods, and Community Mobility elements of the General Plan.

Character and Design Element

Goal 1: Determine the appropriateness of all development in terms of community goals, surrounding area character, and the specific context of the surrounding neighborhood.

The following approaches were utilized:

- Relationships to surrounding land forms and land uses.
- Consistently high community quality standards.
- Visual Impacts Visual and accessibility connections and separations.
- Enrich the lives of all Scottsdale citizens by promoting safe, attractive and context compatible developments.
- Encourage projects that are responsive to the natural environment, site conditions, and unique character of each area, while being responsive the people's needs.
- Ensure that all development is part of and contributes to the established or planned character of the area of the proposed location.

Goal 2: Review the design of all development proposals to foster quality design that enhances Scottsdale as a unique southwestern desert community.

The following approaches were utilized:

• Promote development that respects and enhances the unique climate, topography, vegetation, and historical context of Scottsdale's Sonoran Desert Environment.

Goal 3: Identify Scottsdale's historic, archaeological and cultural resources, promote and awareness of them for future generations, and support their preservation and conservation.

The following approaches were utilized:

• Continue the process of identifying Scottsdale's historic, archaeological, and cultural resources.

Goal 4: Encourage "streetscapes" for major roadways that promote the city's visual quality and character, and blend into the character of the surrounding area.

The following approaches where utilized:

 Visually significant roadways include Jomax Road with buffered setbacks and Desert Scenic Roadways (in ESLO districts).

Goal 6: Recognize the value and visual significance that landscaping has upon the character of the community, and maintain standards that result in substantial, mature landscaping that reinforces the character of the city.

The following approaches were utilized:

- Substantial existing landscaping to remain as part of the new development.
- Maintain the landscaping materials and pattern within a character area.
- Discourage plant materials that contribute substantial air-borne pollen.
- Promote water conservation and reduce heat island.
- Encourage retention of mature landscape plants.

Land Use Element

Goal 1: Recognize Scottsdale's role as a major regional economic and cultural center, featuring business, tourism, and cultural activities.

The following approaches were utilized:

• Encourage land uses that preserve a high quality of life and define Scottsdale's sense of place within the region.

Goal 3: Encourage the transition of land uses form more intense regional and citywide activity areas to less intense activity areas within local neighborhoods.

The following approaches were utilized:

- Ensure that neighborhood edges transition to one another by considering appropriate land uses, development patterns, character elements and access to various mobility networks.
- Encourage transitions between different land uses and intensities through the use of gradual land use changes or maintain equivalent intensities.

Goal 6: Promote Land Use patterns that conserve resources, such as land, clean air, water, and energy, and serve all people within the community.

The following approaches were utilized:

 Respect and preserve the biodiversity of the Sonoran Desert Environment in development.

Goal 7: Sensitively integrate land uses into the surrounding physical and natural environments, the neighborhood setting, and the neighborhood itself.

The following approaches were utilized:

- Protect sensitive natural features from incompatible design.
- Incorporate appropriate land uses to help integrate into surrounding neighborhoods.

Goal 8: Encourage land uses that create a sense of community among those who work, live, and play within local neighborhoods.

The following approaches were utilized:

 Promote development patterns and standards that are consistent with the surrounding uses and reinforce the area's character.

Housing Element

Goal 2: Seek a variety of housing options that blend with the character of the surrounding community.

The following approaches were utilized:

 Encourage physical design, building structure, and lot layout relationships between existing and new construction to help the new developments complement the surrounding neighborhoods.

Goal 4: Encourage housing development that provides for "live, work, play" relationships as a way to reduce traffic congestion, encourage economic expansion, and increase overall quality of life for our residents.

The following approaches were utilized:

• Encourage housing linked/connected to our city's mobility system.

Goal 4: Preserve and enhance the unique sense of neighborhood found in diverse areas of Scottsdale through neighborhood conservation.

The following approaches were utilized:

- Maintain and expand the Character Area and Neighborhood Plans program developed by the city to recognize, preserve and enhance the unique and diverse neighborhoods found throughout Scottsdale.
- Create, preserve and enhance pedestrian, vehicular, and alternative transportation mode connections and links between the neighborhoods and other neighborhood supporting land uses throughout the community.

Goal 5: promote and encourage context-appropriate new development in established areas of the community.

The following approaches were utilized:

- Encourage new development efforts toward existing developed areas in Scottsdale.
- Promote the use of existing infrastructure.

Open Space and Recreation Element

Goal 1: Protect and improve the quality of Scottsdale's natural and urban environments as defined in the quality and quantity of its open spaces.

The following approaches were utilized:

- Provide ample opportunity for people to experience and enjoy the magnificent Sonoran Desert and mountains, balancing access with preservation.
- Evaluate open space design with these primary determinants: aesthetics, public safety, maintenance needs, water consumption, drainage considerations, and multi-use and desert preservation.
- Protect the visual quality of open space, unique city characteristics, and community landmarks.
- Preserve scenic views and vistas of mountains, natural features, and rural landmarks.
- Protect and use existing native plants, and design themes of character areas within which they are sited, and respond to local conditions in the landscape design.

Apply a Desert Scenic Roadway designation along the one mile and half mile streets within the ESLO district that are not classified as scenic corridors or buffered roadways to maintain and enhance open space along roadways in ESL areas.

Preservation and Environmental Planning Element

Goal 2: Enhance the quality of life in Scottsdale by safeguarding the natural environment.

The following approaches were utilized:

- Retain Scottsdale's image and heritage of the Sonoran Desert.
- Preserve the unique, rare, and significant features of Scottsdale's natural environment.
- Encourage developments to retain and integrate the desert ecosystem where appropriate.
- Preserve local plants, wildlife, and natural resources to maintain the biodiversity and long term sustainability of the area's ecology.
- Maintain scenic views to preserve the aesthetic values of the area for all to enjoy and for its contribution to the quality of life for residents and visitors.

Goal 4: Reduce energy consumption and promote energy conservation.

The following approaches were utilized:

• Use landscaping that contributes to energy conservation in residential environments.

Goal 5: Conserve Water and encourage the reuse of wastewater.

The following approaches were utilized:

- Encourage the retention of mature native trees as they use less water to maintain.
- Encourage landscape improvements, which limit the amount of turf area and make optimal use of indigenous desert plants.
- Promote residential water conservation.

Goal 9: Protect and conserve native plants as a significant natural and visual resource.

The following approaches were utilized:

- Enhance, restore and sustain the health, productivity and biodiversity of our Sonoran desert ecosystem through native plant retention.
- Retain and preserve native plants to retain a Sonoran desert character.
- Encourage the retention of mature trees because trees recycle air pollutants through photosynthesis.
- Retain and protect indigenous native vegetation to reduce water consumption, stabilize the soil, and provide desert wildlife habitat.
- Encourage the landscape improvements that limit the amount of turf area and make optimal use of indigenous desert plants.
- Discourage non-indigenous plans that produce pollen in the landscape design.

Community Mobility Elements

Goal 1: Protect the function and form of regional air and land corridors.

The following approaches were utilized:

- Maintain Scottsdale's high development standards. The character of regional corridors in Scottsdale should reflect an image that is uniquely Scottsdale through unified streetscapes, street signage, and public art.
- Enhance the natural beauty and unique character of Scottsdale through design and aesthetics of regional corridors.
- Protect the regional corridor flow and function by considering use of grade separations to enhance safety and provide choices for mobility of different modes.

Goal 5: Relieve traffic congestion.

The following approaches were utilized:

• Provide for alternative modes of transportation on city wide corridors that are accessible to all socio-economic and demographic groups within the community.

Goal 7: Maintain Scottsdale's high aesthetic values and environmental standards in the city's transportation system.

The following approaches were utilized:

• Ensure that the streets designated as scenic corridors are sensitively integrated into the natural desert setting and the integrity of the scenic setback is preserved.

Goal 9: Protect neighborhoods from negative impacts of regional and citywide networks.

The following approaches were utilized:

- Provide neighborhood systems that safely move people and connect neighborhoods to citywide and regional networks, while discouraging citywide and regional cutthrough automobile traffic.
- Protect livability of local neighborhoods from citywide and regional network influences by developing measures to reduce noise levels, and discourage high volume traffic and speeds within local neighborhoods.
- Minimize traffic speeds, volumes and through traffic by appropriate street planning and design.
- Provide open space and buffering in design to protect neighborhoods.

Goal 11: Provide opportunities for building "community" through neighborhood mobility.

The following approaches were utilized:

- Provide a high level of service for pedestrians through facilities that are separated and protected from vehicle travel.
- Emphasize strong pedestrian orientation to foster strong sense of community.

6. Dynamite Foothills Character Area

This proposed development is in conformance with the Goals and strategies of the 2000 Dynamite Mountain Foothills Character Area Plan. Below are the three goals from the plan and a description of the strategies utilized in this proposed development.

GOAL 1: Preserve the existing Rural Desert Character of the Dynamite Foothills which will result in a unique desert community distinguished from other parts of Scottsdale and the Valley.

Strategy 2: Use infrastructure to preserve the Rural Desert Character.

This strategy has been utilized as follows:

- The 50' scenic corridor has been utilized along Jomax Road. This setback also meets the requirements for the Desert Scenic Corridors.
- Minimizing impact to wash and watercourse areas by protecting them in NAOS areas.
- Provide an augmented driveway access in lieu of a full local street cross section to mitigate impact to the site and adjacent neighbors as well as maintaining a Rural Desert Character.

Strategy 3: Promote use of site planning techniques which minimize the visual impact of development and promote a Rural Desert Character.

This strategy has been utilized as follows:

- Use of construction envelopes to limit impact to the site.
- Restricting walls to the construction envelope and eliminating perimeter walls around the site. The openings between lots will also allow for wildlife migration.

GOAL 2: Recognize the topographic diversity of the Dynamite Foothills area and provide guidelines for balancing the relationship of different types of development to the unique environmental nature of the area.

Strategy 4: Encourage property developers to provide meaningful open space following the guidelines of the Desert Preservation Task Force.

This strategy has been utilized as follows:

- The western portion of the hillside area/protected ridgeline within our boundary has been incorporated into the site plan and is part of the protected NAOS area.
- NAOS areas are contiguous and connect to the protected peak area and wash corridors.

GOAL 3: Promote open space in accordance with the CityShape 2020 Guiding Principles and the recommendations of the Desert Preservation Task Force, and support the efforts of the McDowell Sonoran Preserve Commission to provide open space.

Strategy 3: Use open space and conservation/preservation areas to preserve a Rural Desert Character through the following methods:

From the methods listed in the Dynamite Foothills Character Area Plan for this strategy, the following items have been implemented:

- Provide visual open space amenities along and near streets and use natural open space between new developments and existing roadways to minimize the impact on existing views.
- Encourage use of natural area open space in site planning.

In compliance with the of City of Scottsdale's Natural Open Space (NAOS) requirements, Diamond Mountain Estates shall leave approximately 70% of the site undisturbed for Lots 1 & 2, Lot 3 shall remain undisturbed until future development is proposed. There shall be minimal disturbance necessary for Chase Way leading to custom Lots 1 and 2.

Pedestrian connection shall be provided from the cul-de-sac to Jomax Road. A 20' wide trail access easement is provided from the end of the driveway to the northeast corner of the project site. This access easement is provided to accommodate potential future trail improvements in the event the parcel directly to the north of the project site, APN 216-80-007E, provides a trail connection to the Diamond Mountain Estates community. This 20' wide trail easement will be dedicated to the city of Scottsdale at such time as adjacent community connections are made.

Disturbed NAOS along Chase Way and Jomax Road. shall be revegetated with plant material similar to the adjacent undisturbed NAOS. Native seed mixes in addition to salvaged vegetation and desert appropriate plant material will be introduced into the disturbed NAOS to buffer and blend into the natural, surrounding landscape. Working within the Native Plant Ordinance, protected plants will be assessed and salvaged per city requirements for reuse on the site. An automatic irrigation system shall be installed in revegetated NAOS for the first 3 years as plants become established. The system shall be designed in order to comply with the city's water conservation requirements. Detailed landscape plans will be submitted as each lot develops.

9. Water and Wastewater Statement

The Diamond Mountain Estates water system will be owned and operated by the City of Scottsdale. There is no existing water infrastructure within the property resulting in the placement of an 8-inch distribution main along Chase Way connecting to the existing 12-inch waterline within Jomax Road. The water designed distribution system will maintain 30 psi pressure under design fire flow conditions of 1,000 gpm as per the City of Scottsdale. Utilizing the City of Scottsdale Design Standards & Policies Manual, dated January 2018, Diamond Mountain Estates is estimated to use an average day flow of 971 GPD, max day flow of 1942 GPD, and a peak flow of 3399 GPD.

Wastewater flows generated by the Diamond Mountain Estates were estimated using the City of Scottsdale Design Standards & Policies Manual, dated January 2018. The development is estimated to generate an average day flow of 500 GPD of wastewater and a peak flow of 880 GPD. There is no existing sewer infrastructure within the property as the project is currently on undeveloped desert. An 8-inch sanitary sewer line will be placed along the newly constructed Chase Way and tie into the existing 8-inch sewer in Jomax Road through gravity flow. The sewer then flows west to North Alma School Parkway, where it then turns south toward the City of Scottsdale Water Campus, located at 8787 East Hualapai Drive, Scottsdale, Arizona.

The Water and Wastewater Basis of Design Reports for Diamond Mountain Estates dated November 08th, 2018 are provided with this application for review and approval.

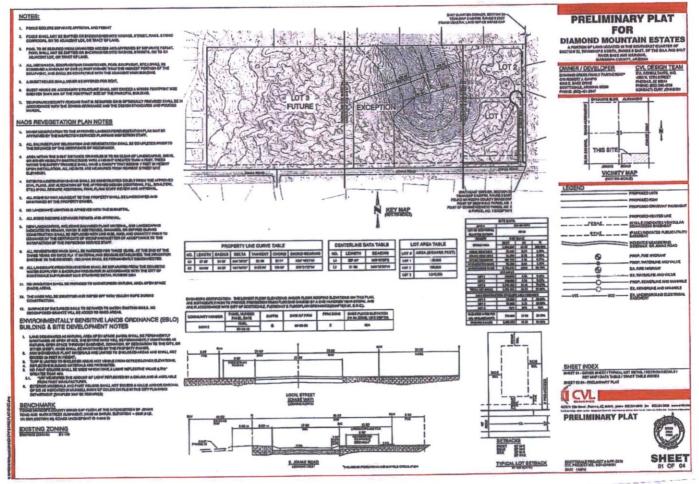
10. Conclusion

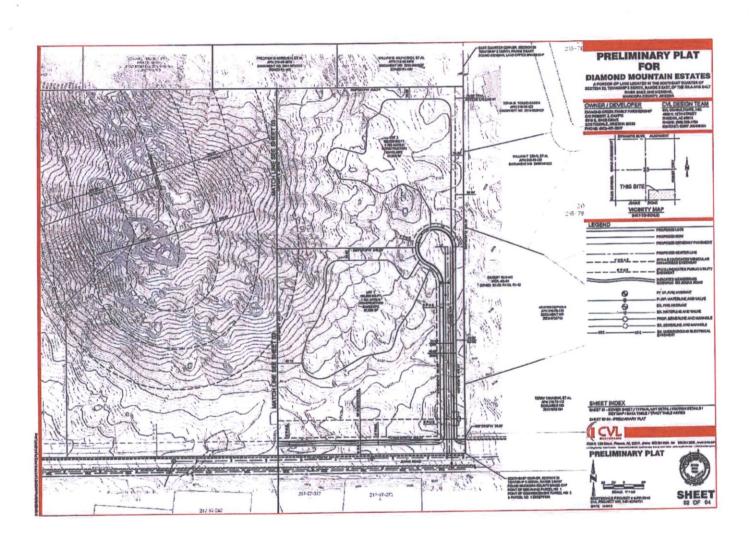
Diamond Mountain Estates provides a visual connection and a natural feel to the existing desert landscape. The proposed three lot neighborhood will serve as a positive catalyst among neighbors due to the minimal amount of site impact.

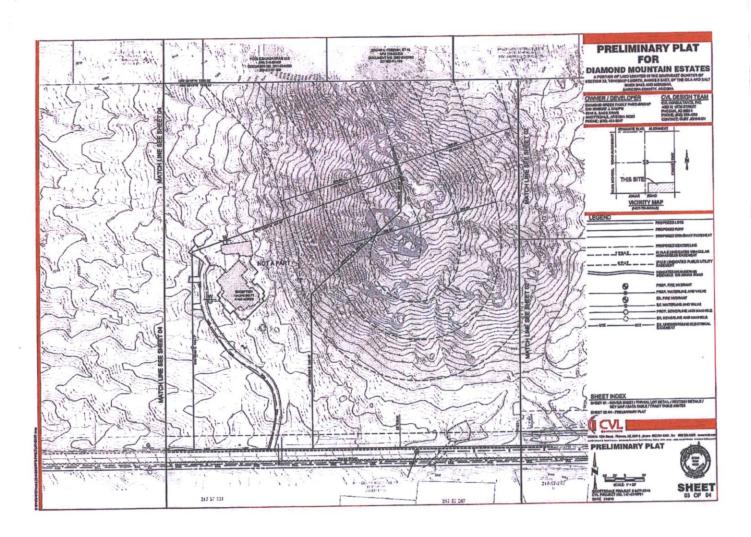
The development team believes that this request represents an appropriate and favorable planning of the site. We look forward to working with staff in the processing of this project.

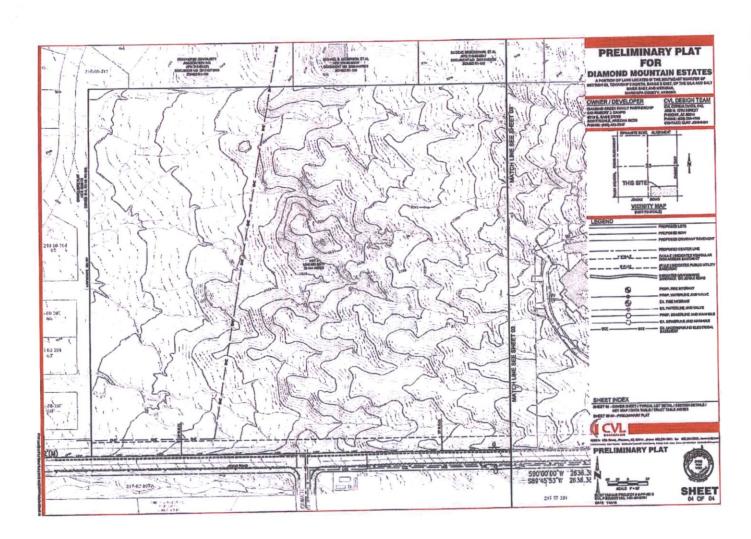


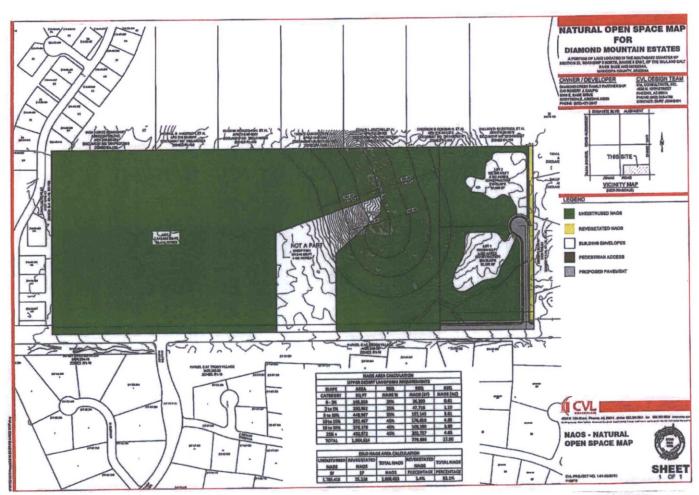
8-PP-2018 11/9/2018











8-PP-2018 11/9/2018

From:

Murillo, Jesus < JMurillo@ScottsdaleAz.Gov>

Sent:

Wednesday, August 29, 2018 6:23 PM

To:

bill.dehn@gmail.com; skaska@att.net; dcb4diamond@gmail.com; corbus@earthlink.net;

jeff.artinprogress@gmail.com; kentonhopkins@live.com; youngfadok.tonia@mayo.edu

Cc:

Curt Johnson

Subject:

Diamond Mountain Estates - 8-PP-2018

Attachments:

8PP2018_APPLICATION30DAYLETTER_48834.doc

Good Evening Everyone,

You are receiving this email because you have expressed Interest in the above mentioned case. Attached you will find the 1st Review Comment Letter for case 8-PP-2018.

Sincerely,

Jesús Murillo Senior Planner City of Scottsdale Planning and Development Services 7447 E. Indían School Road, Ste. 105 Scottsdale, AZ 85251 Phone: 480-312-7849

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480-312-9037

twitter

From: Sent: Bill Dehn bill.dehn@gmail.com Monday, February 18, 2019 9:06 AM

To:

Murillo, Jesus

Cc:

jeff.artinprogress@gmail.com

Subject:

RE: Diamond Mountain Estates - 8-PP-2018

Jesus:

I think the 180 day limit on the applicant's response is coming up soon. I'm not sure if this is a hard date and what, if any, impact it has on their request. I would be interested in any comment you have about that target timeframe, and its effect on their pending application.

t

In any case, we want to be able to comment on and influence the applicant's legitimate right to develop their property, but within development and environmental protection (ESLO and NAOS). We obviously can't do that until we see what revisions they have made to their proposed plat.

is there any update on an extension or when they plan to resubmit?

Thanks,

Bill

From: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov>

Sent: Saturday, January 12, 2019 1:08 PM To: Bill Dehn

Sill.dehn@gmail.com

Subject: RE: Diamond Mountain Estates - 8-PP-2018

Hello Mr. Dehn,

The applicant did respond to staff's inquiry with a meeting, and have stated that they will be resubmitting the application. They have not resubmitted anything as of yet. I will keep you posted.

Jesus

From: Bill Dehn < bill.dehn@gmail.com > Sent: Friday, January 04, 2019 10:42 AM

To: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov>

Cc: skaska@att.net; dcb4diamond@gmail.com; corbus@earthlink.net; jeff.artinprogress@gmail.com;

kentonhopkins@live.com; youngfadok.tonja@mayo.edu; Curt Johnson <Cjohnson@cvlci.com>

Subject: Re: Diamond Mountain Estates - 8-PP-2018

Dear Mr Murillo:

Having noted that the applicant has 180 days to respond to your letter of comments (period ending in late February), can you please let us know if there have been any further discussions regarding this preliminary plat that might lead to a revised submittal before the 180 day limit?

Thank you and Happy New Year

Bill Dehn

On Aug 29, 2018, at 6:23 PM, Murillo, Jesus < JMurillo@scottsdaleaz.gov> wrote:

Good Evening Everyone,

You are receiving this email because you have expressed interest in the above mentioned case. Attached you will find the 1st Review Comment Letter for case 8-PP-2018.

Sincerely,

Jesús Murillo Senior Planner City of Scottsdale Planning and Development Services 7447 E. Indian School Road, Ste. 105 Scottsdale, AZ 85251

Phone: 480-312-7849 Fax: 480-312-9037

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<image002.png>

From:

Murillo, Jesus

Sent:

Saturday, January 12, 2019 1:08 PM

To:

'Bill Dehn'

Subject:

RE: Diamond Mountain Estates - 8-PP-2018

Hello Mr. Dehn,

The applicant did respond to staff's inquiry with a meeting, and have stated that they will be resubmitting the application. They have not resubmitted anything as of yet. I will keep you posted.

Jesus

From: Bill Dehn <bill.dehn@gmail.com>
Sent: Friday, January 04, 2019 10:42 AM

To: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov>

Cc: skaska@att.net; dcb4dlamond@gmail.com; corbus@earthlink.net; jeff.artinprogress@gmail.com;

kentonhopkins@live.com; youngfadok.tonla@mayo.edu; Curt Johnson <Cjohnson@cvlci.com>

Subject: Re: Diamond Mountain Estates - 8-PP-2018

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- Hone.

480-312-9037

Fax:

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From:

Bill Dehn <bill.dehn@gmail.com>

Sent: To: Friday, January 04, 2019 10:42 AM Murillo, Jesus

Cc:

skaska@att.net; dcb4diamond@gmail.com; corbus@earthlink.net;

jeff.artinprogress@gmail.com; kentonhopkins@live.com; youngfadok.tonia@mayo.edu;

Curt Johnson

Subject:

Re: Diamond Mountain Estates - 8-PP-2018

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Phone: 480.313, 7849

Phone: 480-312-7849 Fax: 480-312-9037

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From:

Bill Dehn

bill.dehn@gmail.com>

Sent:

Thursday, November 08, 2018 6:12 PM

To:

Murillo, Jesus

Cc:

skaska@att.net; dcb4diamond@gmail.com; corbus@earthlink.net;

jeff.artinprogress@gmail.com; kentonhopkins@live.com; youngfadok.tonia@mayo.edu;

Subject:

Re: Diamond Mountain Estates - 8-PP-2018

Mr Murillo:

Can you please provide an update on where this proposed plat stands with respect to the City's review and/or resubmittal by the applicant?

Thank you

Bill Dehn

On Aug 29, 2018, at 6:23 PM, Murillo, Jesus < JMurillo@ScottsdaleAz.Gov > wrote:

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From:

Murillo, Jesus

Sent:

Thursday, September 20, 2018 6:13 PM

To:

'Kenton Hopkins'

Subject:

RE: Case Number 8-PP-2018

Hello Mr. Hopkins,

That is the proposal that I sent out the First Review Comment Letter to everyone. I have provided a link to their application:

 $http://eservices.scotts daleaz.gov/planning/project summary/applicant_submittals/ProjInfo_8_PP_2018.pdf$

Sincerely,

Jesus

----Original Message----

From: Kenton Hopkins < kentonhopkins@live.com>

Sent: Sunday, September 16, 2018 8:05 PM
To: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov>

Subject: Case Number 8-PP-2018

Dear Jesus

I received a post card from Scottsdale stating there is a request to subdivide 43.3 acres into three lots. Do you have a map showing how this site will be divided?

Will you kindly forward to me?

Thanks in advance.

Kenton Hopkins
kentonhopkins@live.com

Sent from my iPad

From:

Kenton Hopkins <kentonhopkins@live.com>

Sent:

Sunday, September 16, 2018 8:05 PM

To:

Murillo, Jesus

Subject:

Case Number 8-PP-2018

Dear Jesus

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Do you have a map showing how this site will be divided?

Will you kindly forward to me?

Thanks in advance.

Kenton Hopkins

kentonhopkins@live.com

Sent from my iPad

From:

Bill Dehn <bill.dehn@gmail.com>

Sent:

Monday, September 10, 2018 9:34 PM

To:

Murillo, Jesus

Subject:

Re: Diamond Mountain Estates - 8-PP-2018

Thanks. Helpful.

Bill

On Sep 10, 2018, at 6:36 PM, Murillo, Jesus < Murillo@ScottsdaleAz.Gov wrote:

The first reference refers to the definition of a front yard, and other types of comments in my letter, and the other references previous types of approvals, and what was required of similar applications.

From: Bill Dehn < bill.dehn@gmail.com >
Sent: Tuesday, September 04, 2018 4:54 PM
To: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov >
Subject: Re: Diamond Mountain Estates - 8-PP-2018

Thanks. What is the significance of these two references?

Bill

On Sep 4, 2018, at 4:29 PM, Murillo, Jesus < JMurillo@ScottsdaleAz.Gov > wrote:

Mr. Dehn,

You would have to come to the City of Scottsdale Record's Department to view case 12-PP-1995, and please click the link below for Section 3.100.

https://library.municode.com/az/scottsdale/codes/code of ordinances?nodeld=VOLII_APXBBAZOOR_ARTIIIDE

Jesus

From: Bill Dehn < bill.dehn@gmail.com > Sent: Thursday, August 30, 2018 4:18 PM To: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov > Subject: RE: Diamond Mountain Estates - 8-PP-2018

Jesus:

Thanks for your thorough work on this.

How can I find 12-PP-1995 and ordinance 3.100?
I'm not having any luck with the City site search.

Best,

Bill Dehn

From: Murillo, Jesus [mailto:]Murillo@ScottsdaleAz.Gov]

Sent: Wednesday, August 29, 2018 7:23 PM

To: bill.dehn@qmail.com; skaska@att.net; dcb4diamond@gmail.com;

corbus@earthlink.net; jeff.artinprogress@gmail.com; kentonhopkins@live.com;

youngfadok.tonia@mayo.edu

Cc: Curt Johnson

Subject: Diamond Mountain Estates - 8-PP-2018

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Fax: 480-312-9037

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From:

Murillo, Jesus

Sent:

Monday, September 10, 2018 6:37 PM

To:

'Bill Dehn'

Subject:

RE: Diamond Mountain Estates - 8-PP-2018

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Sent: Wednesday, August 29, 2018 7:23 PM

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Subject: Diamond Mountain Estates - 8-PP-2018

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Scottsdale, AZ 85251

Phone: 480-312-7849 Fax: 480-312-9037

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From:

Murillo, Jesus

Sent:

Monday, September 10, 2018 6:33 PM

To:

'Jeffrey Skoglind'

Subject:

RE: Diamond Mountain Estates - 8-PP-2018

Hello Mr. Skoglind,

I have confirmed that it is the project at the northeast corner of 118th Street and Jomax that is installing the waterline. The project is case Boulder Ranch.

Jesus

From: Jeffrey Skoglind <jeff.artinprogress@gmail.com>

Sent: Thursday, August 30, 2018 12:00 PM
To: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov>
Subject: Re: Diamond Mountain Estates - 8-PP-2018

Dear Mr. Murillo,

It appears that sewer piping is being installed by Toll Brothers along Jomax Road directing along the western thirty acres of the Diamond Mountain Property.

Is it possible someone has jumped the gun?

Jeff Skoglind

Jeff.ArtInProgress@gmail.com

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Scottsdale, AZ 85251 Phone: 480-312-7849 Fax: 480-312-9037

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From:

Bill Dehn <bill.dehn@gmail.com>

Sent:

Tuesday, September 04, 2018 4:54 PM

To:

Murillo, Jesus

Subject:

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Thanks. What is the significance of these two references?

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From: Murillo, Jesus [mailto:]Murillo@ScottsdaleAz.Gov]

Sent: Wednesday, August 29, 2018 7:23 PM

To: bill.dehn@gmail.com; skaska@att.net; dcb4diamond@gmail.com; corbus@earthlink.net; jeff.artinprogress@gmail.com; kentonhopkins@live.com; youngfadok.tonia@mayo.edu

Cc: Curt Johnson

Subject: Diamond Mountain Estates - 8-PP-2018

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Planning and Development Services
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Scottsdale, AZ 85251

Phone: 480-312-7849 Fax: 480-312-9037

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From:

Murillo, Jesus

Sent:

Tuesday, September 04, 2018 3:29 PM

To:

'Bill Dehn'

Subject:

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To:

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Subject:

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Phone: 480-312-7849 Fax:

480-312-9037

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From:

Mail Delivery Subsystem <MAILER-DAEMON@cosmail.scottsdaleaz.gov>

To:

skaska@att.net

Sent:

Wednesday, August 29, 2018 6:30 PM

Subject:

Undeliverable: Diamond Mountain Estates - 8-PP-2018

The original message was received at Wed, 29 Aug 2018 18:23:19 -0700 from cosmail.scottsdaleaz.gov [127.0.0.1]

----- The following addresses had permanent fatal errors ----- <skaska@att.net> (reason: 550 5.7.1 Connections not accepted from servers without a valid sender domain.flph821 Fix reverse DNS for 72.166.72:21)

- ---- Transcript of session follows ---- ... while talking to ff-ip4-mx-vip1.prodigy.net.:
- >>> MAIL From:<prvs=7780f72bf0=jmurillo@scottsdaleaz.gov>
- <<< 550 5.7.1 Connections not accepted from servers without a valid sender domain.flph821 Fix reverse DNS for 72,166.72.21

554 5.0.0 Service unavailable

- ... while talking to mx3.earthlink.net.:
- >>> RCPT To:<corbus@earthlink.net>
- <<< 451 corbus@earthlink.net...User account down for maintenance <corbus@earthlink.net>... Deferred: 451 corbus@earthlink.net...User account down for maintenance
- >>> DATA
- <<< 503 Need RCPT (recipient)

From:

Murillo, Jesus

Sent:

Wednesday, August 29, 2018 6:23 PM

To:

'bill.dehn@gmail.com'; 'skaska@att.net'; 'dcb4diamond@gmail.com';

'corbus@earthlink.net'; 'jeff.artinprogress@gmail.com'; 'kentonhopkins@live.com';

'youngfadok.tonia@mayo.edu'

Cc:

'Curt Johnson'

Subject:

Diamond Mountain Estates - 8-PP-2018

Attachments:

8PP2018_APPLICATION30DAYLETTER_48834.doc

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Jesús Murillo Senior Planner City of Scottsdale Planning and Development Services 7447 E. Indian School Road, Ste. 105 Scottsdale, AZ 85251 Phone: 480-312-7849

Fax: 480-312-7849

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From:

Murillo, Jesus

Sent:

Wednesday, August 29, 2018 4:22 PM

To:

'Bill Dehn'

Subject:

RE; Diamond Mountain Preliminary Plat

Yes, I am drafting an email to send the First Review Comment Letter to all those that have expressed interest in the case.

From: Bill Dehn <bill.dehn@gmail.com>
Sent: Wednesday, August 29, 2018 2:14 PM
To: Murillo, Jesus <JMurillo@ScottsdaleAz.Gov>
Subject: Diamond Mountain Preliminary Plat

Jesus:

Is the preliminary plat in review? If so, when might we see staff recommendations about any changes related to our concerns?
Thanks
Bill Dehn

From:

Bill Dehn <bill.dehn@gmail.com>

Sent:

Wednesday, August 29, 2018 2:14 PM

To:

Murillo, Jesus

Subject:

Diamond Mountain Preliminary Plat

Jesus:

Is the preliminary plat in review? If so, when might we see staff recommendations about any changes related to our concerns?

Thanks

Bill Dehn

From:

Jeffrey Skoglind <jeff.artinprogress@gmail.com>

Sent:

Wednesday, August 22, 2018 11:27 AM

To:

Murillo, Jesus

Subject:

Jomax Road

Hello Mr. Murillo,

There is considerable trenching being done on the north side of Jomax Road between 110th and 112th. I have searched the city's project lists but find nothing.

It appears that significant drainage/sewer piping is being laid down. Is this connected to the two homes being proposed on Diamond Mountain's ten acres?

Or, is this connected to something much grander that we know nothing about?

Thanks for your help.

Jeffrey Skoglind

From:

Murillo, Jesus

Sent:

Tuesday, August 21, 2018 1:21 PM

To:

'Bill Dehn'

Subject:

RE: Diamond Mountain Estates Preliminary Plat

Yes, your comments shall be provided with the report. I will be sure you get a copy of the First Review Comment Letter, case report, and meeting times and dates as they are created.

From: Bill Dehn <bill.dehn@gmail.com>
Sent: Saturday, August 18, 2018 12:18 PM
To: Murillo, Jesus <JMurillo@ScottsdaleAz.Gov>

Subject: Re: Diamond Mountain Estates Preliminary Plat

Jesus:

Thanks for your response. I take it from your comments that my correspondence will be a part of the files reviewed by staff and eventually the DR.

How will we know the staff comments on the proposed plat and when any hearings will be held?

Thanks,

Bill

On Aug 17, 2018, at 6:32 PM, Murillo, Jesus < JMurillo@ScottsdaleAz.Gov > wrote:

Hello Mr. Dehn,

I have responded below.

Jesus

----Original Message----

From: Bill Dehn < bill.dehn@gmail.com >
Sent: Wednesday, August 08, 2018 1:47 PM
To: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov >

Subject: FW: Diamond Mountain Estates Preliminary Plat

Dear Mr. Murillo:

It should be obvious from the questions and exchange of emails with the engineer that the neighbors to the east of the newly proposed lots in the Diamond Mountain development would like to influence the placement of the access road to the two lots being proposed. Since the preliminary plat complies with the current zoning, I am wondering how we can have input to the final approved plat for these lots and the timing of when that input must be provided before it is finally approved.

With all cases proposed within the City, your email communication is a great way for the Development Review Board (DR) or the City Council (CC) to get a look at your opinion and concerns. Having your

emails included in the reports will help the DR and CC understand your opposition. The other method is to show up to the hearings.

While we have asked questions of the engineer and have received responses, we are not clear how the access road is being proposed as to whether it will be a street or just a common driveway and to what extent its placement as shown in my attached modification to their proposal to run the access along the eastern boundary would require establishment of a separate tract as Mr. Johnson states in his response to my suggested rerouting of the access road. It is the clear desire of the neighbors to the east to minimize the length of the access road and to have it be as far from the eastern boundary (and our homes) as is feasible. I am not clear why the road as modified would complicate the platting of Lot 1 as Mr. Johnson states.

I will have a better response once staff has completed their review.

Since the process for approving the preliminary plat is different than the one we engaged in regarding the rezoning of the property in 2015, your description of how we can best provide our input to that process, assuming that Mr. Johnson does not make any revisions on his own in response to our suggestions, would be greatly appreciated.

Again, by attending the hearing. Once the stipulations and plat are approved, the applicant could not make any changes.

Thank you in advance for your help on this.

Best Regards,

Bill Dehn

----Original Message-----

From: Bill Dehn [mailto:bill.dehn@gmail.com] Sent: Monday, August 06, 2018 5:51 PM

To: Curt Johnson

Cc: Jeff Skoglind; Kenton Hopkins; Terry Tanasiuk; cogsaz@gmail.com; Jesus Murillo

Subject: Re: Diamond Mountain Estates Preliminary Plat

Curt:

Thanks for this reply. We're just trying to make the impact of the development of these lots as minimal to our adjacent homes as possible.

It seems that there would be ways to resolve this situation and use a version of my proposed alignment.

- 1. Couldn't the road/driveway just be an easement in Lot 1? That would allow Lot 1 to be sold as the larger acreage. It would also give Lot 1 more options to access their building site. I'm not sure how your proposed driveway would be handled as to maintenance and any needed revegltation (including the irrigation of transplanted or mitigating vegetation for construction of the road), but why couldn't this alignment be handled the same way?
- 2. The area to the east of the driveway would be NAOS and wouldn't need maintenance (and is not allowed to be changed per NAOS requirements.) 3. If the aforementioned couldn't resolve your concerns, some of the adjacent landowners in Desert Summit might be willing to purchase that tract to facilitate the revised alignment.

```
> On Aug 6, 2018, at 4:29 PM, Curt Johnson < Cjohnson@cvlci.com > wrote:
> The alignment you proposed creates a separate tract on the east side of the driveway which will not
work for this particular layout as there will not be an HOA to take ownership or maintenance of that
tract.
>
> Thanks,
> Curt
>
> Sent from my Verizon, Samsung Galaxy smartphone
>
>
> ----- Original message ------
> From: Bill Dehn <bill.dehn@gmail.com>
> Date: 8/2/18 10:30 AM (GMT-07:00)
> To: Curt Johnson <Cjohnson@cvlci.com>
> Cc: 'Jeff Skoglind' <jeff.artinprogress@gmail.com>, 'Kenton Hopkins'
> <kentonhopkins@live.com>, 'Terry Tanasiuk' <terryt@krawford.com>,
> "'Young-Fadok, Tonia" <youngfadok.tonia@mayo.edu>, 'William
> Kilpatrick' <realbilly@aol.com>, 'Jan Perozeni'
> < jpzenizeni@earthlink.net>, 'Fred Corbus' < corbus@earthlink.net>,
> 'Ashlye Daniel' <Ashlyed@gmail.com>, "'Murillo, Jesus'"
> < jmurillo@scottsdaleaz.gov>
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> Thanks in advance for your consideration of this approach.
> Best Regards,
> Bill Dehn
```

From:

Bill Dehn <bill.dehn@gmail.com>

Sent:

Saturday, August 18, 2018 12:18 PM

To:

Murillo, Jesus

Subject:

Re: Diamond Mountain Estates Preliminary Plat

Jesus:

Thanks for your response. I take it from your comments that my correspondence will be a part of the files reviewed by staff and eventually the DR.

How will we know the staff comments on the proposed plat and when any hearings will be held?

Thanks,

Bill

On Aug 17, 2018, at 6:32 PM, Murillo, Jesus < JMurillo@ScottsdaleAz.Gov > wrote:

Hello Mr. Dehn,

I have responded below.

Jesus

----Original Message----

From: Bill Dehn < bill.dehn@gmail.com >
Sent: Wednesday, August 08, 2018 1:47 PM
To: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov >

Subject: FW: Diamond Mountain Estates Preliminary Plat

Dear Mr. Murillo:

It should be obvious from the questions and exchange of emails with the engineer that the neighbors to the east of the newly proposed lots in the Diamond Mountain development would like to influence the placement of the access road to the two lots being proposed. Since the preliminary plat complies with the current zoning, I am wondering how we can have input to the final approved plat for these lots and the timing of when that input must be provided before it is finally approved.

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Again, by attending the hearing. Once the stipulations and plat are approved, the applicant could not make any changes.

Thank you in advance for your help on this.

Best Regards,

Bill Dehn

----Original Message----

From: Bill Dehn [mallto:bill.dehn@gmall.com] Sent: Monday, August 06, 2018 5:51 PM

To: Curt Johnson

Cc: Jeff Skoglind; Kenton Hopkins; Terry Tanasiuk; cogsaz@gmail.com; Jesus Murillo

Subject: Re: Diamond Mountain Estates Preliminary Plat

Curt:

Thanks for this reply. We're just trying to make the impact of the development of these lots as minimal to our adjacent homes as possible.

It seems that there would be ways to resolve this situation and use a version of my proposed alignment.

- 1. Couldn't the road/driveway just be an easement in Lot 1? That would allow Lot 1 to be sold as the larger acreage. It would also give Lot 1 more options to access their building site. I'm not sure how your proposed driveway would be handled as to maintenance and any needed revegitation (including the irrigation of transplanted or mitigating vegetation for construction of the road), but why couldn't this alignment be handled the same way?
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BIII

- > On Aug 6, 2018, at 4:29 PM, Curt Johnson < Cjohnson@cvlci.com > wrote:
- > The alignment you proposed creates a separate tract on the east side of the driveway which will not work for this particular layout as there will not be an HOA to take ownership or maintenance of that tract.

>

>

```
> Thanks,
> Curt
>
>
> Sent from my Verizon, Samsung Galaxy smartphone
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> ----- Original message ------
> From: Bill Dehn <bill.dehn@gmail.com>
> Date: 8/2/18 10:30 AM (GMT-07:00)
> To: Curt Johnson <Cjohnson@cvlci.com>
> Cc: 'Jeff Skoglind' <jeff.artinprogress@gmail.com>, 'Kenton Hopkins'
> <kentonhopkins@live.com>, 'Terry Tanasiuk' <terryt@krawford.com>,
> "'Young-Fadok, Tonia'" <youngfadok.tonia@mayo.edu>, 'William
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> Thanks in advance for your consideration of this approach.
> Best Regards,
> Bill Dehn
```

From:

Don Bland <dcb4diamond@gmail.com>

Sent:

Friday, August 17, 2018 6:50 PM

To:

Murillo, Jesus

Subject:

Re: 8-PP-2018

Thank you for your response. My neighbor and I figured out that the project is East of the mountain and does not impact our homes in Windy Walk. The future project on the remaining acreage will likely be in our view.

Hopefully that zoning will be .8 acre single lots with custom or semi custom homes.

Thanks again;

Don Bland

Sent from my iPhone

On Aug 17, 2018, at 5:40 PM, Murillo, Jesus < JMurillo@ScottsdaleAz.Gov > wrote:

Mr. Bland,

There is still some analysis that our staff needs to perform on the project before I have a good understanding of where the final location of the proposed street will be supported. Having said this, form what I can tell, the driveway will be approximately 650 feet to the west of the Troon N. 113th Street entrance. I will keep your other comments in mind.

Sincerely,

Jesus

From: DONALD BLAND < dcb4diamond@gmail.com>

Sent: Wednesday, August 08, 2018 9:34 PM
To: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov>

Cc: Steve Huser < sihuser@cox.net >

Subject: Re: 8-PP-2018

Mr. Murillo;

Thank you so much for the call today as well as the detailed drawings.

I have a much better understanding of the plan now.

I have one question: Is the access road for the two lots lined up with the Windy Walk Drive Jomax Gated Entrance in Troon?

Future development of the remaining land will also require roadways to enter on to Jomax Road. That would bring the total to at least 3 roads exiting on to Jomax currently in this area.

Thank you;

Don Bland 26565 N 108th Way Scottsdale, AZ 85255 dcb4diamond@gmail.com On Aug 8, 2018, at 6:21 PM, Murillo, Jesus < JMurillo@ScottsdaleAz.Gov > wrote:

Hello Sir,

I have you on the phone now, here is that link.

http://eservices.scottsdaleaz.gov/planning/projectsummary/applicant_submittals/Projl_nfo_8_PP_2018.pdf

Jesús Murillo Senior Planner City of Scottsdale Planning and Development Services 7447 E. Indian School Road, Ste. 105 Scottsdale, AZ 85251 Phone: 480-312-7849

Fax: 480-312-9037

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<image001.png>
<image002.png>

DONALD BLAND dcb4diamond@gmail.com 479 644 4385

From:

Murillo, Jesus

Sent:

Friday, August 17, 2018 5:41 PM

To:

'DONALD BLAND'

Cc:

Steve Huser

Subject:

RE: 8-PP-2018

Mr. Bland,

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To: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov>

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Subject: Re: 8-PP-2018

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Thank you;

Don Bland 26565 N 108th Way Scottsdale, AZ 85255 dcb4diamond@gmail.com (479) 644 4385

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DONALD BLAND dcb4diamond@gmail.com 479 644 4385

From:

Murillo, Jesus

Sent:

Friday, August 17, 2018 5:33 PM

To:

'Bill Dehn'

Subject:

RE: Diamond Mountain Estates Preliminary Plat

Hello Mr. Dehn,

I have responded below.

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To: Murillo, Jesus <JMurillo@ScottsdaleAz.Gov>

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Best Regards,

Bill Dehn

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From: Bill Dehn [mailto:bill.dehn@gmail.com] Sent: Monday, August 06, 2018 5:51 PM

To: Curt Johnson

Cc: Jeff Skoglind; Kenton Hopkins; Terry Tanasiuk; cogsaz@gmail.com; Jesus Murillo

Subject: Re: Diamond Mountain Estates Preliminary Plat

> 'Ashlye Daniel' <Ashlyed@gmail.com>, "'Murillo, Jesus'"

> < imurillo@scottsdaleaz.gov>

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> Best Regards,

> Bill Dehn

>

>

122

From:

DONALD BLAND <dcb4diamond@gmail.com>

Sent:

Wednesday, August 08, 2018 9:34 PM

To:

Murillo, Jesus

Cc: Subject: Steve Huser Re: 8-PP-2018

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Phone: 480-312-7849 Fax: 480-312-9037

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<image001.png>
<image002.png>

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Wednesday, August 08, 2018 6:22 PM

To:

'dcb4diamond@gmail.com'

Subject:

8-PP-2018

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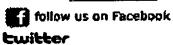
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From:

Bill Dehn <bill.dehn@gmail.com>

Sent:

Wednesday, August 08, 2018 1:47 PM

To:

Murillo, Jesus

Subject:

FW: Diamond Mountain Estates Preliminary Plat

Attachments:

image1.jpeg

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Subject: Re: Diamond Mountain Estates Preliminary Plat

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> Cc: 'Jeff Skoglind' <jeff.artinprogress@gmail.com>, 'Kenton Hopkins'
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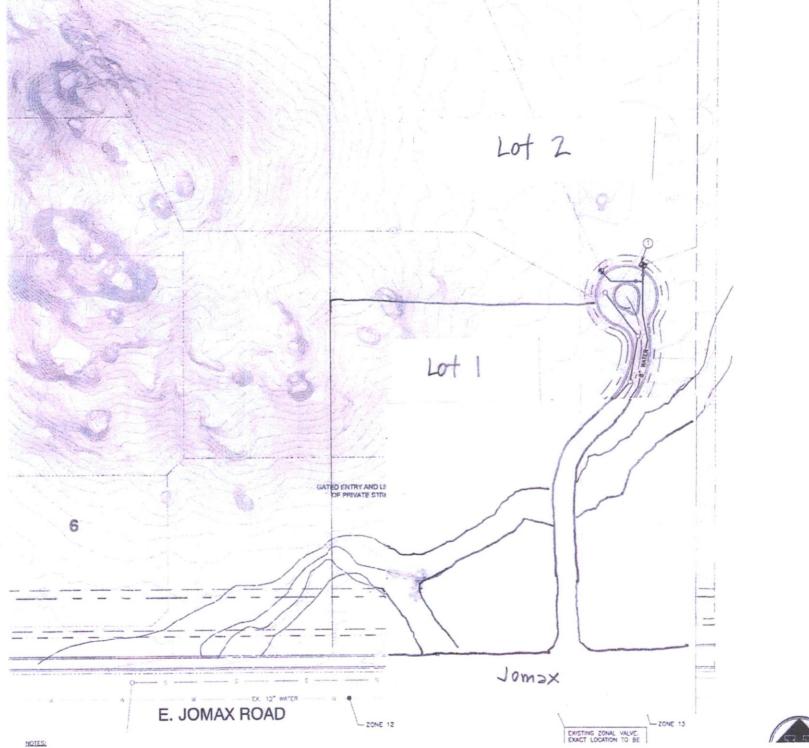
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> > Bill Dehn



1-Z1 2

From: Bill Dehn <bill.dehn@gmail.com> Monday, August 06, 2018 4:51 PM Sent: To: Curt Johnson Cc: Jeff Skoglind; Kenton Hopkins; Terry Tanasiuk; cogsaz@gmail.com; Murillo, Jesus Subject: Re: Diamond Mountain Estates Preliminary Plat Curt: Thanks for this reply. We're just trying to make the impact of the development of these lots as minimal to our adjacent homes as possible. It seems that there would be ways to resolve this situation and use a version of my proposed alignment. 1. Couldn't the road/driveway just be an easement in Lot 1? That would allow Lot 1 to be sold as the larger acreage. It would also give Lot 1 more options to access their building site. I'm not sure how your proposed driveway would be handled as to maintenance and any needed revegitation (including the irrigation of transplanted or mitigating vegetation for construction of the road), but why couldn't this alignment be handled the same way? 2. The area to the east of the driveway would be NAOS and wouldn't need maintenance (and is not allowed to be changed per NAOS requirements.) 3. If the aforementioned couldn't resolve your concerns, some of the adjacent landowners in Desert Summit might be willing to purchase that tract to facilitate the revised alignment. Bill > On Aug 6, 2018, at 4:29 PM, Curt Johnson < Cjohnson@cvlci.com > wrote: > > The alignment you proposed creates a separate tract on the east side of the driveway which will not work for this particular layout as there will not be an HOA to take ownership or maintenance of that tract. > > Thanks, > Curt > > > Sent from my Verizon, Samsung Galaxy smartphone > > > ----- Original message -----> From: Bill Dehn < bill.dehn@gmail.com> > Date: 8/2/18 10:30 AM (GMT-07:00) > To: Curt Johnson < Cjohnson@cvlci.com> > Cc: 'Jeff Skoglind' <jeff.artinprogress@gmail.com>, 'Kenton Hopkins' <kentonhopkins@live.com>, 'Terry Tanasiuk' <terryt@krawford.com>, "'Young-Fadok, Tonia" <youngfadok.tonia@mayo.edu>, 'William Kilpatrick' <realbilly@aol.com>, 'Jan Perozeni' <jpzenizeni@earthlink.net>, 'Fred Corbus' <corbus@earthlink.net>, 'Ashlye Daniel' <Ashlyed@gmail.com>, "'Murillo, Jesus'" <jmurillo@scottsdaleaz.gov>

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>

> Bill Dehn

>



E. JOMAX R

NOTES:

> From: Bill Dehn [mailto:bill.dehn@gmail.com]

> Sent: Tuesday, July 31, 2018 4:11 PM

> To: Curt Johnson

>

>

>

> Cc: 'Jeff Skoglind'; 'Kenton Hopkins'; 'Terry Tanasiuk'; 'Young-Fadok, Tonia'; 'William Kilpatrick'; 'Jan Perozeni'; 'Fred Corbus'; 'Ashlye Daniel'; 'Murillo, Jesus'

> Subject: Diamond Mountain Estates Preliminary Plat

> Dear Mr. Johnson:

> Thank you for your mailed notification that the Diamond Creek Family Partnership is proceeding with development of the eastern portion of their property at the northwest corner of Jomax Rd and the 112th St alignment. The neighbors to this site are pleased that you are proceeding on the basis of the current zoning density for this portion of the site and hope that we can work with you to minimize the impacts of the site development on our adjacent properties through the development review process.

> While the full details of how the two lots will be developed will need to be better understood as your work progresses, the early comments I have heard from the Desert Summit neighbors relate to the proposed access driveway/road/street shown on your submitted preliminary plat. It would be our hope that such access could be designed to provide more buffer from our adjacent properties, and would take into account the existing site contours when providing the access to the two lots. We are particularly concerned about the proximity to the wash (floodplain) along our western boundaries and construction impacts to our properties. Since I am not familiar with how the details of your proposed plat will ultimately be determined, I wanted to let you know of my desire to see if there could be consideration of alternative routing of the access to the lots from that provided in the filed preliminary plat, perhaps taking advantage of natural contours and making it more "organic" to the landforms. I know that the floodplain crossing itself complicates this objective, but I would like to know that consideration of other than a straight access road had been evaluated.

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> It is my objective to make the development of these two lots fit into the landscape and to minimize their impacts, insofar as possible, on the beautiful site in which they are located. I hope you will work with the neighbors toward that objective.

> Best Regards,

> Bill Dehn

>

> 11209 E Cavedale Dr

From:

Kenton Hopkins <kentonhopkins@live.com>

Sent:

Saturday, August 04, 2018 1:09 PM

To:

Murillo, Jesus

Cc:

Jeffrey Skoglind; Tanasiuk Terry and Peggy; Bill Dehn

Subject:

RE: Diamond Mountain Estates Preliminary Plat

Thank for you reply to my questions! You are very helpful which we all appreciate.

One key question that Id like to clarify! By ordinance does the new road need to be set back 60' from the property line with Desert Summit? I do understand that the Avalon agreement was a different situation! It does however represents what all parties currently believed BEST suits Development in this Northern Desert area of Scottsdale. Since the Avalon agreement was a negotiated, arms length transaction it should have precedence over the older oridence terms! As I understand the Avalon Project was required to have 150' set back for all improvements, both roads and structures. If Diamond Mtn is allowed to have a road within only a 60' of a Desert Summit Property line it would certainly make the neighborhoods incongruous. Which represents poor planning!

Existing neighborhoods should of course be "grandfathered" but New Development should be required to maintain the new standards just as occurs in Case Law.

I'll take up this later standard with the Development Committee and the City Council.

Will you kindly forward the names and contact Information for the members of the Development committee?

Thanks again for all your effort!

Kenton Hopkins

Sent from Mail for Windows 10

From: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov>

Sent: Friday, August 3, 2018 5:14:29 PM

To: Kenton Hopkins

Cc: Jeffrey Skoglind; Tanasiuk Terry and Peggy; Bill Dehn Subject: RE: Diamond Mountain Estates Preliminary Plat

Hello Mr. Hopkins,

I hope this email finds you well. The road alignment will have to go through review with the transportation department. The transportation department shall have to decide what type of street layout is required for this particular area/project. If the transportation department requires a 25-foot street dimension, then the additional 60-foot front yard setback will total an 85-foot setback from the main structure to the property lines located along the western boundary of Desert Summit. Again, the 150-foot setback between the Desert Summit community and Avalon community was an agreement that was a part of rezoning case. Typically, staff has the ability to suggest different development improvements, buffers, or amenities with a rezoning case because the applicant is requesting additional entitlements. Currently, the applicant is not increasing the density nor requesting amended development standards, and therefore their requirements are to meet ordinance requirements. The ordinance requires all lots to have a street frontage, and I believe that the transportation department would require such a street to be paved. Staff's negotiation ability is limited where a project does not request anything in addition to what is allowed by ordinance. There is still much analysis to be done before I can provide a clear path to the applicant, and to your concerns. I hope this helps in the meantime.

Sincerely,

Jesus

From: Kenton Hopkins <kentonhopkins@live.com>

Sent: Monday, July 30, 2018 7:51 PM

To: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov>

Cc: Jeffrey Skoglind <jeff.artinprogress@gmail.com>; Tanasiuk Terry and Peggy <terryt@krawford.com>; Bill Dehn

bill.dehn@gmail.com>

Subject: Re: Diamond Mountain Estates Preliminary Plat

Hi Jesus,

Hope you are well.

Following up on your note that "Staff may have concerns about the placement of the road" and the applicants boiler plate application that they are sensitive to the neighbors and making every effort to a natural transitions between neighborhoods, I also have deep concerns about the road alignment.

In that regard will you please let us know what the front setbacks are for the homes that are directly adjacent to the East most boundary of the Diamond Mtn Property?

The front set backs on the bordering Desert Summit Properties are in reality close to 150'.

For the Applicant to actually make a smooth transition between the neighborhood of Desert Summit and Diamond Mtn their driveway needs to be at least that distance, 150' from the property line, as opposed to right on it.

Additionally the Desert Mtn. Driveway needs to be paved as are all the adjoining neighborhoods. If unpaved imagine the dust and noise for all 6 adjoining properties.

As always, I very much appreciate your Investigating the front set back for the Desert Summit adjoining properties and getting back to us

Kind regards

Kenton Hopkinsr Sent from my iPad

On Jul 18, 2018, at 7:05 PM, Murillo, Jesus < JMurillo@ScottsdaleAz.Gov wrote:

Staff may have concerns about the placement of the road. I do not want to dive too much into the case without reviewing the application first. The Talon Ranch case was a separate application, and from what I know of the case, I was not the coordinator, the 150-foot buffer served other purposes. I believe that a building envelope in an R1-190 can be larger than 43,000 square-feet. Typically, a R1-190 parcel (190,000 square-foot lot) has a 123,000 square-foot (2.8 acre) building envelope. That is the same building envelopes afforded to the lots located adjacent, to the north, of this site. The two caveats are that the parcel not be located within the Desert Foothills Overlay area (the FO district has max lot coverage requirement), and the NAOS is placed within the setbacks. The natural rock outcroppings are protected if they meet a certain dimension as described by the ESL ordinance.

From: Kenton Hopkins < kentonhopkins@live.com >

Sent: Friday, July 13, 2018 4:55 PM

To: Murillo, Jesus < IMurillo@ScottsdaleAz.Goy>; Tanasiuk Terry and Peggy < terryt@krawford.com>;

Jeffrey Skoglind < jeff.artinprogress@gmail.com >; Bill Dehn < bill.dehn@gmail.com >

Subject: RE: Diamond Mountain Estates Preliminary Plat

Thank you Jesus.

For clarity can the road or driveway to the proposed homes be built within setbacks? In other words can the road or drive be built right on the property line as shown on their Plat?

Thought the developers of Talon Ranch had to maintain a buffer of 150 ft from their property line to any improvements including roads or drives.

Is it also correct that a 43,000 sq ft building envelope is ok within a 190,000 sq ft lot? Is this true even if there are natural rock outcroppings within the 43,000 envelope.

Thanks again Kenton Hopkins

Sent from Mail for Windows 10

From: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov>

Sent: Friday, July 13, 2018 4:21:01 PM

To: Kenton Hopkins

Subject: RE: Diamond Mountain Estates Preliminary Plat

Hello Mr. Hopkins,

I have responded below.

Sincerely,

Jesus

----Original Message----

From: Kenton Hopkins < kentonhopkins@live.com>

Sent: Friday, July 13, 2018 2:09 PM

To: Murillo, Jesus < ! Murillo@ScottsdaleAz.Gov Subject: Diamond Mountain Estates Preliminary Plat

Hello Mr Murillo!

Hope all is well with you.

it's been quite sometime since we communicated on the above referenced Plat.

I have received the Preliminary map

I saw a copy of it today, but was not able to accept the submittal.

Of the subject property and it appears to me as if the applicant has Drawn in the flood plane in correctly!

I will have to double check with the drainage department once the application is submitted and accepted.

Where does one go to find the cities flood plane map?

I believe that the Drainage staff have that information in their system. I don't know that the detailed "official" copy is on the web. This information changes with projects and time.

Also most properties in North Scottsdale have setbacks from the property lines.

I did not see where the proposed lots had setbacks shown differently. I remember seeing building envelopes that were based off of setbacks taken from the property lines.

The applicant Preliminary map shows a road bordering there eastern property line. As if they are trying to have as much negative impact as possible on their neighbors to the East? I did see this design, staff will have to evaluate this when the case is submitted.

Also as has been discussed in the past, this piece of land has many beautiful rock outcroppings that I understood the city wanted to protect.

Correct.

By allowing almost an acre of building envelop these homes will have a very large negative impact in an area that has been designated as High Priority NAOS by the city.

The ordinance allows for a 190,000 square-foot lot (4.36 acres) to develop within the development envelope (which in this case would include the area inside the setbacks and dedicated NAOS areas). This is the same requirement as over the lots located to the north of this site.

Finally, will these properties have a height restriction? Again the homes directly to the East have a one story height restriction.

The ordinance restricts the property to 24 feet maximum height (not based off the number of stories), measured from the natural grade. The restrictions in your development are not by ordinance.

I will look forward to your providing as clear an answer as possible to these questions With Kind Regards Kenton

Sent from my iPhone

From:

Murillo, Jesus

Sent:

Friday, August 03, 2018 4:14 PM

To:

'Kenton Hopkins'

Cc:

Jeffrey Skoglind; Tanasiuk Terry and Peggy; Bill Dehn

Subject:

RE: Diamond Mountain Estates Preliminary Plat

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Cc: Jeffrey Skoglind <jeff.artinprogress@gmail.com>; Tanasiuk Terry and Peggy <terryt@krawford.com>; Bill Dehn

<bl/><bl/>dehn@gmail.com>

Subject: Re: Diamond Mountain Estates Preliminary Plat

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Sent from my iPhone

From:

Murillo, Jesus

Sent:

Thursday, August 02, 2018 5:38 PM

To:

'bill.dehn@gmail.com'

Subject:

RE: Diamond Mountain Estates 8-PP-2018

Hello Bill,

The lot extends to further to the west than just the peak. The parcel is 43 acres in lot area. The request suggest creating the two 5 acre lots, leaving a 33 acre lot remaining. All three lots will meet ordinance requirements, therefore no rezoning is required. The driveway discussion will be up to the transportation department, as part of the review.

Sincerely,

Jesus

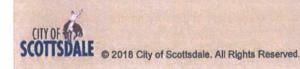
From: bill.dehn@gmail.com <bill.dehn@gmail.com>

Sent: Friday, July 27, 2018 8:45 PM

To: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov> Subject: Diamond Mountain Estates 8-PP-2018



I'm confused about the summary on the P&Z Link for this preliminary plat. The summary says the site will be divided into 3 lots, but the Submittal only discusses and shows two lots. Why? Three lots would seemingly require a rezone. Also the Submittal calls the lot access a driveway (Chase Ln), but the plan shows it as Bajada Dr (a street?) Can you clarify these points? Thank you -- sent by Bill Dehn (case# 8-PP-2018)



From:

Castro, Lorraine

Sent:

Thursday, August 02, 2018 4:12 PM

To:

Steven Kaska

Subject:

RE: Diamond Mountain Estates (8-PP-2018)

Thanks for the information and the nice letter. I will pass this to the coordinator to see about the Street boundaries.

If you need anything else, don't hesitate to call or email me.

Lorraine

From: Steven Kaska <skaska@att.net>
Sent: Thursday, August 02, 2018 4:05 PM

To: Castro, Lorraine <Lcastro@scottsdaleaz.gov>
Subject: Re: Diamond Mountain Estates (8-PP-2018)

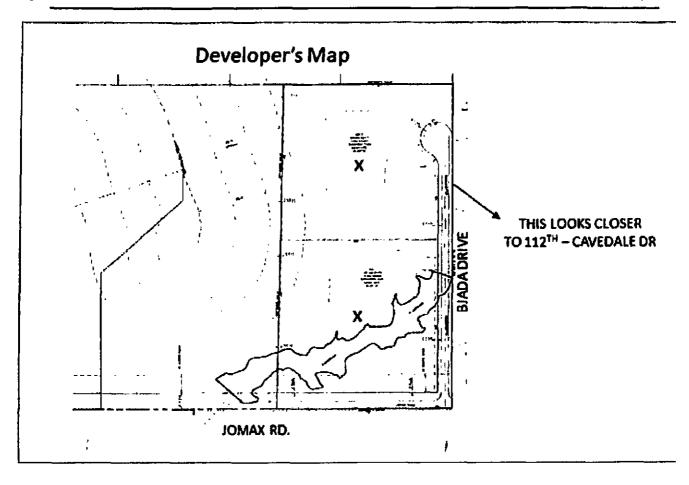
Lorraine,

Just wanted to thank you for your update on this project - didn't expect all the info! Very nice of you to take the time.

It appears the developer's map is a bit confusing on the street boundaries of the plat request - They drew the Eastern Boundary of the plat request as Bajada Drive - I believe that street does not intersect with Jomax Rd. Bajada Drive is way North of the parcel on a Scottsdale map.

I believe the closest road that comes close to intersecting with Jomax due East on this parcel is 112th Street - Cavedale Drive. See below just as an fyi (I could be wrong - if so, ignore). I had nothing else to do today. Steven

Bajada Drive is Located Here On A Scottsdale Map - North of The Propose



On Thursday, August 2, 2018 11:18 AM, "Castro, Lorraine" < Lcastro@scottsdaleaz.gov> wrote:

Hi,

It was a pleasure speaking with you today. Below is a link to the applicant's narrative and what they are proposing.

https://eservices.scottsdaleaz.gov/bldgresources/Cases/Details/48834

To look at the narrative click on the "Applicant's Submittal"

If you have any questions, please don't hesitate to call.

Thanks,

Lorraine Castro

Planning Specialist
City of Scottsdale
Planning and Development Services
Lcastro@ScottsdaleAZ.gov
480-312-7620

Get informed! Subscribe to Scottsdale P & Z Link newsletter



From:

Castro, Lorraine

Sent:

Thursday, August 02, 2018 11:18 AM

To:

skaska@att.net

Cć:

Murillo, Jesus

Subject:

Diamond Mountain Estates (8-PP-2018)

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Thanks,

Larraine Castro

Planning Specialist

City of Scottsdale

Planning and Development Services

Lcastro@ScottsdaleAZ.gov

480-312-7620

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Subscribe to Scottsdale P & Z Link newsletter

SCOTTSDALE

From:

Bill Dehn <bill.dehn@gmail.com>

Sent:

Thursday, August 02, 2018 10:30 AM

To:

'Curt Johnson'

Cc:

'Jeff Skoglind'; 'Kenton Hopkins'; 'Terry Tanasiuk'; 'Young-Fadok, Tonia'; 'William'

Kilpatrick'; 'Jan Perozeni'; 'Fred Corbus'; 'Ashlye Daniel'; Murillo, Jesus

Subject:

RE: Diamond Mountain Estates Preliminary Plat

Attachments:

Diamond Mtn Lot Access.jpg

Dear Mr. Johnson:

Further to my earlier email to you on the subject of your proposed access road to the lots being proposed in your preliminary plat, I have attached a slightly modified version of the access road you had earlier proposed in your 2015 rezone request. While it was developed for a larger number of lots, you have probably already done some of the preliminary engineering of this alignment. I think this access road would reduce the impact from the road on the wash adjacent to our properties and still provide access to the two lots with a shorter road. While it would be nice to have the road entirely on the west side of the lots, the slopes and other features of the site and ESLO limitations would preclude that, as I understand them. Since the road will only serve two lots and may be more of a driveway than a road, I am not sure what you must do in terms of a turnaround or cul-de-sac at the northern end of the access. Accordingly, I did not try to minimize the size of the turnaround, but if it could be smaller, all the better to limit site disruption.

These are my thoughts about what would seem to be an improvement from what was in your mailing to us, but other neighbors may have additional thoughts about it.

Thanks in advance for your consideration of this approach.

Best Regards,

Bill Dehn

From: Bill Dehn [mailto:bill.dehn@gmail.com]

Sent: Tuesday, July 31, 2018 4:11 PM

To: Curt Johnson

Cc: 'Jeff Skoglind'; 'Kenton Hopkins'; 'Terry Tanasiuk'; 'Young-Fadok, Tonla'; 'William Kilpatrick'; 'Jan Perozeni'; 'Fred

Corbus'; 'Ashlye Daniel'; 'Murillo, Jesus'

Subject: Diamond Mountain Estates Preliminary Plat

Dear Mr. Johnson:

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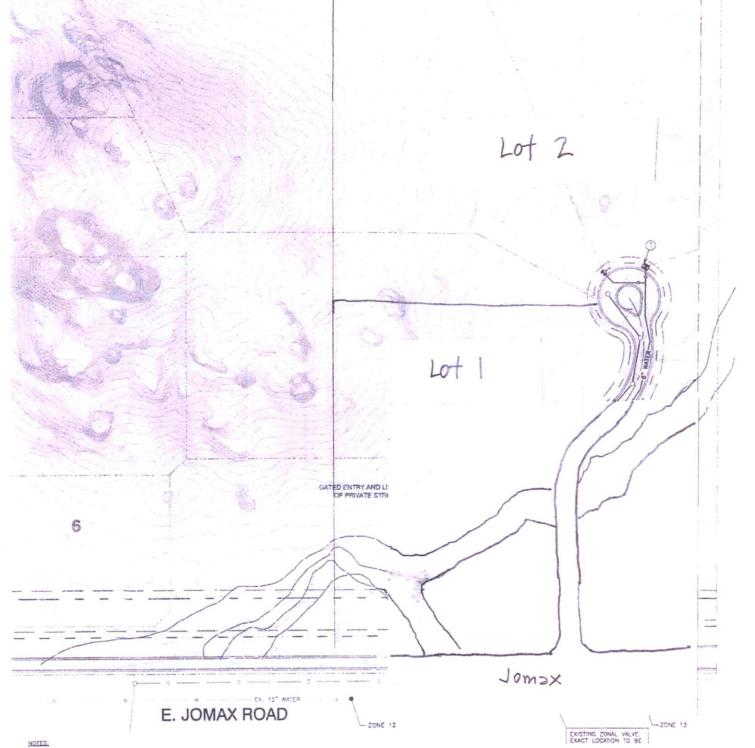
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Best Regards,

Bill Dehn 11209 E Cavedale Dr





From:

Fred Corbus <corbus@earthlink.net>

Sent:

Wednesday, August 01, 2018 8:24 AM

To:

Bill Dehn

Cc:

Curt Johnson; Jeff Skoglind; Kenton Hopkins; Terry Tanasiuk; Young-Fadok, Tonia;

William Kilpatrick; Jan Perozeni; Ashlye Daniel; Murillo, Jesus

Subject:

Re: Diamond Mountain Estates Preliminary Plat

Thanks Bill! The animals, the plants, and the neighbors bow down in appreciation. Fred and Jan

Sent from my iPhone

On Jul 31, 2018, at 3:11 PM, Bill Dehn < bill.dehn@gmail.com> wrote:

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Bill Dehn 11209 E Cavedale Dr

From:

Young-Fadok, Tonia M., M.D. <youngfadok.tonia@mayo.edu>

Sent:

Tuesday, July 31, 2018 3:23 PM

To: Cc: 'Jeffrey Skoglind'; Bill Dehn Kenton Hopkins; Terry Tanasiuk; William Kilpatrick; Jan Perozeni; Fred Corbus; Ashlye

Daniel; Murillo, Jesus; Mark Boundy

Subject:

RE: [EXTERNAL] Re: Diamond Mountain Estates Preliminary Plat

Yes, thank you Bill!

Tonla

From: Jeffrey Skoglind [mailto:ieff.artinprogress@gmail.com]

Sent: Tuesday, July 31, 2018 3:15 PM

To: Bill Dehn

Cc: Kenton Hopkins; Terry Tanasiuk; Young-Fadok, Tonia M., M.D.; William Kilpatrick; Jan Perozeni; Fred Corbus; Ashlye

Daniel; Murillo, Jesus

Subject: [EXTERNAL] Re: Diamond Mountain Estates Preliminary Plat

Nice job Bill

Jeff

Jeff.ArtInProgress@gmail.com

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While the full details of how the two lots will be developed will need to be better understood as your work progresses, the early comments I have heard from the Desert Summit neighbors relate to the proposed access driveway/road/street shown on your submitted preliminary plat. It would be our hope that such access could be designed to provide more buffer from our adjacent properties, and would take into account the existing site contours when providing the access to the two lots. We are particularly concerned about the proximity to the wash (floodplain) along our western boundaries and construction impacts to our properties. Since I am not familiar with how the details of your proposed plat will ultimately be determined, I wanted to let you know of my desire to see if there could be consideration of alternative routing of the access to the lots from that provided in the filed preliminary plat, perhaps taking advantage of natural contours and making it more "organic" to the landforms. I know that the floodplain crossing itself complicates this objective, but I would like to know that consideration of other than a straight access road had been evaluated.

It is my assumption that the ultimate developers of the lots (if not the Family Partnership) will need to provide an access driveway (or will it be a dedicated road?), utilities, and an engineered crossing of the

floodplain that borders the site between several of our properties and the proposed lots. I assume that these things will be the subject of the approval of the preliminary plat, and that however they are proposed for City approval (if subsequently ratified) will become limitations on how the plat is ultimately developed. This is why I'd like to make sure that options for lot access have been fully considered.

It is my objective to make the development of these two lots fit into the landscape and to minimize their impacts, insofar as possible, on the beautiful site in which they are located. I hope you will work with the neighbors toward that objective.

Best Regards,

Bill Dehn 11209 E Cavedale Dr

From:

Jeffrey Skoglind <jeff.artinprogress@gmail.com>

Sent:

Tuesday, July 31, 2018 3:15 PM

To:

Bill Dehn

Cc:

Kenton Hopkins; Terry Tanasiuk; Young-Fadok, Tonia; William Kilpatrick; Jan Perozeni;

Fred Corbus; Ashlye Daniel; Murillo, Jesus

Subject:

Re: Diamond Mountain Estates Preliminary Plat

Nice job Bill!

Jeff

Jeff.ArtInProgress@gmail.com

On Jul 31, 2018, at 4:11 PM, Bill Dehn < bill.dehn@gmail.com > wrote:

Dear Mr. Johnson:

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From:

Bill Dehn

bill.dehn@gmail.com>
Tuesday, July 31, 2018 3:11 PM

Sent: To:

Curt Johnson

Cc:

'Jeff Skoglind'; 'Kenton Hopkins'; 'Terry Tanasiuk'; 'Young-Fadok, Tonia'; 'William

Kilpatrick'; 'Jan Perozeni'; 'Fred Corbus'; 'Ashlye Daniel'; Murillo, Jesus

Subject:

Diamond Mountain Estates Preliminary Plat

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Best Regards,

Bill Dehn 11209 E Cavedale Dr

From:

Kenton Hopkins <kentonhopkins@live.com>

Sent:

Monday, July 30, 2018 7:51 PM

To;

Murillo, Jesus

Cc:

Jeffrey Skoglind; Tanasiuk Terry and Peggy; Bill Dehn

Subject:

Re: Diamond Mountain Estates Preliminary Plat

Hi Jesus,

Hope you are well.

Following up on your note that "Staff may have concerns about the placement of the road" and the applicants boiler plate application that they are sensitive to the neighbors and making every effort to a natural transitions between neighborhoods, I also have deep concerns about the road alignment.

In that regard will you please let us know what the front setbacks are for the homes that are directly adjacent to the East most boundary of the Diamond Mtn Property?

The front set backs on the bordering Desert Summit Properties are in reality close to 150'.

For the Applicant to actually make a smooth transition between the neighborhood of Desert Summit and Diamond Mtn their driveway needs to be at least that distance, 150' from the property line, as opposed to right on it.

Additionally the Desert Mtn. Driveway needs to be paved as are all the adjoining neighborhoods. If unpaved Imagine the dust and noise for all 6 adjoining properties.

As always, I very much appreciate your investigating the front set back for the Desert Summit adjoining properties and getting back to us

Kind regards

Kenton Hopkinsr Sent from my iPad

On Jul 18, 2018, at 7:05 PM, Murillo, Jesus < JMurillo@ScottsdaleAz.Gov > wrote:

Staff may have concerns about the placement of the road. I do not want to dive too much into the case without reviewing the application first. The Talon Ranch case was a separate application, and from what I know of the case, I was not the coordinator, the 150-foot buffer served other purposes. I believe that a building envelope in an R1-190 can be larger than 43,000 square-feet. Typically, a R1-190 parcel (190,000 square-foot lot) has a 123,000 square-foot (2.8 acre) building envelope. That is the same building envelopes afforded to the lots located adjacent, to the north, of this site. The two caveats are that the parcel not be located within the Desert Foothills Overlay area (the FO district has max lot coverage requirement), and the NAOS is placed within the setbacks. The natural rock outcroppings are protected if they meet a certain dimension as described by the ESL ordinance.

From: Kenton Hopkins < kentonhopkins@live.com >

Sent: Friday, July 13, 2018 4:55 PM

To: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov">JMurillo@ScottsdaleAz.Gov; Tanasiuk Terry and Peggy terryt@krawford.com;

Jeffrey Skoglind < ieff.artinprogress@gmail.com >; Bill Dehn < bill.dehn@gmail.com >

Subject: RE: Diamond Mountain Estates Preliminary Plat

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For clarity can the road or driveway to the proposed homes be built within setbacks? In other words can the road or drive be built right on the property line as shown on their Plat?

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Is it also correct that a 43,000 sq ft building envelope is ok within a 190,000 sq ft lot? Is this true even if there are natural rock outcroppings within the 43,000 envelope.

Thanks again Kenton Hopkins

Sent from Mail for Windows 10

From: Murillo, Jesus < IMurillo@ScottsdaleAz.Gov>

Sent: Friday, July 13, 2018 4:21:01 PM

To: Kenton Hopkins

Subject: RE: Diamond Mountain Estates Preliminary Plat

Hello Mr. Hopkins,

I have responded below.

Sincerely,

Jesus

----Original Message-----

From: Kenton Hopkins <kentonhopkins@live.com>

Sent: Friday, July 13, 2018 2:09 PM

To: Murillo, Jesus < Murillo@ScottsdaleAz.Gov Subject: Diamond Mountain Estates Preliminary Plat

Hello Mr Murillo!

Hope all is well with you.

It's been quite sometime since we communicated on the above referenced Plat.

I have received the Preliminary map

I saw a copy of it today, but was not able to accept the submittal.

Of the subject property and it appears to me as if the applicant has Drawn in the flood plane in correctly!

I will have to double check with the drainage department once the application is submitted and accepted.

Where does one go to find the cities flood plane map?

I believe that the Drainage staff have that information in their system. I don't know that the detailed "official" copy is on the web. This information changes with projects and time.

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I did not see where the proposed lots had setbacks shown differently. I remember seeing building envelopes that were based off of setbacks taken from the property lines.

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Also as has been discussed in the past, this piece of land has many beautiful rock outcroppings that I understood the city wanted to protect.

Correct.

By allowing almost an acre of building envelop these homes will have a very large negative impact in an area that has been designated as High Priority NAOS by the city.

The ordinance allows for a 190,000 square-foot lot (4.36 acres) to develop within the development envelope (which in this case would include the area inside the setbacks and dedicated NAOS areas). This is the same requirement as over the lots located to the north of this site.

Finally, will these properties have a height restriction? Again the homes directly to the East have a one story height restriction.

The ordinance restricts the property to 24 feet maximum height (not based off the number of stories), measured from the natural grade. The restrictions in your development are not by ordinance.

I will look forward to your providing as clear an answer as possible to these questions With Kind Regards Kenton

Sent from my IPhone

From:

bill.dehn@gmail.com

Sent:

Friday, July 27, 2018 8:45 PM

To:

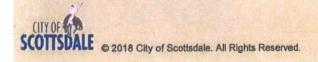
Murillo, Jesus

Subject:

Diamond Mountain Estates 8-PP-2018



I'm confused about the summary on the P&Z Link for this preliminary plat. The summary says the site will be divided into 3 lots, but the Submittal only discusses and shows two lots. Why? Three lots would seemingly require a rezone. Also the Submittal calls the lot access a driveway (Chase Ln), but the plan shows it as Bajada Dr (a street?) Can you clarify these points? Thank you -- sent by Bill Dehn (case# 8-PP-2018)



From:

Jeffrey Skoglind <jeff.artinprogress@gmail.com>

Sent:

Saturday, July 21, 2018 8:18 AM

To:

Murillo, Jesus

Cc:

Kenton Hopkins; Bill Dehn

Subject:

Re: Diamond Mountain Estates Preliminary Plat

Hello Mr. Murillo,

Diamond Mountain Estates Owners do have a plan for the development of the entire fifty-acre parcel.

Last fall, Betty Drake contacted me at the request of the Campo Family. The purpose was to seek the support of myself and neighbors on the east border. I saw the plan. I have e-mails from November, 2017 related to those meetings/discussions.

If they are now simply seeking approval for a small portion of the plan, they are being disingenuous.

The approach is obvious:

- by dealing with only the eastern ten acres, without re-zoning, we have little to dispute;
- they will return with a plan for the western 30 acres and we will not be in a position of being parties to a legal protest because of our geographic removal.

The Planning Commission as well as City Council should be advised, when their plan is submitted, that it is not a complete submission.

I would be happy to appear anywhere, at any time, to discuss under oath my meetings with Ms. Drake last fall.

Sincerely, Jeff Skoglind

Jeff.ArtInProgress@gmail.com

On Jul 20, 2018, at 10:11 AM, Murillo, Jesus < JMurillo@ScottsdaleAz.Gov wrote:

Hello Mr. Hopkins,

The project application will be required to show the project area in its entirety, because the applicant is proposing a change to that particular parcel which encompasses almost that entire area. The applicant may just show the remainder of the site as one parcel. The remainder of the project area may just develop as one single-family lot. I understand that you feel this will not be the case, but as per ordinance, this is a possibility. The review would have to identify the remainder of the project as meeting the requirements for the R1-190 district.

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Sincerely,

Jesus

----Original Message----

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Sent: Thursday, July 19, 2018 8:11 PM

To: Murillo, Jesus < Murillo@ScottsdaleAz.Gov>

Cc: Jeffrey Skoglind < jeff.artinprogress@gmail.com; Bill Dehn < bill.dehn@gmail.com; Tanasluk Terry and Peggy < terryt@krawford.com; ashlyed@gmail.com; Kenton Hopkins < kentonhopkins@live.com> Subject: Diamond Mountain Estates Preliminary Plat

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Will you please clarify the process for the Applicant after the acceptance of their submittal? Does Scottsdale staff review the submittal? Do they make a recommendation? Does the public have an opportunity to comment? Does the City Council ultimately vote to approve? Will the applicant be able to move forward with their request on the eastern portion of their property without making there Intentions clearly known on the largest portion of their property to the West?

I very much appreciate your helping us understand the process.

All the Best

Kenton Hopkins

Sent from my iPad

From:

Murillo, Jesus

Sent:

Friday, July 20, 2018 9:13 AM

To:

Curt Johnson (Cjohnson@cvlci.com)

Subject:

FW: Diamond Mountain Estates Preliminary Plat

FYI, please see the entire string...

From: Murillo, Jesus

Sent: Wednesday, July 18, 2018 6:05 PM

To: 'Kenton Hopkins' <kentonhopkins@live.com>

Subject: RE: Diamond Mountain Estates Preliminary Plat

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From: Kenton Hopkins < kentonhopkins@live.com>

Sent: Friday, July 13, 2018 4:55 PM

To: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov>; Tanasiuk Terry and Peggy < terryt@krawford.com>; Jeffrey Skoglind

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Subject:

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RE: Diamond Mountain Estates Preliminary Plat

Staff may have concerns about the placement of the road. I do not want to dive too much into the case without reviewing the application first. The Talon Ranch case was a separate application, and from what I know of the case, I was not the coordinator, the 150-foot buffer served other purposes. I believe that a building envelope in an R1-190 can be larger than 43,000 square-feet. Typically, a R1-190 parcel (190,000 square-foot lot) has a 123,000 square-foot (2.8 acre) building envelope. That is the same building envelopes afforded to the lots located adjacent, to the north, of this site. The two caveats are that the parcel not be located within the Desert Foothills Overlay area (the FO district has max lot coverage requirement), and the NAOS is placed within the setbacks. The natural rock outcroppings are protected if they meet a certain dimension as described by the ESL ordinance.

From: Kenton Hopkins <kentonhopkins@live.com>

Sent: Friday, July 13, 2018 4:55 PM

To: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov>; Tanasiuk Terry and Peggy < terryt@krawford.com>; Jeffrey Skoglind

<jeff.artinprogress@gmail.com>; Bill Dehn <bill.dehn@gmail.com>

Subject: RE: Diamond Mountain Estates Preliminary Plat

Thank you Jesus.

For clarity can the road or driveway to the proposed homes be built within setbacks? In other words can the road or drive be built right on the property line as shown on their Plat?

Thought the developers of Talon Ranch had to maintain a buffer of 150 ft from their property line to any improvements including roads or drives.

Is it also correct that a 43,000 sq ft building envelope is ok within a 190,000 sq ft lot? Is this true even if there are natural rock outcroppings within the 43,000 envelope.

Thanks again

Kenton Hopkins

Sent from Mail for Windows 10

From: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov>

Sent: Friday, July 13, 2018 4:21:01 PM

To: Kenton Hopkins

Subject: RE: Diamond Mountain Estates Preliminary Plat

Hello Mr. Hopkins,

I have responded below.

Sincerely,

Jesus

----Original Message----

From: Kenton Hopkins < kentonhopkins@live.com>

Sent: Friday, July 13, 2018 2:09 PM

To: Murillo, Jesus < <u>JMurillo@ScottsdaleAz.Gov</u>>
Subject: Diamond Mountain Estates Preliminary Plat

Hello Mr Murillo I

Hope all is well with you.

It's been guite sometime since we communicated on the above referenced Plat.

I have received the Preliminary map

I saw a copy of it today, but was not able to accept the submittal.

Of the subject property and it appears to me as if the applicant has Drawn in the flood plane in correctly! I will have to double check with the drainage department once the application is submitted and accepted.

Where does one go to find the cities flood plane map?

I believe that the Drainage staff have that information in their system. I don't know that the detailed "official" copy is on the web. This information changes with projects and time.

Also most properties in North Scottsdale have setbacks from the property lines.

I did not see where the proposed lots had setbacks shown differently. I remember seeing building envelopes that were based off of setbacks taken from the property lines.

The applicant Preliminary map shows a road bordering there eastern property line. As if they are trying to have as much negative impact as possible on their neighbors to the East?

I did see this design, staff will have to evaluate this when the case is submitted.

Also as has been discussed in the past, this piece of land has many beautiful rock outcroppings that I understood the city wanted to protect.

Correct.

By allowing almost an acre of building envelop these homes will have a very large negative impact in an area that has been designated as High Priority MAOS by the city.

The ordinance allows for a 190,000 square-foot lot (4.36 acres) to develop within the development envelope (which in this case would include the area inside the setbacks and dedicated NAOS areas). This is the same requirement as over the lots located to the north of this site.

Finally, will these properties have a height restriction? Again the homes directly to the East have a one story height restriction.

The ordinance restricts the property to 24 feet maximum height (not based off the number of stories), measured from the natural grade. The restrictions in your development are not by ordinance.

I will look forward to your providing as clear an answer as possible to these questions With Kind Regards Kenton

Sent from my iPhone

From:

Kenton Hopkins <kentonhopkins@live.com>

Sent:

Friday, July 13, 2018 4:55 PM

To:

Murillo, Jesus; Tanasiuk Terry and Peggy; Jeffrey Skoglind; Bill Dehn

Subject:

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'Kenton Hopkins'

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Sent from my iPhone

From:

Murillo, Jesus

Sent:

Friday, July 13, 2018 2:25 PM

To:

'Jeffrey Skoglind'

Subject:

RE: Diamond Mountain Estates

Hello Mr. Skoglind,

The application was lacking materials, so I was not able to accept the submittal. I will contact you once the application is complete, accepted by staff, and scanned in for public consumption.

Sincerely,

Jesus

From: Jeffrey Skoglind <jeff.artinprogress@gmail.com>

Sent: Thursday, July 12, 2018 11:29 AM

To: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov>

Subject: Diamond Mountain Estates

Dear Mr. Murillo,

I understand that Diamond Mountain Estates is back.

Could you please forward the preliminary plans.

I am also interested in any thoughts as to how/why this proposal is materially different than the plan that was defeated soundly three years ago.

I hope a community meeting is around the corner.

Thank you, Jeff Skoglind

Sent from Mail for Windows 10

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Friday, July 13, 2018 2:09 PM

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Murillo, Jesus

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Sent from my iPhone

From:

Murillo, Jesus

Sent:

Thursday, July 12, 2018 12:00 PM

To:

'Jeffrey Skoglind'

Subject:

RE: Diamond Mountain Estates

Hello Mr. Skoglind,

You know my schedule better than myself. It appears that I do have a meeting on Friday for the submittal of a preliminary plat on this site. I am not aware of what is being proposed. We will both have to wait to see the submittal. I have not had a meeting with their team since our last communication. I had a quick phone call with an engineer, but had not connected that call with the submittal. I will forward you the link to their submittal as soon as my team has their application uploaded. There is no guarantee that the application will be complete enough to be accepted as a submittal, so I will hold that caveat. You should hear from me shortly.

Sincerely,

Jesus

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Sent: Thursday, July 12, 2018 11:29 AM

To: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov>

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Thank you, Jeff Skoglind

Sent from Mail for Windows 10

From:

Murillo, Jesus

Sent:

Thursday, July 05, 2018 10:54 AM

To:

'Bill Dehn'

Subject:

RE: Diamond Mountain Lots

The open house will be up to the discretion of the applicant (because it is not a rezoning). I can also forward your concerns to our transportation department.

From: Bill Dehn <bill.dehn@gmail.com> Sent: Tuesday, July 03, 2018 3:56 PM

To: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov>

Subject: RE: Diamond Mountain Lots

Jesus:

Thanks for all your help on this. Will there definitely be an open house about this, since it does not require a zoning change?

I am most concerned about the proposed new street (Bajada Drive) they propose up the east side of the site.

Bill Dehn

From: Murillo, Jesus [mailto:JMurillo@ScottsdaleAz.Gov]

Sent: Tuesday, July 03, 2018 3:41 PM

To: Bill Dehn

Subject: RE: Diamond Mountain Lots

Hello Mr. Dehn,

You may submit comments to the assigned coordinator when the application is submitted. I would suggest providing comments to the applicant/owner at the time of the open house. You may then provide comments to the project coordinator to be included in the reports. You then will have the opportunity to comment during any, and all, public hearings held here at the City.

Sincerely,

Jesus

From: Bill Dehn < bill.dehn@gmail.com > Sent: Monday, July 02, 2018 3:53 PM

To: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov>

Subject: Fwd: Diamond Mountain Lots

Jesus:

What will be the process to influence the details of the proposed plat for Diamond Mountain Estates? We will be most interested in making sure that key land features (like the wash) are appropriately treated for its access road and our opportunity to have a buffer from development along our property lines.

Can you clarify the process for adjacent landowner comment on the preliminary plat?

Thanks

Bill Dehn 720-560-3564

Begin forwarded message:

From: Bill Dehn < bill.dehn@gmail.com > Date: July 2, 2018 at 4:46:04 PM MDT

To: Jeff Skoglind < <u>ieff.artinprogress@gmail.com</u>>, Patt Molano < <u>skoglind@aol.com</u>>, Kenton Hopkins

<kentonhopkins@live.com>, Terry Tanasiuk <terryt@krawford.com>, Fred Corbus

<corbus@earthlink.net>, Tonia Young-Fadok<youngfadok.tonia@mayo.edu>, Ashlye Daniel

<a href="mailto:, William Kilpatrickrealbilly@aol.com

Subject: Dlamond Mountain Lots

Looks like the Diamond Mountain Estates development is back on. Got a mailing today (you all did too) indicating that they are filing a preliminary plat for two lots on our side of the mountain. Shows an access road right along the property boundary adjacent to our lots. I don't think that would work given the terrain, but they might just be opening the case to get input and then modify, if necessary, from this proposal. Once it gets filed, I assume a person in planning will be assigned to manage it. I'm not sure, however, what the process will be to have any input on buffers to us or any other aspects of the plat. If any of you in residence know or can find out, please let us all know. We can't stop this, since it doesn't need a redone, but I think we can affect the details of the plat. Best,

Bill

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Sent:

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To:

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To: Bill Dehn

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<corbus@earthlink.net>, Tonia Young-Fadok <youngfadok.tonia@mayo.edu>, Ashlye Daniel

< Ashlyed@gmail.com >, William Kilpatrick < realbilly@aol.com >

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Bill

From: Sent: Bill Dehn

bill.dehn@gmail.com> Monday, July 02, 2018 3:53 PM

To:

Murillo, Jesus

Subject:

Fwd: Diamond Mountain Lots

Follow Up Flag:

Follow up Flagged

Flag Status:

Jesus:

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Bill

From:

Murillo, Jesus

Sent:

Thursday, June 14, 2018 7:33 AM

To:

'Jeffrey Skoglind'

Subject:

RE: Diamond Mountain Estates

Mr. Skoglind,

I am not aware of any reason as to why there would be any survey markers being placed in those locations. I will contact you if I learn of any further developments on that site.

Sincerely,

Jesus

From: Jeffrey Skoglind <jeff.artinprogress@gmail.com>

Sent: Wednesday, June 13, 2018 1:01 PM
To: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov>

Subject: Re: Diamond Mountain Estates

Dear Mr. Murillo,

There appear to be some survey markers (flags) being inserted along Jomax between Alma School and Desert Summit. Do you know if this is connected to the Diamond Mountain project or possibly associated with a road project?

Thank you, Jeff Skoglind

Jeff.ArtInProgress@gmail.com

On Jun 4, 2018, at 3:14 PM, Murillo, Jesus < JMurillo@ScottsdaleAz.Gov wrote:

It was more technical in nature. They were asking about submittal requirements. If I remember correctly, there was discussion about timelines and requirements. We have had different codes adopted since the plans were previously submitted. This means most of the plans and graphics, whether the proposal changes or not, have to be updated and recreated. The discussion involved a subdivision, but no specifics were discussed. I mentioned looking into all the previous stipulations for guidance.

From: Jeffrey Skoglind < jeff.artinprogress@gmail.com >

Sent: Monday, June 04, 2018 1:15 PM

To: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov>

Subject: Re: Diamond Mountain Estates

Thanks Mr. Murillo for your response.

From your brief meeting with the engineer, can you share any thoughts regarding subject matter or intent?

| Jeff Skoglind |
|---|
| On Wed, May 30, 2018 at 6:34 PM, Murillo, Jesus < <u>JMurillo@scottsdaleaz.gov</u> > wrote: |
| Hello Mr. Skoglind, |
| |
| I had heard some similar comments. I had even met with the engineer for a couple minutes (I believe this was sometime in January). I have not heard anything since then. |
| ,, , , , |
| Sincerely, |
| |
| Jesus |
| |
| From: Jeffrey Skoglind < ieff.artinprogress@gmail.com > Sent: Tuesday, May 29, 2018 8:45 AM |
| To: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov > Subject: Diamond Mountain Estates |
| |
| Hello Mr. Murillo, |
| · |
| It has been a couple of years since we last connected. |
| |
| I am writing to inquire about any activity you are aware of regarding this property. |
| Last fall, Betty Drake was asked to contact me by the Campo Family to explore a potential development plan. She suggested that they were trying to engage John Berry to represent them. |
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| So, six months later, has any action come to your attention - rezoning requests, plot plans, etc? |
| Co, com mandia latery ride any desirent estimate year attention (consumer estates) presidently every |
| |

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| Sincerely, | |
| Jesus | |
| From: Jeffrey Skoglind < <u>ieff.artii</u> Sent: Tuesday, May 29, 2018 8:4 To: Murillo, Jesus <jmurillo@sco diamond="" est<="" mountain="" subject:="" td=""><td>45 AM ottsdaleAz.Gov></td></jmurillo@sco> | 45 AM ottsdaleAz.Gov> |
| Hello Mr. Murillo, | |
| it has been a couple of years sin | ce we last connected. |
| I am writing to inquire about an | y activity you are aware of regarding this property. |

| Last fall, Betty Drake was asked to contact me by the Campo Family to explore a potential development plan. She suggested that they were trying to engage John Berry to represent them. |
|---|
| So, six months later, has any action come to your attention - rezoning requests, plot plans, etc? |
| Thank you for your time, |
| Jeff Skoglind |

From:

Murillo, Jesus

Sent:

Wednesday, May 30, 2018 6:34 PM

To:

'Jeffrey Skoglind'

Subject:

RE: Diamond Mountain Estates

Hello Mr. Skoglind,

I had heard some similar comments. I had even met with the engineer for a couple minutes (I believe this was sometime in January). I have not heard anything since then.

Sincerely,

Jesus

From: Jeffrey Skoglind <jeff.artinprogress@gmail.com>

Sent: Tuesday, May 29, 2018 8:45 AM

To: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov>

Subject: Diamond Mountain Estates

Hello Mr. Murillo,

It has been a couple of years since we last connected.

I am writing to inquire about any activity you are aware of regarding this property.

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From:

Jeffrey Skoglind <jeff.artinprogress@gmail.com>

Sent:

Saturday, November 04, 2017 10:24 AM

To:

Murillo, Jesus

Subject:

Diamond Mountain Estates

Follow Up Flag:

Follow up

Flag Status:

Flagged

Hello Mr. Murillo,

Can you please give me an update on whether there has been any notifications or filings connected to this 50-acre parcel of land on Jomax Rd?

Thank you for your time, Jeff Skoglind

From:

Curt Johnson <Cjohnson@cvlci.com>

Sent:

Friday, June 07, 2019 1:07 PM

To:

Murillo, Jesus

Subject:

Diamond Mountain Estates Case 8-PP-2018 - DRB on June 20, 2019

Jesus,

Please accept this email as our request to continue the above referenced case from the DRB scheduled on June 20, 2019 to a date to be determined.

Best regards,

Curt

Curt Johnson

Senior Vice President

direct: 602.285,4708 mobile: 602.828.2608

COE & VAN LOO CONSULTANTS, INC. RANKING AZ #1

4550 N. 12th Street • Phoenix, Arizona • 85014

www.cvlci.com • cjohnson@cvlci.com • LinkedIn



From:

Murillo, Jesus

Sent:

Monday, August 05, 2019 12:42 PM

To:

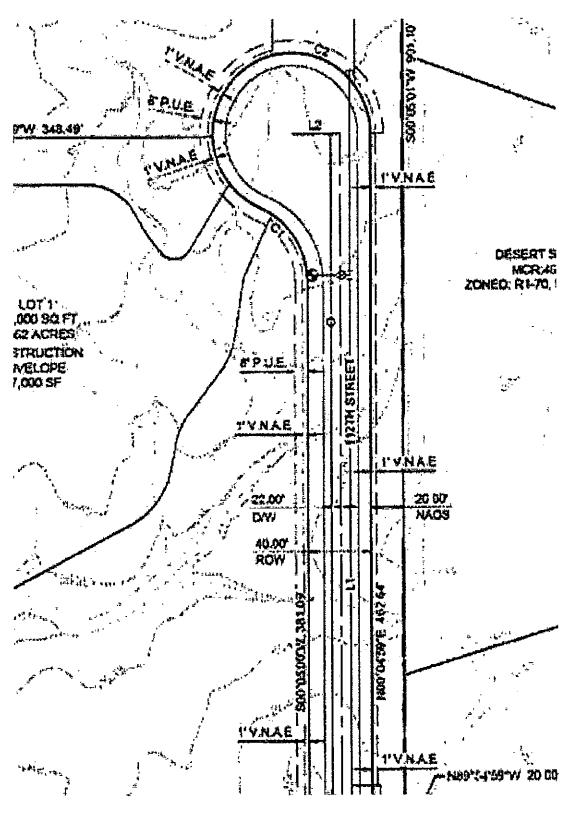
Steven Kaska

Subject:

RE: DIAMOND MOUTAIN MAP

Hello Mr. Kaska,

Staff has stipulated that, if approved, this proposed alignment be identified as N. 112th Street. As you can see form the latest graphic below, the applicant did respond appropriately to staff's comments:



Sincerely,

Jesus

From: Steven Kaska <skaska@att.net>
Sent: Monday, August 05, 2019 9:06 AM

To: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov>
Subject: DIAMOND MOUTAIN MAP

\triangle EXTERNAL Email with links or attachments. Please use caution! Jesus,

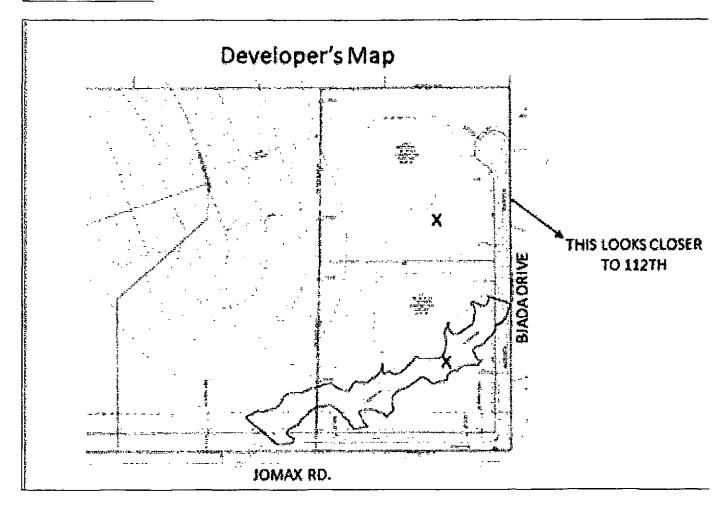
Thank you for keeping me on your mailing list concerning the Diamond Mt. Estates proposed project.

Quick Question - is the Eastern Boundary of these lots Biada Drive or 112th Street - Developer's map below Do you have a newer map showing E boundaries?

No urgency here - only if you have the time.

Thank you.

Steven Kaska skaska@att.net



From:

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Murillo, Jesus

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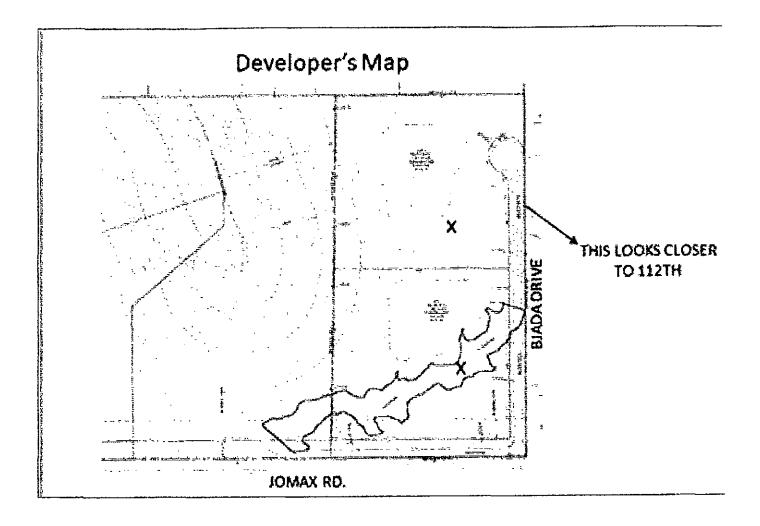
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Steven Kaska skaska@att.net



From:

Murillo, Jesus

Sent:

Thursday, August 01, 2019 10:06 AM

To:

Young-Fadok, Tonia M., M.D.; Kenton Hopkins

Cc:

bill.dehn@gmail.com; skaska@att.net; dcb4diamond@gmail.com; corbus@earthlink.net;

jeff.artinprogress@gmail.com; terryt@krawford.com; ashlyed@gmail.com; jpzenizeni@earthlink.net; azsonnie@gmail.com; realbilly@aol.com; Curt Johnson (Cjohnson@cvlci.com); Venker, Steve; Acevedo, Alex; Curtis, Tim; Grant, Randy; Mark

Boundy

Subject:

RE: Diamond Mountain Estates Case 8-PP-2018 - DRB on June 20, 2019

Ms. Young-Fadok,

I have responded to your individual comments below. I have bolded your comments to make my responses easier to identify.

Jesus

From: Young-Fadok, Tonia M., M.D. <youngfadok.tonia@mayo.edu>

Sent: Wednesday, July 31, 2019 9:32 PM

To: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov>; Kenton Hopkins < kentonhopkins@live.com>
Cc: bill.dehn@gmail.com; skaska@att.net; dcb4diamond@gmail.com; corbus@earthlink.net;

jeff.artinprogress@gmail.com; terryt@krawford.com; ashlyed@gmail.com; jpzenizeni@earthlink.net;

azsonnie@gmail.com; realbilly@aol.com; Curt Johnson (Cjohnson@cvlci.com) <Cjohnson@cvlci.com>; Venker, Steve <JVenker@Scottsdaleaz.gov>; Acevedo, Alex <AAcevedo@scottsdaleaz.gov>; Curtis, Tim <tcurtis@scottsdaleaz.gov>;

Grant, Randy <RGrant@Scottsdaleaz.gov>; Mark Boundy <bounds@cox.net>
Subject: RE: Diamond Mountain Estates Case 8-PP-2018 - DRB on June 20, 2019

Please clarify the following

1. The original project submission

In this instance, the "original" project submission is the request for a preliminary plat, not the original rezoning request. This "original" preliminary plat submission has always included subdividing the 45-acre parcel into three lots (as is proposed now). There were some elements about the request that did not meet the zoning ordinance requirement or design standards and policies manual completely. Staff responded to the applicant through review comment letters. Staff provided the review comment letters to those that had previously expressed interest as they were issued to the applicant. Please let me know if you would like to receive a particular review letter or all review comment letters.

2. The "staff stipulations". I believe we will all likely have issues as we do not know what these are
The stipulations will be provided to all those that have expressed interest along with the link to the report. The report is
being updated; especially to include all the neighborhood correspondence that has occurred since the previously
proposed DRB hearing date. As soon as the report is finalled, I will send a link to the document to everyone on this
email list.

3. How the "staff stipulations" have not resulted in "as the project is currently proposed, there have not been any changes to the project from what was originally been proposed." The grammar in this needs to be fixed (change "was" to "had" or just delete "been"). These are legal documents.

These emails are public documents. In that sense, they do have a implication of legality to them. I am not at liberty to change an email once the email has been distributed – that would cause negative legal ramifications for staff. Forgive my grammatical errors. This usually occurs when I try to expedite my responses. I will do my best to be more diligent.

The logic does not work. If staff stipulations have not resulted in any changes, then this project will still fail, and will result in the same scenario that led to "postponement" not "withdrawal". Was postponement meant to make sure that interested parties would not be here in AZ?

Staff was of the opinion that all the stipulations, as proposed to the owner, were necessary to move forward with the project. The applicant considered requesting stipulations to be removed or postponed to a later phase of the process. The owner agreed to the stipulations, and the document did not change from what would have been presented (had the case moved forward at the previously scheduled DRB hearing date). I can only speak for myself—I would never base the scheduling of a project to exclude or discourage any citizen participation. I have included the applicant in this email, so that your comments will also be brought to their attention.

I live here year-round. In support of my neighbors, I request that this case is moved to a month when they are all here. The timing of this case-hearing is and will be sufficient to cast aspersions on any decision that is made.

Again, the applicant has been included in this email, and will have an opportunity to consider your comments above.

TYF

Tonia M. Young-Fadok, MD, MS, FACS, FASCRS Professor of Surgery, Mayo Clinic College of Medicine Division of Colon and Rectal Surgery Mayo Clinic, AZ 5777 E Mayo Blvd Phoenix, AZ 85054 Phone: 480-342-2697 Fax: 480-342-2866

youngfadok.tonia@mayo.edu

From: Murillo, Jesus [mailto:JMurillo@ScottsdaleAz.Gov]

Sent: Wednesday, July 31, 2019 2:05 PM

To: Kenton Hopkins

Cc: Young-Fadok, Tonia M., M.D.; <u>bill.dehn@gmail.com</u>; <u>skaska@att.net</u>; <u>dcb4dlamond@gmail.com</u>; <u>corbus@earthlink.net</u>; <u>jeff.artinprogress@gmail.com</u>; <u>terryt@krawford.com</u>; <u>ashlyed@gmail.com</u>;

jpzenizeni@earthlink.net; azsonnie@gmail.com; realbilly@aol.com; Curt Johnson (Cjohnson@cvlci.com); Venker, Steve;

Acevedo, Alex; Curtis, Tim; Grant, Randy

Subject: [EXTERNAL] RE: Diamond Mountain Estates Case 8-PP-2018 - DRB on June 20, 2019

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I hope this helps answer your questions. If not, please feel free to contact me again.

Jesus

From: Kenton Hopkins < kentonhopkins@live.com>

Sent: Wednesday, July 31, 2019 12:11 PM

To: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov>

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★EXTERNAL Email with links or attachments. Please use caution!

Thanks Jesus,

Has anything change with Diamond Proposal since they withdrew? Have we seen all the presentation materials that will be show at the Aug. 15 meeting? If not will you please forward to us anything new.

Thank you

Kenton Hopkins

Sent from my iPhone

On Jul 30, 2019, at 7:57 PM, Murillo, Jesus < JMurillo@scottsdaleaz.gov > wrote:

Helio Everyone,

I have confirmed that the Diamond Mountain Estates case, case 8-PP-2018, will be presented to the Development Review Board on Thursday, August 15, 2019. I will provide everyone with a copy of the staff's report, once it has been vetted and ready for public consumption.

Please feel free to contact me with any further questions or comments.

Sincerely,

Jesus

From:

Murillo, Jesus

Sent:

Thursday, August 01, 2019 9:25 AM

To:

Jeffrey Skoglind

Cc:

Kenton Hopkins; Young-Fadok, Tonia M., M.D.; bill.dehn@gmail.com; skaska@att.net;

dcb4diamond@gmail.com; corbus@earthlink.net; terryt@krawford.com;

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Randy

Subject:

RE: Diamond Mountain Estates Case 8-PP-2018 - DRB on June 20, 2019

Hello Mr. Skoglind,

I greatly appreciate the sentiment.

The owner "paused" the process to discuss some of the stipulations, and consider whether they were going to be in full agreement. After some discussions, and the DRB taking a month break for the summer, the case was rescheduled to the August 15, 2019 hearing date.

I want to first clarify, that when I say "originally" proposed, I refer to this current request – not the previous zoning request. It seems that some people might have thought I was referring to the owners previous zoning request when I stated "original."

You are correct, the current case materials have not been modified since the changes the applicant made as per staff's review comment letters, earlier in this review process. I would not say that the changes, or stipulations, have been embraced. None the less, the project will be moving forward as was previously going to be presented to the DRB. Staff is accustomed to receiving and sending many correspondences; and end-of-the-process discussions about stipulations. The "pause" was not unusual in the review process.

Again, as soon as the report is ready to be distributed, I will provide everyone with the link to the document.

Sincerely,

Jesus

From: Jeffrey Skoglind <jeff.artinprogress@gmail.com>

Sent: Wednesday, July 31, 2019 4:01 PM

To: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov>

Cc: Kenton Hopkins <kentonhopkins@live.com>; Young-Fadok, Tonia M., M.D. <youngfadok.tonia@mayo.edu>; bill.dehn@gmail.com; skaska@att.net; dcb4diamond@gmail.com; corbus@earthlink.net; terryt@krawford.com; ashlyed@gmail.com; jpzenizeni@earthlink.net; azsonnie@gmail.com; realbilly@aol.com; Curt Johnson (Cjohnson@cvlci.com) <Cjohnson@cvlci.com>; Venker, Steve <JVenker@Scottsdaleaz.gov>; Acevedo, Alex <AAcevedo@scottsdaleaz.gov>; Curtis, Tim <tcurtis@scottsdaleaz.gov>; Grant, Randy <RGrant@Scottsdaleaz.gov> Subject: Re: Diamond Mountain Estates Case 8-PP-2018 - DRB on June 20, 2019

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Thank you for your email.

Throughout the many years that there has been proposals regarding the Diamond Mountain project, your engagement has been exceptional. You have been timely in your messages and taken efforts to be very informative. It has been a pleasure to work with you.

I am a bit confused with your latest message.

You state 'The applicant, as staff understands the situation, will not be arguing/opposing the proposed stipulations'. That suggests to me that changes requested have been embraced.

But then you further state 'As the project is currently proposed, there have not been any changes from the project from what was originally been proposed'. That suggests to me that you are looking at a proposal without any revisions. Is that the case?

If so, why in the world is this applicant wasting the time of you and the city of Scottsdale?

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On Wed, Jul 31, 2019 at 2:05 PM Murillo, Jesus < IMurillo@scottsdaleaz.gov> wrote:

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Subject:

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Sent: Wednesday, July 31, 2019 12:11 PM

To: Murillo, Jesus <JMurillo@ScottsdaleAz.Gov>

Cc: Young-Fadok, Tonia M., M.D. <<u>youngfadok.tonia@mayo.edu</u>>; <u>bill.dehn@gmail.com</u>; <u>skaska@att.net</u>; <u>dcb4diamond@gmail.com</u>; <u>corbus@earthlink.net</u>; <u>jeff.artinprogress@gmail.com</u>; <u>terryt@krawford.com</u>; <u>ashlyed@gmail.com</u>; <u>jpzenizeni@earthlink.net</u>; <u>azsonnie@gmail.com</u>; <u>realbilly@aol.com</u>; Curt Johnson (<u>Cjohnson@cvlci.com</u>) <<u>Cjohnson@cvlci.com</u>>; Venker, Steve <JVenker@Scottsdaleaz.gov>; Acevedo, Alex <<u>AAcevedo@scottsdaleaz.gov</u>>; Curtis, Tim <<u>tcurtis@scottsdaleaz.gov</u>>; Grant, Randy <RGrant@Scottsdaleaz.gov> Subject: Re: Diamond Mountain Estates Case 8-PP-2018 - DRB on June 20, 2019

↑ EXTERNAL Email with links or attachments. Please use caution!

Thanks Jesus,

Has anything change with Diamond Proposal since they withdrew?

Have we seen all the presentation materials that will be show at the Aug. 15 meeting?

If not will you please forward to us anything new.

Thank you

Kenton Hopkins

Sent from my iPhone

On Jul 30, 2019, at 7:57 PM, Murillo, Jesus < JMurillo@scottsdaleaz.gov > wrote:

Hello Everyone,

I have confirmed that the Diamond Mountain Estates case, case 8-PP-2018, will be presented to the Development Review Board on Thursday, August 15, 2019. I will provide everyone with a copy of the staff's report, once it has been vetted and ready for public consumption.

Please feel free to contact me with any further questions or comments.

Sincerely,

Jesus

From:

Murillo, Jesus

Sent:

Wednesday, July 31, 2019 2:05 PM

To:

Kenton Hopkins

Cc:

Young-Fadok, Tonia M., M.D.; bill.dehn@gmail.com; skaska@att.net;

dcb4diamond@gmail.com; corbus@earthlink.net; jeff.artinprogress@gmail.com;

terryt@krawford.com; ashlyed@gmail.com; jpzenizeni@earthlink.net;

azsonnie@gmail.com; realbilly@aol.com; Curt Johnson (Cjohnson@cvlci.com); Venker,

Steve; Acevedo, Alex; Curtis, Tim; Grant, Randy

Subject:

RE: Diamond Mountain Estates Case 8-PP-2018 - DRB on June 20, 2019

Mr. Hopkins,

I hope this email finds you well. If I may, I would like to clear up a use of terminology. The project had not been "withdrawn;" the applicant had made a decision to "postpone" the project in response to some of staff's stipulations. The applicant, as staff understands the situation, will not be arguing/opposing the proposed stipulations. As the project is currently proposed, there have not been any changes to the project from what was originally been proposed. It is as it would have been previously presented to the DRB. As soon as the report is finalled, I will send a link to all those on the distribution list. The only modifications to the case materials will be updating the "citizen involvement" section to attach the correspondence I have received since that date.

I hope this helps answer your questions. If not, please feel free to contact me again.

Jesus

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Sent: Wednesday, July 31, 2019 12:11 PM

To: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov>

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From:

Curt Johnson < Cjohnson@cvlci.com>

Sent:

Thursday, June 20, 2019 9:23 AM

To:

Murillo, Jesus

Subject:

Diamond Mountain Estates 8-PP-2018 DRB Schedule

<u>A EXTERNAL Email with links or attachments. Please use caution!</u> Jesus.

Thank you for your time yesterday in reviewing the proposed Stipulations for the Development Review Board Application for Diamond Mountain Estates Case Number 8-PP-2018. There were questions that the applicant had regarding street improvements and street/trail dedications which were explained and clarified for the applicant. It is based on those clarifications that we request the next available Development Review Board Regular Meeting.

Best regards, Curt

Curt Johnson Senior Vice President

direct: 602.285.4708 mobile: 602.828.2608

COE & VAN LOO CONSULTANTS, INC. RANKING AZ #1

4550 N. 12th Street • Phoenix, Arizona • 85014 www.cvlci.com • cjohnson@cvlci.com • LinkedIn



From:

Young-Fadok, Tonia M., M.D. <youngfadok.tonia@mayo.edu>

Sent:

Friday, June 07, 2019 6:31 PM

To:

Murillo, Jesus; bill.dehn@gmail.com; skaska@att.net; dcb4diamond@gmail.com; corbus@earthlink.net; jeff.artinprogress@gmail.com; kentonhopkins@live.com;

terryt@krawford.com; ashlyed@gmail.com; corbus@earthlink.net; ipzenizeni@earthlink.net; azsonnie@gmail.com; realbilly@aol.com

Cc:

Curt Johnson (Cjohnson@cvlci.com); Venker, Steve; Acevedo, Alex; Curtis, Tim; Grant,

Randy

Subject:

RE: Diamond Mountain Estates Case 8-PP-2018 - DRB on June 20, 2019

Thanks Jesus

What lead-time will we get on the case being re-scheduled?

Tonia

Tonia M. Young-Fadok, MD, MS, FACS, FASCRS Professor of Surgery, Mayo Clinic College of Medicine Mayo Clinic, AZ 5777 E Mayo Blvd Phoenix, AZ 85054 Phone: 480-342-2697 Fax: 480-342-2866

youngfadok.tonia@mayo.edu

From: Murillo, Jesus [mailto:JMurillo@ScottsdaleAz.Gov]

Sent: Friday, June 07, 2019 3:21 PM

To: bill.dehn@gmail.com; skaska@att.net; dcb4diamond@gmail.com; corbus@earthlink.net; jeff.artinprogress@gmail.com; kentonhopkins@live.com; Young-Fadok, Tonia M., M.D.; terryt@krawford.com; ashlyed@gmail.com; corbus@earthlink.net; jpzenizeni@earthlink.net; azsonnie@gmail.com; realbilly@aol.com

Cc: Curt Johnson (Cjohnson@cvlci.com); Venker, Steve; Acevedo, Alex; Curtis, Tim; Grant, Randy Subject: [EXTERNAL] FW: Diamond Mountain Estates Case 8-PP-2018 - DRB on June 20, 2019

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Sincerely,

jesus

From: Curt Johnson <Cjohnson@cvlci.com>

Sent: Friday, June 07, 2019 1:07 PM

To: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov>

Subject: Diamond Mountain Estates Case 8-PP-2018 - DRB on June 20, 2019

Jesus,

Please accept this email as our request to continue the above referenced case from the DRB scheduled on June 20, 2019 to a date to be determined.

Best regards, Curt

Curt Johnson Senior Vice President

direct: 602.285.4708 mobile: 602.828.2608

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4550 N. 12th Street • Phoenix. Arizona • 85014

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|---|---|---|---|---|---|--|
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| | | | | | | |

From:

Murillo, Jesus

Sent:

Saturday, June 01, 2019 9:24 AM

To:

Kenton Hopkins

Cc:

Bill Dehn; Tanasiuk Terry and Peggy; Jeffrey Skoglind; ashlyed@gmail.com

Subject:

RE: Diamond Mtn Estates Case 8-PP-2018

Hello Mr. Hopkins,

Please follow the link below, and look for the "Submit Public Comment / Email Members" link to contact the DRB members. The link/button is in an orange box, below the link you will see the image. This is just an image, and you must follow the link and click on that orange box, after clicking the link above the image, to be able to contact the DRB members:

https://www.scottsdaleaz.gov/boards/development-review-board

RELATED LINKS

icottsdale

View Enabling Ordinance

ercial id the

View Bylaws

aified in the

member, a

Hearing Schedule (PDF)

in design,

Submit Public Comment/Email Wandek

RM END

UPCOMING MEETINGS

21/2020

Thursday, Jun, 06

12/2020

1:00 PM Development Review Board Regular

'21/2020

From: Kenton Hopkins <kentonhopkins@live.com>

Sent: Saturday, June 01, 2019 7:49 AM

To: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov>

Cc: Bill Dehn <bill.dehn@gmail.com>; Tanasiuk Terry and Peggy <terryt@krawford.com>; Jeffrey Skoglind

<jeff.artinprogress@gmail.com>; ashlyed@gmail.com

Subject: Re: Diamond Mtn Estates Case 8-PP-2018

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Good governance is partly defined by keeping the peace. The greater good is often the paramount precept. Your email showed how the above case compare with Desert Summit however this skirts the following issues. Why would a road be allowed to be put so close to neighboring properties that it will appear to go through their back

yards? Especially when there is much smarter road alignment available?

Why is a proposed site allowed to be on top of and at some points within the adjoining major wash? Especially since the City has put this site on a High Priority Environmental watch.

Why don't the approved sites have some cap on the size of home that can be built on them? The adjoining neighborhood, Desert Summit, has homes from 2500-5000 sq ft. It would be forever an example of poor planning to allow anything larger than twice as larger (10,000) to be built on one or both of the proposed sites.

From your email it appears that these elementary planning standards our not in place at this time.

We therefore must appeal to the common sense of the governing body.

Will you please forward the names and addresses for the committee members that will hear this case on June 20th as well as the Names and addresses for the current members of the City Council.

Thank you

Kenton Hopkins

Sent from my iPad

On May 31, 2019, at 3:03 PM, Murillo, Jesus < Murillo@scottsdaleaz.gov> wrote:

Hello Mr. Hopkins,

I have answered your questions below to the best of my ability. As I have stated this before, I do not ever want to feel like I am defending any given project, that is not my job. Having said this, I will point out some elements of the project in order to respond appropriately to your inquiries and concerns.

Please read below for my attempts to respond to your comments.

From: Kenton Hopkins <kentonhopkins@live.com>

Sent: Friday, May 31, 2019 10:34 AM

Subject: RE: Diamond Mtn Estates Case 8-PP-2018

Thank you Jesus,

We are most interested in seeing the ordinances that speak to how a new development must work to be in harmony with the adjoining neighbors.

The ordinance does not contain ordinances that directly speak to "being in harmony with the adjoining neighbors" as people's expressed comments per say. The General Plan has guidelines for proposed development, and the Dynamite Foothills Character Area Plan also contains guidelines. The ESL ordinance and the Design Standards and Policies Manual does specifically discuss how a proposed project be in harmony with the with the environment and not technical ways in which a project should

not impact the surrounding areas (links at the very bottom of this email). In regards to adjoining properties, the ordinance looks to not negatively effects existing properties by way of drainage, setbacks (to less intense zoning districts), encroachment, changing of yards designation, etc.

Are there ordinances that speak to a development being purposefully insensitive to adjoining neighbors? Are there ordinances that speak to devaluing a neighboring property and unduly invading the quite enjoyment of a neighboring property?

The ordinance discusses negative influences based on the above-mentioned points, but the ordinance does not discuss "devaluation" as this is more of a responsibility of the courts. The ordinance does not identify "invading the quite enjoyment of a neighboring property" that I am aware. I suppose the devaluation is something that was have to be analyzed and heard by the court, and the quite enjoyment may be part of the noise ordinance.

We do not see the wisdom of putting in a new road that will basically go through the back yards of neighbors. That will certainly make the new prospective property owners uncomfortable enough to not purchase a lot, as well as, have the existing neighbors running for cover. Especially when a road suitable for high end properties has been previously proposed by the developer. A road that makes a prospective owner feel like they have arrived somewhere special after the turn off Jomax, will be extremely important to a prospective purchaser!! The want to feel the acreage they own, rather than the feeling of driving through a neighborhood until they reach the driveway of the home, which will give the prospect the feeling of living in a subdivision.

I can appreciate your comment, but I am not quite sure how to respond. I will somewhat default to the conversation we have had int the past about the road location.

I will also state that from your opposition to the applicant's previous application, I know you had a concern about building setbacks, and strongly requested that the previous project provide a minimum 150-foot setback for the main structures to your development. Placing the road abutting the "peak" on the site creates more cuts and pushes the building envelopes closer to your development. As currently proposed, the main structures will be setback a minimum of 120 feet, versus 60 feet for main structures, and 2 feet for guest houses and other accessory structures, with your suggested road location. The applicant had previously proposed four lots at this location, and your email to me, form previous opposition, specifically stated that two lots should be the most that should exist at this location (after you mentioned you did not want to see this area developed at all and that it should be preserved). Staff strongly suggested your thoughts to the applicant. The applicant's request now is for two lots at this location. The proposal provides a density that is significantly less than the Desert Summit community, and is not requesting a rezoning - as you had previously request. The applicant is not requesting any amended development standards - as was not the case with their previous request. They are requesting 3 lots on 45 acres (density of 0.06 du/ac), and the Desert Summit density is 0.84 du/ac. The front yard and rear yard setback of this property is 60 feet, versus the 20 feet for the Desert Summit community. I did my best to make sure this application resembled your previous comments the best I could.

We also want to learn about the height restrictions for the proposed improved property. My home (as were others) was restricted to one level from existing grade by the city. This restricting was to insure the view to Diamond Mtn was not unduly imposed upon for the properties to the East of me. Since lot one, of the proposed development, is so much closer to Diamond Mtn, its height restriction is even more critical to insure it does not restrict the view of Diamond Mtn for all properties to the East.

If your community is restricted to a one-story structure, this would be due to your CC&Rs, not the zoning ordinance. As you can see from the Desert Summit development standards below, your community is allowed 30-foot height maximum. The current development application is restricted to 24 feet above natural grade.

Please give us the exact wording to be used to regulate the building heights on the two proposed lots.

Please see below:

<image002.png>

Also please forward all ordinances that refer to the developers duty and responsibility to not disrupt or invade the quite use and enjoyment of the neighboring properties.

Again, there are no ordinances that specifically speak to the invasion of the quite use and enjoyment of neighboring properties. The closest is the noise ordinance that was designed of the downtown area.

As always we thank you for your help and clarifications.

I have provide links to the ordinances and policies that govern this property. They are extensive, so I provided them as links versus text, each link will have section of the ordinance that you may click on the left-hand side of the page:

General Plan: https://www.scottsdaleaz.gov/general-plan

R1-

190: https://library.municode.com/az/scottsdale/codes/code of ordinances?nodeId=VOLIL_APXBBAZO OR ARTVDIRE \$5.010SIMIRER1

ESL: https://library.municode.com/az/scottsdale/codes/code of ordinances?nodeId=VOLII APXBBAZO OR ARTVISUDI S6.1010ENSELAES

Dynamite Foothills Character Area: https://www.scottsdaleaz.gov/planning-development/long-range-planning/character-area-plans/dynamite-foothills

Design Standards and Policies

Manual: https://www.scottsdaleaz.gov/Assets/ScottsdaleAZ/Design/DSPM/DSPM+2018.pdf

Kind Regards Kenton Hopkins

Desert Summit Development Standards:

<image001.png>

From: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov>

Sent: Friday, May 31, 2019 9:26:28 AM

To: Kenton Hopkins

Subject: RE: Diamond Mtn Estates Case 8-PP-2018

Hello Mr. Hopkins,

I have Monday open from 2:30 to 3:30, Tuesday from 9:30 to 10:30, and Thursday from 2:00 to 3:00. These are dates as per my schedule. If you are bringing counsel, I would want to have our attorney there as well. His schedule is quite different than mine, and would take more coordinating.

Sincerely,

Jesus

From: Kenton Hopkins < kentonhopkins@live.com >

Sent: Wednesday, May 29, 2019 1:32 AM

To: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov > Subject: Diamond Mtn Estates Case 8-PP-2018

Hi Mr Murillo

I am writing to set up a meeting with you regarding the above referenced case.

We are concerned about a couple of issues relative to the proposed placement on lot 1.

We have a couple of water maps which show lot 1, as is proposed, is be placed to aggressively close to the primary water shed for Diamond Mtn

We also have a map proposed earlier by the applicant that shows both a much better location for lot 1 and a much better road alignment to access lots 1 and 2.

We are confident that if the applicant was to follow this plan he would do so with the support of the neighboring properties. We are hopeful you will be willing to discuss these issues with the applicant prior to a hearing with a development committee.

Please be so kind as to give us a couple of meeting options when you will be available to meet with Counsel and Myself in this regard. If Breakfast of Lunch is preferable we would enjoy hosting. We look forward to your replay.

Kind regards

Kenton Hopkins

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Kenton Hopkins <kentonhopkins@live.com>

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I have provide links to the ordinances and policies that govern this property. They are extensive, so I provided them as links versus text, each link will have section of the ordinance that you may click on the left-hand side of the page:

General Plan: https://www.scottsdaleaz.gov/general-plan

R1-

190: https://library.municode.com/az/scottsdale/codes/code of ordinances?nodeId=VOLiI APXBBAZO OR ARTVDIRE \$5.010SIMIRER1

ESL: https://library.municode.com/az/scottsdale/codes/code of ordinances?nodeId=VOLII APX8BAZO OR ARTVISUDI S6.1010ENSELAES

Dynamite Foothills Character Area: https://www.scottsdaleaz.gov/planning-development/long-range-planning/character-area-plans/dynamite-foothills

Design Standards and Policies

Manual: https://www.scottsdaleaz.gov/Assets/ScottsdaleAZ/Design/DSPM/DSPM+2018.pdf

Kind Regards Kenton Hopkins

Desert Summit Development Standards:

<image001.png>

From: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov>

Sent: Friday, May 31, 2019 9:26:28 AM

To: Kenton Hopkins

Subject: RE: Diamond Mtn Estates Case 8-PP-2018

Hello Mr. Hopkins,

I have Monday open from 2:30 to 3:30, Tuesday from 9:30 to 10:30, and Thursday from 2:00 to 3:00. These are dates as per my schedule. If you are bringing counsel, I would want to have our attorney there as well. His schedule is quite different than mine, and would take more coordinating.

Sincerely,

Jesus

From: Kenton Hopkins < kentonhopkins@live.com >

Sent: Wednesday, May 29, 2019 1:32 AM
To: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov>

Subject: Diamond Mtn Estates Case 8-PP-2018

Hi Mr Murillo

I am writing to set up a meeting with you regarding the above referenced case.

We are concerned about a couple of issues relative to the proposed placement on lot 1.

We have a couple of water maps which show lot 1, as is proposed, is be placed to aggressively close to the primary water shed for Diamond Mtn

We also have a map proposed earlier by the applicant that shows both a much better location for lot 1 and a much better road alignment to access lots 1 and 2.

We are confident that if the applicant was to follow this plan he would do so with the support of the neighboring properties. We are hopeful you will be willing to discuss these issues with the applicant prior to a hearing with a development committee.

Please be so kind as to give us a couple of meeting options when you will be available to meet with Counsel and Myself in this regard. If Breakfast of Lunch is preferable we would enjoy hosting. We look forward to your replay.

Kind regards

Kenton Hopkins

From:

Murillo, Jesus

Sent:

Friday, May 31, 2019 3:03 PM

To:

Kenton Hopkins; Curt Johnson

Cc:

Bill Dehn; Tanasiuk Terry and Peggy

Subject:

RE: Diamond Mtn Estates Case 8-PP-2018

Hello Mr. Hopkins,

I have answered your questions below to the best of my ability. As I have stated this before, I do not ever want to feel like I am defending any given project, that is not my job. Having said this, I will point out some elements of the project in order to respond appropriately to your inquiries and concerns.

Please read below for my attempts to respond to your comments.

From: Kenton Hopkins <kentonhopkins@live.com>

Sent: Friday, May 31, 2019 10:34 AM

To: Murillo, Jesus <JMurillo@ScottsdaleAz.Gov>; Curt Johnson <Cjohnson@cvlci.com> Cc: Bill Dehn

Sill.dehn@gmail.com>; Tanasiuk Terry and Peggy <terryt@krawford.com>

Subject: RE: Diamond Mtn Estates Case 8-PP-2018

Thank you Jesus,

We are most interested in seeing the ordinances that speak to how a new development must work to be in harmony with the adjoining neighbors.

The ordinance does not contain ordinances that directly speak to "being in harmony with the adjoining neighbors" as people's expressed comments per say. The General Plan has guidelines for proposed development, and the Dynamite Foothills Character Area Plan also contains guidelines. The ESL ordinance and the Design Standards and Policies Manual does specifically discuss how a proposed project be in harmony with the with the environment and not technical ways in which a project should not impact the surrounding areas (links at the very bottom of this email). In regards to adjoining properties, the ordinance looks to not negatively effects existing properties by way of drainage, setbacks (to less intense zoning districts), encroachment, changing of yards designation, etc.

Are there ordinances that speak to a development being purposefully insensitive to adjoining neighbors? Are there ordinances that speak to devaluing a neighboring property and unduly invading the quite enjoyment of a neighboring property?

The ordinance discusses negative influences based on the above-mentioned points, but the ordinance does not discuss "devaluation" as this is more of a responsibility of the courts. The ordinance does not identify "invading the quite enjoyment of a neighboring property" that I am aware. I suppose the devaluation is something that was have to be analyzed and heard by the court, and the quite enjoyment may be part of the noise ordinance.

We do not see the wisdom of putting in a new road that will basically go through the back yards of neighbors. That will certainly make the new prospective property owners uncomfortable enough to not purchase a lot, as well as, have the existing neighbors running for cover. Especially when a road suitable for high end properties has been previously proposed by the developer. A road that makes a prospective owner feel like they have arrived somewhere special after the turn off Jomax, will be extremely important to a prospective purchaser!! The want to feel the acreage they own, rather than the feeling of driving through a neighborhood until they reach the driveway of the home, which will give the prospect the feeling of living in a subdivision.

I can appreciate your comment, but I am not quite sure how to respond. I will somewhat default to the conversation we have had int the past about the road location.

I will also state that from your opposition to the applicant's previous application, I know you had a concern about building setbacks, and strongly requested that the previous project provide a minimum 150-foot setback for the main structures to your development. Placing the road abutting the "peak" on the site creates more cuts and pushes the building envelopes closer to your development. As currently proposed, the main structures will be setback a minimum of 120-feet, versus 60 feet for main structures, and 2 feet for guest houses and other accessory structures, with your suggested road location. The applicant had previously proposed four lots at this location, and your email to me, form previous opposition, specifically stated that two lots should be the most that should exist at this location (after you mentioned you did not want to see this area developed at all and that it should be preserved). Staff strongly suggested your thoughts to the applicant. The applicant's request now is for two lots at this location. The proposal provides a density that is significantly less than the Desert Summit community, and is not requesting a rezoning – as you had previously request. The applicant is not requesting any amended development standards – as was not the case with their previous request. They are requesting 3 lots on 45 acres (density of 0.06 du/ac), and the Desert Summit density is 0.84 du/ac. The front yard and rear yard setback of this property is 60 feet, versus the 20 feet for the Desert Summit community. I did my best to make sure this application resembled your previous comments the best I could.

We also want to learn about the height restrictions for the proposed improved property. My home (as were others) was restricted to one level from existing grade by the city. This restricting was to insure the view to Diamond Mtn was not unduly imposed upon for the properties to the East of me. Since lot one, of the proposed development, is so much closer to Diamond Mtn, its height restriction is even more critical to insure it does not restrict the view of Diamond Mtn for all properties to the East.

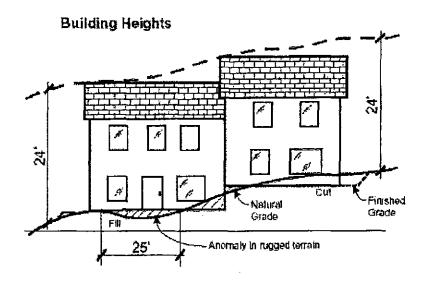
If your community is restricted to a one-story structure, this would be due to your CC&Rs, not the zoning ordinance. As you can see from the Desert Summit development standards below, your community is allowed 30-foot height maximum. The current development application is restricted to 24 feet above natural grade.

Please give us the exact wording to be used to regulate the building heights on the two proposed lots. Please see below:

B. Building heights.

- 1. The maximum building height is that prescribed by the underlying district except as modified by t
 - a. The maximum building height in the ESL shall be established by a plane measured vertically maximum height will rise accordingly. Small areas of rugged terrain inconsistent with this pla maximum width of twenty-five (25) feet.
 - The maximum building height for all buildings in single-family residential (R1) districts includ
 6.1022.

Figure 6.1070.D.



- The maximum building height in the hillside landform shall be the height prescribed by the ε
 6.1070.B.1.d. below.
- d. The Development Review Board may permit additional building heights in the hillside landfo structure or site work from established viewpoints, and will reduce the area required for gra

Also please forward all ordinances that refer to the developers duty and responsibility to not disrupt or invade the quite use and enjoyment of the neighboring properties.

Again, there are no ordinances that specifically speak to the invasion of the quite use and enjoyment of neighboring properties. The closest is the noise ordinance that was designed of the downtown area.

As always we thank you for your help and clarifications.

I have provide links to the ordinances and policies that govern this property. They are extensive, so I provided them as links versus text, each link will have section of the ordinance that you may click on the left-hand side of the page:

General Plan: https://www.scottsdaleaz.gov/general-plan

R1-

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Dynamite Foothills Character Area: https://www.scottsdaleaz.gov/planning-development/long-range-planning/character-area-plans/dynamite-foothills

Design Standards and Policies

Manual: https://www.scottsdaleaz.gov/Assets/ScottsdaleAZ/Design/DSPM/DSPM+2018.pdf

Kind Regards Kenton Hopkins

Desert Summit Development Standards:

| DEVELOPMENT STA | NDARDS | | |
|--|--|--|--|
| A Company of the Comp | والمرابع المعتبية المحادث والمتحدد أمعاد والمحادث والمعاديين المرابع والمحادث والمتحدد | | |
| SUBDIVISION NAME: Desert Summit | and a control of the | | |
| CASE #: 12-PP-1995 | and the second s | | |
| and the state of t | | | |
| ZONING: R1-70 VERSION: | 200 | | |
| And the second s | AMENDED DEVELOPMENT | | |
| - CANADANA CANADA AND A CANADA | STANDARDS | | |
| A. MINIMUM LOT AREA | 10,090sf | | |
| B. MINIMUM LOT WIDTH | | | |
| 1. Standard Lot | 80' | | |
| 2. Flag Lot | 20' | | |
| C. MAXIMUM BUILDING HEIGHT | 30° | | |
| D. MINIMUM YARD SETBACKS | | | |
| 1 FRONT YARD | | | |
| a) FRONT (to face of building) | 20' | | |
| b) FRONT (to face of garage) | 20' | | |
| (c) FRONT (corner lot, side street) : | 20' | | |
| d) FRONT (corner lot, adjacent to key lot, side street) | 20' | | |
| e) FRONT (double trontage) | 20' | | |
| 2. SIDE YARD | | | |
| o) Minimum | 10' | | |
| b) Minimum aggregate | 20' | | |
| :3. REAR YARD: | | | |
| a) Standard Depth | 20' | | |
| b) Min. Depth (% of difference which can be occupied) | | | |
| E. DISTANCE BETWEEN BUILDINGS (MINIMUM) | | | |
| i . Accessory & Main | 10' | | |
| 2. Main buildings on adjacent tots | 20' | | |
| F. MAXIMUM WALL HEIGHT | | | |
| 1. FRONT | 3' | | |
| 2. SIDE | 8' | | |
| .3 REAR | 8' | | |
| 4 CORNER side not next to key by | 8' on PL | | |
| 5 . Corral tence height (on property line) | 6' on Pt | | |
| G. DEVELOPMENT PERIMETER SETBACKS | | | |
| H. APPLICABLE ZONING CASES | 76-ZN-1992 | | |
| | | | |

From: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov

Sent: Friday, May 31, 2019 9:26:28 AM

To: Kenton Hopkins

Subject: RE: Diamond Mtn Estates Case 8-PP-2018

Hello Mr. Hopkins,

I have Monday open from 2:30 to 3:30, Tuesday from 9:30 to 10:30, and Thursday from 2:00 to 3:00. These are dates as per my schedule. If you are bringing counsel, I would want to have our attorney there as well. His schedule is quite different than mine, and would take more coordinating.

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Please be so kind as to give us a couple of meeting options when you will be available to meet with Counsel and Myself in this regard. If Breakfast of Lunch is preferable we would enjoy hosting.

We look forward to your replay.

Kind regards

Kenton Hopkins

From:

Kenton Hopkins < kentonhopkins@live.com>

Sent:

Friday, May 31, 2019 10:34 AM

To:

Murillo, Jesus; Curt Johnson

Cc:

Bill Dehn; Tanasiuk Terry and Peggy

Subject:

RE: Diamond Mtn Estates Case 8-PP-2018

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We look forward to your replay.

Kind regards

Kenton Hopkins

From:

Murillo, Jesus

Sent:

Friday, May 31, 2019 9:32 AM

To:

Bill Dehn

Cc:

jeff.artinprogress@gmail.com; 'Kenton Hopkins'; 'Fred Corbus'; 'Young-Fadok, Tonia';

'Terry Tanasiuk'; 'Sonnie Kirtley'; 'Jan Perozeni-Corbus'; 'William Kilpatrick'

Subject:

RE: Diamond Mountain Estates Case 8-PP-2018

Hello Mr. Dehn,

I did confirm that the DRB hearing date is June 20, 2019. I am not sure why there is the date is not shown on the calendar you have mentioned. If you got to the following link, it does identify this case going before the DRB on June 20, 2018 - https://eservices.scottsdaleaz.gov/bldgresources/Cases/Details/48834

Northwest comer of Johnax Road and the 112th Street alignment. ¥ Show on City Map

Property

Zoning R1-190 ESL

Public Hearing Information

Development Review Board 6/20/2019

Dates given for public hearings are tentative and subject to change

Sincerely,

Jesus

From: Bill Dehn <bill.dehn@gmail.com>
Sent: Tuesday, May 28, 2019 9:59 AM

To: Murillo, Jesus < IMurillo@ScottsdaleAz.Gov>

Cc: jeff.artinprogress@gmail.com; 'Kenton Hopkins' <kentonhopkins@live.com>; 'Fred Corbus' <corbus@earthlink.net>; 'Young-Fadok, Tonia' <youngfadok.tonia@mayo.edu>; 'Terry Tanasiuk' <terryt@krawford.com>; 'Sonnie Kirtley' <azsonnie@gmail.com>; 'Jan Perozeni-Corbus' <jpzenizeni@earthlink.net>; 'William Kilpatrick' <realbilly@aol.com> Subject: RE: Diamond Mountain Estates Case 8-PP-2018

Jesus:

I'm trying to follow the development of 8-PP-2018. You noted below that it is scheduled for a DRB hearing on June 20. When I go to the City's website calendar, it does not show a DRB meeting on that date. The regular schedule for the DRB would have something that day, but again the calendar does not show it. Can you confirm that it is still on for a hearing on June 20?

Thank you,

Bill Dehn

From: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov>

Sent: Monday, May 13, 2019 6:55 PM To: Bill Dehn < bill.dehn@gmail.com>

Cc: jeff.artinprogress@gmail.com; 'Kenton Hopkins' jeff.artinprogress@gmail.com; 'Kenton Hopkins' jeff.artinprogress@gmail.com; 'Young-Fadok, Tonia' jeff.artinprogress@gmail.com; 'Sonnie Kirtley' jeff.artinprogress@gmail.com; 'Jan Perozeni-Corbus' jeff.artinprogress@gmail.com; 'Jan Perozeni-Corbus' <a href="mailto:jeff.artinprogress@gmailto:jeff.artinprogress@gmailto:jeff.artinprogress@gmailto:jeff.artinprogress@gmailto:jeff.artinprogress@gmailto:jeff.artinprogress@gmailto:jeff.artinprogress@gmailto:jeff.

Hello Mr. Dehn,

I wanted to confirm the tentative date for accuracy. It appears as though the preliminary plat is scheduled for the June 20, 2019 Development Review Board hearing. Having confirmed this, I would see your scheduled to be close to what the process might end up being. Your timeline would usually be a bit expeditious, but the applicant has provided plans that are close to final plans, and the pre-plat is for three lots (versus several lots). The City Council hearing may be closer to September/October due to these points. I will keep you posted as the date is finalled (legal ad created and report is written).

Sincerely,

Jesus

From: Bill Dehn < bill.dehn@gmail.com > Sent: Monday, May 13, 2019 2:25 PM

To: Murillo, Jesus < <u>JMurillo@ScottsdaleAz.Gov</u>>

Cc: <u>ieff.artinprogress@gmail.com</u>; 'Kenton Hopkins' < <u>kentonhopkins@live.com</u>>; 'Fred Corbus' < <u>corbus@earthlink.net</u>>; 'Young-Fadok, Tonia' < <u>youngfadok.tonia@mayo.edu</u>>; 'Terry Tanasiuk' < <u>terryt@krawford.com</u>>; 'Sonnie Kirtley' < <u>azsonnie@gmail.com</u>>; 'Jan Perozeni-Corbus' < <u>ipzenizeni@earthlink.net</u>>; 'William Kilpatrick' < <u>realbilly@aol.com</u>> Subject: RE: Diamond Mountain Estates Case 8-PP-2018

Mr. Murillo:

Maybe you don't have any new information to share, but I thought I would follow up to see where the applicant is in their process and what the schedule might look like for their development moving forward. You could comment on my estimates below if they are at all accurate.

Thank you,

Bill Dehn

From: Bill Dehn < bill.dehn@gmail.com > Sent: Friday, April 26, 2019 2:40 PM

To: 'Murillo, Jesus' < JMurillo@ScottsdaleAz.Gov>

Cc: jeff.artinprogress@gmail.com; 'Kenton Hopkins' jeff.artinprogress@gmail.com; 'Kenton Hopkins' jeff.artinprogress@gmail.com; 'Young-Fadok, Tonia' jeff.artinprogress@gmail.com; 'Sonnie Kirtley' jeff.azsonnie@gmail.com; 'Jan Perozeni-Corbus' jeff.azsonnie@gmail.com; 'Young-Fadok, Tonia' jeff.azsonnie@gmail.com; 'Sonnie Kirtley' azsonnie@gmail.com; 'Jan Perozeni-Corbus' jeff.azsonnie@gmail.com; 'Jan Perozeni-Corbus' jeff.azsonnie@gmail.com; 'Jan Perozeni-Corbus' jeff.azsonnie@gmail.com; 'Jan Perozeni-Corbus' jeff.azsonnie@gmail.com; 'Sonnie Kirtley' <a href="mailto:azsonnie@gmailto:azsonnie@gmailto:azsonnie@gmailto:azsonnie@gmailto:azsonnie@gmailto:azsonnie@gmailto:azsonnie@gmailto:azsonnie@gmailto:azsonnie

Mr. Murillo:

OK, trying now to understand where we are in the process so we can plan to attend any upcoming meetings, should we assume that the April 19 submittal will start the series of events that you indicate below? If so, the future schedule would look something like this:

- Development Review Board mid-June Opportunity for Comments
- Applicant prepares Final Plat and Improvement Plans completed by mid-August?
- City Review of Final Plat and Improvement Plans mid-August to mid-October?
- City Council Hearing November? Opportunity for Comments
- If approved, applicant can proceed with sale of the property with entitlements or development

This tentative schedule assumes that the applicant and you have agreed on the items covered in your letters. If that is not the case yet, have you given them another letter in response to their latest submittal? If so, please provide a copy to us, or is their next step now to get on a Development Review Board agenda?

Please clarify the assumed schedule above in case I have misunderstood the process going forward.

As always, thank you for your replies to our questions.

Best Regards,

Bill Dehn

From: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov>

Sent: Monday, April 8, 2019 4:38 PM To: Bill Dehn

bill.dehn@gmail.com

Cc: jeff.artinprogress@gmail.com; 'Kenton Hopkins' < kentonhopkins@live.com>; 'Fred Corbus' < corbus@earthlink.net>;

'Young-Fadok, Tonia' <<u>youngfadok.tonia@mayo.edu</u>>; 'Terry Tanasiuk' <<u>terryt@krawford.com</u>>; 'Sonnie Kirtley' <<u>azsonnie@gmail.com</u>>; 'Jan Perozeni-Corbus' <<u>jpzenizeni@earthlink.net</u>>; 'William Kilpatrick' <<u>realbilly@aol.com</u>>;

Grant, Randy < RGrant@Scottsdaleaz.gov>

Subject: RE: Diamond Mountain Estates Case 8-PP-2018

Thank you for your kind words and understanding.

The applicant would need to first resubmit, then the case could be scheduled (saying they meet the ordinance portions of the request) to the Development Review Board (typically about 8 weeks out from their resubmittal). That would be the first of the two opportunities you would have to provide your comments. Then if approved by the DRB, the applicant would have to submit for final plat and improvement plans (this review type typically takes about two to three months. Once the plans reach 95% of conformance to the ordinance, preliminary plat stipulations, and policies, the final plat would be scheduled for a City Council hearing date. This would be the second of the opportunities you would have to provide your comments. The City Council would then provide the final vote that night – unless they vote to continue the case.

Sincerely,

Jesus

From: Bill Dehn < bill.dehn@gmail.com > Sent: Monday, April 08, 2019 4:29 PM

To: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov>

Cc: jeff.artinprogress@gmail.com; 'Kenton Hopkins' < kentonhopkins@live.com >; 'Fred Corbus' < corbus@earthlink.net >;

'Young-Fadok, Tonia' <<u>youngfadok.tonia@mayo.edu</u>>; 'Terry Tanasiuk' <<u>terryt@krawford.com</u>>; 'Sonnie Kirtley' <<u>azsonnie@gmail.com</u>>; 'Jan Perozeni-Corbus' <<u>ipzenizeni@earthlink.net</u>>; 'William Kilpatrick' <<u>realbilly@aol.com</u>>; Grant, Randy <<u>RGrant@Scottsdaleaz.gov</u>>

Subject: RE: Diamond Mountain Estates Case 8-PP-2018

Jesus:

Thank you for your reply and I, for one, am glad you are still with the City and helping manage this case. It is understandable that you didn't know how the project was conveyed on the website, but I was monitoring it for any updates and never clicked on the attached file, because the date didn't indicate that there had been any changes. That caused my confusion. Now we are up to date and can respond, as needed, to what is being proposed.

We understand that the applicant is complying with current zoning and so we are limited to comments as to how their platting of the site complies with development standards and how we might suggest mitigation of impacts on our adjacent properties.

Once we can assess your latest comments back to the applicant, we may have additional comments for consideration by the Planning Commission and/or the City Council. What would be the timing of this plat going in front of the Planning Commission or the Council?

Thanks for your reply. We are glad you are still on this case!

Best Regards,

Bill Dehn

From: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov>

Sent: Monday, April 8, 2019 3:42 PM
To: Bill Dehn < bill.dehn@icloud.com>

Cc: jeff.artinprogress@gmail.com; Kenton Hopkins < kentonhopkins@live.com >; Fred Corbus < corbus@earthlink.net >;

Young-Fadok, Tonia <youngfadok.tonia@mayo.edu>; Terry Tanasiuk <<u>terryt@krawford.com</u>>; Sonnie Kirtley

<azsonnie@gmail.com>; Jan Perozeni-Corbus <ipzenizeni@earthlink.net>; William Kilpatrick <realbilly@aol.com>; Grant,

Randy < RGrant@Scottsdaleaz.gov >

Subject: RE: Diamond Mountain Estates Case 8-PP-2018

Hello Mr. Dehn,

I have tried to respond below.

Jesus

From: Bill Dehn < bill.dehn@icloud.com > Sent: Saturday, April 06, 2019 5:07 PM

To: Murillo, Jesus < Murillo@ScottsdaleAz.Gov>

Cc: <u>jeff.artinprogress@gmail.com</u>; Kenton Hopkins <<u>kentonhopkins@live.com</u>>; Fred Corbus <<u>corbus@earthlink.net</u>>; Young-Fadok, Tonia <<u>youngfadok.tonia@mayo.edu</u>>; Terry Tanasiuk <<u>terryt@krawford.com</u>>; Sonnie Kirtley <<u>azsonnie@gmail.com</u>>; Jan Perozeni-Corbus <<u>jpzenizeni@earthlink.net</u>>; William Kilpatrick <<u>realbilly@aol.com</u>>; Grant,

Randy < RGrant@Scottsdaleaz.gov>

Subject: Diamond Mountain Estates Case 8-PP-2018

Dear Mr. Murillo:

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You are correct, staff included your comments to the applicant in the November comment letter. Staff did provide the applicant a review comment letter on March 17, and met with them last Friday to discuss the comments. I have attached the letter to this email. My apologies for not providing the letter sooner to your team. I remember an email to you on January 12, and at that time there had not been a resubmittal. But your are correct, a resubmittal was provided by the applicant on February 15, 2019.

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Understood.

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Bill Dehn 11209 E Cavedale Dr 720-560-3564

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We had a good and open discussion of the concerns neighbors had with the current development plan. Attendance was around 20 (Curt had a sign in sheet) and included most of the people who attended the hearing, including Kenton Hopkins, who is now back in town.

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If they make changes along the lines suggested above, this can probably move forward without more than a few minor tweaks.

We still expect you to hold strong on the exclusion of the protected peak/slopes as discussed in my earlier message. It wasn't clear tonight if they agree to do it the way you require in the stipulations. We want the most restrictive treatment of the peak/slopes that is possible under zoning policies.

Bill

From:

Murillo, Jesus

Sent:

Friday, May 31, 2019 9:26 AM

To:

Kenton Hopkins

Subject:

RE: Diamond Mtn Estates Case 8-PP-2018

Hello Mr. Hopkins,

I have Monday open from 2:30 to 3:30, Tuesday from 9:30 to 10:30, and Thursday from 2:00 to 3:00. These are dates as per my schedule. If you are bringing counsel, I would want to have our attorney there as well. His schedule is quite different than mine, and would take more coordinating.

Sincerely,

Jesus

From: Kenton Hopkins <kentonhopkins@live.com>

Sent: Wednesday, May 29, 2019 1:32 AM

To: Murillo, Jesus <JMurillo@ScottsdaleAz.Gov>
Subject: Diamond Mtn Estates Case 8-PP-2018

Hi Mr Murillo

I am writing to set up a meeting with you regarding the above referenced case.

We are concerned about a couple of issues relative to the proposed placement on lot 1.

We have a couple of water maps which show lot 1, as is proposed, is be placed to aggressively close to the primary water shed for Diamond Mtn

We also have a map proposed earlier by the applicant that shows both a much better location for lot 1 and a much better road alignment to access lots 1 and 2.

We are confident that if the applicant was to follow this plan he would do so with the support of the neighboring properties. We are hopeful you will be willing to discuss these issues with the applicant prior to a hearing with a development committee.

Please be so kind as to give us a couple of meeting options when you will be available to meet with Counsel and Myself in this regard. If Breakfast of Lunch is preferable we would enjoy hosting.

We look forward to your replay.

Kind regards

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Sent:

Wednesday, May 29, 2019 1:32 AM

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Kind regards

Kenton Hopkins

From:

Bill Dehn <bill.dehn@gmail.com>

Sent:

Tuesday, May 28, 2019 9:59 AM

To:

Murillo, Jesus

Cc:

jeff.artinprogress@gmail.com; 'Kenton Hopkins'; 'Fred Corbus'; 'Young-Fadok, Tonia';

'Terry Tanasiuk'; 'Sonnie Kirtley'; 'Jan Perozeni-Corbus'; 'William Kilpatrick'

Subject:

RE: Diamond Mountain Estates Case 8-PP-2018

Jesus:

I'm trying to follow the development of 8-PP-2018. You noted below that it is scheduled for a DRB hearing on June 20. When I go to the City's website calendar, it does not show a DRB meeting on that date. The regular schedule for the DRB would have something that day, but again the calendar does not show it. Can you confirm that it is still on for a hearing on June 20?

Thank you,

Bill Dehn

From: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov>

Sent: Monday, May 13, 2019 6:55 PM To: Bill Dehn bill.dehn@gmail.com

Cc: jeff.artinprogress@gmail.com; 'Kenton Hopkins' <kentonhopkins@live.com>; 'Fred Corbus' <corbus@earthlink.net>; 'Young-Fadok, Tonia' <youngfadok.tonia@mayo.edu>; 'Terry Tanasiuk' <terryt@krawford.com>; 'Sonnie Kirtley' <azsonnie@gmail.com>; 'Jan Perozeni-Corbus' <jpzenizeni@earthlink.net>; 'William Kilpatrick' <realbilly@aol.com> Subject: RE: Diamond Mountain Estates Case 8-PP-2018

Hello Mr. Dehn,

I wanted to confirm the tentative date for accuracy. It appears as though the preliminary plat is scheduled for the June 20, 2019 Development Review Board hearing. Having confirmed this, I would see your scheduled to be close to what the process might end up being. Your timeline would usually be a bit expeditious, but the applicant has provided plans that are close to final plans, and the pre-plat is for three lots (versus several lots). The City Council hearing may be closer to September/October due to these points. I will keep you posted as the date is finalled (legal ad created and report is written).

Sincerely,

Jesus

From: Bill Dehn < bill.dehn@gmail.com > Sent: Monday, May 13, 2019 2:25 PM

To: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov>

Cc: jeff.artinprogress@gmail.com; 'Kenton Hopkins' jeff.artinprogress@gmail.com; 'Kenton Hopkins' jeff.artinprogress@gmail.com; 'Young-Fadok, Tonia' jeff.artinprogress@gmail.com; 'Sonnie Kirtley' jeff.artinprogress@gmail.com; 'Jonnie Kirtley' jeff.artinprogress@gmailto:kentonhopkins@live.com; 'Jonnie Kirtley' jeff.artinprogress@live.com; 'Jonnie Kirtley' <a href="mailto:

Mr. Murillo:

Maybe you don't have any new information to share, but I thought I would follow up to see where the applicant is in their process and what the schedule might look like for their development moving forward. You could comment on my estimates below if they are at all accurate.

Thank you,

Bill Dehn

From: Bill Dehn < bill.dehn@gmail.com > Sent: Friday, April 26, 2019 2:40 PM

To: 'Murillo, Jesus' < JMurillo@ScottsdaleAz.Gov>

Cc: jeff.artinprogress@gmail.com; 'Kenton Hopkins' jeff.artinprogress@gmail.com; 'Kenton Hopkins' jeff.artinprogress@earthlink.net; 'Fred Corbus' jeff.artinprogress@earthlink.net; 'Fred Corbus' jeff.artinprogress@gmail.com; 'Sonnie Kirtley' jeff.artinprogress@earthlink.net; 'William Kilpatrick' realbilly@aol.com> Subject: RE: Diamond Mountain Estates Case 8-PP-2018

Mr. Murillo:

OK, trying now to understand where we are in the process so we can plan to attend any upcoming meetings, should we assume that the April 19 submittal will start the series of events that you indicate below? If so, the future schedule would look something like this:

- Development Review Board mid-June Opportunity for Comments
- Applicant prepares Final Plat and Improvement Plans completed by mid-August?
- City Review of Final Plat and Improvement Plans mid-August to mid-October?
- City Council Hearing November? Opportunity for Comments
- If approved, applicant can proceed with sale of the property with entitlements or development

This tentative schedule assumes that the applicant and you have agreed on the items covered in your letters. If that is not the case yet, have you given them another letter in response to their latest submittal? If so, please provide a copy to us, or is their next step now to get on a Development Review Board agenda?

Please clarify the assumed schedule above in case I have misunderstood the process going forward.

As always, thank you for your replies to our questions.

Best Regards,

Bill Dehn

From: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov>

Cc: <u>ieff.artinprogress@gmail.com</u>; 'Kenton Hopkins' < <u>kentonhopkins@live.com</u>>; 'Fred Corbus' < <u>corbus@earthlink.net</u>>; 'Young-Fadok, Tonia' < <u>youngfadok.tonia@mayo.edu</u>>; 'Terry Tanasiuk' < <u>terryt@krawford.com</u>>; 'Sonnie Kirtley'

"> sortile kittley
<a href="mailto:

Grant, Randy < RGrant@Scottsdaleaz.gov>

Subject: RE: Diamond Mountain Estates Case 8-PP-2018

Thank you for your kind words and understanding.

The applicant would need to first resubmit, then the case could be scheduled (saying they meet the ordinance portions of the request) to the Development Review Board (typically about 8 weeks out from their resubmittal). That would be the first of the two opportunities you would have to provide your comments. Then if approved by the DRB, the applicant would have to submit for final plat and improvement plans (this review type typically takes about two to three months. Once the plans reach 95% of conformance to the ordinance, preliminary plat stipulations, and policies, the final plat would be scheduled for a City Council hearing date. This would be the second of the opportunities you would have to provide your comments. The City Council would then provide the final vote that night — unless they vote to continue the case.

Sincerely,

Jesus

From: Bill Dehn < bill.dehn@gmail.com > Sent: Monday, April 08, 2019 4:29 PM

To: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov>

Cc: jeff.artinprogress@gmail.com; 'Kenton Hopkins' <<u>kentonhopkins@live.com</u>>; 'Fred Corbus' <<u>corbus@earthlink.net</u>>; 'Young-Fadok, Tonia' <<u>youngfadok.tonia@mayo.edu</u>>; 'Terry Tanasiuk' <<u>terryt@krawford.com</u>>; 'Sonnie Kirtley' <<u>azsonnie@gmail.com</u>>; 'Jan Perozeni-Corbus' <<u>jpzenizeni@earthlink.net</u>>; 'William Kilpatrick' <<u>realbilly@aol.com</u>>;

Grant, Randy < RGrant@Scottsdaleaz.gov>

Subject: RE: Diamond Mountain Estates Case 8-PP-2018

Jesus:

Thank you for your reply and I, for one, am glad you are still with the City and helping manage this case. It is understandable that you didn't know how the project was conveyed on the website, but I was monitoring it for any updates and never clicked on the attached file, because the date didn't indicate that there had been any changes. That caused my confusion. Now we are up to date and can respond, as needed, to what is being proposed.

We understand that the applicant is complying with current zoning and so we are limited to comments as to how their platting of the site complies with development standards and how we might suggest mitigation of impacts on our adjacent properties.

Once we can assess your latest comments back to the applicant, we may have additional comments for consideration by the Planning Commission and/or the City Council. What would be the timing of this plat going in front of the Planning Commission or the Council?

Thanks for your reply. We are glad you are still on this case!

Best Regards,

Bill Dehn

From: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov>

Sent: Monday, April 8, 2019 3:42 PM
To: Bill Dehn bill.dehn@icloud.com

Cc: <u>jeff.artinprogress@gmail.com</u>; Kenton Hopkins <<u>kentonhopkins@live.com</u>>; Fred Corbus <<u>corbus@earthlink.net</u>>;

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Randy < RGrant@Scottsdaleaz.gov>

Subject: RE: Diamond Mountain Estates Case 8-PP-2018

Hello Mr. Dehn,

I have tried to respond below.

Jesus

From: Bill Dehn < bill.dehn@icloud.com> Sent: Saturday, April 06, 2019 5:07 PM

To: Murillo, Jesus < JMurillo@ScottsdaleAz.Gov>

Cc: <u>jeff.artinprogress@gmail.com</u>; Kenton Hopkins <<u>kentonhopkins@live.com</u>>; Fred Corbus <<u>corbus@earthlink.net</u>>; Young-Fadok, Tonia <<u>youngfadok.tonia@mayo.edu</u>>; Terry Tanasiuk <<u>terryt@krawford.com</u>>; Sonnie Kirtley

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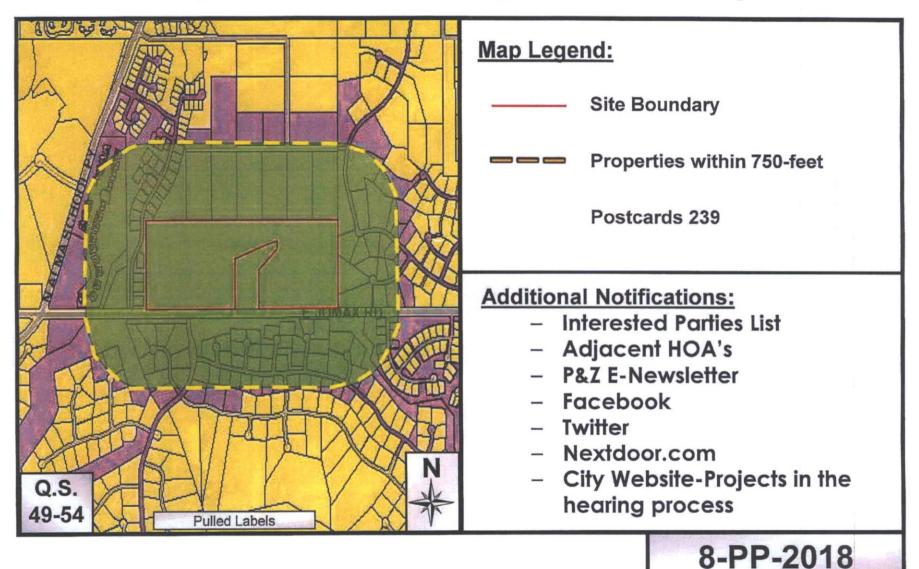
We continue to be concerned about the practicality of siting lots with all the rock outcroppings and boulders that are present. Curt says they have a detailed map of boulders on the site that they have used to site the current lots. It isn't in any public file, but he said he'd get a copy to Betty Drake. It will be interesting to see what they can do regarding lots once they have to "pinch" the eastern portion available sites between the peak/slope easement and the 150' C/OS or NAOS easement. We don't think there's much room there.

If they make changes along the lines suggested above, this can probably move forward without more than a few minor tweaks.

We still expect you to hold strong on the exclusion of the protected peak/slopes as discussed in my earlier message. It wasn't clear tonight if they agree to do it the way you require in the stipulations. We want the most restrictive treatment of the peak/slopes that is possible under zoning policies.

Bill

City Notifications – Mailing List Selection Map



Diamond Mountain Estates

| EXECUTING | INFLUENCING | RELATIONSHIP BUILDING | STRATEGIC THINKING |
|---|---|---|---|
| People with dominant Executing themes know how to make things happen. | People with dominant Influencing themes know how to take charge, speak up, and make sure the team is heard. | People with dominant Relationship Building themes have the ability to build strong relationships that can hold a team together and make the team greater than the sum of its parts. | People with dominant Strategic Thinking themes help teams consider what could be. They absorb and analyze information that can inform better decisions. |
| Achiever Arranger Belief Consistency Deliberative Discipline Focus Responsibility Restorative | Activator Command Communication Competition Maximizer Self-Assurance Significance Woo | Adaptability Connectedness Developer Empathy Harmony Includer Individualization Positivity Relator | Analytical Context Futuristic Ideation Input Intellection Learner Strategic |