



Application

Narrative

Cash Transmittal

Development Standards

# Development Application



## Development Application Type:

Please check the appropriate box of the Type(s) of Application(s) you are requesting

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

**Project Name:** Jenan Property

**Property's Address:** 7313, 7315 & 7345 E. Jenan Dr.

**Property's Current Zoning District Designation:**

The property owner shall designate an agent/applicant for the Development Application. This person shall be the owner's contact for the City regarding this Development Application. The agent/applicant shall be responsible for communicating all City information to the owner and the owner application team.

<b>Owner:</b> Lisa Brown, Kevin Steele & Albert & Kathleen Winn	<b>Agent/Applicant:</b> Tom Kirk
<b>Company:</b>	<b>Company:</b> Camelot Homes
<b>Address:</b> 7313, 7315 & 7345 E. Jenan Dr., Scottsdale AZ	<b>Address:</b> 6607 N. Scottsdale Rd. Scottsdale AZ
<b>Phone:</b>	<b>Phone:</b> 480-367-4316
<b>Fax:</b>	<b>Fax:</b> 480-367-4350
<b>E-mail:</b>	<b>E-mail:</b> tomk@camelothomes.com
<b>Designer:</b> n/a	<b>Engineer:</b> Curtis Brown
<b>Company:</b>	<b>Company:</b> Kimley-Horn
<b>Address:</b>	<b>Address:</b> 7740 N. 16th St. Phoenix Az
<b>Phone:</b>	<b>Phone:</b> 602-550-7457
<b>Fax:</b>	<b>Fax:</b>
<b>E-mail:</b>	<b>E-mail:</b> curtis.brown@kimley-horn.com

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

- This is not required for the following Development Application types: AN, AB, BA, II, GP, TA, PE and ZN. These applications<sup>1</sup> will be reviewed in a format similar to the Enhanced Application Review methodology.

<input checked="" type="checkbox"/> <b>Enhanced Application Review:</b>	I hereby authorize the City of Scottsdale to review this application utilizing the Enhanced Application Review methodology.
<input type="checkbox"/> <b>Standard Application Review:</b>	I hereby authorize the City of Scottsdale to review this application utilizing the Standard Application Review methodology.

Owner Signature

Agent/Applicant Signature

**Official Use Only**

**Submittal Date:**

**Development Application No.:**

## Planning and Development Services

7447 East Indian School Road Suite 105, Scottsdale, Arizona 85251 Phone: 480-312-7000 Fax: 480-312-7088

City of Scottsdale's Website: [www.scottsdaleaz.gov](http://www.scottsdaleaz.gov)



## **Jenan Properties Rezoning Pre-App Project Narrative**

### **Project Description:**

The Jenan Properties site is approximately 5.75 acres consisting of 3 existing residential lots located on the south side of Jenan Dr., ½ block east of Scottsdale Rd. All 3 lots have residences built on them, 2 of which are uninhabited and in poor repair. The property is surrounded by:

- On the east by existing occupied residential lots (zoned R1-35);
- On the west by two residential lots with residences, and further west, the North Scottsdale United Methodist Church (zoned R1-35);
- On the south by Scottsdale Sixteen, a single family residential subdivision (zoned R1-10);
- On the north by single family residences (zoned R1-35).

The proposed site plan calls for 10 single family lots yielding an overall density of 1.7 units/gross acre. The General Plan for the area is Suburban Residential on the south side of Jenan Dr. and Rural Residential on the north side of Jenan Dr. Camelot is proposing a non-gated neighborhood with access off Jenan Dr.

### **Description of Request:**

Camelot Homes requests approval of a zoning change for the Jenan Properties project. The Site is currently zoned R1-35. Camelot Homes is proposing to rezone the site to R1-18 PRD for a maximum of 10 lots.

Camelot Homes desires to amend the front yard, rear yard, and side yard setbacks applicable to the development. The setbacks for the subject site in the R1-18 zoning district and the proposed amended setbacks are:



# CAMELOT

## HOMES

	<b><u>R1-18</u></b>	<b><u>R1-18 AMENDED</u></b>
<b><u>Front</u></b>	35'	20' to forward facing garages, 10' to livable areas and side entry garages (except for lots 1 through 3 which shall be no less than 40')
<b><u>Rear</u></b>	30'	25'
<b><u>Side Yard</u></b>	10'	10' & 10' (except on lots 4 & 5 which is 7' & 7', & the south boundary of lot 10 which is 7')

The proposed site will be a non-gated neighborhood with no cut through traffic. The proposed amended development standards should have no negative impact on any of the neighboring property owners since the rear or side yard setbacks of the proposed lots will match the rear setback of the zoning district in which any of the proposed lots are adjacent to. Camelot intends to match the front setbacks of lots 1 through 3 with the current setback in the R1-35 zoning district, consistent with the homes located along and fronting Jenan Drive. The amended development standards proposed requested setback changes are for the lots located internally within the subdivision.

By reducing the front yard setback of the internal lots, the impact on the neighboring properties improves by allowing for the opportunity to move the homes forward on the lots thus increasing the size of the rear yard and increasing the distance from the rear of the homes to the adjacent property owners bordering the site. Reducing the front yard setback of the internal lots will also benefit future residents of the Project by providing the opportunity for additional architectural variety and a more diverse interior streetscape.

### **Improvement, Ownership and Maintenance of Common Areas:**

The project will include an HOA to provide for the maintenance of perimeter walls and other common area tracts within the community.

### **Building Heights:**

All homes will be restricted to single story only with a height not to exceed 30' from natural grade.



**Purchase of the Property:**

Camelot Homes is currently in escrow to purchase the properties comprising this project from three unrelated property owners.

**Construction/Phasing:**

Commencement of infrastructure development is expected to begin in the third or fourth quarter of 2020, assuming no unusual delays in the rezoning process and take approximately 6 months to complete. Homebuilding is likely to commence around the end of the 2nd quarter or first part of the 3<sup>rd</sup> quarter of 2021.

# Pre-Application Request



## Purpose:

The purpose of the Pre-Application submittal, and meeting, is for the applicant and city staff to discuss a proposed Development Application, and the information and process that is necessary for city staff to process the proposal.

In accordance with the Zoning Ordinance, no development application shall be accepted before a Pre-Application has been submitted, and a Pre-Application meeting has been conducted with city staff, unless the Pre-Application meeting has been waived by the Zoning Administrator.

## Submittal:

The completed Pre-Application Request form, all required materials and fees should be submitted in person to the One-Stop-Shop located at 7447 East Indian School Road; or, may they be submitted digitally at following website:

<https://eservices.scottsdaleaz.gov/eServices/PreApps/Default.aspx>

All checks shall be payable to "City of Scottsdale."

## Scheduling

After the Pre-Application submittal has been accepted at the One-Stop-Shop, a staff member will contact the Applicant within five (5) Staff Working Days to schedule a Pre-Application meeting with the assigned staff member(s). Generally, a Pre-Application meeting is scheduled within five (5) to fifteen (15) Staff Working Days from the date of the submittal.

Project Name: <b>Jenan Properties</b>	
Property's Address: <b>7313, 7315 &amp; 7345 E. Jenan Dr.</b>	APN: <b>175-27-004K, 175-27-004J, 175-27-306</b>
Property's Zoning District Designation:	
Property Details:	
<input checked="" type="checkbox"/> Single-Family Residential <input type="checkbox"/> Multi-Family Residential <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Other	
Has a 'Notice of Compliance' been issued? <input type="checkbox"/> Yes <input type="checkbox"/> No    If yes, provide a copy with this submittal	
Owner: <b>Lisa Brown, Kevin &amp; Rena Steele, Kathleen &amp; Albert Winn</b>	Applicant: <b>Tom Kirk</b>
Company:	Company: <b>Camelot Homes</b>
Address: <b>7313, 7315 &amp; 7345 E. Jenan Dr., Scottsdale Az 85260</b>	Address: <b>6607 N. Scottsdale Rd., Scottsdale AZ 85250</b>
Phone:	Phone: <b>480-367-4316</b>
Fax:	Fax: <b>480-367-4350</b>
E-mail: <b>lbfcypantsranch@msn.com; Kssteele@yahoo.com</b>	E-mail: <b>tomk@camelothomes.com</b>
Owner Signature	Applicant Signature
Official Use Only	Submittal Date:    Application No.:    -PA-
Project Coordinator:	

## Planning and Development Services

7447 E Indian School Road Suite 105, Scottsdale, Arizona 85251 • [www.ScottsdaleAZ.gov](http://www.ScottsdaleAZ.gov)



# Pre-Application Request



Development Application Type:		
Please check the appropriate box of the Type(s) of Application(s) you are requesting		
<b>Zoning</b>	<b>Development Review</b>	<b>Signs</b>
<input type="checkbox"/> Text Amendment (TA)	<input type="checkbox"/> Development Review (Major) (DR)	<input type="checkbox"/> Master Sign Program (MS)
<input checked="" type="checkbox"/> Rezoning (ZN)	<input type="checkbox"/> Development Review (Minor) (SA)	<input type="checkbox"/> Community Sign District (MS)
<input type="checkbox"/> In-fill Incentive (II)	<input type="checkbox"/> Wash Modification (WM)	<b>Other</b>
<input type="checkbox"/> Conditional Use Permit (UP)	<input type="checkbox"/> Historic Property (HP)	<input type="checkbox"/> General Plan Amendment (GP)
<b>Exemptions to the Zoning Ordinance</b>	<b>Land Divisions</b>	<input type="checkbox"/> In-Lieu Parking (IP)
<input type="checkbox"/> Hardship Exemption (HE)	<input checked="" type="checkbox"/> Subdivision (PP)	<input type="checkbox"/> Abandonment (AB)
<input type="checkbox"/> Special Exception (SX)	<input type="checkbox"/> Subdivision (Minor) (MD)	<input type="checkbox"/> Care Home (AC)
<input type="checkbox"/> Variance (BA)		<input type="checkbox"/> Single-Family Residential
<input type="checkbox"/> Minor Amendment (MN)		<input type="checkbox"/> Other:

## Submittal Requirements: (fees subject to change every July)

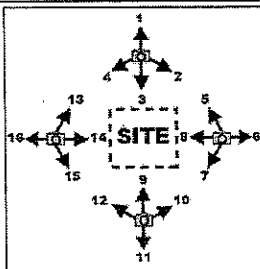
☒ Pre-Application Fee: \$ \_\_\_\_\_  
(No fees are changed for Historic Preservation (HP) properties.)

☐ Records Packet Fee: \$ \_\_\_\_\_  
Processed by staff. The applicant need not visit the Records desk to obtain the packet.  
(Only required when requested by Staff)

☒ Application Narrative:  
The narrative shall describe the purpose of the request, and all pertinent information related to the request, such as, but not limited to, site circulation, parking and design, drainage, architecture, proposed land use, and lot design.

☐ Property Owner Authorization Required  
(Required for the SA and MS Pre-Applications)

- ☐ Site / Context Photographs
- Provide color photographs showing the site and the surrounding properties. Use the guidelines below for photos.
  - Photos shall be taken looking in towards the project site and adjacent to the site.
  - Photos should show adjacent improvements and existing on-site conditions.
  - Each photograph shall include a number and direction.
  - Sites greater than 500 ft. in length, also take the photo locations shown in the dashed lines.
  - Photos shall be provided 8 1/2 x 11 paper, max. two per page.



☐ Other

- The following list of Additional Submittal Information is not required for a Pre-Application meeting, unless indicated below by staff prior to the submittal of this request.
- Applicants are advised to provide any additional information listed below. This will assist staff to provide the applicant with direction regarding an application.

## Additional Submittal Information

- ☐ Site Plan
- ☐ Subdivision plan
- ☐ Floor Plans
- ☐ Elevations
- ☐ Landscape plans
- ☐ H.O.A. Approval letter
- ☐ Sign Criteria Regulations & Language
- ☐ Material Samples – color chips, awning fabric, etc.
- ☐ Cross Sections – for all cuts and fills
- ☐ Conceptual Grading & Drainage Plan
- ☐ Exterior Lighting – provide cut sheets, details and photometrics for any proposed exterior lighting.
- ☐ Boundary Survey (required for minor land divisions)
- ☐ Areal of property that includes property lines and highlighted area abandonment request.
- ☐ One copy of the recorded document for the area that is requested to be abandoned. Such as: subdivision plat, map of dedication, GLO (General Land Office) federal patent roadway easement, or separate dedication document. A copy of most recorded documents to be abandoned may be purchased at the City of Scottsdale Records Dept. (480-312-2356), or the Maricopa County Recorder's Office (602-506-3535). A copy of the General Land Office (GLO) federal patent roadway easement may be purchased from the Bureau of Land Management (602-417-9200).

## Planning and Development Services

7447 E Indian School Road Suite 105, Scottsdale, Arizona 85251 • www.ScottsdaleAZ.gov

# Request for Site Visits and/or Inspections

## Construction Document Application



**This request concerns all property identified in the construction document (plan review) application.**

Project Name: \_\_\_\_\_

Project Address: \_\_\_\_\_

### STATEMENT OF AUTHORITY:

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

### STATEMENT OF REQUEST FOR SITE VISITS AND/OR INSPECTIONS

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

Property owner /Property owner's agent: \_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

### City Use Only:

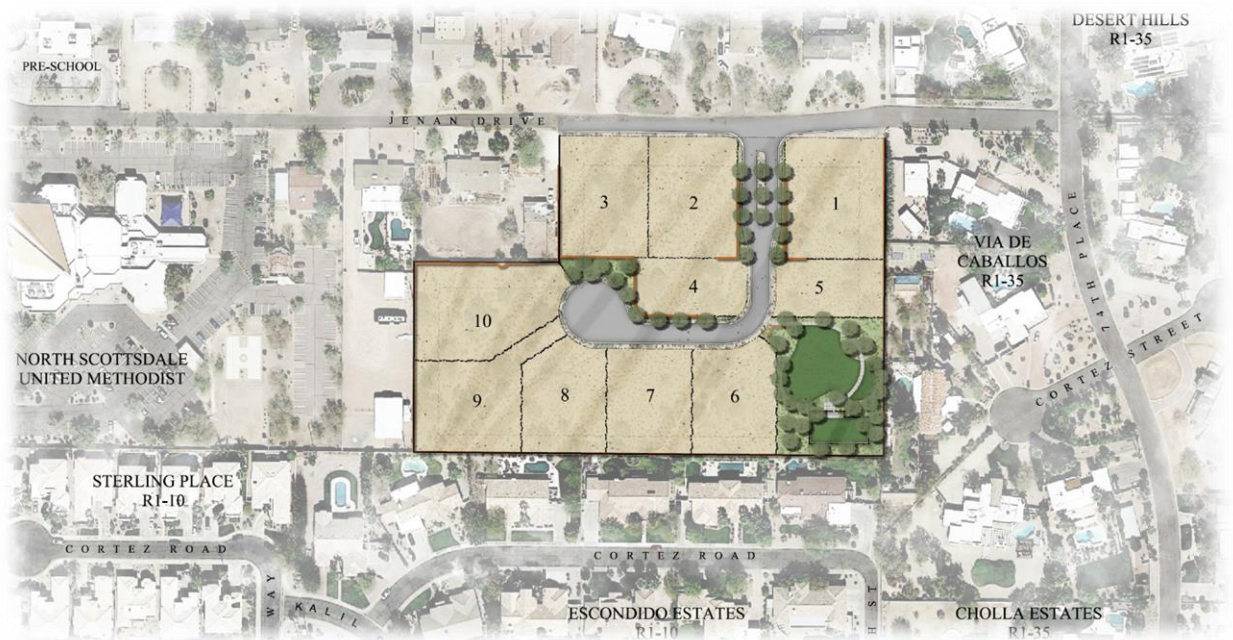
Submittal Date: \_\_\_\_\_ Plan review number: \_\_\_\_\_

### Planning and Development Services

7447 E Indian School Road, Suite 105, Scottsdale, AZ 85251 ♦ [www.ScottsdaleAZ.gov](http://www.ScottsdaleAZ.gov)



# ZONING NARRATIVE



## 954-PA-2019 THE ENCLAVE

Camelot Homes LLC  
6607 N. Scottsdale Road, Suite H100  
Scottsdale, AZ 85250

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# APPLICATION REQUEST

Camelot Homes LLC, (the “Developer”) seek to develop approximately five and three-quarter (5.75) acres of land south of Jenan Drive and west of 74th Place (“Property”) as an enclave of single-family homes. See *Figure 1 – Illustrated Site Plan*.

This application is a request to rezone the Property from R1-35 to R1-18 PRD. The proposed development of ten (10) homesites is consistent with the General Plan Goals and Approaches and Suburban Neighborhoods land use designation as outlined in the City of Scottsdale General Plan 2001 (the “GP”). The site plan proposed with this request is within the more than one (1) dwelling unit, but less than eight (8) dwelling units per acre range (1.7 du/ac proposed). Development of the Property in the manner proposed will protect the rural character of the neighborhood and embrace the predominant desert landscape appeal as established in the area.

# PROJECT DESCRIPTION

The approximately five and three-quarter (5.75) acres site is located south of Jenan Drive and just west of 74th Place. The Property is a combination of three (3) parcels of land that had homes originally constructed in the 1940s, 1950s and 1980s. Two of the homes have been vacant for many years. The nearest major crossroads are Scottsdale Road and Cactus Road.

Development in this area of the city is not part of a master plan, but rather has occurred in small, individual pockets over time. These pockets of development vary in scale and include custom home subdivisions to the north and east as well as production home subdivisions ranging from two (2) to four (4) dwelling units per acre to the south. Just west of the Property, at the intersection of Scottsdale Road and Jenan Drive, is North Scottsdale United Methodist church and WizKids Preschool.

As a result of the pocket development pattern, the Property is subjected to approximately ten (10) acres of offsite drainage flows. Perimeter walls built with adjacent neighboring development and subdivisions surround the Property and prevent off-site stormwater from passing through the Property at the southeast corner. The timing of improvements is also evident along Jenan Drive where portions of the roadway have been improved to “full” street width while a majority of the roadway varies in width narrowing down to just fifteen (15) feet in certain locations.

The Property will be developed as an enclave of single-family homes (“The Enclave”). See *Figure 1 – Illustrated Site Plan*. The landscape palette within The Enclave will complement the

existing character along Jenan Drive and celebrate the beauty of a desert setting while realizing the benefits of drought tolerance and significantly reduced water use. To maintain the character of Jenan Drive and blend in with the larger homes to the north, three (3) of the ten (10) lots will front toward Jenan Drive, with direct driveway access, and have landscaping consistent with the surrounding properties. See *Figure 2 – Conceptual Jenan Drive Streetscape Section*.

As proposed on the conceptual plan, approximately fourteen (14) percent of the Property will be maintained as open space. A neighborhood park will be located in the low-point of the Property. The location of the park is purposeful. The park is oversized and designed to include a stormwater basin that will capture onsite stormwater runoff and help to provide much needed mitigation, reducing, and in many events, eliminating water from backing up and ponding against the existing neighbor walls along the southeast corner of the Property. See *Figure 3 – Conceptual Open Space*.

The conceptual park design includes turf for unprogrammed active recreational uses in the flat bottom area. Around the perimeter, a combination of retaining walls and privacy walls will enclose three (3) sides of the park and basin. The retaining walls are needed to capture a greater volume of stormwater. Low-water use desert character landscape will be planted around the perimeter of the park. As the desert landscape and trees mature, the surrounding walls will be further screened from view from within the neighborhood.

Vehicular access to homes within The Enclave will be via public streets. Upon entering the neighborhood, tree-lined open space tracts will frame the road while a landscape tract with a small neighborhood sign will create narrower lanes and reduce the perceived area of asphalt. Within the neighborhood the rural character will continue. Front yards visible to the street will be landscaped to back of curb, similar to that along Jenan Drive, narrowing the perceived width of the roadway. Within a rural character area, sidewalks are not a prominent element along a street, but are rather part of a larger regional system. Given the intimate scale of the neighborhood, the limited number of lots, short roadway, and the desire to sustain the rural character of the area, the application requests a modified roadway design so that the roadway is not a dominant feature within The Enclave. The roadway design is based on Figure 5-3.19

Local Residential – Rural/ESL Character in the Design Standards & Policy Manual. This plan proposes a forty (40) foot right-of-way and a twenty-eight (28) roadway section. Sidewalks are eliminated bringing the landscape closer to the roadway, narrowing the perceived width, and enhancing the rural character.

To mitigate the impact of the proposed neighborhood with adjacent properties, setbacks along the east, west and south boundary of the Property will be consistent with the zoning development standards of the adjacent properties thus helping to retain the character and privacy of neighboring properties. See *Figure 4 – Perimeter Setbacks*. To be consistent with the scale and character of homes in the surrounding neighborhoods, homes will be limited to single-story only in desert appropriate architectural styles. A selection of three (3) floor plans, each with two (2) to three (3) elevations, will result in an architecturally rich variety of homes in the neighborhood.

A request to amend the R1-18 zoning development standards is proposed. Within the proposed neighborhood, homesites will be consistent with R1-18 zoning amended development standards with a minimum of 17,000 square foot lot area and a minimum of one hundred seventeen (117) foot lot width. Lot 4 and 5, internally located within the proposed neighborhood, will have a minimum of 12,000 square foot lot area and a minimum of eighty (80) foot lot width. Along Jenan Drive a minimum forty (40) foot front yard setback will be provided. This is consistent with R1-35 zoning development standards. Internal lots, only visible within the neighborhood, will provide a minimum ten (10) front yard. A front facing garage will be setback at least twenty (20) feet. Side yard setbacks will be consistent with R1-18 development standards; a minimum of ten (10) feet. Lot 4, 5 and 10 will have a minimum seven (7) foot side yard.

Approving the proposed change in zoning will permit the development of the Property in a manner that will blend the neighborhood character along Jenan Drive, will sensitively mitigate existing drainage conditions, and will allow for homes of complimentary architectural character, scale, massing and quality with the existing neighborhood fabric. The proposed change in zoning is consistent with the goals and approaches of the GP.





Figure 1 – Illustrated Site Plan



Figure 2 – Conceptual Jenan Drive Streetscape Section

**Project Data**

Zoning: R1-18 PRD  
Net Lot Area: 5.75 acres  
Building Height: 30' max.

(SEE ZONING ORDINANCE FOR STANDARD  
DISTRICT REQUIREMENTS)

**Open Space  
Calculations\***

Required Open Space:  
per 6.205.A.2.

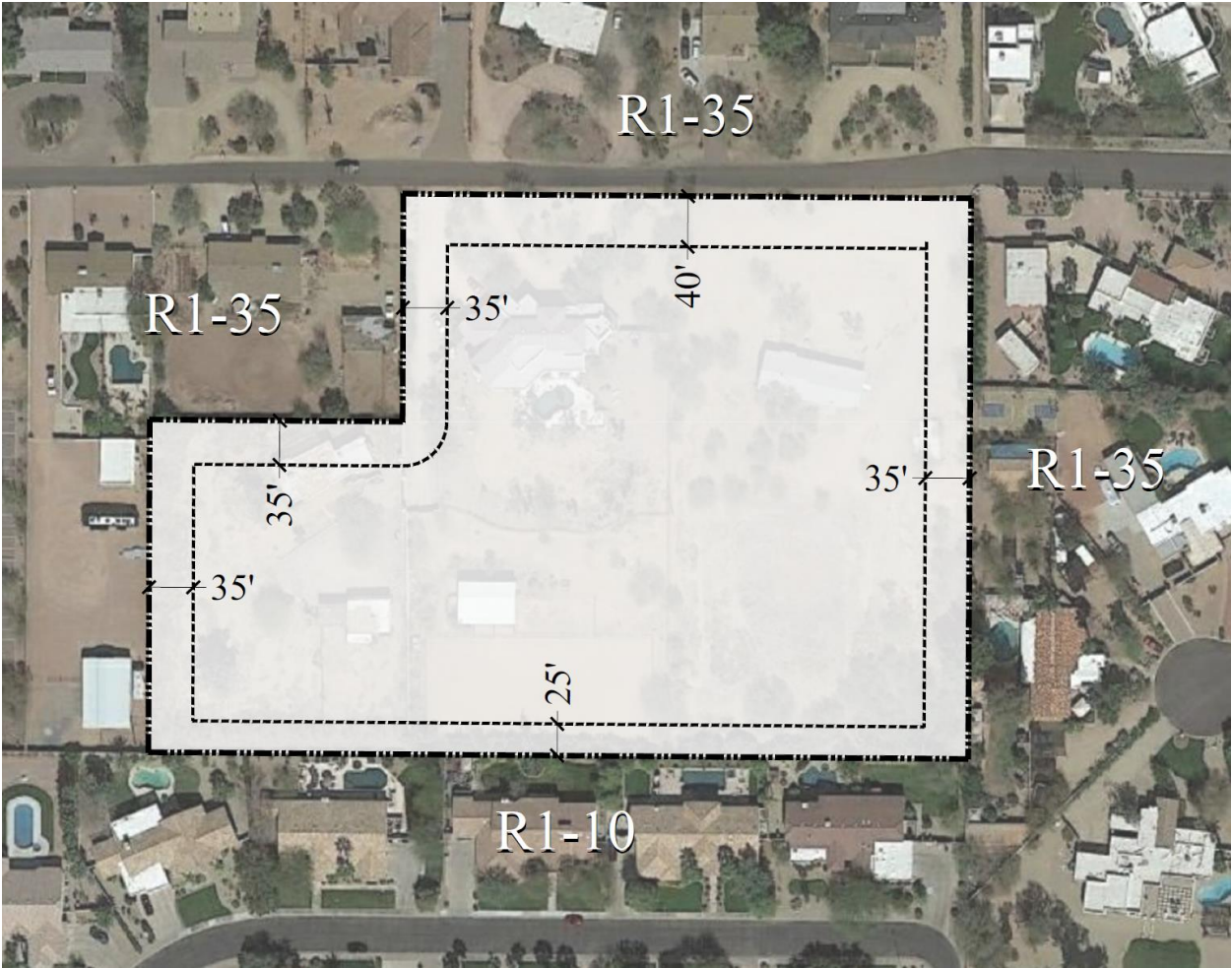
Provided Open Space:  
34,750 s.f. 14%

- Front Open Space (NA)
- Other Open Space 34,569 s.f.
- Parking Lot Landscape (NA)



*Figure 3 – Conceptual Open Space*





*Figure 4 – Perimeter Setbacks*

# SITE CONTEXT

The Property, approximately five and three-quarter (5.75) acres, is located along the south side of Jenan Drive just west of 74<sup>th</sup> Place. The nearest major crossroads are Scottsdale Road and Cactus Road. See *Figure 5 - Regional Context*, *Figure 6 – Context Aerial with Proposed Site Plan* and *Figure 7 – Site Context*.

A designated bike route along 74<sup>th</sup> Place (approximately 250 feet from the Property) connects the neighborhood with nearby amenities, shopping, and regional employment centers including the Scottsdale Airport. The airport, and surrounding business and employment opportunities are less than a 15-minute commute for a cyclist at only 1.5 miles north of the Property. Additionally, a bus stop on Scottsdale Road is located within a 5-minute walk of the Property.



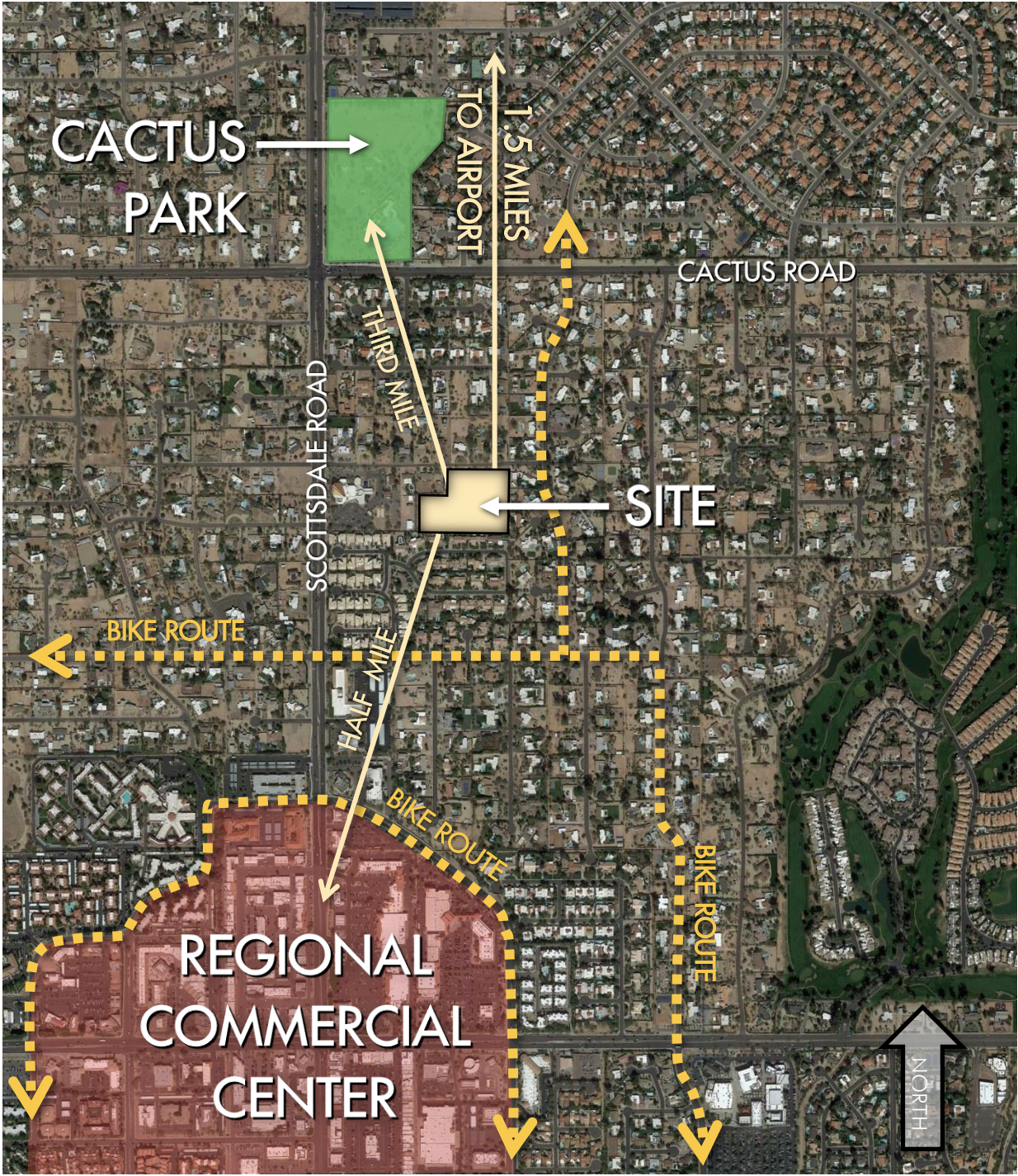
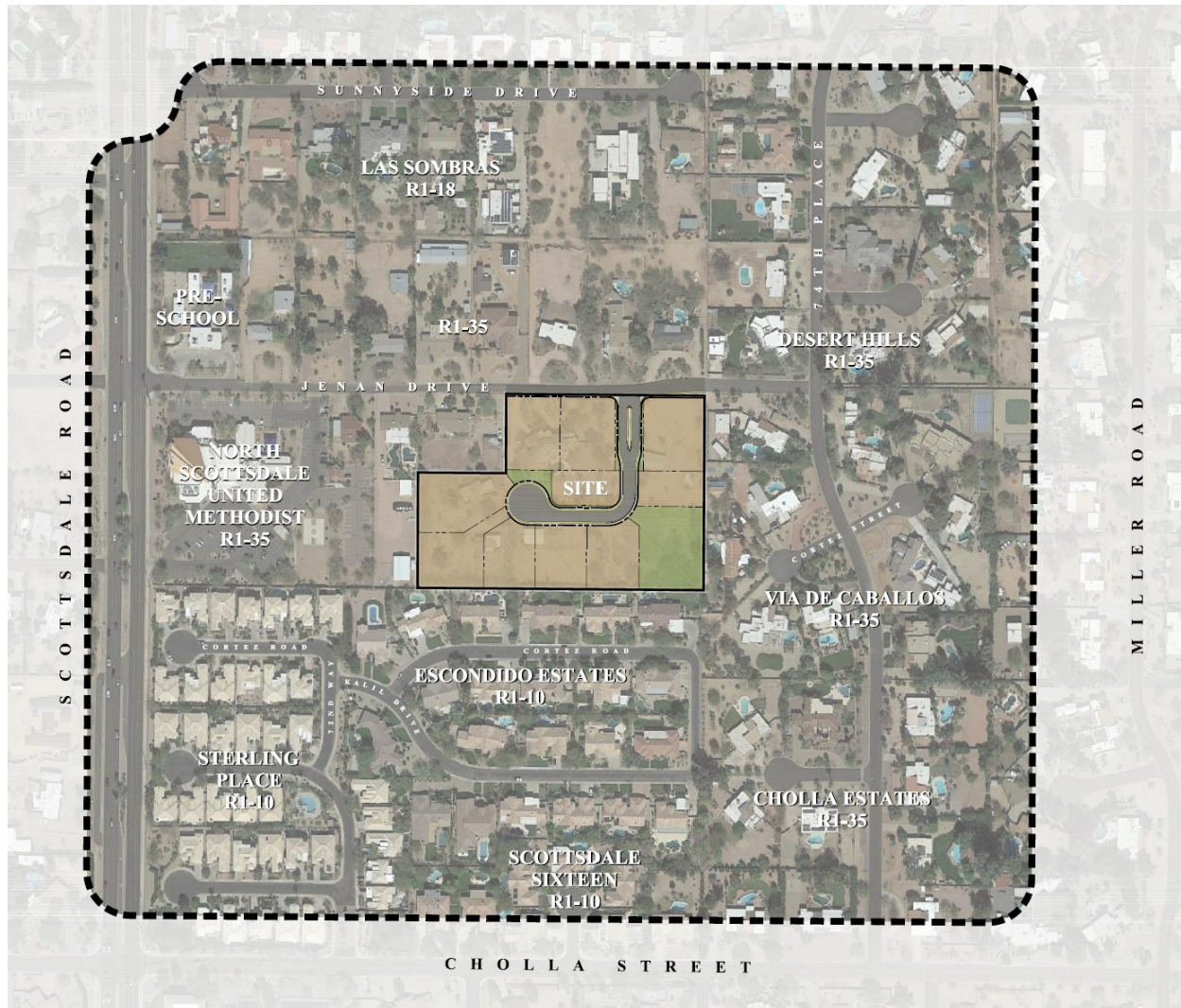


Figure 5 - Regional Context





*Figure 6 – Context Aerial with Proposed Site Plan*





Figure 7 – Site Context



# EXISTING AND PROPOSED ZONING

The Property is zoned R1-35. See *Figure 8 – Existing Zoning*. Proposed zoning for the Property is R1-18 PRD. See *Figure 9 – Proposed Zoning*.

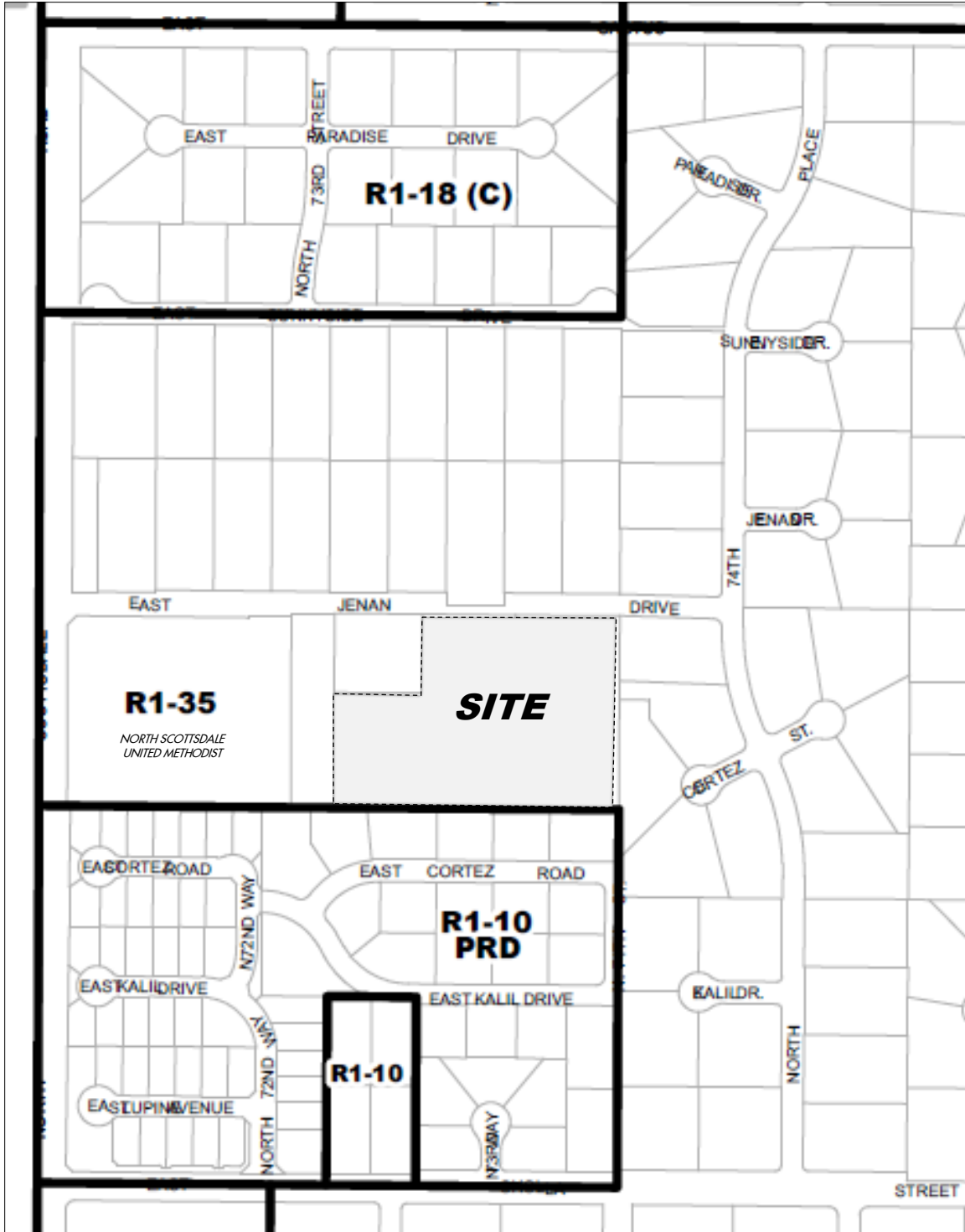
The proposed zoning is required to achieve a residential development of individual homes in an area of the City where religious, educational, recreation, employment, dining, retail and basic elements of a balanced neighborhood exist. The proposed site plan has taken special consideration of existing under-designed infrastructure by making improvements to and along Jenan Drive to mitigate off-site drainage flowing onto the Property and safer circulation within the community. In addition, a neighborhood park will provide a buffer to existing neighbors, maintain the landscape character of the neighborhood, provide a neighborhood amenity with turf for unprogrammed active recreation, and mitigate off-site stormwater flow.

## **SURROUNDING THE PROPERTY:**

---

- *North (across Jenan Drive): R1-35, Single-family residential*
- *East (adjacent): R1-35, Single-family residential, Via de Caballos 3*
- *South (adjacent): R1-10 PRD, Single-family residential, Escondido Estates*
- *West (adjacent): R1-35, Single-family residential*

South of the Property, closer to the neighborhood center, are a collection of smaller lot neighborhoods developed in the 1990s zoned R1-10 PRD. To the east, north, and west are large lot, single-family neighborhoods, mostly dating from the late 1960's and early 1970's, zoned R1-35. A church and pre-school are located at the intersection of Scottsdale Road and Jenan Drive.



*Figure 8 – Existing Zoning*



# GENERAL PLAN GOALS AND APPROACHES

The request includes rezoning the Property from R1-35 to R1-18 PRD while remaining consistent with the existing GP Land Use Element Suburban Neighborhoods designation. The proposed site plan has a density of 1.7 dwelling units per acre; more than one (1) dwelling unit per acre, but less than eight (8) dwelling units per acre. Suburban Neighborhood land use designation is used as a transition between less intense residential areas and non-residential areas, such as offices or retail centers as proposed with this application. See *Figure 10 – General Plan Conceptual Land Use*. A Character Area plan does not exist for the Property.

The GP designates neighborhoods west and north of the Property as Rural Neighborhoods. The Property and neighborhoods to the south, within walking distance to retail, dining and entertainment core near Scottsdale Road and Shea Boulevard are designated as Suburban Neighborhoods. Neighborhoods north of the Property that are within walking distance to Cactus Park have a Suburban Neighborhood designation. The proposed change in zoning will permit the development of the Property consistent with the GP and is ideal for residential redevelopment with proximity to existing City amenities, infrastructure as well as retail, dining, and entertainment opportunities.

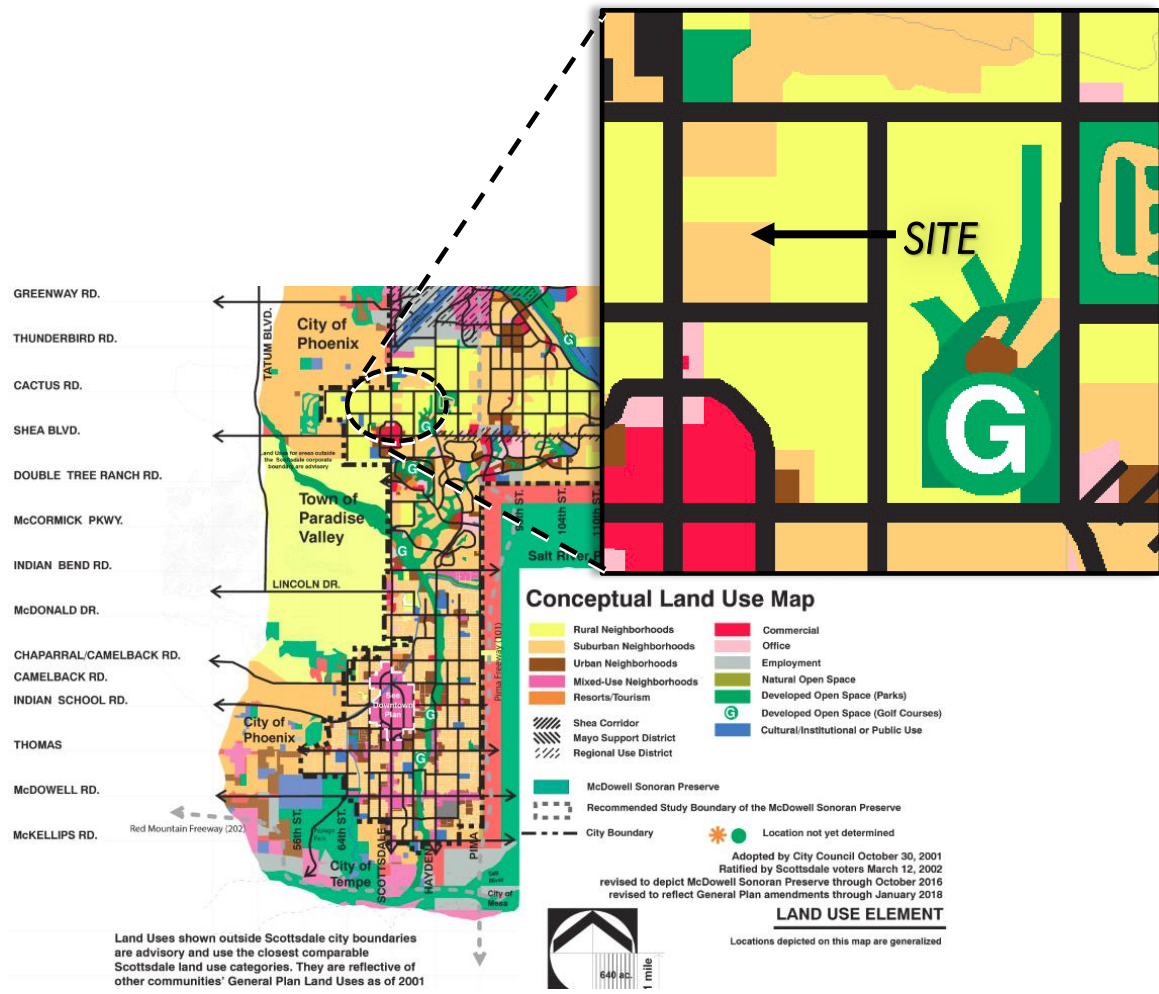


Figure 10 – General Plan Conceptual Land Use

**Suburban Neighborhoods (as stated in the GP):**

*This category includes medium to small-lot single-family neighborhoods or subdivisions. Densities in Suburban Neighborhoods are usually more than one house per acre, but less than eight houses per acre. This category also includes some townhouses and can also be used for small lot single-family homes, such as patio homes. It can be incorporated into neighborhoods near the Downtown area and in or adjacent to other non-residential activity centers. These uses may be used as a transition between less intense residential areas and non-residential areas, such as offices or retail centers. The terrain should be relatively flat, or gently sloping, to accommodate this density. Preservation of environmental features (particularly in desert settings near the mountains) is a key consideration and in the past has often been accommodated through master-planned communities or clustering.*



## GP GOALS AND APPROACHES

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The General Plan describes long-term goals for the City's future and provides guidance to evaluate development within the city. Completed in 1996, the recommendations from the CityShape 2020 process are the basis for planning in Scottsdale today. In context of general land use planning and a character-based general plan, the recommendations consists of the Six Guiding Principles (which are equal, with no priority in the listing) and a three (3) level structure. Level 1 includes City-wide planning. Level 2 is character area planning. Level 3 is neighborhood planning. The Guiding Principles are:

- *Preserve Meaningful Open Space*
- *Enhance Neighborhoods*
- *Seek Sustainability*
- *Support Economic Vitality*
- *Advance Transportation*
- *Value Scottsdale's Unique Lifestyle & Character*

The GP establishes policies, goals and strategies for each of twelve (12) elements. These elements are:

1. *Character and design*
2. *Land use*
3. *Economic vitality*
4. *Community involvement*
5. *Housing*
6. *Neighborhoods*
7. *Open space and recreation*
8. *Preservation and environmental planning*
9. *Cost of development*
10. *Growth areas*
11. *Public services and facilities*
12. *Community mobility*

The proposed development supports the GP goals and approaches as outlined more specifically as follows.

## GUIDING PRINCIPLES

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***Preserve Meaningful Open Space: The City of Scottsdale is committed to promoting the acquisition, dedication, and setting aside of open space as a community amenity and in support of the tourism industry in Scottsdale.***

The proposed development will include pockets of open space landscaped with native and enhanced native plant species to maintain the desert character of the neighborhood. The largest of the proposed open spaces will provide stormwater mitigation to the approximately ten (10) acres of off-site stormwater that flows onto the Property. This 28,000 square foot open space tract will also provide meaningful active open space. Desert appropriate plant material around the perimeter of the neighborhood park will preserve and enhance the streetscape character within the neighborhood while also providing a buffer to existing neighboring homes. Turf within the bottom area of the open space tract will provide an area for unprogrammed play; area to throw a ball, play tag or host a neighborhood gathering. Access to the open space will be available to both residents of The Enclave and neighbors.

The basin within the proposed neighborhood park will be oversized to provide much needed mitigation to reduce, and in many events, eliminate water backing up and ponding against the existing neighbor walls. The proposed open space area, and related drainage improvements, will provide a practical solution to existing drainage pattern in a manner that can be done better than if the lots were redeveloped using the existing standards.

***Enhance Neighborhoods: Scottsdale's residential and commercial neighborhoods are a major defining element of this community. The quality of our experience as a Scottsdale citizen is expressed first and foremost in the individual neighborhoods where we live, work, and play. Scottsdale is committed to maintaining and enhancing our existing and future neighborhoods. Development, revitalization, and redevelopment decisions, including rezoning and infrastructure planning, must meet the needs of our neighborhoods in the context of broader community goals.***

The Developer has been part of creating several of Scottsdale's great neighborhoods. They support the GP's recommended commitment to the quality of existing neighborhoods and its vision to add quality neighborhoods to the fabric of the City. The development pattern shown on the conceptual site plan (see *Figure 1 – Illustrated Site Plan*) is in line with the GP's recommendation to maintain and enhance the existing and future neighborhoods.

The Property is surrounded by existing development in a primarily grid-like form. Designated bicycle routes are nearby with the closest route located one (1) property away to the east. Less than one mile to the south and southwest are the Paradise Valley Plaza, Shea Scottsdale East Shopping Center, Sundown Plaza and the Agua Caliente Professional Center. One mile north begins the regional commercial and industrial employment area surrounding the Scottsdale Airport, the primary source of employment in the area and home to more than 48,000 jobs.

The Property is located within convenient walking and biking distance to major employment, recreation and shopping areas. Yet, the immediate neighborhood and adjacent neighbors are rural and suburban single-family homes with large, predominately desert front yard landscapes. The proposed plan for the Property preserves the existing character of this neighborhood by proposing single-level homes. Homes along Jenan Drive will front Jenan Drive. In keeping with the existing front yard setbacks of adjoining properties, a forty (40) foot front yard will be provided on these three (3) lots.

Furthermore, the development will enhance the livability and safety beyond the proposed neighborhood by including improvements to mitigate off-site stormwater flows that impact the adjacent properties. The stormwater mitigation will serve a dual purpose in the form of active open space accessible for use by residents of The Enclave as well as neighbors of the community.

***Seek Sustainability: Scottsdale is committed to the effective management of its finite and renewable environmental, economic, social and technological resources to ensure that they serve future needs.***

The Developer is a local third generation award winning homebuilder recognized for design excellence and lasting value, creating an asset to the community. Durable materials and excellent craftsmanship enable their homes to withstand the test of time and embrace the unique year-round indoor/outdoor living environment the Sonoran Desert offers. Creating an enclave of homes in keeping with the character of the existing neighborhood within walking and biking distance of regional employment centers is consistent with the GP Goals and Objectives to seek sustainability.

***Support Economic Vitality: Scottsdale is committed to the goal of supporting its existing economic strengths by: targeting new opportunities which can diversify our economic base; providing for the fiscal health of the city; and forming partnerships with the community which strengthen our ability to meet this goal.***

The Developer is a native Arizona builder who has maintained a sound and responsible business strategy allowing them to thrive during five decades of homebuilding. They have a long history of building quality homes in Scottsdale and across the Valley, providing many employment opportunities.

***Advance Transportation: The transportation system must be the backbone of Scottsdale, supporting its economy and serving and influencing its land use patterns in a positive way.***

Access to the Property is from Jenan Drive. Just east of the Property, is a designated bicycle route. Furthermore, the Property is conveniently located within walking and biking distance of a bus stop, major employment, recreation and shopping areas. This development will enhance the livability and safety of Jenan Drive by making infrastructure improvements to the southside of the roadway along the Property. This will include partially widening the drivable surface and adding a curb.

The change in zoning designation will allow the Property to be redeveloped with single-family homesites that are within close proximity to existing City amenities and infrastructure. Additionally, the zoning change will allow the Developer to make improvements to Jenan Drive to widen the vehicular travel surface and mitigate off-site drainage flowing onto the Property in a manner that could be far more challenging with redevelopment of properties following existing City standards. The proposal includes an additional five (5) feet of right-of-way on Jenan Drive as requested by City staff.

***Value Scottsdale's Unique Lifestyle and Character: Scottsdale offers a superior and desirable Sonoran Desert lifestyle for its citizens and visitors. The preservation of this unique lifestyle and character will be achieved through a respect for our natural and man-made environment, while providing for the needs of our citizens.***

The Developer has been a part of creating several of Scottsdale's great neighborhoods. They support the GP's recommended commitment to the quality of existing neighborhoods and its vision to add quality neighborhoods to the fabric of the City. Surrounding the Property to the immediate north, west and east are single-family rural neighborhoods dating from the late

1960s to the early 1970s. A little further west, closer to Scottsdale Road, are the North Scottsdale United Methodist Church and the WizKids Preschool. To the south is R1-10 single family residential neighborhood developed in the 1990s. The development pattern shown in the conceptual site plan (see *Figure 1 – Illustrated Site Plan*) is in line with the GP's recommendation to maintain and enhance the existing and future neighborhoods.

The proposed development plan contains single-level homes similar to the existing neighbors minimizing visual impact, preserving viewsheds and eliminating upper level window conditions overlooking adjacent backyards. The landscape within The Enclave will embrace the Sonoran Desert landscape character with native character and low water use plant material.

A stormwater basin will provide much needed mitigation to existing drainage beyond that of the Property. Landscape within the basin will also include native character and low water use plant material around the perimeter and a large turf area in the bottom that will provide an opportunity for active recreational play for the proposed homesites and surrounding neighborhood.

The change in zoning designation will allow the Property to be redeveloped with single-family homesites in a manner that preserves the unique lifestyle within close proximity to existing City amenities and infrastructure. The natural and man-made character of the environment will be preserved through the deep front yard setbacks along Jenan Drive, native and enhanced native character community landscape, as well as a neighborhood open space amenity that also provides for off-site stormwater mitigation.

## CHARACTER AND DESIGN ELEMENT

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

The proposed development shall be in conformance with the community goals as outlined in detail below. The Property is designated Rural on the GP Character Types Map (see *Figure 11 – GP Character Types Map*). The character of the surrounding neighborhoods and adjacent neighbors are Rural and Suburban and the Property will be developed consistently with that designation.

The Property will be developed as an enclave of single-family homes with enclosed private yards. Homes will be built in desert appropriate architectural styles with appropriately scaled variable massing embodying the Rural character. A complementary plant palette to that used along Jenan Drive will be used for front yards and landscaped open space areas within the neighborhood. Homes along Jenan Drive will front Jenan Drive. In keeping with the existing front yard setbacks of adjoining properties, a forty (40) foot front yard will be provided on these three (3) lots.

The Property is in Character Area 4 of the GP (see *Figure 12- GP Character Area Map*). While the GP does not provide any detail about the qualities of Character Area 4, it will be developed in a character complementary to the character of existing surrounding development of large single-family homes.



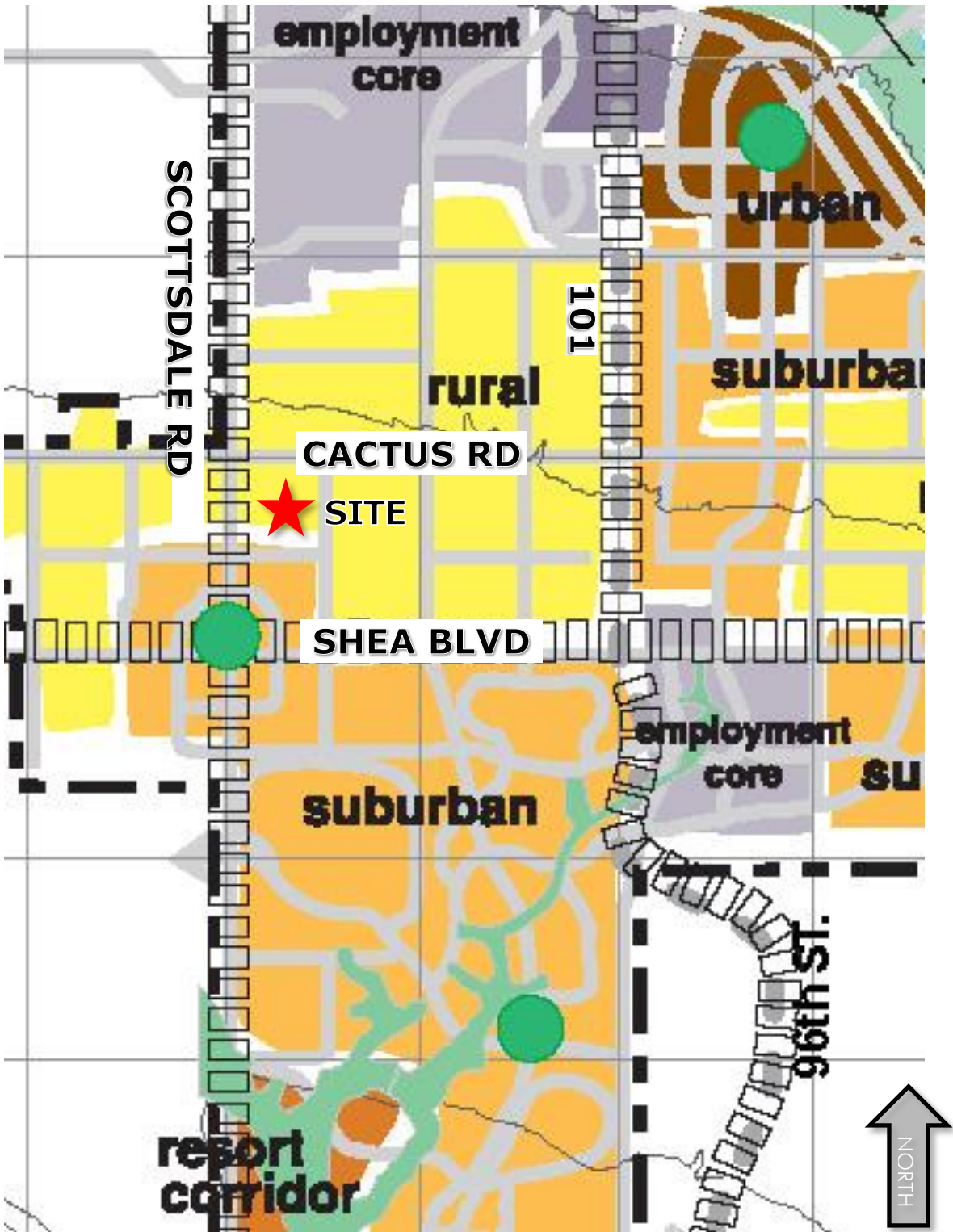
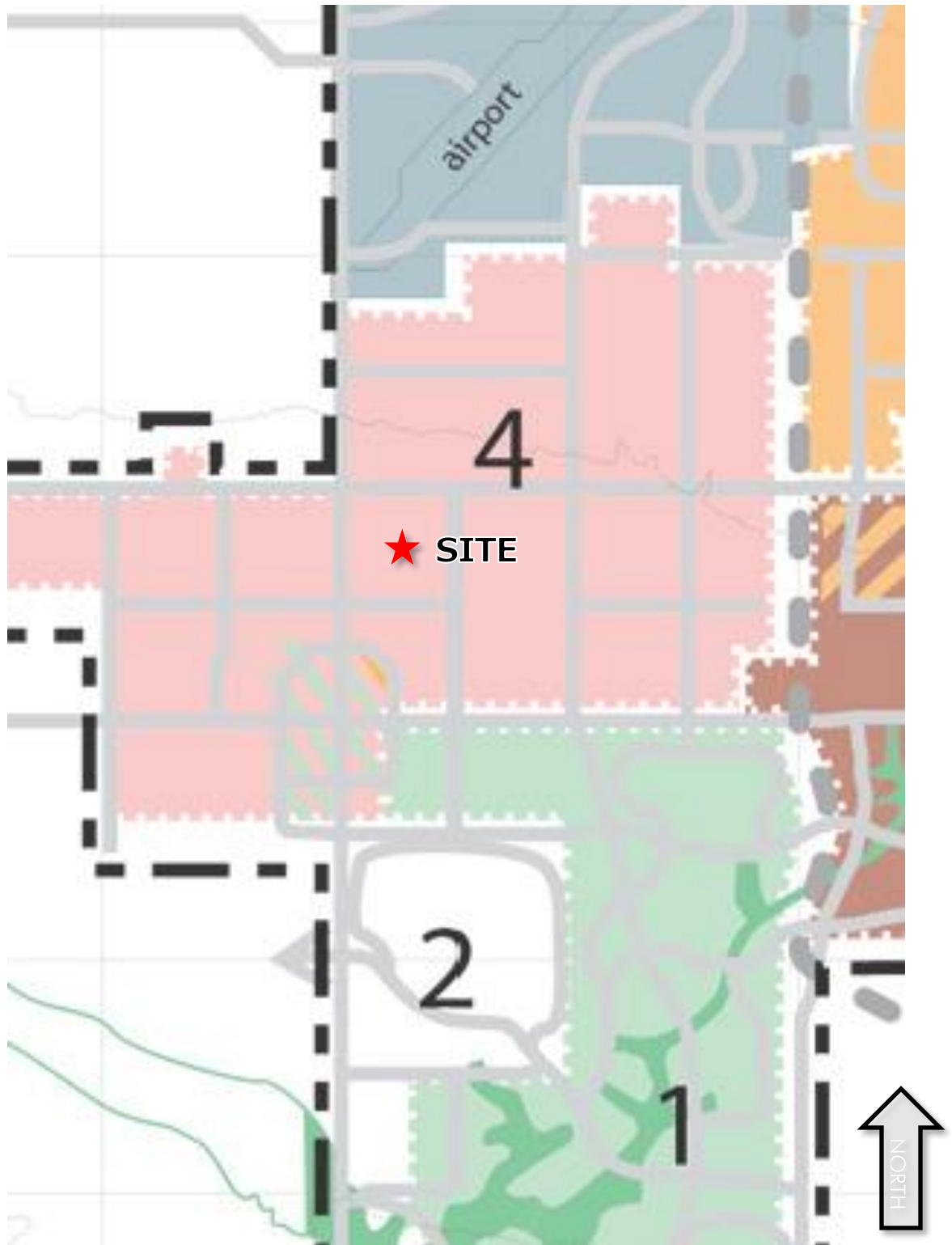


Figure 11 – GP Character Types Map



*Figure 12- GP Character Area Map*

- *Respond to regional and citywide contexts with new and revitalized development in terms of:*
  - *Scottsdale as a southwestern desert community*

The proposed development plan fully embraces the lifestyle available in the desert southwest, gracious single family, single-level homes, conveniently located near the many amenities available in the city. Architectural styles and native character landscape planting will reinforce local ties to the desert community.

- *Relationships to surrounding land forms, land uses and transportation corridors*

The Property sits in the lowlands of the valley between Indian Bend Wash (3 miles southwest) and the McDowell Mountains (5 miles northeast). The surrounding area is fairly flat with occasional views of the distant mountains.

The neighborhood was originally developed as single family homes in the late 1960s, early 1970s and has no significant washes running through it. Over time, the pockets of development have been built out in a primarily grid-like form connecting to major transportation corridors in the area which then connect to neighborhood and regional shopping, dining, religious, educational, and employment opportunities.

This Property is located within convenient walking and biking distance to major employment, recreation and shopping areas. Less than one mile to the south are the Paradise Valley Plaza, Shea Scottsdale East Shopping Center, Sundown Plaza and the Agua Caliente Professional Center. One mile north begins the regional commercial and industrial employment area surrounding the Scottsdale Airport, the primary source of employment in the area.

Valley Metro's Bus Route 72 runs north/south along Scottsdale Road and a bus stop is less than a 5-minute walk from the Property. A park and ride facility is located just over a mile north of the Property. A designated bicycle route is located east of the Property along 74<sup>th</sup> Place.

Scottsdale Road is 600 feet from the western edge of the Property. A quarter mile north of the Property is Cactus Road and Shea Boulevard is located to the south. These transportation corridors provide convenient access to the 101 freeway less than two (2) miles to the east.

- *Contributions to city wide linkages of open space and activity zones.*

While the Property is not directly connected to the City's open spaces (see *Figure 13 – GP Open Space Map*), the development of this neighborhood will include dedicated open space in the form of a neighborhood park.

- *Physical scale relating to the human perception at different points of experience.*

The residential, single-family nature of development will ensure that the physical scale will relate to the human perception, as single-level homes will be in context with the Rural character and surrounding neighborhood character. While some of the homes will be large, their height will be limited so that the massing of the home remains low. This development style along with the native character landscape will work to preserve a physical scale relating to the human perception.

- *Visual impacts (views, lighting, etc.) upon public settings and neighboring properties.*

There are no public settings adjacent to or impacted by the density or height of the proposed development on the Property. Adjacent residential properties to the east and south are buffered by rear yard setbacks consistent with the adjacent zoning district. Neighborhood lighting will be minimized to respect the neighborhood and the desert setting.

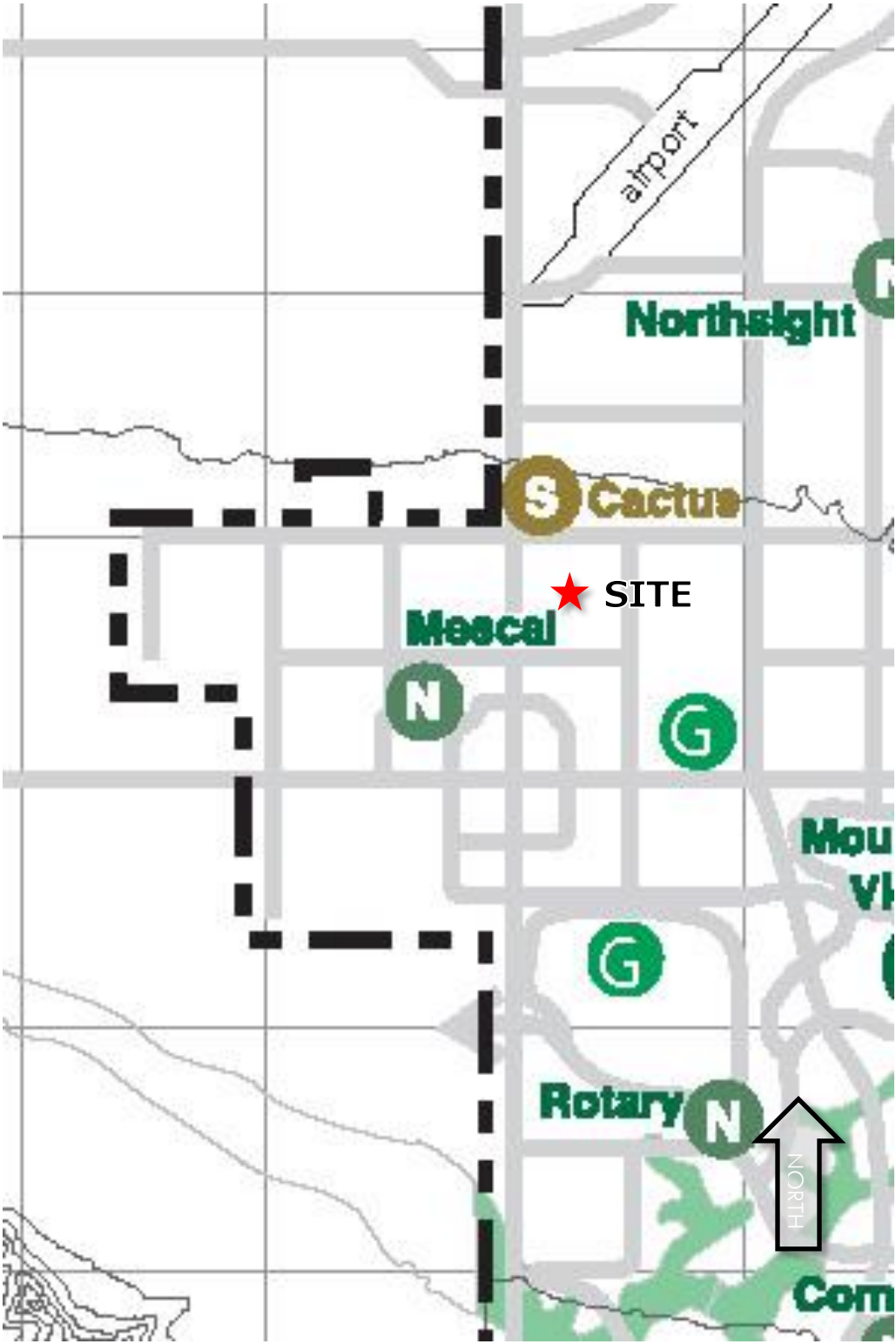


Figure 13 – GP Open Space Map



- *Enrich the lives of all Scottsdale citizens by promoting safe, attractive, and context compatible development.*

While this will be a secluded residential enclave, it will enrich the lives of Scottsdale citizens. The Property will be developed at a density and in patterns very comparable to the surrounding neighborhoods to ensure compatibility.

The proposed development will provide attractive native and enhanced native character landscape consistent with that established by the surrounding neighborhoods. This includes front yard landscapes along Jenan Drive as well as a large neighborhood park with turf for active recreational use. This open space tract is also an oversized basin to achieve stormwater storage volumes that will provide much needed mitigation to reduce, and in many events, eliminate water backing up and ponding against the existing neighbor walls in the southeast corner of the Property.

- *Encourage projects that are responsive to the natural environment, site conditions, and unique character of each area, while being responsive to people's needs.*

The surrounding development pattern is notably grid like with existing rural and suburban style single family homes. The proposed development will be similar to this existing pattern and will complement the street character and aesthetics of the existing neighborhood fabric. The Property is located within convenient walking and biking distance to major employment, recreation and shopping areas and with ready access to a Valley Metro Bus Route. Yet, the immediate neighborhood and adjacent neighbors are rural and suburban single-family homes with large, predominately desert planted landscaped front yards.

The proposed development is responsive to the environment, site conditions and character of the area. The plan for the Property preserves this existing character with single-level homes and provides front yard landscape along Jenan Drive consistent with the existing front yards of adjoining properties.

Furthermore, the development will enhance the livability, safety and needs of the community by providing an oversized basin to help mitigate off-site stormwater flows that impact the Property and neighboring properties. The basin will serve a dual purpose enhancing the rural landscape character while providing an area for active recreation available for use by future residents of The Enclave and surrounding neighbors.

- *Ensure that all development is a part of and contributes to the established or planned character of the area of the proposed location. Character can cross land uses and zoning to include community regions containing a mixture of housing, employment, cultural, educational, commercial, and recreational uses. The overall type of character type that these uses are a part of describes the pattern and intensity of how these uses fit together. The following general character types are found in our community:*

*Rural/Rural Desert Character Types contain relatively low-density and large lot development, including horse privilege neighborhoods and low-density resorts as well as areas with particularly sensitive and unique natural environments. These districts provide a rural lifestyle that includes preservation of the desert character. The identity and natural desert character of this district should be strengthened and maintained by preventing encroachment of nonconforming uses and architectural styles, protecting open spaces and vistas, encouraging conservation of desert vegetation, building low profile structures, discouraging walls, and limiting road access. Special care should be taken to preserve the natural character of the land and natural drainage corridors. Desert vegetation is maintained in either in common open-space areas or on individual lots. The impacts of development on desert preservation should be minimized through clustering, preserving washes, and the use of natural buffers on the perimeter of developments. Site plans for developments on larger*

*vacant tracts should be sensitive to topography, vegetation and natural drainage area.*

The Property is designated Rural on the GP Character Types Map and will be developed consistent with this designation. The proposed neighborhood aligns with the Rural Character Type in that the relatively low-density development will preserve the rural character. The Property will be developed as an enclave of single-story single-family homes. In this area of the city, enclosed private yards are common. The homes will be built in desert appropriate architectural styles with appropriate scale and variable massing to embody the Rural Character Type.

The common area landscape will preserve and strengthen the neighborhood landscape character already found along Jenan Drive while incorporating native and enhanced native low-water use desert plant material. A complementary plant palette will be used for front yards and open space areas. Open space will be placed in common tracts ensuring community maintenance of the landscape.

In addition to strengthening the natural character landscape, the large open space tract is designed as a neighborhood park with turf for active recreational use. The park will also mitigate off-site stormwater flows that currently get trapped within the Property. The incremental development of adjacent neighborhoods and properties has resulted in walls enclosing the property on all sides, except Jenan Drive. The enclosing walls prevent approximately ten (10) acres of offsite stormwater flows from exiting the Property at the historic low point near the southeast corner.

To maintain the character of Jenan Drive and blend in with adjacent larger lots, a minimum forty (40) foot front yard will be provided on lots fronting Jenan Drive. While walls are discouraged in this character district, existing walls enclose the property along all sides and along the rear.

A combination of retaining walls and privacy walls will enclose three (3) sides of the stormwater basin located in the southeast corner of the Property. The retaining walls are



functional providing greater basin volumes to mitigate the off-site flows that have been prevented from passing through the Property. Planting density around the perimeter of the basin is increased to help screen the walls. As the desert landscape and trees planted within the basin mature the surrounding walls will be further screened from view from within the neighborhood. Turf within the bottom of the basin will provide an area for unprogrammed active recreation. The turf also helps to absorb water when within the basin.

***2. The requested change in zoning will make it possible to include improvements to alleviate under-designed and under-performing infrastructure providing for safer circulation along Jenan Drive as well as mitigate off-site stormwater flows impacting the Property and neighboring properties. Review the design of all development proposals to foster quality design that enhances Scottsdale as a unique southwestern desert community. (The City Charter excludes review of detached single family residential)***

The proposed zoning change will permit development of the Property as ten (10) single-family homesites. The homes will have a contemporary desert southwest character similar to an award-winning single-family residential community recently built by the Developer in the northern portion of the city.

- *Continue the development review process. The Development Review Board currently reviews all proposed new and revitalized development, other than single-family residential, in terms of appropriate contextual character, quality of design, and site planning.*

While the DRB does not review single-family residential development, the requested change in zoning designation will allow the Property to develop in a form appropriate to the surrounding context (large single-family homes). The change will not alter the quality of the

design or negatively affect site planning. The proposed development plan will complement the site planning of the adjacent parcels and add a landscape character along Jenan Drive.

- *Recognize that Scottsdale's economic and environmental wellbeing depends a great deal upon the distinctive character and natural attractiveness of the community, which are based in part on good site planning and aesthetics in the design and development review process. These characteristics contribute substantially to the community's potential as a recreational resort area and regional trade center.*

The proposed neighborhood enclave will include high-quality homes in an attractive area of the City sought after by business owners and leaders that may be working in the nearby business districts and employment zones. The desert appropriate architectural style homes and desert character neighborhood landscape coupled with single-level homes will provide for an attractive environment that will complement the existing character of the surrounding community.

- *Promote development that respects and enhances the unique climate, topography, vegetation and historical context of Scottsdale's Sonoran Desert environment, all of which are considered amenities that help sustain our community and its quality of life.*

While there are no significant natural washes on the Property, the site slopes nominally from the northeast toward the southwest. As pockets of neighborhoods and homesites surrounding the Property developed over time, the incremental improvements resulted in under-designed and under-improved infrastructure. The Property and neighboring properties are negatively impacted by off-site stormwater flows that collect in the southeast corner of the site. The proposed plan includes an oversized basin in the low point of the Property to help mitigate off-site stormwater flow and the impact to adjacent properties. The perimeter of the basin will include native and enhanced native character plant material while the bottom will include turf to absorb stormwater and provide for unprogrammed active recreational use.

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

*Streetscape is a term used to describe the combination of individual design elements that give character to the street frontages of the city. Some examples of these elements are landscaping, street furniture, lighting, and sidewalk design. Streetscape design plays a major role in setting a standard of quality and innovation for other design issues.*

Per the GP there are no major roadways adjacent to the Property (see *Figure 14 – GP Mobility Systems Map*). Jenan Drive is a local street that connects with Scottsdale Road which is part of the Regional System. The Property is located on the south side of Jenan Drive between Scottsdale Road and 74<sup>th</sup> Place. This segment of Jenan Drive is currently paved with asphalt and curb at Scottsdale Road and 74<sup>th</sup> Place, but without curbs for approximately 850 feet on the south side and 1,050 feet on the north side.

- *Ensure compatibility with the natural desert in Natural streetscape areas. Plant selection should be those that are native to the desert and densities of planting areas should be similar to natural conditions.*

Per the GP Streetscape Map, the Property is located in the Transitional Streetscape designation (see *Figure 15 – GP Streetscape Map*). The Property is accessed from Jenan Drive and, as appropriate in a Transitional Streetscape, a landscaped streetscape zone will be located in a common tract. Tracts, and planting within the tracts, will complement the character and scale of the existing desert character streetscape.



Figure 14 – GP Mobility Systems Map



Figure 15 – GP Streetscape Map



- *Apply the Scenic Corridor designation in circumstances where a substantial landscape buffer is desired to maintain views, the desert character is a vital part of the neighborhood setting, and buffering of roadway impacts is important. This allows for a larger landscaped area that can minimize the impact of highly traveled roads adjacent to neighborhoods.*

Jenan Drive is a local level road without a Scenic Corridor designation and with minimal views to the northwest McDowell Mountains. The development of the property with proposed single-level massing will minimize any encroachments of possible neighboring view sheds.

- *Other visually significant roadways include roadways with buffered setbacks, Desert Scenic Roadways (in ESLO districts), and roadways with specific streetscape design themes. Each of these designated roadways have individual design guideline policies.*

Per the GP, Buffered Roadways are usually minor arterials or major collectors and the Desert Scenic Roadways designation does not apply to Jenan Drive.

- *Keep street lighting to a minimum in low-density areas, rural areas, and areas near the McDowell Sonoran Preserve, and shield the light fixtures to maintain a dark sky.*

The Property is on the edge of the rural/suburban neighborhood. The entrance to the Property will be enhanced with landscape. The lighting locations within the Property will be limited and located as required to adhere to City codes.

***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.***

A front yard streetscape along Jenan Drive with native and enhanced native plant material will complement the rural landscape character of the existing neighborhood. The minimum depth of the front yard setback on lots facing Jenan Drive will match that of the yards of the adjacent properties. The landscaping along Jenan Drive will be private on-lot while the neighborhood open spaces within the Property will be located within common tracts that will be included in an HOA maintenance program.

The largest community open space will be a neighborhood park and stormwater basin located at the low point of the Property; at the southeast corner. The basin is sized to capture both on-site and off-site stormwater. Around the perimeter of the neighborhood park will be desert appropriate low water use groundcovers, shrubs and canopy trees. When mature, the plant material will screen existing perimeter walls reinforcing the impact that landscape has on the character of the neighborhood. Turf will be located in the bottom of the basin to provide an area for unprogrammed active recreation.

Water conservation and resource efficiency are essential to living in the desert. The Enclave's landscape palette will celebrate the beauty of a desert setting while realizing the benefits of drought tolerance and significantly reduced water use. A plant palette with native character species will allow for water-wise open spaces without sacrificing beauty and a feeling of natural abundance. Because the landscape areas are designed to also serve as stormwater management areas, the basin will periodically fill with stormwater, providing deep rainwater penetration into the root zone of the native character trees and turf areas.

## LAND USE ELEMENT

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### ***3. Encourage the transition of land uses from more intense regional and citywide activity areas to less intense activity areas within local neighborhoods.***

Within the area, pockets of development have incrementally come together to create the urban and rural fabric that exists today. Over time, the area has been built out in a primarily grid-like form. Less than one mile to the south and southwest are the Paradise Valley Plaza, Shea Scottsdale East Shopping Center, Sundown Plaza and the Agua Caliente Professional Center. One mile north begins the regional commercial and industrial employment area surrounding the Scottsdale Airport, the primary source of employment in the area and one of three major employment centers across the region. The Property is surrounded by rural and suburban character development of single-family detached homes. While this proposed residential enclave is near the very busy traffic on Scottsdale Road, it has been designed to be compatible with the less intense activity of the surrounding neighborhoods.

- ***Ensure that neighborhood edges transition to one another by considering appropriate land uses, development patterns, character elements and access to various mobility networks.***

The character of the surrounding neighborhood and adjacent neighbors are rural and suburban single-family homes with large, predominately desert landscaped yards. The Property will be developed to preserve and enhance the existing character with single-level homes with desert appropriate architectural styles. Front yard landscape along Jenan Drive, and perimeter setbacks consistent with adjacent zoning development standards, ensure the residential land uses transition between the neighborhoods of compatible density and form.



- *Guide growth to locations contiguous to existing development to provide city services in a cost effective and efficient manner.*

The Property is surrounded by existing development and City services are already provided to the area.

- *Encourage transitions between different land uses and intensities through the use of gradual land use changes, particularly where natural or manmade buffers are not available.*

This application includes a request to rezone of the Property from R1-35 to R1-18 PRD. The proposed development of ten (10) homesites, aligns with the intent of the R1-18 zoning district while remaining consistent with the GP Goals and Approaches of Suburban Neighborhood land use designation. This change in zoning will allow the development of the Property in a manner harmonious with the adjacent neighbors, embraces a predominately native desert vegetation character, and will mitigate existing under-designed and non-existent infrastructure. This request supports the General Plan Goals and Approaches as outlined in the GP.

***5. Develop land use patterns that are compatible with and support a variety of mobility opportunities/choices and service provisions.***

A designated bike route along 74th Place is located approximately 250 feet from the Property. This route provides convenient bicycle access to neighborhood amenities and regional employment centers including the Scottsdale Airport. The Airport is only 1.5 miles north of the Property and less than a 15-minute commute for a cyclist. Additionally, there is a bus stop on Scottsdale Road within a 5-minute walk of the Property. The proposed change in zoning land use designation will permit the development of the property consistent with a majority of the neighborhoods surrounding the Property and is ideal for residential redevelopment with

proximity to employment, City amenities and community-oriented retail, dining and entertainment.

- *Integrate the pattern of land uses and mobility systems in ways that allow for shorter and fewer automobile trips and greater choices for mobility.*

The proposed change in zoning would permit the Property to develop in a pattern compatible with the existing neighborhood fabric. The Property is located less than a mile north of a regional neighborhood center. As such, within close proximity of the site (short automobile trip), much of the daily needs of life can be met. Regular bus service is a five (5) minute walk from the Property along Scottsdale Road. A designated bicycle route is located at the end of Jenan Drive along 74<sup>th</sup> Place. This route provides convenient access to nearby shopping and employment. The requested change in zoning would not change demand for such services.

- *Encourage non-motorized (pedestrian and bicycle) access/circulation within and to mixed-use centers to reduce reliance on the automobile.*

The Property is located less than a mile north of a regional neighborhood center. A designated bicycle route is located at the end of Jenan Drive along 74<sup>th</sup> Place. This route provides convenient access to nearby shopping and employment. The requested change in zoning would not change demand for such services. Sidewalks along Scottsdale Road provided pedestrian connectivity to nearby bus stops and Cactus Park. Neighborhood shopping, dining and employment destinations are a 15 to 20-minute walk from the Property.

- *Provide a balance of live, work, and play land uses and development intensities that enable convenient non-automotive trips (pedestrian and cycling and transit) where environmentally and physically feasible.*

Connections from the proposed residential enclave to the neighborhood centers north and south of the Property are made via Scottsdale Road. Within the proposed neighborhood, pedestrians and cyclists may use the roadway system. The public street will connect to Jenan Drive which then connects to a designated bike route along 74<sup>th</sup> Place. The airport and

surrounding employment is only 1.5 miles north of the Property; less than a 15-minute commute for a cyclist. Additionally, there is a bus stop on Scottsdale Road within a 5-minute walk of the Property. The proposed change in zoning land use designation will permit the development of the Property consistent with a majority of the neighborhoods surrounding the Property and is ideal for residential redevelopment with proximity to employment, City amenities and community-oriented retail, dining and entertainment.

- *Ensure Scottsdale's transportation choices respond to the land use patterns and local neighborhood lifestyles.*

Regular bus service is available within a 5-minute walk along Scottsdale Road. The proposed change to zoning, proposed site plan and Suburban Neighborhoods Land Use designation is appropriate to the transportation services available in the area.

- *Provide an interconnected open space system that is accessible to the public, including pedestrian and equestrian links, recreation areas, and drainage ways.*

The proposed development of the Property will include a neighborhood park that includes an oversized stormwater basin to help mitigate off-site stormwater flows. A public roadway will provide access to the park. Given the limited number of lots, singular point of access and desire to maintain the aesthetic values consistent with the Rural/Rural Desert Character Type, pedestrian links are provided on the neighborhood street that serves seven (7) homesites.

- *Encourage that land uses with the highest intensity be located in areas conducive to alternative modes of transportation*

This project is supportive of Scottsdale's goal of locating the highest intensities in areas conducive to alternative modes of transportation. The Property is located within close proximity to a designated bike route along 74<sup>th</sup> Place. Major employment, recreation and shopping are conveniently accessible by walking and biking. Bus service is available along Scottsdale Road and can be accessed via a short 5-minute walk. The proximity to nearby

shopping, dining, employment, recreation and ability to easily access these uses via alternative modes of transportation is conducive to the request to change the zoning.

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

The character of the surrounding neighborhood and adjacent neighbors are rural and suburban single-family homes with large, predominately desert landscaped yards. The Property will be developed to sensitively integrate with the existing character of adjacent residential land uses. Single-level homes will be built with desert appropriate architectural styles. Front yard landscape along Jenan Drive, and perimeter setbacks consistent with adjacent zoning development standards ensure the residential land uses transition between neighborhoods of compatible density and form.

- ***Protect sensitive natural features from incompatible development, and maintain the integrity of natural systems.***

The neighborhood was originally developed as single family equestrian homesites. While there are no significant natural washes on the Property, the site slopes nominally from the northeast toward the southwest. As pockets of neighborhoods and homesites surrounding the Property developed over time, the incremental improvements resulted in under-designed and under-improved infrastructure. The Property and neighboring properties are negatively impacted by off-site stormwater flows that collect in the southeast corner of the site.

- *Incorporate appropriate land use transitions to help integrate into surrounding neighborhoods.*

The character of the surrounding neighborhood and adjacent neighbors are rural and suburban single-family homes with large, predominately desert landscaped yards. The Property will be developed to sensitively integrate with the existing character adjacent residential land uses. Single-level homes will be built with desert appropriate architectural styles. Front yard landscape along Jenan Drive, and perimeter setbacks consistent with adjacent zoning development standards ensure the residential land uses transition between neighborhoods of compatible density and form. The landscape palette will include plant material consistent with rural appeal along Jenan Drive.

- *Focus intense land uses along major transportation networks (such as the Pima Freeway and major arterial streets) and in urban centers (such as Downtown and the Airpark). Less intense land uses should be located within more environmentally sensitive lands.*

The Property is located within close proximity to Scottsdale Road, a significant regional transportation corridor in the City. Less than one mile to the south and southwest are the Paradise Valley Plaza, Shea Scottsdale East Shopping Center, Sundown Plaza and the Agua Caliente Professional Center. One mile north begins the regional commercial and industrial employment area surrounding the Scottsdale Airport, the primary source of employment in the area. Cactus Road to the north and Shea Boulevard to the south provide convenient access to the 101 freeway less than 2 miles east. Valley Metro's Bus Route 72 provides transit service along Scottsdale Road and a bus stop is less than a 5-minute walk from the Property. A designated bicycle route is located along 74<sup>th</sup> Place, just east of the Property. The Property is located in a flatter portion of the city and does not have any environmentally sensitive land area. The request to rezone supports the proposed land use located near major transportation networks in the Airpark area.



- *Sensitively integrate neighborhood services, schools, parks, and other civic amenities into the local physical and natural environments by establishing reasonable buffers and preserving the integrity of the natural terrain and open space networks.*

The Property, located less than a mile from a major neighborhood center and just over a mile from the Scottsdale Airport, will be developed to support the existing centers. These affluent residential homes, in keeping with the existing neighborhood's character, will add to the commercial viability of the dining, entertainment, grocery and business uses. No additional civic amenities will be specifically provided on the Property for these ten (10) homes, however a neighborhood park that also helps to mitigate off-site stormwater flows will be available for use by future residents and neighbors.

- *Incorporate open space, mobility, and drainage networks while protecting the area's character and natural systems.*

The neighborhood was originally developed as single family equestrian homesites. While there are no significant natural washes on the Property, the site slopes nominally from the northeast toward the southwest. As pockets of neighborhoods and homesites surrounding the Property developed over time, the incremental improvements resulted in under-designed and under-improved infrastructure. The Property and neighboring properties are negatively impacted by off-site stormwater flows that collect in the southeast corner of the site. Stormwater from Jenan Drive will be collected and piped through stormdrain to a neighborhood park and basin. The drainage network will help mitigate, and in many events, eliminate stormwater flows from backing up and ponding against the existing neighbor walls.

The largest community open space will be a neighborhood park and stormwater basin located at the low point of the Property. The basin is sized to capture both on-site and off-site stormwater. Around the perimeter of the neighborhood park will be desert appropriate low water use groundcovers, shrubs and canopy trees. When mature, the plant material will screen existing perimeter walls reinforcing the impact that landscape has on the character of

the neighborhood. Turf will be located in the bottom of the basin to provide an area for unprogrammed active recreation.

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

The proposed development will create an intimate enclave of ten (10) homesites. This small cul-de-sac neighborhood makes it is easy to know all of your neighbors. The short segments of the cul-de-sac roadway naturally slows traffic that is primarily homeowners. The quiet street promotes front of home activity where neighbors can meet and socialize while watching the kids ride a bike, play catch, or run around with the family pet. Future residents will also likely socialize with the surrounding neighborhoods at the Paradise Valley Plaza, Shea Scottsdale East Shopping Center, Sundown Plaza; building community through events and interaction at these existing neighborhood centers.

- *Develop and reinforce links (i.e. trails, paths, open space, transit, and streets) within and between residential, retail, employment, recreational and other public land uses.*

Connections from the proposed residential enclave to the neighborhood centers north and south of the Property are made via Scottsdale Road. Within the proposed neighborhood, pedestrians and cyclists will use the roadway system. The private streets will link to Jenan Drive which then connects to a designated bike route along 74<sup>th</sup> Place. The Airport is only 1.5 miles north of the Property and less than a 15-minute commute for a cyclist. Additionally, there is a bus stop on Scottsdale Road within a 5-minute walk of the Property. The proposed change in zoning land use designation will permit the development of the property consistent with a majority of the neighborhoods surrounding the Property and is ideal for residential redevelopment with proximity to employment, City amenities and community-oriented retail, dining and entertainment.

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

The proposed change in zoning and site plan will permit the development of the site consistent with the GP and surrounding uses reinforcing the character of the area. This will be accomplished by: front yard landscape along Jenan Drive, perimeter setbacks consistent with adjacent zoning development standards, residential land uses transitions between neighborhoods of compatible density and form, and homes with desert appropriate architectural style designed to preserve and enhance the single-level character found within the area.

## **ECONOMIC VITALITY ELEMENT**

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### ***3. Encourage and support a diversity of businesses that contribute to Scottsdale's sales and property tax base so that needed infrastructure, physical amenities, services, and the expansion of such services are provided.***

The proposed change to zoning will permit the development of a high-end enclave of homes. These homes will be designed to attract higher net worth families, executives and retirees who will likely support the entertainment, dining and grocery businesses of the existing neighborhood and regional commercial centers. Also being ideally suited to executives, the proposed development is positioned to assist with relocating new businesses to the nearby Loop 101/Scottsdale Airpark employment center.

- *Nurture and support established businesses as well as new businesses.*

The proposed development will create an enclave of homes designed to attract higher net worth families, executives and retirees. These homeowners will very likely support the existing entertainment, dining and grocery businesses of the nearby neighborhood commercial centers - Paradise Valley Plaza, Shea Scottsdale East Shopping Center, Sundown Plaza, as well as the employment center surrounding the Scottsdale Airport.

- *Develop existing and attract new high value/low impact businesses.*

The proposed development is designed to be ideally suited to executives (among others) by providing privacy, and exclusivity in a convenient central location, close to many amenities. By providing attractive places for executives to live, these enclaves assist in enticing business owners and c-suite executives to relocate their business to the nearby Loop 101/Scottsdale Airport employment center.

## **NEIGHBORHOODS ELEMENT**

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

The proposed change to zoning will allow the development of the Property in a manner consistent with the character of the surrounding neighborhoods. The enclave of homes will, through architecture, landscape and streetscape, be comparable to the surrounding neighborhoods, preserving the fabric of the character that has been created in the area with generously sized single-level homes of similar architectural massing as adjacent homes. The Enclave will connect to Jenan Drive with direct access to Scottsdale Road.

- *Guide revitalization, redevelopment, and infill (new development in established areas) development to ensure that such development efforts are context-appropriate to the surrounding neighborhoods.*

The requested change in zoning will allow the development of this infill site to be context appropriate to the surrounding existing neighborhoods. The proposed development will be at a density similar to the existing surrounding neighborhoods to the north near Cactus Park and adjacent to the south. Front yard landscape along Jenan Drive and open space designed to mitigate offsite stormwater flows are context appropriate with the surrounding neighborhoods.

- *Improve and maintain the current landscape, sign, and design standards throughout the community*

The proposed neighborhood is designed to maintain and improve the current landscape, sign and design standards. Along Jenan Drive, front yard landscaping with desert appropriate accents will be used. Landscaping throughout the proposed enclave of homes will embrace the low-water use, drought tolerant desert character plant material. Furthermore, the development will enhance the livability and safety of Jenan Drive by making infrastructure improvements to the south side of the road, including finishing the curb, which will help manage off-site stormwater flow.

### ***5. Promote and encourage context-appropriate new development in established areas of the community.***

Neighborhoods west and north of the Property are currently designated Rural Neighborhoods in GP (see *Figure 10 – General Plan Conceptual Land Use*). The neighborhoods to the south, within walking distance to retail, dining and entertainment core near Scottsdale Road and Shea Boulevard, while partially designated Rural Neighborhood and Suburban Neighborhoods in the GP, have already been developed in a manner and density in line with the Suburban Neighborhood designation. Neighborhoods north of the Property, in walking



distance to the Cactus Park, have been developed in a manner consistent with the Suburban Neighborhood designation.

- *Encourage new development efforts toward existing developed areas in Scottsdale.*

The proposed new development effort is within an existing developed area of the City. Roadway and drainage infrastructure in this particular area are under-improved. The new development proposed herein would help mitigate off-site stormwater flows impacting the Property and neighboring properties. The Property is surrounded by existing development. Immediately surrounding the Property are residential properties. West of the Property, at the intersection of Scottsdale Road and Jenan Drive, is a church and preschool. Within one mile of the Property are a variety of local and regional shopping, dining, entertainment, office and recreational uses. This includes, to name a few, Shea and Scottsdale Center, Sundown Plaza, Scottsdale Norte, Paradiso, Mescal Medical Park, the Jewish Community Center Campus and Cactus Park. Infrastructure to support the development of this property is already in place and additional off-site infrastructure improvements are proposed to mitigate existing under-improved infrastructure. The development of this infill site fits with the City's goal to encourage new development in existing developed areas.

- *Promote the use of existing infrastructure as an incentive to encourage more infill development within the community.*

Infrastructure to support the development of the Property as proposed is already in existence. Development of the Property will utilize the existing infrastructure and only require minor modifications to connect to the system. The proposed development of the Property will include the following modifications to utilize the existing infrastructure:

- *Installation of improvement beyond the typical half-street improvements adjacent to the property boundary including curbing along the south side of Jenan Drive*
- *Stormwater management system to mitigate off-site flows impacting the Property and neighboring properties*

- *Creating a common open space tract within the Property to store both onsite and offsite stormwater flows*
- *Promote existing developed areas of the community as opportune economic development infill sites.*

While the Property has little to no potential for commercial development, the proposed homes will attract affluent owners that will support and encourage additional economic growth in the nearby 101 Loop/Scottsdale Airpark region.

- *Encourage green building and sensitive design techniques and alternatives in conjunction with infill development.*

Both the homes and the neighborhood will be partially designed and developed with “green”, sustainable and site sensitive techniques. Within The Enclave, open space is within walking distance of every home and the landscape palette will incorporate drought tolerant species. The proposed development will have direct access to surrounding retail, employment, education and recreation facilities via a short drive, bike ride, or walk. Home designs will encourage the incorporation of energy efficient appliances, lighting and low-water use fixtures.

## **OPEN SPACE AND RECREATION ELEMENT**

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- 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 proposed development of the Property serves to advance Scottsdale’s goal of protecting and improving the quality of its natural and urban environments. Water conservation and

resource efficiency are essential to living in the desert. The Enclave's landscape palette will be a celebration of the beauty of a desert setting while reaping the benefits of significantly reduced water use and drought tolerance. A native plant palette will allow for water-wise open spaces without sacrificing beauty and a feeling of natural abundance. The largest community open space will be located to the southeast of the Property. The neighborhood park and basin is sized to capture both onsite and offsite stormwater flow. Around the perimeter of the neighborhood park will be desert appropriate low water use groundcovers, shrubs and canopy trees. When mature, the plant material will screen existing perimeter walls, reinforcing the impact that landscape has on the character of the neighborhood. Turf will be located in the bottom of the basin to provide an area for unprogrammed active recreation.

- *Provide ample opportunity for people to experience and enjoy the magnificent Sonoran Desert and mountains, balancing access with preservation.*

While the Property is not adjacent to the McDowell Sonoran Preserve, it is approximately 5 miles away and there are occasional views to the mountains from within the neighborhood. These views are protected by single-level home designs, similar in height to adjacent neighborhood homes.

- *Provide a variety of opportunities for passive and active outdoor recreational activities, such as hiking, horseback riding, mountain biking, rock climbing and wildlife observation.*

The proposed enclave of homes is within an established neighborhood with ready access to the designated bike route along North 74<sup>th</sup> Place.

- *Provide access areas of sufficient size and with adequate facilities for public use and open space system access.*

While the Property is not at an appropriate location for a major public park or trailhead, the proposed development will include an active open space amenity that also serves to help

mitigate offsite stormwater flows. The open space amenity is accessible to the adjacent neighborhoods via a public roadway.

- *Develop a non-paved public trail system for hiking, mountain biking, and horseback riding and link these trails with other city and regional trails.*

The Property is not at an appropriate location for a major public park or trailhead, as it is walled in and surrounded by a suburban development pattern.

- *Designate viewsheds and consider them when approving development.*

The proposed development will protect viewsheds by constructing only single-level homes of similar height to existing homes within surrounding neighborhoods.

- *Promote creative residential and commercial development techniques consistent with the Character Plan for an area, to further preserve meaningful and accessible open space.*

The proposed residential development is designed to have a complementary scale and character of desert appropriate landscape and architectural style of homes along Jenan Drive and in the surrounding neighborhood. Within the Property, off of Jenan Drive, homesites allow for full-sized backyards. With the proposed amended development standards, a home of similar scale and proportion can be accommodated, raising home values across the neighborhood. Additionally, open space areas planted with desert appropriate landscape will be preserved in a common tract ensuring future HOA maintenance. A neighborhood park will include an over-sized stormwater basin that will help mitigate offsite stormwater flows currently impacting the Property and neighboring properties.

- *Relate the character of open spaces to the uses and character of different areas of the city.*

The Property is within a neighborhood of both Rural and Suburban Characters by the GP's Character Type Map (see *Figure 11 – GP Character Types Map*). The character of the adjacent neighborhoods is that of ranch style homes typical of the 1960s and 1970s and of suburban developments to the south in the 1990s. These homes will be designed and built with desert appropriate architectural styles. Private on-lot and common area landscape within the perimeter setback will buffer The Enclave from adjacent residential neighborhoods.

- *Preserve and integrate visual and functional connections between major city open spaces into the design of development projects.*

The proposed development of the Property is designed to preserve and integrate visual connections to the McDowell Mountains where possible with single-level homes.

- *Evaluate open space design with these primary determinants: aesthetics, public safety, maintenance needs, water consumption, drainage considerations, and multi-use and desert preservation.*

Aesthetics: The open space in the proposed development of the Property will include desert character passive open space tracts as well as a neighborhood park for unprogrammed active recreational use. The landscape palette will be a celebration of the beauty of a desert setting while reaping the benefits of significantly reduced water use and drought tolerance. A plant palette heavily influenced with native and drought tolerant material will allow for water-wise open spaces. Turf is proposed within the bottom of the neighborhood park to support active play and enhance stormwater absorption.

Public Safety: The open space and related roadway improvements will work together to mitigate offsite drainage crossing the Property. The open space is designed for passive use around the perimeter and active use within the middle. The basin will capture both on-site and off-site stormwater. The open spaces will have natural surveillance from adjacent residential properties.



Maintenance Needs: Maintenance of the open space in common area tracts of the proposed development will be addressed by the homeowners association. Open space areas will include desert character landscapes and will require periodic maintenance. As the open space serves a dual purpose for retention, the functionality of the drainage system will also be maintained by the HOA as necessary.

Water Consumption: The open space tracts in the proposed development of the Property will be landscaped with a plant palette heavily influenced with native and drought tolerant material that will result in water-wise open spaces. Turf is proposed in the neighborhood park to encourage active recreation and stormwater absorption.

Drainage Considerations: The requested change in zoning will make it possible to include improvements to alleviate under-designed and under-developed infrastructure to improve safe circulation along Jenan Drive as well as mitigate off-site stormwater flows impacting the Property and neighboring properties.

Multi-use: The neighborhood park in the proposed development of the Property will include both passive and active open spaces. The park will provide for visual enjoyment of native character landscape, a place for wildlife, and the turf will encourage active recreational use.

Desert Preservation: There are no native desert conditions as this is a proposed infill development within an existing neighborhood.

- *Protect the visual quality of open space, unique city characteristics, and community landmarks.*

The visual quality of open space will be protected by a common area tract that will be maintained by the HOA. The open space tracts are in locations that will benefit both future residents in The Enclave and neighboring residents by providing a maintained open space buffer between properties.

- *Preserve scenic views and vistas of mountains, natural features, and rural landmarks.*

The proposed development of the Property is designed to preserve and integrate visual connections to the McDowell Mountains where possible with single-level homes.

- *Protect and use existing native plants, the design themes of character areas within which they are sited, and response to local conditions in landscape designs.*

There are no native desert conditions as this is a proposed infill development within an existing neighborhood. The surrounding neighborhoods are designated Rural and Suburban in Character by the GP's Character Type Map (see *Figure 11 – GP Character Types Map*). Open space forms and character similar to the surrounding existing development are both responsive to local conditions. This character is dominated by suburban desert landscapes. Community open spaces will be comprised of native and enhanced native character plant material. A neighborhood park will include turf. The turf area will be an amenity for future and surrounding residents.

- *Permanently secure an interconnected open space system to maintain visual and functional linkages between major city open spaces. This system should include significant Scottsdale landmarks, major drainage courses, regional linkages and utility corridors.*

There are no existing open spaces on the Property as this is a proposed infill development within an existing residential neighborhood. The proposed development of the Property is designed to preserve and integrate visual connections to the McDowell Mountains where possible with single-level homes.

- *Apply a Scenic Corridor designation along major streets to provide for open space and opportunities for trails and paths. This designation should be applied using the following guidelines:*
  - *There is a need for a landscaped buffer between streets and adjacent land uses.*
  - *An enhanced streetscape appearance is desired.*
  - *Views to mountains and natural or man-made features will be enhanced.*

The proposed development of the Property is designed to preserve and integrate visual connections to the McDowell Mountains where possible with single-level homes.

Buffer: The visual quality of open space will be protected by a common area tract that will be maintained by the HOA. The open space tracts are in a location that benefits both future residents in The Enclave and neighboring residents by providing a maintained open space buffer between properties.

Appearance: Water conservation and resource efficiency are essential to living in the desert. The Enclave's landscape palette will be a celebration of the beauty of a desert setting while reaping the benefits of significantly reduced water use and drought tolerance. A native plant palette with limited use of turf in active spaces will allow for water-wise open spaces without sacrificing beauty and a feeling of natural abundance.

- *Consider Buffered Roadways to provide the streetscape with a unique image that should also reduce the impacts of a major street on adjacent parcels. This type of designation is primarily an aesthetic buffer.*

Per the GP, Buffered Roadways are usually minor arterials or major collectors. Vehicular access to homes within the Property will be from Jenan Drive, a local residential street and not a Buffered Roadway.

- *Apply a Desert Scenic Roadway designation along the one mile and a half mile streets within the Environmentally Sensitive Lands Ordinance (ESLO) district that are not classified as scenic Corridors or Buffered Roadways to maintain and enhance open space along roadways in ESL areas*

This Property does not have an ESLO district, Buffered Roadway or Scenic Corridor overlay.

- *Apply up to a 100 foot scenic buffer along streets within and adjacent to the Recommended Study Boundary of the McDowell Sonoran Preserve on undeveloped (as of 10-04-2005) properties of 25 acres or larger.*

The Property is less than twenty-five (25) acres, however a minimum forty (40) foot front yard landscape will be provided along Jenan Drive complementing the rural character of the streetscape.

- *Promote project designs that are responsive to the natural environment, people's needs, site conditions, and indigenous architectural approaches to provide unique character for the city.*

#### Natural Environment:

The proposed project design will be influenced by water conservation and resource efficiency within the desert. The landscape palette will celebrate the beauty of the desert while realizing

the benefits drought tolerance and reduced use of water. Turf within the neighborhood park will be limited to active use areas.

People's Needs:

The Property is located in close proximity to basic elements of a balanced neighborhood. To the south, within one mile, is Paradise Valley Plaza, Shea Scottsdale East Shopping Center, Sundown Plaza and the Agua Caliente Professional Center. Also, one-mile north is a regional commercial and industrial employment area surrounding the Scottsdale Airport. Religious, educational and recreation uses are located along Scottsdale Road.

Site Conditions:

The neighborhood was originally developed as single family equestrian homesites. While there are no significant natural washes on the Property, the site slopes nominally from the northeast toward the southwest. As pockets of neighborhoods and homesites surrounding the Property developed over time, the incremental improvements resulted in under-designed and under-improved infrastructure. The Property and neighboring properties are negatively impacted by off-site stormwater flows that collect in the southeast corner of the site. The installation of curbing along the entire length of the south side of Jenan Drive and an oversized basin within the Property will help mitigate, and in many events, eliminate stormwater flows from backing up and accumulating against the existing neighbor walls.

Indigenous Architectural Approaches:

- *Continue to work with developers in designing land use plans that respect the topography, view corridors, wildlife corridors, and open space that exists. Where possible, enhance existing viewsheds as areas are developed and redeveloped.*

The Developer has worked on projects within Scottsdale that embrace the indoor/outdoor living spaces of the Sonoran Desert. Within the Property, views of the McDowell Mountains will be minimal. Homes will be built in desert appropriate architectural styles with



appropriately scaled variable massing embodying the rural character and complementing the existing neighborhood fabric.

***2. Manage a comprehensive open space program that is responsive to public need, delivers high quality customer service, and exemplifies the city's commitment to leadership in environmental affairs.***

The Property contains several open space areas, with the largest open space being a neighborhood park amenity available to the neighboring communities via public roadway. This is an area designed with desert appropriate vegetation that creates an abundance of shade and natural beauty allowing for use year-round. The open space is uniquely shaped in response to the existing conditions and off-site stormwater impacts to the Property. The southeast corner of the Property is the low point and the historical drainage outfall location. The open space includes a basin to manage both on-site and off-site stormwater storage. This, in combination with the proposed improvements along Jenan Drive, will help mitigate the stormwater flows and flooding that has historically plagued this area of the community. To further assure the proposed improvements remain in place, the open space areas will be common area tracts maintained by a future neighborhood association.

- *Promote three distinctive types of open spaces through acquisition, dedication, or "set aside":*
  - *Passive natural open spaces that will preserve wildlife habitat and view corridors and sensitive historical/archeological sites, and provide areas for low impact recreational activities, such as hiking, bicycling, mountain and rock climbing, and horseback riding.*
  - *A system of contiguous open spaces, accessible from Scottsdale neighborhoods, that connect the desert, mountains, washes, and canal system.*

- *Park space and facilities for active recreational activities, such as softball, tennis, basketball, volleyball, swimming, and equestrian pursuits.*

Passive Natural Open Spaces:

The site contains a large neighborhood park that will be open to the neighboring communities. Around the perimeter of the park will be passive open space that will include desert appropriate vegetation. Within the middle of the park turf will promote unprogrammed active recreational use. All other open space tracts will be passive and include desert appropriate landscape.

Contiguous Open Spaces: The proposed development includes front yard landscape along Jenan Drive. This will provide a complementary streetscape broken only by private drives and a public roadway accessing the Property.

Park Space and Facilities: While the Property is not at an appropriate location for a major public park or trailhead, the proposed development will provide a significant open space area intended to capture both on-site and off-site stormwater while providing a passive open space buffer around the perimeter and turf for active recreational use.

## **PRESERVATION AND ENVIRONMENTAL PLANNING ELEMENT**

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### ***3. Achieve a sustainable balance between the conservation, use and development of Scottsdale's natural resources.***

The proposed development of the Property works to achieve a sustainable balance in the use and conservation of Scottsdale's natural resources through low water use, low maintenance landscape, and by redeveloping land without creating additional infrastructure needs.

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

The existing property has no significant landscape plantings that require salvaging. Native plants will be used to revegetate the site, creating a water efficient landscape.

## **COMMUNITY MOBILITY ELEMENT**

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

Streets within Rural/Rural Desert Character Type areas are often narrow, buffered with landscape, and relate to the lower volume of traffic (as compared to suburban and urban character areas in the city). Sidewalks are often purposefully located along an arterial roadway or within a larger community amenity. Sidewalks along residential streets are not typical. Given the limited number of lots, singular point of access, and desire to maintain the aesthetic values consistent with the Rural/Rural Desert Character Type, sidewalks are not provided.

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

- ***Provide neighborhood systems that safely move people, connect neighborhoods to citywide and regional networks, while discouraging citywide and regional cut-through automobile traffic.***

The proposed development is designed as an intimate single cul-de-sac enclave of homes with one point of contact with the citywide transportation system. This design discourages cut-through automobile traffic while Jenan Drive connects to the citywide and regional networks.

- *Protect the 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. These measures may include different “traffic calming” designs and features.*

The proposed development of ten (10) homesites is within the existing residential fabric of the city. The public street is a combination of short segments that will naturally discourage high speeds.

- *Preserve reasonable emergency access through neighborhoods, balancing the potential for neighborhood street restriction (traffic calming, street narrowing, speed humps, etc.) with emergency accessibility.*

The proposed development of the Property is designed as an intimate single cul-de-sac enclave of ten (10) homes with a single point of connection to the citywide system that will provide reasonable emergency access without the need for street restrictions to calm traffic.

- *Minimize traffic speeds, volumes and through-traffic by appropriate street planning and design.*

The existing conditions along Jenan Drive already significantly minimizes traffic speed, volumes and cut-through traffic. The proposed project will further enhance the existing conditions by completing the curb on the south side of Jenan Drive.

- *Provide open space and buffering in design to protect neighborhoods*

The proposed plan to develop the Property provides open space and buffering to protect the residential enclave. Front yard landscape along Jenan Drive will provide a complementary streetscape with the neighboring properties. Additionally, a neighborhood park located at the southeast corner of the Property will provide an HOA maintained open space buffer to the existing adjacent homes.

***10. Encourage a diversity of links between neighborhood systems and with citywide and regional systems.***

In addition to the automotive link between the residential enclave and the citywide transportation system, a designated bike route along 74th Street runs 250' from the Property and allows for easy bike access to neighborhood amenities and regional employment centers including the Scottsdale Airport. The Airport is only 1.5 miles north of the Property and less than a 15-minute commute for a cyclist. Additionally, there is a bus stop on Scottsdale Road within a 5-minute walk of the Property.



## CONCLUSION

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A change in zoning from R1-35 to R1-18 PRD with amended development standards will permit re-development of the Property in a manner harmonious with the adjacent neighborhoods and the greater community. The many connections to existing City-wide infrastructure, along with the proposed stormwater mitigation, will enhance the health, safety and welfare of the community. This infill residential neighborhood, with proximity to regional retail and employment cores will attract professionals and executives.

This development request closely supports the GP Goals and Approaches as specifically outlined above. We respectfully request approval of the application to change the zoning designation and permit the proposed development of the Property. This request is consistent with adjacent land use patterns and compatible with the character, density, and quality of the surrounding single-family neighborhoods.

# AMENDED DEVELOPMENT STANDARDS

Section 5.300. - Single-family Residential (R1-18) of Appendix B – Basic Zoning Ordinance in the City of Scottsdale Code (the “R1-18 Standards”) provides a basis for development within the Property. PRD allows for amended development standards to encourage the preservation of open space, to offer a wide variety of dwelling unit types, to permit greater flexibility in design of residential neighborhoods, and to enable development of parcels of property that would be difficult to develop under conventional zoning and subdivision regulations. The following development standards amend the R1-18 Standards and apply to the Property.

## **SEC. 5.304. - PROPERTY DEVELOPMENT STANDARDS.**

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The following property development standards shall apply to all land and buildings in the R1-18 district:

A. Lot area.

1. Each lot shall have a minimum area of not less than ~~eighteen thousand (18,000)~~ **SEVENTEEN THOUSAND (17,000)** square feet, **EXCEPT LOT 4 AND 5 SHALL HAVE A MINIMUM AREA OF NOT LESS THAN TWELVE THOUSAND (12,000) SQUARE FEET.**
2. If a parcel of land or a lot of record in separate ownership has less width or area than herein required and has been lawfully established and recorded prior to the date of the passage of this ordinance, such lot may be used for any purpose permitted in this section.

B. Lot dimension.

1. Width. All lots shall have a minimum width of ~~one hundred twenty (120)~~ **ONE HUNDRED SEVENTEEN (117)** feet, **EXCEPT LOT 4 AND 5 SHALL HAVE A MINIMUM WIDTH OF EIGHTY (80) FEET.**

C. Density. There shall not be more than one (1) single-family unit on any one (1) lot.

D. Building Height. No building shall exceed thirty (30) feet in height, except as otherwise provided in article VII.

E. Yards.

1. Front Yard.

- a. There shall be a front yard having a depth of not less than ~~thirty-five (35)~~ **TEN (10)** feet **TO THE FACE OF BUILDING OR SIDE FACING GARAGE AND NOT LESS THAN TWENTY (20) FEET TO FACE OF GARAGE, EXCEPT LOTS 1 THROUGH 3 SHALL HAVE A FRONT YARD DEPTH OF NOT LESS THAN FORTY (40) FEET TO THE FACE OF BUILDING AND FACE OF GARAGE.**
- b. Where lots have a double frontage on two (2) streets, the required front yard of thirty-five (35) feet shall be provided on both streets.
- c. On a corner lot, the required front yard of thirty-five (35) feet shall be provided on each street. Exception: On a corner lot which does not abut a key lot or an alley adjacent to a key lot, accessory buildings may be constructed in the yard facing the side street.

2. Side Yard. There shall be a side yard on each side of a building having a width of not less than ten (10) feet, **EXCEPT THERE SHALL BE A SIDE YARD ON EACH SIDE OF A BUILDING HAVING A WIDTH OF NOT LESS THAN SEVEN (7) FEET ON LOT 4, LOT 5 AND THE SOUTH BOUNDARY OF LOT 10.**
3. Rear Yard. There shall be a rear yard having a depth of not less than ~~thirty (30)~~ **TWENTY-FIVE (25)** feet.
4. Other requirements and exceptions as specified in article VII.

F. Distance between buildings.

1. There shall not be less than ten (10) feet between an accessory building and the main building.
2. The minimum distance between main buildings on adjacent lots shall not be less than twenty (20) feet, **EXCEPT BETWEEN LOT 9 AND 10 THE MINIMUM DISTANCE BETWEEN MAIN BUILDINGS SHALL NOT BE LESS THAN SEVENTEEN (17) FEET.**

G. Walls, fences and landscaping. Walls, fences and hedges up to eight (8) feet in height are allowed on the property line or within the required side or rear yard. Walls, fences and hedges up to three (3) feet in height are allowed on the front property line or within the required front yard, except as provided in Article VII. The height of the wall or fence is measured from within the enclosure. Exception: Where a corner lot does not abut a key lot or an alley adjacent to a key lot, the height of walls, fences and hedges in the yard facing the longer street frontage need only conform to the side yard requirements.

H. Access. All lots shall have vehicular access on a dedicated street, unless a secondary means of permanent vehicular access has been approved on a subdivision plat.

(Ord. No. 2509, § 1, 6-1-93; Ord. No. 4005, § 1(Res. No. 8947, Exh. A, § 33), 4-3-12)

# Affidavit of Authorization to Act for Property Owner



1. This affidavit concerns the following parcel of land:

- a. Street Address: 7313, 7315, 7345 E. Jenan Drive
- b. County Tax Assessor's Parcel Number: 175-27-004K, 175-27-004J, 175-27-006
- c. General Location: South of Cactus Rd., east of Scottsdale Rd.
- d. Parcel Size: 5.75 acres (1.2 ac., 2.15 ac., 2.39 ac.)
- e. Legal Description: \_\_\_\_\_

(If the land is a platted lot, then write the lot number, subdivision name, and the plat's recording number and date. Otherwise, write "see attached legal description" and attach a legal description.)

- 2. I am the owner of the land or I am the duly and lawfully appointed agent of the owner of the land and have authority from the owner to sign this affidavit on the owner's behalf. If the land has more than one owner, then I am the agent for all of the owners, and the word "owner" in this affidavit refers to all of them.
- 3. I have authority from the owner to act for the owner before the City of Scottsdale with regard to any and all reviews, zoning map amendments, general plan amendments, development variances, abandonments, plats, lot splits, lot ties, use permits, building permits and other land use regulatory or related matters of every description involving the land, or involving adjacent or nearby lands in which the owner has (or may acquire) an interest, and all applications, dedications, payments, assurances, decisions, agreements, legal documents, commitments, waivers and other matters relating to any of them.
- 4. The City of Scottsdale is authorized to rely on my authority as described in this affidavit until three work days after the day the owner delivers to the Director of the Scottsdale Planning & Development Services Department a written statement revoking my authority.
- 5. I will immediately deliver to the Director of the City of Scottsdale Planning & Development Services Department written notice of any change in the ownership of the land or in my authority to act for the owner.
- 6. If more than one person signs this affidavit, each of them, acting alone, shall have the authority described in this affidavit, and each of them warrant to the City of Scottsdale the authority of the others.
- 7. Under penalty of perjury, I warrant and represent to the City of Scottsdale that this affidavit is true and complete. I understand that any error or incomplete information in this affidavit or any applications may invalidate approvals or other actions taken by the City of Scottsdale, may otherwise delay or prevent development of the land, and may expose me and the owner to other liability. I understand that people who have not signed this form may be prohibited from speaking for the owner at public meetings or in other city processes.

Name (printed)

Date

Signature

Thomas Kirk

March 7, 2018

Thomas Kirk Digitally signed by Thomas Kirk  
Date: 2018.03.07 09:26:01 -0700

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\_\_\_\_\_, 20\_\_

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## Planning and Development Services

7447 E Indian School Road, Suite 105, Scottsdale, AZ 85251 • [scottsdaleaz.gov](http://scottsdaleaz.gov)

2-ZN-2020  
1/28/2020

# Affidavit of Authorization to Act for Property Owner



1. This affidavit concerns the following parcel of land:

- a. Street Address: \_\_\_\_\_
- b. County Tax Assessor's Parcel Number: \_\_\_\_\_
- c. General Location: \_\_\_\_\_
- d. Parcel Size: \_\_\_\_\_
- e. Legal Description: \_\_\_\_\_

(If the land is a platted lot, then write the lot number, subdivision name, and the plat's recording number and date. Otherwise, write "see attached legal description" and attach a legal description.)

- 2. I am the owner of the land or I am the duly and lawfully appointed agent of the owner of the land and have authority from the owner to sign this affidavit on the owner's behalf. If the land has more than one owner, then I am the agent for all of the owners, and the word "owner" in this affidavit refers to all of them.
- 3. I have authority from the owner to act for the owner before the City of Scottsdale with regard to any and all reviews, zoning map amendments, general plan amendments, development variances, abandonments, plats, lot splits, lot ties, use permits, building permits and other land use regulatory or related matters of every description involving the land, or involving adjacent or nearby lands in which the owner has (or may acquire) an interest, and all applications, dedications, payments, assurances, decisions, agreements, legal documents, commitments, waivers and other matters relating to any of them.
- 4. The City of Scottsdale is authorized to rely on my authority as described in this affidavit until three work days after the day the owner delivers to the Director of the Scottsdale Planning & Development Services Department a written statement revoking my authority.
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- 7. Under penalty of perjury, I warrant and represent to the City of Scottsdale that this affidavit is true and complete. I understand that any error or incomplete information in this affidavit or any applications may invalidate approvals or other actions taken by the City of Scottsdale, may otherwise delay or prevent development of the land, and may expose me and the owner to other liability. I understand that people who have not signed this form may be prohibited from speaking for the owner at public meetings or in other city processes.

Name (printed)

Date

Signature

_____	_____, 20__	_____
_____	_____, 20__	_____
_____	_____, 20__	_____
_____	_____, 20__	_____

## Planning and Development Services

7447 E Indian School Road, Suite 105, Scottsdale, AZ 85251 • [scottsdaleaz.gov](http://scottsdaleaz.gov)

2-ZN-2020  
1/28/2020



## EXHIBIT A LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED SCOTTSDALE, IN THE COUNTY OF MARICOPA, STATE OF ARIZONA, AND IS DESCRIBED AS FOLLOWS:

PARCEL NO. 1:

That part of the Southwest quarter of the Northwest quarter of Section 23, Township 3 North, Range 4 East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

BEGINNING 20 feet South of the Northwest corner of the Southwest quarter of the Northwest quarter;

THENCE South, a distance of 442 feet;

THENCE East, a distance of 672.10 feet to the POINT OF BEGINNING;

THENCE East, a distance of 200 feet;

THENCE North, a distance of 262 feet;

THENCE West, a distance of 200 feet;

THENCE South, a distance of 262 feet to the POINT OF BEGINNING.

PARCEL NO.2:

An easement for ingress and egress over the West 20 feet of the North 240 feet of the following described property:

That part of the Southwest quarter of the Northwest quarter of Section 23, Township 3 North, Range 4 East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

BEGINNING 20 feet South of the Northwest corner of the Southwest quarter of the Northwest quarter;

THENCE South, a distance of 442 feet;

THENCE East, a distance of 872.10 feet to the POINT OF BEGINNING;

THENCE East, a distance of 212.20 feet;

THENCE North, a distance of 442 feet;

THENCE West, a distance of 212.50 feet;

THENCE South, a distance of 442 feet to the POINT OF BEGINNING.

*This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Commonwealth Land Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.*

**EXHIBIT A**  
(Continued)

PARCEL NO.3:

An easement for water line over the following described property:

That part of the Southwest quarter of the Northwest quarter of Section 23, Township 3 North, Range 4 East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

The West 10 feet of the South 230 feet of the North 240 feet of the following described property:

BEGINNING 20 feet South of the Northwest corner of the Southwest quarter of the Northwest quarter;

THENCE South, a distance of 442 feet;

THENCE East, a distance of 872.10 feet to the POINT OF BEGINNING;

THENCE East, a distance of 212.20 feet;

THENCE North, a distance of 442 feet;

THENCE West, a distance of 212.50 feet;

THENCE South, a distance of 442 feet.

APN: 175-27-004K

*This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Commonwealth Land Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.*

## SCHEDULE B

### PART I – REQUIREMENTS

All of the following Requirements must be met:

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
2. Pay the agreed amount for the estate or interest to be insured.
3. Pay the premiums, fees, and charges for the Policy to the Company.
4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.
5. Notice: Please be aware that due to the conflict between federal and state laws concerning the cultivation, distribution, manufacture or sale of marijuana, the Company is not able to close or insure any transaction involving Land that is associated with these activities.
6. The Company will require the following documents for review prior to the issuance of any title insurance predicated upon a conveyance or encumbrance by the corporation named below.

Name of Corporation: Camelot Homes, Inc., an Arizona corporation

- a) A Copy of the corporation By-laws and Articles of Incorporation
- b) An original or certified copy of a resolution authorizing the transaction contemplated herein.
- c) If the Articles and/or By-laws require approval by a 'parent' organization, a copy of the Articles and By-laws of the parent.
- d) A current dated certificate of good standing from the proper governmental authority of the state in which the entity was created.

The Company reserves the right to add additional items or make further requirements after review of the requested documentation.

7. Furnish for review a complete true copy of the executed Trust Agreement of The Lisa Allison Brown Revocable Trust, established June 3, 1991, where Lisa A. Brown is/are named as trustee(s), together with any amendments or restatements thereof.

The Company reserves the right to add additional items or make further requirements after review of the requested documentation.

8. Furnish for recordation a full release/reconveyance of deed of trust:

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## EXHIBIT A LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED **SCOTTSDALE**, IN THE COUNTY OF **MARICOPA**, STATE OF **ARIZONA**, AND IS DESCRIBED AS FOLLOWS:

A portion of the Southwest quarter of the Northwest quarter of Section 23, Township 3 North, Range 4 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

Commencing at the Northwest corner of the Southwest quarter of the Northwest quarter of Section 23, Township 3 North, Range 4 East;

Thence along the North line of said Southwest quarter of the Northwest quarter South 89 degrees 57 minutes 43 seconds East, 872.10 feet to a point;

Thence parallel to the West line of the Northwest quarter of Section 23, South 00 degrees 11 minutes 01 seconds East, 20.00 feet to the Northwest corner of this described parcel and the True Point of Beginning;

Thence along the Southerly right of way line of Jenan Dr., South 89 degrees 57 minutes 43 seconds East, 212.20 feet to a point at the Northeast corner of this described parcel;

Thence along the Easterly line of this described parcel parallel to the Westerly line of the Northwest quarter of Section 23, South 00 degrees 11 minutes 01 seconds East, 442.00 feet to a point former to this described parcel and in the Northerly line of Escondido Estates as recorded in [Book 87, Page 32](#), Records of Maricopa County;

Thence along said Northerly line of Escondido Estates North 89 degrees 57 minutes 43 seconds West, 212.20 feet to a point in the same and the Southwest corner to this described parcel;

Thence along the Westerly line of this described Parcel and parallel to the Westerly line of the Northwest quarter of Section 23, North 00 degrees 11 minutes 01 seconds West, 442.00 feet to the True Point of Beginning.

APN: 175-27-004J

*This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Commonwealth Land Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.*

## EXHIBIT A

### LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED **SCOTTSDALE**, IN THE COUNTY OF **MARICOPA**, STATE OF **ARIZONA**, AND IS DESCRIBED AS FOLLOWS:

That part of the Southwest quarter of the Northwest quarter of Section 23, Township 3 North, Range 4 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

BEGINNING at a point 20 feet South of the Northeast corner thereof;

Thence South 442 feet;

Thence West 235.7 feet;

Thence North 442 feet;

Thence East 235.7 feet to the POINT OF BEGINNING.

APN: 175-27-006

*This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Commonwealth Land Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.*

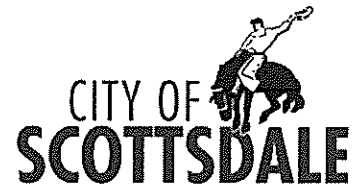
81C165 Commitment for Title Insurance (Adopted 6-17-06 Revised 08-01-2016)

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Page 6

AMERICAN  
LAND TITLE  
ASSOCIATION  
2-ZN-2020  
4/28/2020

# Appeals of Dedication, Exactions or Zoning Regulations



## Rights of Property Owner

In addition to the other rights granted to you by the U.S. and Arizona Constitution, federal and state law and city ordinances or regulations, you are hereby notified of your right to appeal the following City actions relating to your property:

- 1) Any dedication or exaction which is required of you by an administrative agency or official of the city as a condition of granting approval of your request to use, improve or develop your real property. This appeal right does not apply to a dedication or exaction required as part of a city legislative act (for example a zoning ordinance) when an administrative agency or official has no discretion to determine the dedication or exaction.
- 2) The adoption or amendment of a zoning regulation that creates a taking of property in violations of Arizona and federal court decision.

## Appeal Procedure

The appeal must be in writing and specify the City action appealed and the date final action was taken, and must be filed with or mailed to the hearing officer designated by the city within 30 days after the final action is taken

- No fee will be charged for filing
- The city Attorney's Office will review the appeal for compliance with the above requirements, and will notify you if your appeal does not comply
- Eligible appeals will be forwarded to the hearing officer, and a hearing will be scheduled within 30 days of receipt by the hearing officer of your request. Ten days notice will be given to you of the date, time and place of the hearing unless you indicate that less notice is acceptable to you.
- The City will submit a takings impact report to the hearing officer.
- In an appeal from a dedication or exaction, the City will bear the burden of proving that the dedication or exaction to be imposed on your property bears an essential nexus between the requirement and a legitimate governmental interest and that the proposed dedication or exaction is roughly proportional to the impact of the use, improvement or development you proposed.
- In an appeal from the adoption or amendment of a zoning regulation, the City will bear the burden of proving that any dedication or exaction requirement in the zoning regulation is roughly proportional to the impact of the proposed use, improvement, or development, and that the zoning regulation does not create a taking of property in violation of Arizona and federal court cases.
- The hearing officer must render his decision within five working days after the appeal is heard.
- The hearing officer can modify or delete a dedication or exaction or, in the case of an appeal from a zoning regulation, transmit a recommendation to the City Council.
- If you are dissatisfied with the decision of the hearing officer, you may file a complaint for a trial *nevo* with the Superior Court within 30 days of the hearing officer's decision.

For questions, you may contact:

City's Attorney's Office  
3939 Drinkwater Blvd.  
Scottsdale, AZ 85251  
480-312-2405

Address your appeal to:

Hearing Officer, C/O City Clerk  
3939 Drinkwater Blvd  
Scottsdale, AZ 85251

Please be aware that City Staff cannot give you legal advice. You may wish, but are not required, to hire an attorney to represent you in an appeal.

## Planning and Development Services

7447 E. Indian School Road, Suite 105, Scottsdale, AZ 85251 ♦ [www.ScottsdaleAZ.gov](http://www.ScottsdaleAZ.gov)



**Owner Certification  
Acknowledging Receipt  
Of  
Notice Of Right To Appeal  
Exactions And Dedications**

I hereby certify that I am the owner of property located at:

7313 E. Jenan Dr.

---

(address where development approval, building permits, or city required improvements and dedications are being required)

and hereby certify that I have received a notice that explains my right to appeal all exactions and/or dedications required by the City of Scottsdale as part of my property development on the parcel listed in the above address.



---

Signature of Property Owner

9/7/18

---

Date

2-ZN-2020  
1/28/2020

# Appeals of Dedication, Exactions or Zoning Regulations



## Rights of Property Owner

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- 2) The adoption or amendment of a zoning regulation that creates a taking of property in violation of Arizona and federal court decision.

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The appeal must be in writing and specify the City action appealed and the date final action was taken, and must be filed with or mailed to the hearing officer designated by the city within 30 days after the final action is taken

- No fee will be charged for filing
- The city Attorney's Office will review the appeal for compliance with the above requirements, and will notify you if your appeal does not comply
- Eligible appeals will be forwarded to the hearing officer, and a hearing will be scheduled within 30 days of receipt by the hearing officer of your request. Ten days notice will be given to you of the date, time and place of the hearing unless you indicate that less notice is acceptable to you.
- The City will submit a takings impact report to the hearing officer.
- In an appeal from a dedication or exaction, the City will bear the burden of proving that the dedication or exaction to be imposed on your property bears an essential nexus between the requirement and a legitimate governmental interest and that the proposed dedication or exaction is roughly proportional to the impact of the use, improvement or development you proposed.
- In an appeal from the adoption or amendment of a zoning regulation, the City will bear the burden of proving that any dedication or exaction requirement in the zoning regulation is roughly proportional to the impact of the proposed use, improvement, or development, and that the zoning regulation does not create a taking of property in violation of Arizona and federal court cases.
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- The hearing officer can modify or delete a dedication or exaction or, in the case of an appeal from a zoning regulation, transmit a recommendation to the City Council.
- If you are dissatisfied with the decision of the hearing officer, you may file a complaint for a trial de novo with the Superior Court within 30 days of the hearing officer's decision.

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City's Attorney's Office  
3939 Drinkwater Blvd.  
Scottsdale, AZ 85251  
480-312-2405

Address your appeal to:  
Hearing Officer, C/O City Clerk  
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Please be aware that City Staff cannot give you legal advice. You may wish, but are not required, to hire an attorney to represent you in an appeal.

## Planning and Development Services

7447 E. Indian School Road, Suite 105, Scottsdale, AZ 85251 ♦ [www.ScottsdaleAZ.gov](http://www.ScottsdaleAZ.gov)

**Owner Certification  
Acknowledging Receipt  
Of  
Notice Of Right To Appeal  
Exactions And Dedications**

I hereby certify that I am the owner of property located at:

7315 E. Jenan Dr.

(address where development approval, building permits, or city required improvements and dedications are being required)

and hereby certify that I have received a notice that explains my right to appeal all exactions and/or dedications required by the City of Scottsdale as part of my property development on the parcel listed in the above address.



Signature of Property Owner



Date

**Owner Certification  
Acknowledging Receipt  
Of  
Notice Of Right To Appeal  
Exactions And Dedications**

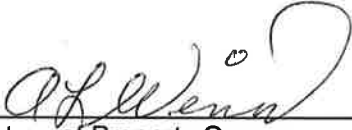
I hereby certify that I am the owner of property located at:

7345 E. Jenan Dr.

---

(address where development approval, building permits, or city required improvements and dedications are being required)

and hereby certify that I have received a notice that explains my right to appeal all exactions and/or dedications required by the City of Scottsdale as part of my property development on the parcel listed in the above address.



Signature of Property Owner

5 AUG 18  
Date