



8/25/20

Michele Hammond / John Berry
6750 E. Camelback Road Suite 1
Scottsdale, AZ 85251

RE: 7-AB-2020
90th & Raintree GLO Abandonment
3703F (Key Code)

Dear Michele Hammond,

The Planning & Development Services Division has completed the review of the above referenced development application submitted on 7/16/20. The following **1st Review Comments** represent the review performed by our team, and is intended to provide you with guidance for compliance with city codes, policies, and guidelines related to this application.

Zoning Ordinance and Scottsdale Revise Code Significant Issues

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

Real Estate, Martha West:

1. Please review and address the attached memo from Martha West regarding the evaluation of the submitted appraisal.

Significant Policy Related Issues

The following policy related issues have been identified in the first review of this application. Even though some of these issues may not be critical to scheduling the application for public hearing, they may affect the City Staff's recommendation pertaining to the application and should be addressed with the resubmittal of the revised application material. Please address the following:

Planning, Katie Posler:

2. Please provide all utility companies sign off on the abandonment of the 3 GLOPEs. Below is a status update:
COS water: Approved.
SRP: Approved.
SWG: Provide an approval letter for the abandonment of 3 GLOPEs.

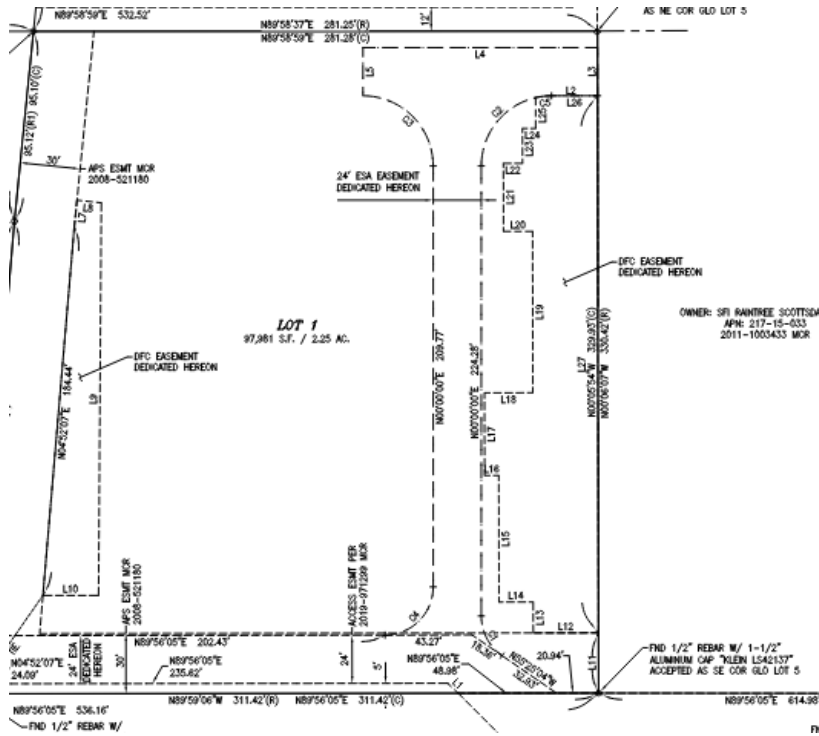
APS: Provide an approval letter for the abandonment of 3 GLOPEs with the condition of requiring a 30' APS easement along the southern boundary. The APS easement recording can be a condition of the resolution.

COX: Their response didn't provide an approval, but showed they have utility lines within the 3 GLOPEs. Provide an approval letter for the abandonment of the 3 GLOPEs. If they need a private easement as well, they can state so and we can make the private easement recordation a condition of the resolution.

Century Link: Their response said they wanted to reserve an easement, but it is not clear where. Please have them clarify. They should have their own private easement dedication, which we can make a condition of the resolution.

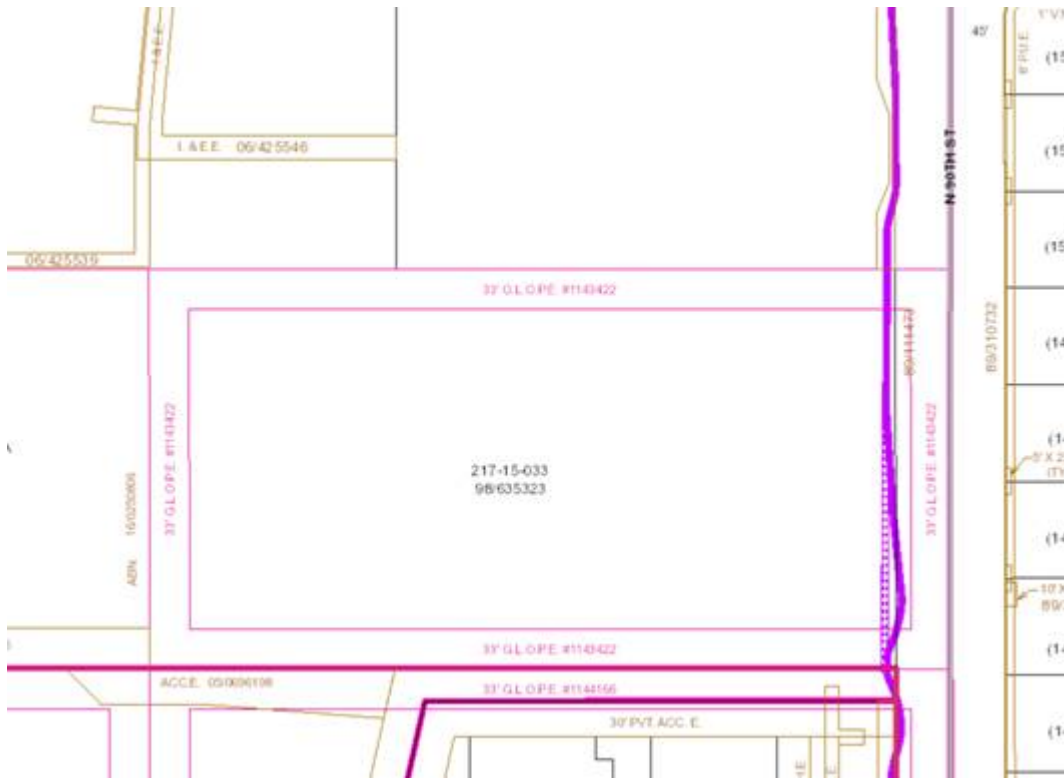
Engineering, David Gue:

3. Please coordinate with the Map of Dedication for the parcel to the west which includes a new emergency and refuse access easement. Please dedicate a similar 25-foot wide emergency and refuse access easement. See associated transportation comments.

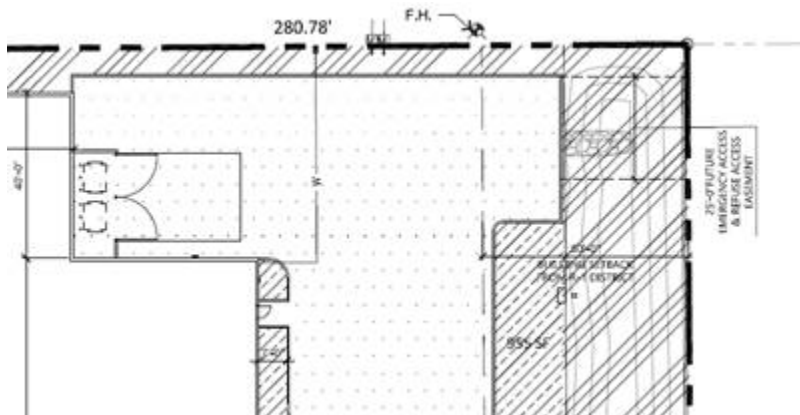


Transportation, Phil Kercher:

4. To sign off on the GLO abandonment, two easements are needed:
 - Dedicate a 15' wide PNMAE (Public Nonmotorized Access Easement) along 90th street frontage for public trail. Match dedication on adjacent properties per 2004 Trails Master Plan, Trail Network; DSPM Sec. 8-3.200, Trail Classifications, 8-3.203



- Dedicate a 25' wide emergency service easement that aligns with the neighboring site.



Please provide 8 ½ by 11 legals and graphics for these new easements with the resubmittal. The easements will be a condition of the resolution.

Technical Corrections

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

Land Survey, Dwayne Haught:

5. Please review and address the attached land survey corrections on the legal and graphic.

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

The Planning & Development Services Division has had this application in review for 29 Staff Review Days since the application was determined to be administratively complete.

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

If you have any questions, or need further assistance please contact me at 480-312-2703 or at kposler@ScottsdaleAZ.gov.

Sincerely,

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

Katie Posler
Planner

ATTACHMENT A
Resubmittal Checklist

7-AB-2020

Digital submittals shall include one copy of each identified below.

- COVER LETTER – Respond to all the issues identified in this 1st Review Comment Letter
- Revised Appraisal/Compensation for Project
- GLOPE legal and graphic
- PNMAE legal and graphic
- Emergency and Refuse easement legal and graphic
- Utility Approval Letters

Resubmit online at: <https://eservices.scottsdaleaz.gov/bldgresources/PreApp/Login>

Case number: 7-AB-2020

Keycode: 3703F

MEMORANDUM

TO: Katie Posler, Planner

FROM: Martha West, Real Estate Asset Manager

DATE: 8-20-2020

SUBJECT: **Appraisal Review 7-AB-2020 (W Side of 90th Street, N of Raintree – APN 217-15-033)**

Katie, as requested I reviewed the appraisal prepared by Roger L. Dunlap & Associates, LTD. (“Appraiser”) dated 4-16-2020 and associated with Abandonment Case 7-AB-2020. The Appraiser provides an opinion of value for the GLOPE property rights proposed to be abandoned on the north, west, and south side of the subject property (“Parcel”).

The appraiser assumes that the GLOPE areas to be abandoned contain 49,302sf, being the north, west and south GLOPE’s, excluding the 33’ GLOPE areas within the east 45’ of the Parcel which extends out to the centerline of 90th Street. Based on the Parcel survey contained in the title commitment submitted with Case 7-AB-2020 (recorded document #200700986530), my calculation of the abandonment area is slightly higher at 49,317.51sf.

The Appraiser has followed the requirements of the City’s Abandonment Valuation Procedure (2-2018). The Appraiser prepared his findings based on the area proposed to be abandoned -- (1) as vacant land; (2) as if assembled with the adjoining land; (3) as having an equal zoning classification as the property to which I is proposed to be joined; and (4) as available for its highest and best use.

Based on 3 recent vacant land sale comparables, the Appraiser concludes that the fee value of the land proposed to be abandoned is \$15 per square foot.

Then, the Appraiser offsets the \$15 per sf valuation for the GLOPE proposed to be abandoned on the south side to 1% of \$15/sf because he concludes that this GLOPE segment is encumbered by an above grade powerline. I generally concur with this offset. In the recent past, the city has accepted that a GLOPE over single family residentially-zoned property (in this case the existing zoning is R1-35) that is encumbered by a transmission line, the valuation would be provided at the nominal \$0.20/sf. On page 71 of the appraisal, you’ll see a typo in the area calculation – 29,295sf should be 20,295sf.

The Appraiser offsets the valuation of the remainder of the GLOPE’s (north and west sides) to be abandoned at 10% of the \$15/sf value. The Appraiser’s conclusion is founded in the argument that the location of the GLOPE’s is along the perimeter of the Parcel where setbacks would apply and typically drive aisles and parking would be placed, which would not conflict with the location of the GLOPE. Following this logic, the applicant may wish to investigate a reduction in the GLOPE area proposed to be abandoned.

The City has valued GLOPE’s at 90% of the basic land valuation because the underlying land owner cannot build improvements or enclose space within the GLOPE. As a result, the majority of the bundle of sticks of

ownership reside with the GLOPE, not the underlying ownership. In another recent abandonment case valuation (4-AB-2018), this Appraiser proffered a 40% of fee value.

CONCLUSION

There is a considerable difference in the estimate of abandonment value between the Appraiser conclusion and the City conclusion as expressed in this memo. Utilizing the City's abandonment area calculation, the differential is as follows:

Appraiser:

North & West GLOPE abandonment: $20,299.62\text{sf} + 8,720.91\text{sf} = 29,020.53\text{sf} \times 10\% \text{ of } \$15/\text{sf} = \$43,531$

South GLOPE abandonment: $20,296.98 \times 1\% \text{ of } \$15/\text{sf} = \$3,045$

TOTAL: \$46,576

City:

North & West GLOPE abandonment: $20,299.62\text{sf} + 8,720.91\text{sf} = 29,020.53\text{sf} \times 90\% \text{ of } \$15/\text{sf} = \$391,777$

South GLOPE abandonment: $20,296.98 \times \$0.20/\text{sf} = \$4,059$

TOTAL: \$395,836

Finally, this analysis does not address any offsets that the applicant may achieve that would reduce the overall cost of abandonment, or the possible impact of reducing the GLOPE area proposed to be abandoned.

EXHIBIT 'A'

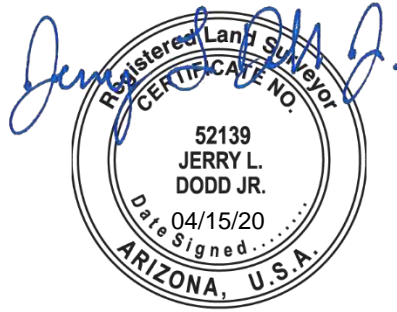
LEGAL DESCRIPTION

G.L.O. Easement for Roadway and Public Utility Purposes Abandonment

Portions of the land described as Parcel No. 2 in the Trustee's Deed and Bill of Sale recorded in document number 2011-1003433 in the County Recorder's office, county of Maricopa, state of Arizona, more particularly described as follows:

The north 33 feet, south 33 feet, and west 33 feet of said Parcel No. 2.

Containing 49,302 square feet or 1.13 acres, more or less.



SURVEY INNOVATION GROUP, INC.
22425 N. 16TH STREET, SUITE 1
PHOENIX, AZ 85024

SIG JOB NO. P5338

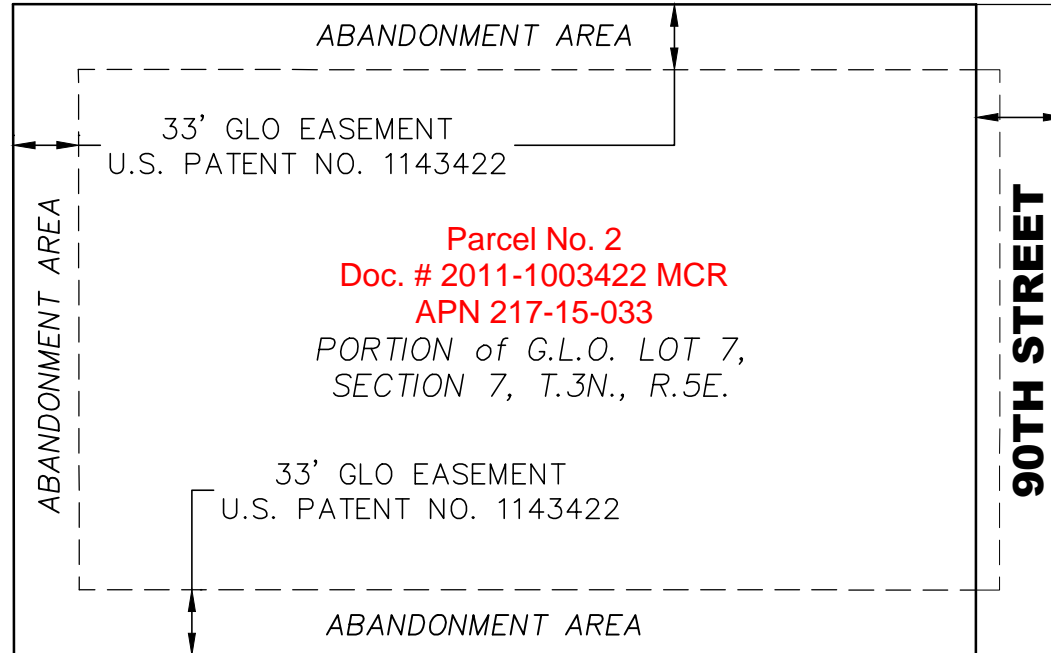
Land Survey Review By:
Dwayne Haught
Phone: (480) 312-2723
e-mail: dhaught@scottsdaleaz.gov
Review Cycle: 1 Date: 08/05/2020

EXHIBIT 'B'

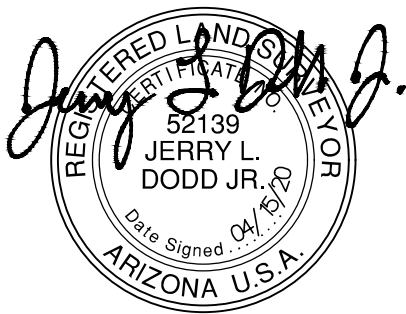
G.L.O. Easement for Roadway and Public Utility Purposes
Abandonment



NTS



45' EXCEPTION
Doc. # 2011-1003422 MCR



NOTE: THIS IS NOT
A BOUNDARY SURVEY

SIG JOB# P5338

7-AB-2020
07/16/20