

# CITY COUNCIL REPORT



Meeting Date: May 21, 2024  
 General Plan Element: *Character and Design*  
 General Plan Goal: *Determine the appropriateness of all development in terms of community goals, surrounding area character, and the specific context of the surrounding neighborhood.*

## ACTION

**AFB Development**  
 12-PP-2022

### Request to consider the following:

1. Approval of a final plat for a new residential subdivision, comprised of 52 lots, on a 40-acre site located at 9402 E. Bell Road, with Single-family Residential, Environmentally Sensitive Lands, Planned Community District (R1-7, ESL, PCD) zoning.

### Purpose of Request

The applicant's request is for approval of a final plat for a 52-lot residential subdivision with gated private streets.

### Key Items for Consideration

- Final plat utilizes amended development standards to allow flag lots
- Desert Scenic Roadway Buffer along E. Bell Road and N. 94<sup>th</sup> Street
- Development Review Board heard this case at the November 16, 2023 hearing, and voted to approve the preliminary plat with a 6-0 vote

## LOCATION

9402 E Bell Rd

## OWNER

Michael Graham  
 (480) 849-7775

## APPLICANT CONTACT

Alex Stedman  
 RVi Planning & Landscape Architecture  
 (480) 994-0994



Action Taken Approved on Consent

## BACKGROUND

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### General Plan

The General Plan Land Use Element designates the property as Suburban Neighborhoods with Regional Use Overlay. This category includes medium- to small-lot single-family neighborhoods or subdivisions. Densities in Suburban Neighborhoods are usually more than one dwelling unit per acre, but less than eight dwelling units per acre. The proposal meets the allowed density with the maximum of 1.4 dwelling units per acre. Furthermore, the subject site is within the Regional Use District, which can provide flexibility for land uses when it can be shown that new land uses are viable in serving a regional market. Regional uses include, but are not limited to, corporate office, region-serving retail, major medical, educational campus, community service facilities, tourism, and destination attractions.

### Zoning

The site was annexed from the county into the City of Scottsdale in March of 1963. Subsequently the site was zoned to Single-family Residential, Hillside District (R1-7 HD) with zoning case 11-Z-1986. In 1991, the Environmentally Sensitive Lands (ESL) Ordinance was adopted as an amendment to the Hillside District Overlay and incorporated the subject site into the ESL overlay boundary. Currently the site is zoned Single-family Residential, Environmentally Sensitive Lands, Planned Community Development (R1-7, ESL PCD), which permits the proposed single-family residences.

### Context

Located at the northeast corner of E. Bell Road and N. 94th Street, the surrounding developments are single-family residential, Westworld Multi-Use Sport Fields, multi-family residential, and commercial (Ice Den and Tom's Thumb Gas Station).

### Adjacent Uses and Zoning

- North: Existing residential subdivision, DC Ranch Parcel 1.11; zoned Single-family Residential, Planned Community District (R1-7 PCD).
- South: Multi-family Residential (Salida Del Sol Condominium); zoned Multi-family Residential, Environmentally Sensitive Lands (R-5 ESL) and WestWorld of Scottsdale; zoned Western Theme Park, Environmentally Sensitive Lands (W-P ESL).
- East: Existing residential subdivision, Windgate Ranch; zoned Singlefamily Residential, Environmentally Sensitive Lands (R1-7 ESL).
- West: City of Scottsdale multi-use sport fields; zoned Single-family Residential, Environmentally Sensitive Lands, Planned Community District (R1-7 ESL PCD).

### Other Related Policies, References:

Scottsdale General Plan 2035  
Zoning Ordinance  
Land Division Ordinance

## APPLICANT'S PROPOSAL

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### Development Information

The development proposal includes 52 residential lots and clubhouse with gated private streets, a Desert Scenic Roadway Setback, Natural Area Open Space, Public Non-Motorized Access Easement, and drainage basins in tracts.

- Existing Use: Vacant, undeveloped land
- Proposed Use: Single-family Residential (52 lots)
- Parcel Size: 1,742,400 square feet / 40 acre (gross)  
1,620,432 square feet / 37.2 acre (net)
- Natural Area Open Space Required (standard): 355,958 square feet / 8.17 acres
- Natural Area Open Space Required (with reduction): 268,329.6 square feet / 6.16 acres
- Natural Area Open Space Provided: 270,943.2 square feet / 6.22 acres
- Improved Open Space Provided: 3.5 acres
- Density Allowed: 4.0 dwelling units per acre (per 11-Z-86)
- Density Proposed: 1.4 dwelling units per acre

## IMPACT ANALYSIS

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### Plat

The proposed subdivision has been designed to meet all applicable city requirements, including access and utility service. The final plat includes 52 residential lots and clubhouse with gated private streets, a Desert Scenic Roadway Setback, Natural Area Open Space, Public Non-Motorized Access Easement, and drainage basins in tracts. This subdivision has amended development standards to allow flag lots on lots 5, 21 and 29. No amendments are proposed to the setback requirements.

### Airport Vicinity

The site is located approximately 2.5 miles from the Scottsdale Airport terminal and within the AC-1 Airport Influence Zone, which allows from residential uses provided a fair disclosure statement and Avigation Easement is recorded as a condition of development of building permit approval.

### Transportation/Trails

Access to the site is provided with a single gated access point from 94th Street to ensure that all project ingress and egress is appropriately routed onto a collector roadway. This neighborhood is proposed as a 24-hour guard gated private community with concierge level services. A network of paths and trails will be established within the community to promote opportunities for the residents to walk and bicycle. Pathways will connect with existing public trail segments to the east, and to existing/planned pedestrian improvements along the project's southern perimeter. A 6-foot natural surface path is planned along 94th Street. and an 8-foot-wide unpaved trail along E. Bell Road. Additionally, the owner will install a new rapid rectangular flashing beacon located at the entry intersection, across N. 94th Street.

### **Water/Sewer**

The applicant provided Basis of Design reports for water and sewer, which have been accepted by the Water Resources Division. The City of Scottsdale is an Arizona Department of Water Resources designated provider with a 100 years Assured Water Supply and will supply water in accordance with City codes, ordinances, and the City's Drought Management Plan. All infrastructure upgrades necessary to serve this project will be completed by the applicant.

### **Public Safety**

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

### **Open Space/NAOS/Desert Scenic Roadway**

The site layout protects the sensitive corridors by preserving the existing wash that bisects the site within a Drainage and NAOS Tract. Based on the Natural Area Open Space calculations outlined by the 1991 Zoning Ordinance, Section 7.853, the developer is providing 3.5 acres of Improved Open Space which reduces the minimum required NAOS on the site to 6.16 acres. Additionally, the property has scarred areas which will be dedicated as NAOS and the developer is applying the scarred credit for these areas. The applicant is providing 6.22-acres or 0.17-acres of excess NAOS. A Desert Scenic Roadway Buffer will be dedicated along both of the site's street frontages and preserved through a combination of enhanced desert landscaping and NAOS.

### **Policy Implications**

This final plat is consistent in density previously approved with the preliminary plat case. All stipulations and ordinance requirements have been addressed. Approval of this request will enable the final plat to be recorded, establishing the lots.

## **OTHER BOARDS & COMMISSIONS**

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### **Development Review Board**

Development Review Board heard this case as a preliminary plat request on November 16, 2023 and recommended approval with a 6-0 vote.

## **STAFF RECOMMENDATION**

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### **Recommended Approach:**

Staff recommends that the City Council approve the 94<sup>th</sup> Street and Bell Road final plat.

## RESPONSIBLE DEPARTMENTS

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### Planning and Development Services

Current Planning Services  
Water and Wastewater Resources  
Plan Review  
Traffic Engineering  
Stormwater Management  
Fire & Life Safety Services

## STAFF CONTACT

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Meredith Tessier  
Senior Planner  
480-312-4211  
E-mail: mtessier@ScottsdaleAZ.gov

## APPROVED BY

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Meredith Tessier, Report Author

April 24, 2024  
Date



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Tim Curtis, AICP, Current Planning Director  
480-312-4210, tcurtis@scottsdaleaz.gov

4/26/2024  
Date



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Erin Perreault, AICP, Acting Executive Director  
Planning, Economic Development, and Tourism  
Phone: 480-312-7093 Email: eperreault@scottsdaleaz.gov

05/02/2024  
Date

## **ATTACHMENTS**

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1. Context Aerial
- 1A. Aerial Close-Up
2. Zoning Map
3. Preliminary Plat
4. Final Plat
5. November 16, 2023 Development Review Board meeting minutes



Context Aerial

12-PP-2022

ATTACHMENT 1



Q.S.  
37-50

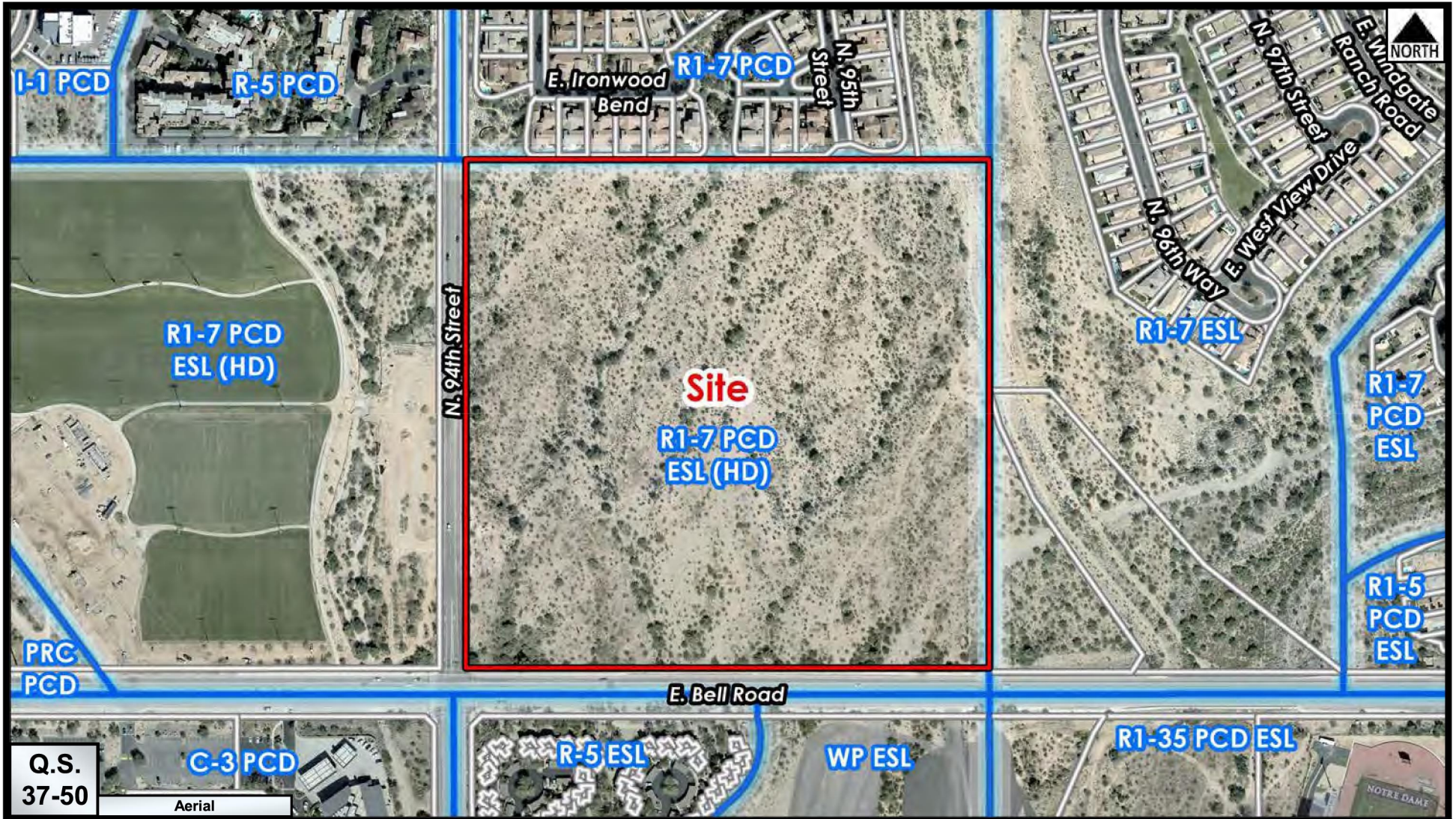
Google Earth Pro Imagery

Close-up Aerial

ATTACHMENT 1A

12-PP-2022





Zoning Aerial

**ENGINEER**

KIMLEY-HORN & ASSOCIATES  
1001 W. SOUTHERN AVE., SUITE 131  
MESA, ARIZONA 85210  
TELEPHONE: (480) 207-2667  
CONTACT: JASON BURM, P.E.

**OWNER/DEVELOPER**

AG LEAF, LLC  
9160 EAST VERDE GROVE VIEW  
SCOTTSDALE, AZ 85255  
TELEPHONE: (480) 275-4559  
CONTACT: MICHAEL GRAHAM

**UTILITIES**

WATER CITY OF SCOTTSDALE  
SEWER CITY OF SCOTTSDALE  
ELECTRIC ARIZONA PUBLIC SERVICE CO  
COMM. CENTURYLINK  
COMM. COX COMMUNICATIONS  
GAS SOUTHWEST GAS

**ZONING**

R1-7 PCD ESI. (HD)

**BUILDING SETBACKS**

R1-7  
FRONT: 20'  
SIDE: 5' MIN. (14' AGG.)  
REAR: 25' (15")  
BUILDING HEIGHT: 30'+

\* 15' REAR SETBACK ALLOWED WHERE IT DOES NOT OCCUPY MORE THAN 30% OF REAR YARD AREA

\*\* ESLO SECTION 6.1022 B AND PART OF AN APPROVED MASTER PLAN DEVELOPMENT

**LEGAL DESCRIPTION**

ALL THAT PORTION OF TRACT 23, STATE PLAT NO. 16, CORE SOUTH, ACCORDING TO THE PLATS OF RECORD IN BOOK 324 OF MAPS, PAGE 930, OF THE OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA, SITUATED IN THAT PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 4 NORTH, RANGE 5 EAST OF THE GILA AND SALT RIVER MERIDIAN, LYING EASTERLY OF THE EAST RIGHT OF WAY OF 94TH STREET AS RECORDED IN INSTRUMENT NO. 2005-0728632 OF THE OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 31, BEING MARKED BY A 3-INCH CITY OF SCOTTSDALE BRASS CAP FLUSH WITH THE MEDIAN OF EAST BELL ROAD, FROM WHICH THE SOUTH QUARTER CORNER OF SAID SECTION 31, BEING A 3-INCH MARICOPA COUNTY BRASS CAP FLUSH WITH THE MEDIAN OF EAST BELL ROAD BEARS SOUTH 89°58'01" WEST, A DISTANCE OF 2643.80 FEET;

THENCE ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 31, SOUTH 89°58'01" WEST, A DISTANCE OF 1289.53 FEET TO THE SOUTHERLY PROLONGATION OF THE EAST RIGHT-OF-WAY LINE OF SAID 94TH STREET;

THENCE ALONG SAID EAST AND ITS SOUTHERLY PROLONGATION, NORTH 00°02'55" WEST, A DISTANCE OF 1320.82 FEET TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 31;

THENCE ALONG SAID NORTH LINE, NORTH 89°58'02" EAST, A DISTANCE OF 1288.48 FEET TO THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 31;

THENCE ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 31, SOUTH 00°05'38" EAST, A DISTANCE OF 1320.82 FEET TO THE POINT OF BEGINNING;

EXCEPTING THEREFROM THE SOUTH 65 FEET FOR USE AS A PUBLIC RIGHT OF WAY.

**SURVEYOR**

EVERETT ALAN GROUP  
6300 EAST CAVE CREEK, SUITE 202  
CAVE CREEK, ARIZONA 85331  
TELEPHONE: (480) 990-0545  
CONTACT: JAMES LOFTIS, RLS

**BENCHMARK**

GDACS 43508-21  
MONUMENT DESCRIPTION:  
3" MARICOPA COUNTY BC STAMPED  
TAN/RESE 1/4531532 L533307 2003"

ELEVATION: 1,626.02 NAVD88  
TOWNSHIP: 04N  
RANGE: 05E  
SECTION: 31 EAST 1/4

**BASIS OF BEARING**

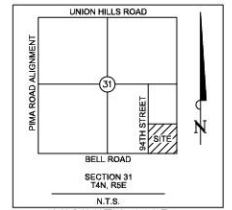
THE BASIS OF BEARING AND ALL MONUMENTATION SHOWN HEREON IS BASED ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 31 BEARS NORTH 89°58'14" EAST PER BOOK 700 OF MAPS, PAGE 12, M.C.R.

**SITE DATA**

**OVERALL**  
GROSS AREA: 40.06± ACRE  
NET AREA: 37.16± ACRE  
TOTAL NUMBER OF LOTS: 52  
AVERAGE LOT AREA: 19,267 SF  
MINIMUM LOT AREA: 7,000 SF  
GROSS DENSITY: 1.29 DU/AC  
NET DENSITY: 1.40 DU/AC

**PRELIMINARY PLAT  
AND  
PRELIMINARY GRADING AND DRAINAGE  
FOR  
94TH STREET AND BELL ROAD**

A PORTION OF SECTION 31, TOWNSHIP 4 NORTH, RANGE 5 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

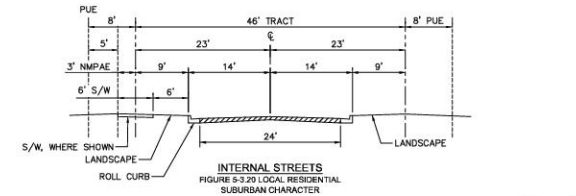


**PROJECT MAP**  
SCALE: 1"=200'

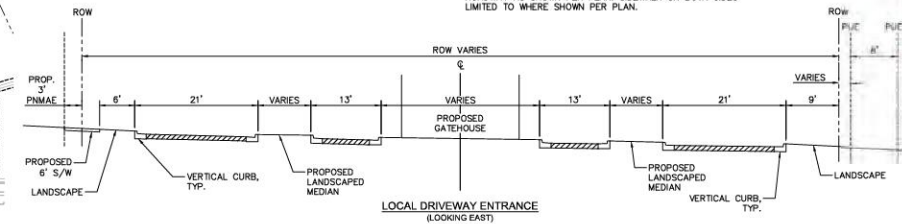


**SHEET INDEX**

SHEET NO.	TITLE
01	COVER SHEET
02-03	PRELIMINARY PLAT
04-05	GRADING AND DRAINAGE
06	GRADING SECTIONS AND DETAILS



1. INTERNAL STREETS INCLUDE SIDEWALKS ON SINGLE SIDE OF ROADWAY AS SHOWN PER PLAN. SIDEWALK ON BOTH SIDES LIMITED TO WHERE SHOWN PER PLAN.



**NAOS DEDICATION**

A MAJORITY OF THE AREAS OUTSIDE OF BUILDING ENVELOPES AND ROADWAY TRACTS WILL BE DEDICATED ON THE FINAL PLAT AS NATURAL AREA OPEN SPACE (NAOS).

REQUIRED NAOS: 6.16 AC (15.4%)  
PROVIDED NAOS: 6.22 AC (15.5%)  
PER LOT NAOS PROVIDED ON FINAL PLAT AND FINAL NAOS EXHIBIT, PER LOT NAOS FOR REFERENCE ONLY. NAOS REQUIRED IS FOR ENTIRE PROJECT NOT PER LOT BASIS.

NAOS LOCATED IN TRACTS TO BE MAINTAINED BY THE 94TH STREET AND BELL ROAD HOMEOWNERS ASSOCIATION. NAOS LOCATED ON-LOT TO BE MAINTAINED BY INDIVIDUAL PROPERTY OWNER.

LOT 33 HAS ON-SITE UNDISTURBED NAOS OF 0.08 ACRES AND THE PROPERTY OWNER WILL BE REQUIRED TO MAINTAIN THE NAOS.

**GRADING NOTES**

1. [E] & [F] INDICATE ANTICIPATED CUT AND FILL HEIGHTS AT THE LOCATION FROM PROPOSED PAD ELEVATION TO EXISTING GROUND.

PRELIMINARY EARTHWORK  
RAW CUT: 8,300 CY  
RAW FILL: 154,000 CY

**FIRE DEPARTMENT NOTES**

- UNOBSTRUCTED VERTICAL CLEARANCE MIN. 13'6"
- PROVIDE KNIX ENTRY ACCESS SYSTEM
  - KNIX KEY BOX
  - KNIX KEY CYLINDER
  - KNIX OVERRIDE & PRE-EMPTION STROBE SWITCH FOR AUTOMATIC GATES
- HYDRANT SPACING PER DS&PM 6-1.502.
- FIRE LANE SURFACE WILL SUPPORT 83,000 LBS. (GVW)

**LEGEND**

- PROPERTY LINE
- PROPOSED EASEMENT
- EXISTING EASEMENT
- PROPOSED WATER LINE
- PROPOSED SEWER LINE
- PROPOSED STORM DRAIN
- PROPOSED LOT LINE
- PROPOSED RIGHT-OF-WAY
- PROPOSED EDGE OF PAVEMENT
- EXISTING EDGE OF PAVEMENT
- PROPOSED CENTERLINE
- BUILDING SETBACK
- DRAINAGE SWALE
- RETAINING WALL
- SCOUR/EROSION PROTECTION
- CONDUIT
- LOT DRAINAGE LOCATION INDICATOR
- LIMITS OF DISTURBANCE
- SINGLE LOT GRADING AREA
- FULL VIEW FENCE
- PROPOSED SURVEY MONUMENT
- PROPOSED FIRE HYDRANT
- ⊙ PNM/AE PUBLIC NON-MOTORIZED ACCESS EASEMENT
- ⊙ R/W RIGHT-OF-WAY
- ⊙ R/E ROADWAY EASEMENT
- ⊙ P/UE PUBLIC UTILITY EASEMENT
- ⊙ B/C BACK OF CURB
- ⊙ TYP. TYPICAL
- ⊙ HE HIGHWAY EASEMENT
- ⊙ AE ACCESS EASEMENT
- ⊙ DE DRAINAGE EASEMENT
- ⊙ D/SRS DESERT SCENIC ROADWAY SETBACK
- ⊙ EX EXISTING
- ⊙ CL CENTERLINE
- ⊙ PL PROPERTY LINE
- ⊙ HOA HOMEOWNERS ASSOCIATION
- ⊙ W/SF WATER AND SEWER FACILITIES EASEMENT
- ⊙ R/SB REAR YARD SETBACK
- ⊙ S/SB SIDE YARD SETBACK
- ⊙ F/SB FRONT YARD SETBACK
- ⊙ C/SF CUBIC FEET PER SECOND TO BE ABANDONED
- ⊙ TBA TRACT BEING ABANDONED
- ⊙ S/VA SIGHT VISIBILITY TRIANGLE
- ⊙ D/SR DESERT SCENIC ROADWAY EASEMENT TO BE ABANDONED
- ⊙ T/R/W TRACT BEING ABANDONED
- ⊙ V/AE VEHICULAR NON-ACCESS EASEMENT
- ⊙ P/AE PEDESTRIAN AND VEHICULAR ACCESS EASEMENT
- ⊙ P/EV PAVEMENT SPOT ELEVATION AT FINISHED GRADE
- ⊙ FL FLOW LINE
- ⊙ EG EXISTING GRADE
- ⊙ 0.95% SLOPE AT FINISHED GRADE
- ⊙ 10 PROPOSED LOT NUMBERS
- ⊙ 17 LAST LOT IDENTIFIER
- ⊙ CROSS SECTION ID
- ⊙ P/FL PEAK FLOWS: 27 - POST DEVELOPMENT (30) - PRE DEVELOPMENT
- ⊙ B/D BASIN DISCHARGE LOCATION

**IMPROVED OPEN SPACE EASEMENT DEDICATION**

THE PURPOSE OF THE EASEMENT IS TO LIMIT USE TO PASSIVE OR ACTIVE OPEN SPACE USES THAT INCLUDES, SETTINGS FOR DEVELOPMENT, RECREATION AREAS, LANDSCAPING, HARDSCAPE, WATER FEATURES, SEATING AREAS, PLAZAS, GAZEBOS, SIDEWALKS AND TRAILS. HOWEVER, GRANTEE MAY INSTALL ABOVE GROUND AND UNDERGROUND PRIVATE UTILITIES AND OTHER IMPROVEMENTS IN THE EASEMENT IN ACCORDANCE WITH THE PLANS APPROVED BY GRANTEE. GRANTEE SHALL BE RESPONSIBLE FOR MAINTENANCE THAT MAY ARISE, INCLUDING ANY IMPROVEMENTS, LANDSCAPE, FREE OF DEBRIS, IN A SAFE AND NATURAL CONDITION.

TRACT TABLE			
NAME	OWNERSHIP/MAINT.	TRACT USES	AREA (ACRES)
TRACT A	PRIVATE HOA	PRIVATE TRACT/UTILITIES/ACCESS/STREETLIGHTS/SIGNS/FENCES/WALLS/GATEHOUSE/MAILBOX	5.32
TRACT B	PRIVATE HOA	OPEN SPACE/DRAINAGE/UTILITIES	0.75
TRACT C	PRIVATE HOA	OPEN SPACE/DRAINAGE/UTILITIES	1.28
TRACT D	PRIVATE HOA	OPEN SPACE/UTILITIES	0.07
TRACT E	PRIVATE HOA	OPEN SPACE/DRAINAGE/UTILITIES/MAILBOX	1.66
TRACT F	PRIVATE HOA	OPEN SPACE/DRAINAGE/UTILITIES	0.74
TRACT G	PRIVATE HOA	OPEN SPACE/UTILITIES	0.08
TRACT H	PRIVATE HOA	OPEN SPACE/DRAINAGE/UTILITIES/CLUBHOUSE AMENITY	4.00

LOT AREA TABLE		
LOT NO.	AREA (SF)	ZONING
1	15,299	R1-7
2	14,977	R1-7
3	16,326	R1-7
4	18,259	R1-7
5	19,396	R1-7
6	14,445	R1-7
7	13,838	R1-7
8	14,714	R1-7
9	14,685	R1-7
10	14,379	R1-7
11	15,611	R1-7
12	12,918	R1-7
13	15,102	R1-7
14	15,701	R1-7
15	11,417	R1-7
16	11,845	R1-7
17	12,432	R1-7
18	12,799	R1-7
19	12,907	R1-7
20	16,047	R1-7
21	27,189	R1-7
22	26,900	R1-7
23	23,750	R1-7
24	22,458	R1-7
25	22,283	R1-7
26	23,649	R1-7
27	24,060	R1-7
28	22,190	R1-7
29	23,446	R1-7
30	21,112	R1-7
31	18,976	R1-7
32	21,717	R1-7
33	22,027	R1-7
34	21,384	R1-7
35	23,872	R1-7
36	23,868	R1-7
37	24,337	R1-7
38	23,080	R1-7
39	22,819	R1-7
40	19,256	R1-7
41	19,244	R1-7
42	21,111	R1-7
43	19,951	R1-7
44	21,973	R1-7
45	22,277	R1-7
46	21,410	R1-7
47	25,338	R1-7
48	21,870	R1-7
49	21,390	R1-7
50	20,187	R1-7
51	19,558	R1-7
52	22,998	R1-7

**FLOOD INSURANCE RATE MAP (FIRM) INFORMATION**

COMMUNITY NUMBER	PANEL #	PANEL DATE	SUFFIX	DATE OF FIRM (INDEX DATE)	FIRM ZONE	BASE FLOOD ELEVATION (FT) (ENTER DEPTH IN ZONE AD)
040037	1320	10/16/2013	L	08/10/2022	AO	1' DEPTH
040051	1320	10/16/2013	L	08/10/2022	AO	1' DEPTH
045012	1320	10/16/2013	L	08/10/2022	AO	1' DEPTH
045012	1340	10/16/2013	L	08/10/2022	AO	1' DEPTH

**ENGINEERS CERTIFICATION:**

THE LOWEST FLOOR ELEVATIONS AND/OR FLOOD PROOFING ELEVATIONS ON THIS PLAN ARE SUFFICIENTLY HIGH TO PROVIDE PROTECTION FROM FLOODING CAUSED BY A 100-YEAR STORM, AND ARE IN ACCORDANCE WITH SCOTTSDALE REVISED CODE, CHAPTER 37 - FLOODPLAIN AND STORMWATER REGULATIONS.

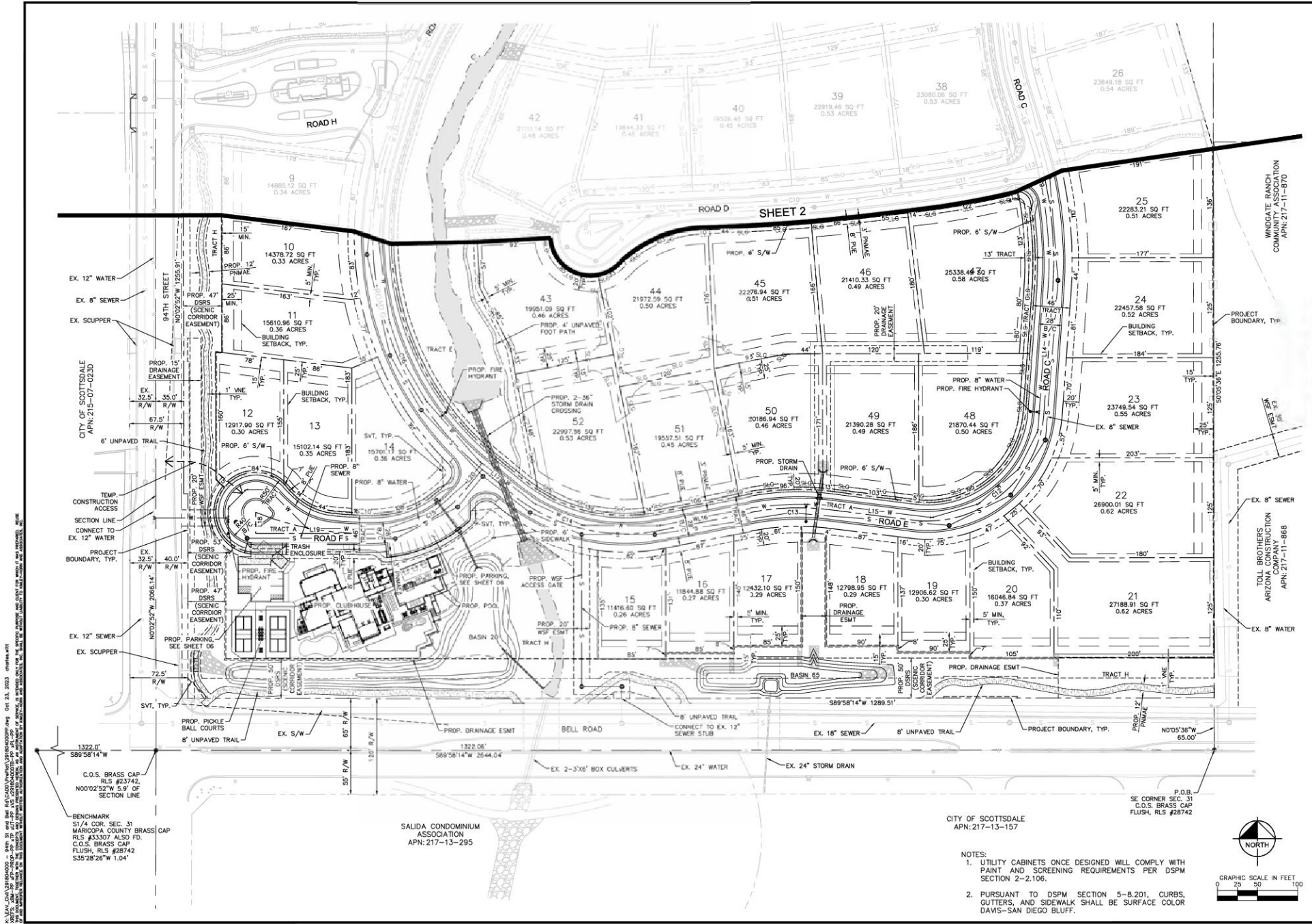
**Kimley-Horn & Associates, Inc.**  
C: 2023, KIMLEY-HORN AND ASSOCIATES, INC.  
100 West Silver Spring Avenue, Suite 131  
Mesa, Arizona 85210 (480) 207-2668  
DATE: OCT 2023

SCALE: (1"=1'-0")  
SCALE: (1"=1'-0") NONE  
DESIGNED BY: CFM  
DRAWN BY: CFM  
CHECKED BY: JMB  
DATE: OCT 2023

94TH STREET AND BELL ROAD  
PRELIMINARY PLAT  
COVER SHEET  
SCOTTSDALE, ARIZONA

PROJECT NO. 291804000  
DRAWING NAME 291804000PP-CV  
01 of 06





K:\PLAN\_DRAWING\3108\3108.dwg  
 DATE: 04/21/2022 10:58:11 AM  
 USER: JACOB M. HORN  
 PLOT DATE: 04/21/2022 10:58:11 AM  
 PLOT USER: JACOB M. HORN  
 PLOT SCALE: 1/8"=1'-0"  
 PLOT SHEET: 2 OF 2  
 PLOT TITLE: 94TH STREET AND BELL ROAD PRELIMINARY PLAT  
 PLOT AREA: 11.0000 ACRES  
 PLOT PERIMETER: 1111.14 FT  
 PLOT AREA: 11.0000 ACRES  
 PLOT PERIMETER: 1111.14 FT

CITY OF SCOTTSDALE  
 APN:215-07-0230

C.O.S. BRASS CAP  
 RLS #23742  
 N0D02°52'27" W 5.91' OF  
 SECTION LINE

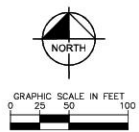
BENCHMARK  
 S1/4 COR. SEC. 31  
 MARICOPA COUNTY BRASS CAP  
 RLS #33307 ALSO FD.  
 C.O.S. BRASS CAP  
 FLUSH, RLS #28742  
 S35°28'26" W 1.04'

SALIDA CONDOMINIUM  
 ASSOCIATION  
 APN:217-13-295

CITY OF SCOTTSDALE  
 APN:217-13-157

P.O.B.  
 SE CORNER SEC. 31  
 C.O.S. BRASS CAP  
 FLUSH, RLS #28742

- NOTES:
1. UTILITY CABINETS ONCE DESIGNED WILL COMPLY WITH PAINT AND SCREENING REQUIREMENTS PER DSPM SECTION 2-2.106.
  2. PURSUANT TO DSPM SECTION 5-8.201, CURBS, GUTTERS, AND SIDEWALK SHALL BE SURFACE COLOR DAVIS-SAN DIEGO BLUFF.



 KIMLEY-HORN AND ASSOCIATES, INC. 1000 West Camelback Road, Suite 131 Mesa, Arizona 85201 (480) 207-2088	PROJECT NO. 291804000
	DRAWING NAME 291804000PP
DATE: OCT 2023	NO.
CHECKED BY: JMB	REVISION
DESIGNED BY: CFM	BY DATE APPR.
SCALE (N=1"=40') SCALE (V=NONE)	NO.

94TH STREET AND BELL ROAD  
 PRELIMINARY PLAT  
 SCOTTSDALE, ARIZONA



PROJECT NO.  
 291804000  
 DRAWING NAME  
 291804000PP  
 03 OF 06

DEDICATION

STATE OF ARIZONA )
COUNTY OF MARICOPA )
AG LEAF, LLC, A DELAWARE LIMITED LIABILITY COMPANY, OWNER, HEREBY SUBMITS PROPERTY SITUATED IN A PORTION OF SECTION 31, TOWNSHIP 4 NORTH, RANGE 5 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA UNDER THE NAME 94TH STREET AND BELL ROAD AS SHOWN ON THIS FINAL PLAT. THIS PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSION OF THE LOTS, TRACTS, STREETS AND EASEMENTS CONSTITUTING THE SUBDIVISION. EACH LOT, TRACT, STREET AND EASEMENTS SHALL BE KNOWN BY THE NUMBER, LETTERS OR DESCRIPTION GIVEN EACH RESPECTIVELY ON THIS PLAT. THE EASEMENTS ARE DEDICATED FOR THE PURPOSES, AND SUBJECT TO THE CONDITIONS STATED.

PUBLIC STREETS:
AG LEAF, LLC, A DELAWARE LIMITED LIABILITY COMPANY, OWNER, GRANTOR DEDICATES, IN FEE, TO THE CITY OF SCOTTSDALE, AN ARIZONA MUNICIPAL CORPORATION, GRANTEE, THE PUBLIC STREETS AS SHOWN HEREON. SEE SRC, CHAPTER 47, AS AMENDED, FOR GRANTOR'S MAINTENANCE OBLIGATIONS. WITHOUT LIMITATION, GRANTEE MAY (1) GRADE, FILL, DRAIN, PAVE, CONSTRUCT, OPERATE, MAINTAIN, REPAIR, AND REBUILD ROADS, HIGHWAYS, UTILITY LINES, PIPES AND RELATED FACILITIES, WITH DRENCHES, CULVERTS, DRAINAGEWAYS, BRAMPS, SIDEWALKS, CURBS, GUTTERS, CURBS AND OTHER RELATED IMPROVEMENTS, AND (2) CUT AND TRIM BRANCHES, TREES AND GROWTH THAT EXTEND INTO THE IMPROVEMENTS, TO PREVENT INTERFERENCE WITH THE EFFICIENT MAINTENANCE AND OPERATION OF THE IMPROVEMENTS.

PRIVATE STREETS:
AG LEAF, LLC, A DELAWARE LIMITED LIABILITY COMPANY, OWNER, GRANTOR DEDICATES, IN FEE, TO THE CITY OF SCOTTSDALE, AN ARIZONA MUNICIPAL CORPORATION, GRANTEE, THE PRIVATE STREETS SHOWN HEREON AS TRACT 'A', AS PRIVATE ACCESS WAYS, NOT DEDICATED TO THE PUBLIC FOR ITS USE EXCEPT AS EXPRESSLY STATED HEREIN. THE GRANTEE SHALL MAINTAIN, REPAIR, AND REPLACE THE PRIVATE STREETS. THE GRANTEE HAS NO OBLIGATION TO MAINTAIN, REPAIR AND REPLACE THE PRIVATE STREETS ARISING FROM THIS PLAT. PRIVATE STREETS REQUIRE CONTROLLED ACCESS TO THE PUBLIC STREET SYSTEM.

EASEMENTS:
AG LEAF, LLC, A DELAWARE LIMITED LIABILITY COMPANY, OWNER, GRANTOR DEDICATES TO THE CITY OF SCOTTSDALE, AN ARIZONA MUNICIPAL CORPORATION, GRANTEE, THE FOLLOWING:
A. AIRBORNE, A PERPETUAL, NON-EXCLUSIVE EASEMENT KNOWN HEREON, UPON, OVER AND ACROSS THE PROPERTY ON THIS PLAT, FOR THE RIGHT OF FLIGHT FOR AIRCRAFT IN THE AIRSPACE ABOVE THE PROPERTY.

1. AIRBORNE MEANS ANY MANNED OR UNMANNED DEVICE THAT FLIES.
2. WITHOUT LIMITATION, THE RIGHT OF FLIGHT INCLUDES THE RIGHT TO OPERATE AIRCRAFT OVER AND NEAR THE PROPERTY, AND CAUSE ANY NOISE, VIBRATION, FUMES, LIGHT, EXHAUST, ODORS, FUEL VAPOR PARTICLES, ELECTROMAGNETIC INTERFERENCE, JUST, ANNOYANCES, NUISANCES, EMISSIONS, AND ANY OTHER EFFECTS RELATING TO OPERATING AIRCRAFT (COLLECTIVELY "AIRCRAFT EFFECTS").

3. ALL AIRCRAFT EFFECTS ARE INCLUDED WITHIN THE SCOPE OF THE EASEMENT, INCLUDING WITHOUT LIMITATION THOSE THAT REACH OR AFFECT THE PROPERTY OR IMPROVEMENTS TO THE PROPERTY, INTERFERE WITH OTHER USES OF THE PROPERTY, ANNOY USERS OF THE PROPERTY, AND ARE CAUSED BY OR RESULT FROM ANY CHANGES IN THE FOLLOWING:
A. THE SIZE, NUMBER, METHOD OF PROPULSION, WEIGHT, NOISE, DESIGN, FUEL, CATEGORY, TYPE OR OTHER CHARACTERISTICS OF AIRCRAFT, AND IN ANY AIRCRAFT PRACTICES, LAWS, RULES, POLICIES, CIRCUMSTANCES, CUSTOMS, PROTOCOLS OR PROCEDURES.

B. THE FLIGHT PATHS, FLIGHT FREQUENCY, FLIGHT TIMING, TRAFFIC OPERATIONS, CLIMBING AND DESCENDING, ALTITUDES, TAKEOFF AND LANDING, AIR TRAFFIC CONTROL, AND IN ANY RELATED AIRCRAFT AND AIRPORT PRACTICES, LAWS, RULES, POLICIES, CIRCUMSTANCES, CUSTOMS, PROTOCOLS OR PROCEDURES.
D. GRANTOR'S OR OTHERS' PERSONAL PERCEPTIONS OF AIRCRAFT EFFECTS OR SENSITIVITY TO AIRCRAFT EFFECTS.

B. AIRCRAFT EFFECTS WHICH WILL BE ANNOYING TO USERS OF THE PROPERTY AND MIGHT INTERFERE WITH THE UNRESTRICTED USE AND ENJOYMENT OF THE PROPERTY.
C. AIRCRAFT EFFECTS WHICH WILL INTERFERE WITH THE ENJOYMENT OF THE PROPERTY.
GRANTOR WAIVES ALL RIGHTS AND CLAIMS THAT GRANTOR MAY EVER HAVE AGAINST, AND AGREES NOT TO SUE, GRANTEE REGARDING AIRCRAFT EFFECTS. GRANTOR MAKES ITS WAIVERS AND AGREEMENTS FOR ITSELF, ITS SUCCESSORS AND ASSIGNS, IN FAVOR OF GRANTEE, AND ALL GRANTEE'S OFFICERS, OFFICIALS, EMPLOYEES, AGENTS, LESSEES

D. DRAINAGE AND FLOOD CONTROL (D.F.C.): A PERPETUAL, NON-EXCLUSIVE EASEMENT SHOWN HEREON UPON, OVER, UNDER AND ACROSS THE PROPERTY ON THIS PLAT, FOR DRAINAGE AND FLOOD CONTROL, AND ALL RELATED PURPOSES, INCLUDING WITHOUT LIMITATION, CONSTRUCTION, MAINTENANCE, OPERATION, REPLACEMENT, AND REPAIR OF LEVEES, DIKES, DAMS, STORMWATER STORAGE BASINS, STORM DRAINAGE (SD), CHANNELS, IMPROVEMENTS, WASHES, WATERCOURSES AND OTHER DRAINAGE OR FLOOD CONTROL FACILITIES (COLLECTIVELY, "DRAINAGE FACILITIES"), SUBJECT TO THE FOLLOWING:
1. GRANTOR IS RESPONSIBLE FOR ALL DRAINAGE FACILITIES ON THE PROPERTY. DRAINAGE FACILITIES ON THE PROPERTY MUST NOT BE OBVIOUSLY LACK OF AWARENESS OF DRAINAGE FACILITIES DOES NOT EXCUSE FAILURE TO PERFORM THE REQUIREMENTS OF THIS DOCUMENT.

2. GRANTOR SHALL NOT CONSTRUCT, OBSTRUCT OR ALTER ANY DRAINAGE FACILITIES ON THE PROPERTY WITHOUT GRANTEE'S PRIOR WRITTEN CONSENT.
3. AT GRANTOR'S EXPENSE, GRANTOR SHALL MAINTAIN DRAINAGE FACILITIES IN GOOD CONDITION, REPAIR AND REBUILD DRAINAGE FACILITIES AS NECESSARY TO MAINTAIN THEIR FLOOD CARRYING OR STORAGE CAPACITY, PREVENT EROSION, AND PREVENT ANY REFLEE, DEBRIS, SEDIMENT, VEGETATION, OR OTHER OBSTRUCTION FROM ACCUMULATING IN DRAINAGE FACILITIES. GRANTEE IS NOT OBLIGATED TO PERFORM ANY SUCH WORK.

4. IF, IN GRANTEE'S OPINION, GRANTOR FAILS TO DO SUCH WORK, THEN GRANTEE MAY DO THE WORK AT GRANTOR'S EXPENSE. IN ADDITION TO GRANTEE'S OTHER REMEDIES, THE COST OF THE WORK SHALL BE SECURED BY A LEND THAT GRANTOR HEREBY GRANTS AGAINST THE PROPERTY, WITH INTEREST AT THE ANNUAL RATE OF EIGHT PERCENT (8%).
5. GRANTOR SHALL INDEMNIFY, DEFEND AND HOLD GRANTEE HARMLESS AGAINST GRANTOR'S LIABILITY TO PERFORM UNDER THIS DOCUMENT.

C. EMERGENCY AND SERVICE ACCESS (E.S.A.): A PERPETUAL, NON-EXCLUSIVE EASEMENT SHOWN HEREON UPON, OVER, UNDER AND ACROSS THE PROPERTY ON THIS PLAT, FOR ACCESS FOR EMERGENCY, PUBLIC SAFETY, BEFORE COLLECTION UTILITY AND OTHER SERVICE PERSONNEL AND VEHICLES AND FOR THE RIGHT TO CONSTRUCT, OPERATE, USE, MAINTAIN, REPAIR AND REPLACE IMPROVEMENTS RELATED TO ACCESS AS CITY DEEMS NECESSARY FOR ACCESS PURPOSES.
D. NATURAL AREA OPEN SPACE, INCLUDING RESTORED DESERT (N.A.O.S.): A PERPETUAL, NON-EXCLUSIVE EASEMENT SHOWN HEREON UPON, OVER, UNDER AND ACROSS THE PROPERTY ON THIS PLAT, FOR NATURAL DESERT OPEN SPACE. PRESERVATION AS FOLLOWS:
1. GRANTOR SHALL NOT USE THE PROPERTY IN ANY WAY INCONSISTENT WITH THE PRESERVATION OF THE EASEMENT IN ITS UNDISTURBED CONDITION AS PERMANENT NATURAL DESERT OPEN SPACE.

2. GRANTOR SHALL NOT GRADE, CRUB OR EXCAVATE THE EASEMENT, OR CONSTRUCT ANY STRUCTURE ON THE EASEMENT, EXCEPT AS APPROVED BY GRANTEE, IN WRITING, SPECIFICALLY REFERRING TO THIS EASEMENT.
3. GRANTOR SHALL RESTORE THE EASEMENT IN ACCORDANCE WITH PLANS APPROVED BY GRANTEE, IF THE EASEMENT IS DISTURBED. THE RESTORED DESERT SHALL BE PRESERVED AS DESERT OPEN SPACE.
4. GRANTEE MAY ENJOY ANY VIOLATION OF THIS EASEMENT. GRANTEE MAY ENTER THE PROPERTY TO ENFORCE THIS EASEMENT. HOWEVER, THIS EASEMENT DOES NOT CREATE PUBLIC ACCESS TO THE PROPERTY.
5. MENTIONING REMEDIES IN THIS EASEMENT DOES NOT LIMIT GRANTEE'S RIGHT TO OTHER REMEDIES.

FINAL PLAT
94TH STREET AND BELL ROAD

A PORTION OF THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 4 NORTH, RANGE 5 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA

OWNER
AG LEAF, LLC, A DELAWARE LIMITED LIABILITY COMPANY
9100 EAST VERDE DRIVE WEST
SCOTTSDALE, AZ 85255
TELEPHONE: (480) 275-4559
CONTACT: MICHAEL GROSSMAN
EMAIL: AMR@AGLEAF.COM

DEDICATION (CONTINUED)

E. PUBLIC, NON-MOTORIZED ACCESS (P.N.M.A.): A PERPETUAL, NON-EXCLUSIVE EASEMENT SHOWN HEREON UPON, OVER, UNDER AND ACROSS THE PROPERTY ON THIS PLAT, FOR ALL FORMS OF NON-MOTORIZED TRANSPORTATION TOGETHER WITH MOTORIZED EMERGENCY, LAW ENFORCEMENT, AND SERVICE VEHICLES, AND FOR CONSTRUCTION, OPERATION, USE, MAINTENANCE, REPAIR, MODIFICATION AND REPLACEMENT FROM TIME TO TIME OF IMPROVEMENTS RELATED THERETO. SEE SRC, CHAPTER 47, AS AMENDED, FOR MAINTENANCE OBLIGATIONS.

F. PUBLIC UTILITY (P.U.): A PERPETUAL, NON-EXCLUSIVE EASEMENT SHOWN HEREON UPON, OVER, UNDER AND ACROSS THE PROPERTY ON THIS PLAT, FOR ELECTRICITY, TELECOMMUNICATIONS, DATA TRANSMISSION, AND ALL OTHER MANNER OF UTILITIES, AND FOR CONSTRUCTION, OPERATION, USE, MAINTENANCE, REPAIR, AND REPLACEMENT OF IMPROVEMENTS RELATED TO UTILITIES. IN THE EASEMENT, GRANTOR SHALL NOT PLACE OR ALLOW ANY (1) TREES, HEDGES, SHRUBS OR OTHER PLANTS WHICH CAN GROW LARGER THAN 18 INCHES TALL, OR (2) HARDSCAPE, SWIMMING POOLS, SHEEDS OR OTHER VERTICAL OR HORIZONTAL STRUCTURES.

G. SCENIC CORRIDOR EASEMENT (S.C.E.): A PERPETUAL, NON-EXCLUSIVE EASEMENT SHOWN HEREON UPON, OVER, UNDER AND ACROSS THE PROPERTY ON THIS PLAT, TO PRESERVE PERMANENT OPEN SPACE. HOWEVER, GRANTOR MAY INSTALL VEGETATION, DRIVEWAYS, SIGNAGE, UNDERGROUND PRIVATE UTILITIES AND OTHER IMPROVEMENTS IN THE EASEMENT IN ACCORDANCE WITH PLANS APPROVED BY GRANTOR. GRANTOR SHALL MAINTAIN THE PROPERTY, INCLUDING ANY IMPROVEMENTS, FREE OF DEBRIS, IN A SAFE AND NATURAL CONDITION. GRANTEE MAY ENJOY ANY VIOLATION OF THIS EASEMENT. GRANTEE MAY ENTER THE PROPERTY TO ENFORCE THIS EASEMENT. HOWEVER, THIS EASEMENT DOES NOT CREATE PUBLIC ACCESS TO THE PROPERTY. MENTIONING REMEDIES IN THIS EASEMENT DOES NOT LIMIT GRANTEE'S RIGHT TO OTHER REMEDIES.

H. SIGHT DISTANCE (S.D.): A PERPETUAL, NON-EXCLUSIVE EASEMENT SHOWN HEREON UPON, OVER, UNDER AND ACROSS THE PROPERTY ON THIS PLAT, TO PRESERVE AN AREA FREE OF OBSTRUCTIONS TO ENHANCE TRAFFIC SAFETY VISIBILITY. IN THE EASEMENT, GRANTOR SHALL NOT PLACE OR ALLOW ANY BUILDINGS, WALLS, TREES, STRUCTURES, SCREENS OR OTHER OBSTRUCTIONS FROM 12 INCHES ABOVE THE FINISHED GRADE OF THE ADJACENT STREET. HOWEVER, THE GRANTEE MAY ALLOW POLES OR TREE TRUNKS THAT GRANTEE DETERMINES, IN WRITING, DO NOT ADVERSELY AFFECT TRAFFIC SAFETY VISIBILITY.

I. VEHICULAR NON-ACCESS (V.N.A.): A PERPETUAL, NON-EXCLUSIVE EASEMENT SHOWN HEREON UPON, OVER, UNDER AND ACROSS THE PROPERTY ON THIS PLAT, TO PROHIBIT ALL USE OF MOTOR VEHICLES UPON THE EASEMENT. GRANTOR SHALL NOT INSTALL DRIVEWAYS OR OTHER MEANS OF VEHICULAR ACCESS UPON THE EASEMENT. GRANTOR SHALL MAINTAIN THE EASEMENT, INCLUDING ANY IMPROVEMENTS, IN A NEAT, SAFE AND CLEAN CONDITION. GRANTEE MAY ENJOY ANY VIOLATION OF THIS EASEMENT. GRANTEE MAY ENTER THE PROPERTY TO ENFORCE THIS EASEMENT. HOWEVER, THIS EASEMENT DOES NOT CREATE PUBLIC ACCESS TO THE PROPERTY. MENTIONING REMEDIES IN THIS EASEMENT DOES NOT LIMIT GRANTEE'S RIGHT TO OTHER REMEDIES.

J. WATER AND SEWER FACILITIES (W.S.F.): A PERPETUAL, NON-EXCLUSIVE EASEMENT SHOWN HEREON UPON, OVER, UNDER AND ACROSS THE PROPERTY ON THIS PLAT FOR WATER AND SEWER PIPES AND OTHER RELATED FACILITIES, AND FOR CONSTRUCTION, OPERATION, USE, MAINTENANCE, REPAIR, MODIFICATION AND REPLACEMENT OF PIPES AND RELATED FACILITIES.
K. IMPROVED OPEN SPACE EASEMENT (I.O.S.): A PERPETUAL, NON-EXCLUSIVE IMPROVED OPEN SPACE EASEMENT AS DEPICTED ON THE IMPROVED OPEN SPACE PLAN TO THE CITY OF SCOTTSDALE ON THE FINAL PLAT. THE PURPOSE OF THE EASEMENT IS TO LIMIT USE TO PASSIVE OR ACTIVE OPEN SPACE USES THAT MAINTAIN THE OPEN SPACE FOR DEVELOPMENT, RECREATION AREAS, LANDSCAPING, HARDSCAPE, WATER FEATURES, SEATING AREA, PLAZAS, GAZEBOS, SIDEWALKS AND TRAILS. HOWEVER, GRANTOR MAY INSTALL ABOVE GROUND AND UNDERGROUND PRIVATE UTILITIES AND OTHER IMPROVEMENTS IN THE EASEMENT IN ACCORDANCE WITH THE PLANS APPROVED BY GRANTEE. GRANTOR SHALL BE RESPONSIBLE FOR MAINTENANCE THAT MAY ARISE, INCLUDING ANY IMPROVEMENTS, LANDSCAPE, FREE OF DEBRIS, IN A SAFE AND NATURAL CONDITION.

GRANTOR WARRANTS AND COVENANTS TO GRANTEE, AND ITS SUCCESSORS AND ASSIGNS THAT GRANTOR IS LAWFULLY SEIZED AND POSSESSED OF THE PROPERTY; THAT GRANTOR HAS A GOOD AND LAWFUL RIGHT TO MAKE THE COVENANCE DESCRIBED HEREON; AND THAT ALL PERSONS HAVING TITLE AND QUIET POSSESSION AGAINST THE CLAIMS OF ALL PERSONS: THE PERSON EXECUTING THIS DOCUMENT ON BEHALF OF A CORPORATION, TRUST OR OTHER ORGANIZATION WARRANTS HIS OR HER AUTHORITY TO DO SO AND THAT ALL PERSONS NECESSARY TO BIND GRANTOR HAVE JOINED IN THIS DOCUMENT. THIS DOCUMENT RUNS IN FAVOR OF THE GRANTEE'S SUCCESSORS AND ASSIGNS.

GRANTOR WARRANTS AND COVENANTS TO GRANTEE, AND ITS SUCCESSORS AND ASSIGNS THAT GRANTOR IS LAWFULLY SEIZED AND POSSESSED OF THE PROPERTY; THAT GRANTOR HAS A GOOD AND LAWFUL RIGHT TO MAKE THE COVENANCE DESCRIBED HEREON; AND THAT ALL PERSONS HAVING TITLE AND QUIET POSSESSION AGAINST THE CLAIMS OF ALL PERSONS: THE PERSON EXECUTING THIS DOCUMENT ON BEHALF OF A CORPORATION, TRUST OR OTHER ORGANIZATION WARRANTS HIS OR HER AUTHORITY TO DO SO AND THAT ALL PERSONS NECESSARY TO BIND GRANTOR HAVE JOINED IN THIS DOCUMENT. THIS DOCUMENT RUNS IN FAVOR OF THE GRANTEE'S SUCCESSORS AND ASSIGNS.

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GRANTOR: AG LEAF, LLC, A LIMITED LIABILITY COMPANY, FOR AND ON BEHALF OF SAID CORPORATION.
BY: \_\_\_\_\_ ITS: MANAGER

ACKNOWLEDGEMENT
STATE OF ARIZONA )
COUNTY OF MARICOPA )
THIS DOCUMENT WAS ACKNOWLEDGED BEFORE ME \_\_\_\_\_ THIS DAY OF \_\_\_\_\_
2024, BY \_\_\_\_\_ THE
OF AG LEAF, LLC, A DELAWARE LIMITED LIABILITY COMPANY

NOTARY PUBLIC MY COMMISSION EXPIRES

RATIFICATION
TRADITION CAPITAL BANK, A MINNESOTA BANKING CORPORATION, ITS SUCCESSORS AND ASSIGNS, AS BENEFICIARY UNDER THAT CERTAIN DEED OF TRUST RECORDED IN THE COUNTY RECORDER'S OFFICE, MARICOPA COUNTY, ARIZONA, IN RECORDER'S NUMBER (MOR#) 2022-0568888, THE UNDERSIGNED HEREBY WAIVES, APPROVES AND CONFIRMS IT IS GIVEN TO SAID DEDICATIONS AS STATED IN THIS PLAT AS TO THE INTEREST OF THE UNDERSIGNED. THE PERSON SIGNING FOR BENEFICIARY WARRANTS AND REPRESENTS THEY HAVE POWER AND AUTHORITY TO DO SO.

BY: \_\_\_\_\_ TRADITION CAPITAL BANK, A MINNESOTA BANKING CORPORATION TITLE OF POSITION DATE

ACKNOWLEDGEMENT
STATE OF ARIZONA )
COUNTY OF MARICOPA )
THIS DOCUMENT WAS ACKNOWLEDGED BEFORE ME \_\_\_\_\_ THIS DAY OF \_\_\_\_\_
2024, BY \_\_\_\_\_ THE
OF TRADITION CAPITAL BANK, A MINNESOTA BANKING CORPORATION, ITS SUCCESSORS AND ASSIGNS,

NOTARY PUBLIC MY COMMISSION EXPIRES

PARENT PARCEL LEGAL DESCRIPTION

ALL THAT PORTION OF TRACT 23, STATE PLAT NO. 16, CORE SOUTH, ACCORDING TO THE PLAT OF RECORDS IN BOOK 104 OF MAPS, PAGE 50, OF THE OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA, SITUATED IN THAT PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 4 NORTH, RANGE 5 EAST OF THE GILA AND SALT RIVER MERIDIAN, LYING EASTERLY OF THE EAST RIGHT OF WAY OF 94TH STREET AS RECORDED IN INSTRUMENT NO. 2005-0728632 OF THE OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 31, BEING MARKED BY A 3-INCH CITY OF SCOTTSDALE BRASS CAP FLUSH WITH THE MEDIUM OF EAST BELL ROAD, FROM WHICH THE SOUTH QUARTER CORNER OF SAID SECTION 31, BEING A 3-INCH MARICOPA COUNTY BRASS CAP FLUSH WITH THE MEDIUM OF EAST BELL ROAD BEARS SOUTH 89° 58' 01" WEST, A DISTANCE OF 2643.80 FEET;

THENCE ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 31, SOUTH 89° 58' 01" WEST, A DISTANCE OF 1288.53 FEET TO THE SOUTHERLY PROLONGATION OF THE EAST RIGHT-OF-WAY LINE OF SAID 94TH STREET;

THENCE ALONG SAID EAST LINE AND ITS SOUTHERLY PROLONGATION, NORTH 00° 02' 55" WEST, A DISTANCE OF 1320.82 FEET TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 31;

THENCE ALONG SAID EAST LINE, NORTH 89° 58' 02" EAST, A DISTANCE OF 1288.48 FEET TO THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 31; SOUTH 00° 05' 38" EAST, A DISTANCE OF 1320.82 FEET TO THE POINT OF BEGINNING; EXCEPTING THEREFROM THE SOUTH 65 FEET FOR USE AS A PUBLIC RIGHT OF WAY.

AND EXCEPT ALL OIL, GAS AND OTHER HYDROCARBON SUBSTANCES, HELIUM OR OTHER SUBSTANCES OF A GASIOUS NATURE, INCLUDING METALS, MINERALS, FOSSILS, FERTILIZER OF EVERY NAME AND DESCRIPTION, TOGETHER WITH ALL URANIUM, THORIUM, OR ANY OTHER MATERIAL WHICH HAS OR MAY BE DETERMINED BY THE LAWS OF THE UNITED STATES, OR OF THIS STATE, OR DECISIONS OF COURT, TO BE NECESSARY ESSENTIAL TO THE PRODUCTION OF FOSSEABLE MATERIALS, WHETHER OR NOT OF A COMMERCIAL VALUE, AS RESERVED TO THE STATE OF ARIZONA IN THE PATENT RECORDED NOVEMBER 1, 2005 IN RECORDING NO. 20051651323, RECORDS OF MARICOPA COUNTY, ARIZONA.

NOTES

1. THIS PROPERTY DIVISION IS LOCATED WITHIN THE CITY OF SCOTTSDALE WATER SERVICE AREA AND HAS BEEN DESIGNATED AS HAVING AN ASSURED WATER SUPPLY.
2. CONSTRUCTION WITHIN PUBLIC EASEMENT, EXCEPT BY PUBLIC AGENCIES AND UTILITY COMPANIES, SHALL BE LIMITED TO WOOD, WIRE, OR REMOVAL SECTION TYPE FENCING AND MUST BE IN CONFORMANCE WITH THE APPLICABLE CCR'S AND DESIGN GUIDELINES.
ELECTRIC LINES ARE TO BE CONSTRUCTED UNDERGROUND AS REQUIRED BY ARIZONA CONSTRUCTION COMMISSION GENERAL ORDER 11-48.

3. ALL MONUMENTS SET BY SHALL BE UNDER THE DIRECT SUPERVISION OF THE REGISTRANT OF RECORD. IF FOR ANY REASON THE REGISTRANT OF RECORD IS NOT AVAILABLE TO SUPERVISE THE SETTING OF THE INTERIOR CORNER MONUMENTS, SUBJECT TO THE RECORD OF SURVEY PLAT SHALL BE RECORDED IN ACCORDANCE WITH THE STATE STATUTES.
4. 94TH STREET AND BELL ROAD HOMEOWNERS ASSOCIATION IS RESPONSIBLE FOR OPERATION, MAINTENANCE, AND LIABILITY OF EASEMENTS, TRACTS AND N.A.O.S. AREAS AS OUTLINED IN THE CCR'S.

5. 94TH STREET AND BELL ROAD HOMEOWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE EXTERIOR PERIMETER WALLS, STORM WATER BASINS, LANDSCAPE EASEMENT AND TRACTS.
6. THE INDIVIDUAL PROPERTY OWNER SHALL BE RESPONSIBLE FOR MAINTENANCE OF N.A.O.S. FOR INDIVIDUAL LOTS (ON-LOT N.A.O.S.) LAND DESIGNATED AS NATURAL AREA OPEN SPACE (N.A.O.S.) SHALL BE PERMANENTLY MAINTAINED AS NATURAL DESERT SPACE, PURSUANT TO THE CITY OF SCOTTSDALE'S ENVIRONMENTALLY SENSITIVE LANDS ORDINANCE. DESIGNATED N.A.O.S. AREAS SHALL NOT BE ACCEPTED FOR MAINTENANCE OR PROPERTY OWNERSHIP BY THE CITY OF SCOTTSDALE, WITHOUT EXPRESSED ACTION OF THE CITY OF SCOTTSDALE'S CITY COUNCIL. BEFORE ANY IMPROVEMENT IS ACCEPTED, IT SHALL MEET CITY STANDARDS. FAILURE TO MAINTAIN THE DESIGNATED N.A.O.S. AREAS COULD RESULT IN A CIVIL ACTION BROUGHT BY THE CITY FOR COSTS INCURRED BY THE CITY OF SCOTTSDALE FOR MAINTENANCE AND PRESERVATION.

7. AFFIDAVITS OF CORRECTION OR AMENDMENT THIS LETTER CONCERNING THIS PLAT ARE NOT VALID. THERE WILL BE NO REVISIONS TO THIS PLAT WITHOUT THE DEVELOPMENT ENGINEERING MANAGER'S APPROVAL.
8. THE MAINTENANCE OF LANDSCAPING WITHIN THE PUBLIC RIGHT-OF-WAY TO BACK OF CURB SHALL BE THE RESPONSIBILITY OF THE COMMUNITY ASSOCIATION.

9. EACH LOT CONTAINS A MAXIMUM BUILDING CONSTRUCTION ENVELOPE APPROVED BY THE CITY OF SCOTTSDALE'S DEVELOPMENT REVIEW BOARD. THE BUILDING CONSTRUCTION ENVELOPE IS ON FILE AT THE CITY OF SCOTTSDALE. NO BUILDINGS SHALL BE LOCATED OUTSIDE OF THE BUILDING CONSTRUCTION ENVELOPE.
10. THE MINIMUM APPROVED OPEN SPACE DEDICATIONS ON THIS PROPERTY IS 3.52 ACRES, OR 153,451 SQUARE FEET.

SURVEYOR'S STATEMENT

THIS IS TO CERTIFY THAT:
1. I AM A LAND SURVEYOR REGISTERED TO PRACTICE IN ARIZONA.
2. THIS PLAT WAS MADE UNDER MY DIRECTION;
3. THIS PLAT MEETS THE "MINIMUM STANDARDS FOR ARIZONA LAND BOUNDARY SURVEYS";
4. THE SURVEY AND DIVISION OF THE SUBJECT PROPERTY DESCRIBED AND PLATTED HEREON WERE MADE DURING THE MONTH OF APRIL, 2024;
5. THE SURVEY IS TRUE AND COMPLETE AS SHOWN;
6. ALL MONUMENTS AS SHOWN EXIST AND THEIR POSITIONS ARE CORRECTLY SHOWN. SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

ADRIAN M. BURCHAM, R.L.S.
REGISTRATION NO. 41282
1201 S. ALMA SCHOOL RD, SUITE #12000
MESA, AZ 85210



SHEET INDEX

- 01.....COVER SHEET
02.....KEY MAP
03-06.....FINAL PLAT/D.F.C. ESMT.
07-10.....N.A.O.S./CORRIDOR ESMT.
11.....DETAILS
12.....DETAILS/TABLES
13.....TABLES

SURVEYOR

HUBBARD ENGINEERING
1201 S. ALMA SCHOOL RD, SUITE #12000
MESA, AZ 85210
PHONE: (480) 892-3313
FAX: (480) 892-2051
CONTACT: ADRIAN BURCHAM, P.L.S.

ZONING

R1-7 PCD ESI (H0)

PARCEL ADDRESS

ADDRESS NOT AVAILABLE AT TIME OF SURVEY

PARCEL ACREAGE

GROSS PARCEL AREA = 1,618,793 SQ. FT. OR 37.1624 AC ±
R/W AREA = 5,785 SQ. FT. OR 0.1328 AC ±
NET AREA = 1,613,008 SQ. FT. OR 37.0296 AC ±

BENCHMARK

EAST QUARTER CORNER OF SECTION 31, TOWNSHIP 5 NORTH, RANGE 6 EAST OF THE GILA AND SALT RIVER MERIDIAN.
GDACS 43508-21
3" MARICOPA COUNTY BRASS CAP STAMPED "4NRSE 1/4S15132 L33307 2003"
ELEVATION = 1626.02 (N.A.V.D.) 88

I HEREBY CERTIFY THAT ALL ELEVATIONS REPRESENTED ON THIS PLAT ARE BASED ON NAVD 1988 AND MEET THE FEMA BENCHMARK MAINTENANCE (BMM) CRITERIA.

BASIS OF BEARING

THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 4 NORTH, RANGE 5 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA.
MEASURED BEARING=89°58'21.4"

REFERENCE DOCUMENTS

ALTA/NPS LAND TITLE SURVEY, AS RECORDED IN BOOK 1644, PAGE 36, M.C.R.

APPROVAL

APPROVED BY THE COUNCIL OF THE CITY OF SCOTTSDALE, ARIZONA THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

BY: \_\_\_\_\_ MAYOR

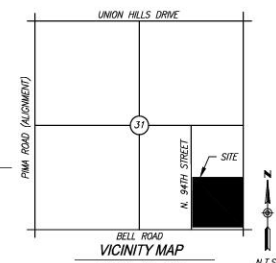
ATTEST BY: \_\_\_\_\_ CITY CLERK DATE \_\_\_\_\_

THIS PLAT HAS BEEN REVIEWED FOR COMPLIANCE WITH THE CITY OF SCOTTSDALE'S DESIGN STANDARDS AND POLICY MANUAL SPECIFICATIONS.

BY: \_\_\_\_\_ CHIEF DEVELOPMENT OFFICER DATE \_\_\_\_\_

THIS SUBDIVISION HAS BEEN REVIEWED FOR COMPLIANCE WITH THE DEVELOPMENT STANDARDS OF THE CITY OF SCOTTSDALE'S DEVELOPMENT REVIEW BOARD (DRB) CASE NO. 12-PP-2022 AND ALL CASE RELATED STRATIFICATIONS.

BY: \_\_\_\_\_ DEVELOPMENT ENGINEERING MANAGER DATE \_\_\_\_\_

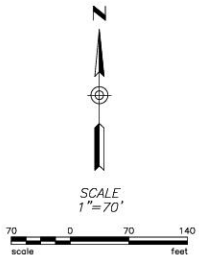


HUBBARD ENGINEERING logo and contact information: 1201 S. Alma School Rd, Mesa, AZ 85210, PH: 480.892.3313, www.hubbardengineering.com

94TH STREET AND BELL ROAD FINAL PLAT City of Scottsdale, Maricopa County, Arizona

Project No. 23170 Date 04/17/24 Project Manager ADRIAN BURCHAM Project Eng.

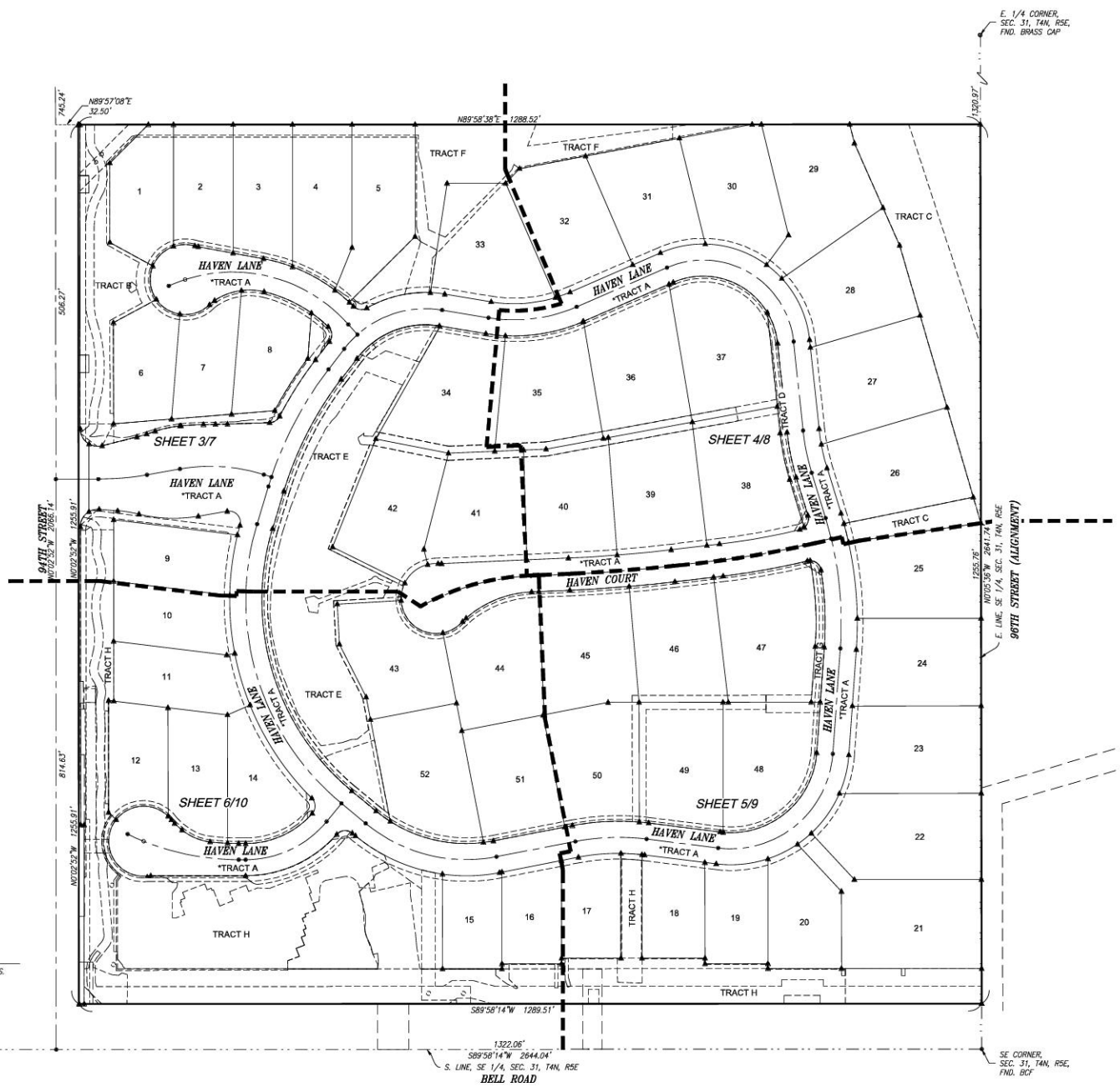
PLAT CHECK NO. 2024-24-3 12-PP-2022 SHE 1 OF 13



- LEGEND**
- SECTION LINE
  - BOUNDARY
  - RIGHT OF WAY
  - DEDICATED EASEMENT
  - TIE LINE
  - EXISTING EASEMENT
  - CENTERLINE
  - LOT LINE
  - MATCH LINE
  - ▲ SET REBAR W/CAP LS 41282
  - BRASS CAP AS NOTED
  - BRASS CAP FLUSH
  - CENTER OF CUL-DE-SACK NOT MONUMENTED DUE TO LANDSCAPE
  - BRASS CAP IN HANDHOLE
  - BCF BRASS CAP FLUSH
  - BCHH BRASS CAP IN HANDHOLE
  - D.F.C. DRAINAGE AND FLOOD CONTROL EASEMENT DEDICATED HEREON UNLESS NOTED OTHERWISE
  - S.C. SCENIC CORRIDOR EASEMENT DEDICATED HEREON
  - FND FUND
  - I.O.S. IMPROVED OPEN SPACE DEDICATED HEREON
  - N.A.O.S. NATURAL AREA OPEN SPACE DEDICATED HEREON
  - P.N.M.A.E. PUBLIC NON-MOTORIZED ACCESS EASEMENT
  - P.U.E. PUBLIC UTILITY EASEMENT DEDICATED HEREON
  - R/W RIGHT-OF-WAY
  - S.D. SIGHT DISTANCE DEDICATED HEREON
  - E.S.A. EMERGENCY SERVICE ACCESS EASEMENT DEDICATED HEREON
  - V.N.A.E. VEHICLE NON ACCESS EASEMENT DEDICATED HEREON
  - W.S.F. WATER AND SEWER FACILITIES DEDICATED HEREON
  - \* E.S.A./P.U.E./PRIVATE ACCESS/I.O.S./W.S.F.

**NOTES**

1. SHEETS 3-6 INCLUDE E.S.A., P.U.E., V.N.A.E., D.F.C., S.C., I.O.S., AND S.D. EASEMENTS DEDICATIONS.
2. SHEETS 7-10 INCLUDE N.A.O.S. AND P.N.M.A.E. EASEMENTS DEDICATIONS.



E. 1/4 CORNER, SEC. 31, T4N, R5E, FND. BRASS CAP

E. LINE, SE 1/4, SEC. 31, T4N, R5E

SE CORNER, SEC. 31, T4N, R5E, FND. BCF

S. LINE, SE 1/4, SEC. 31, T4N, R5E  
**BELL ROAD**

**HUBBARD ENGINEERING**  
www.hubbardengineering.com

94TH STREET AND BELL ROAD  
FINAL PLAN  
City of Scottsdale, Maricopa County, Arizona

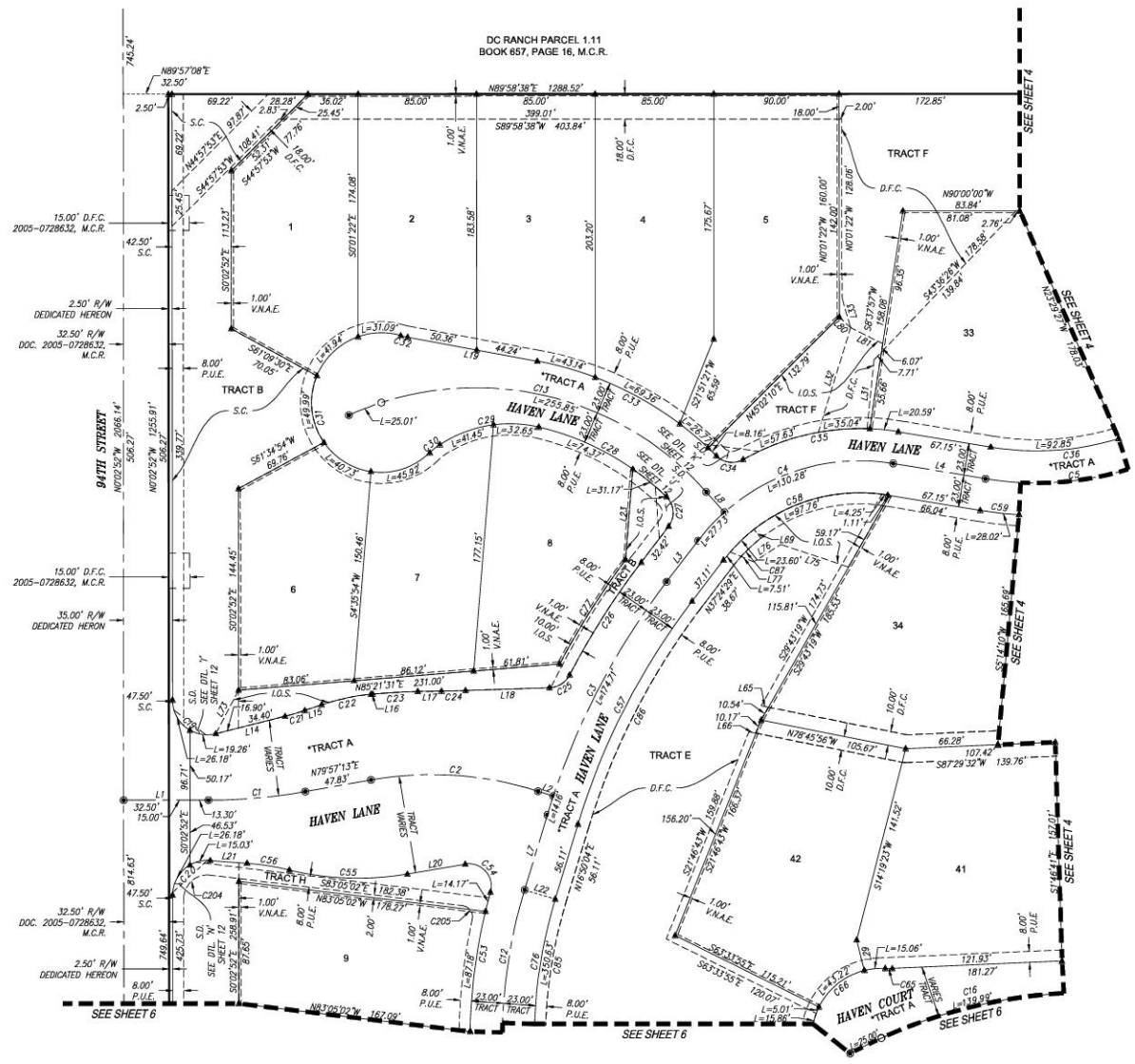
PROJECT NO. 23170  
PROJECT MGR. ADRIAN M. BURDAM

DATE 04/17/24  
PROJECT ENG. ADRIAN M. BURDAM

PLAN CHECK NO. 267-24-3 12-PP-2022  
Sht 2 of 13



DC RANCH PARCEL 1.11  
BOOK 657, PAGE 16, M.C.R.



SCALE  
1"=40'



LEGEND

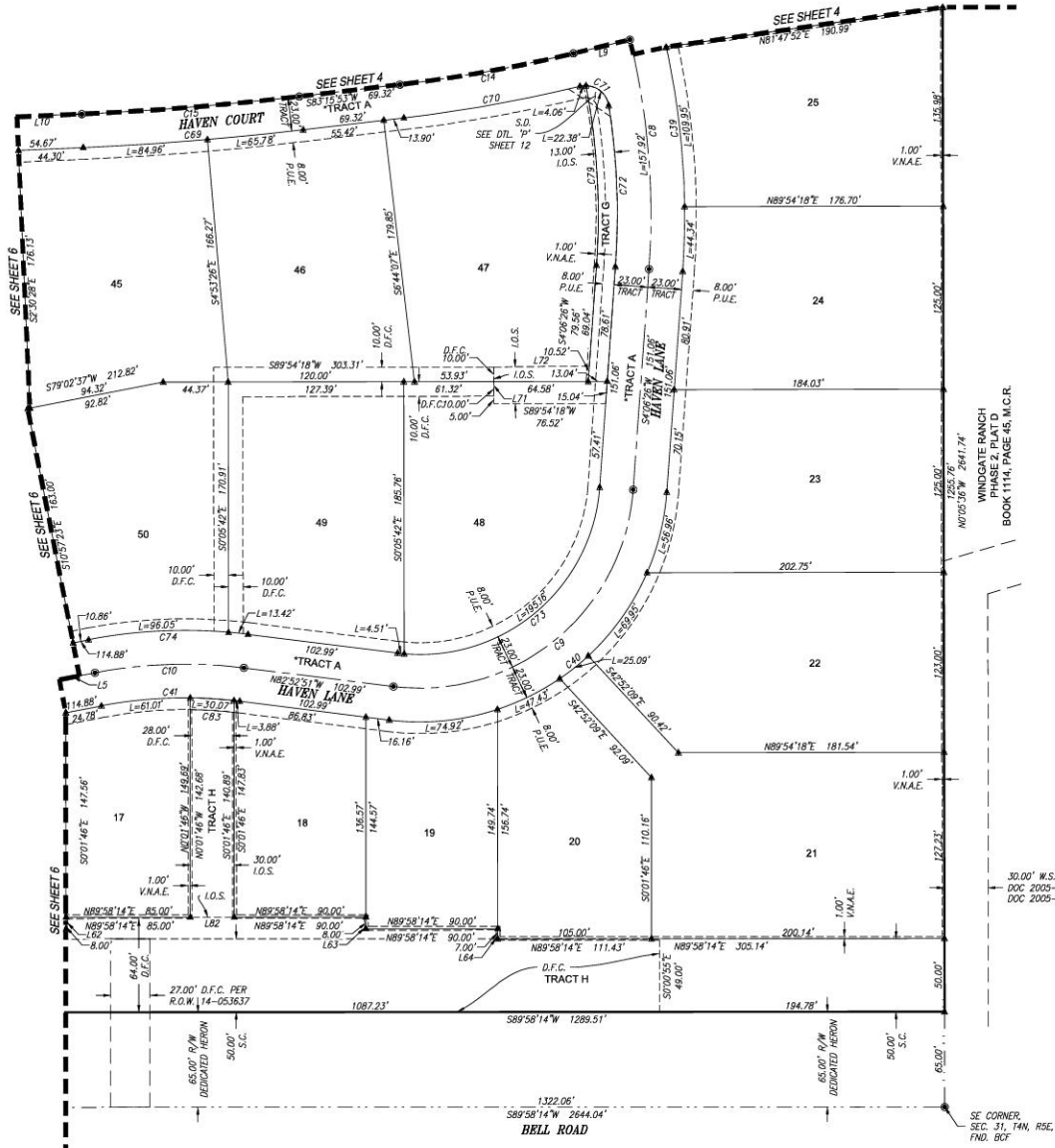
- - - SECTION LINE
- - - BOUNDARY
- - - RIGHT OF WAY
- - - DEDICATED EASEMENT
- - - TE LINE
- - - EXISTING EASEMENT
- - - CENTERLINE
- - - LOT LINE
- - - MATCH LINE
- - - SET REBAR W/CAP LS 41282
- BRASS CAP AS NOTED
- BRASS CAP FLUSH
- CENTER OF CUL-DE-SACK NOT MONUMENTED DUE TO LANDSCAPE
- BRASS CAP IN HANDHOLE
- BRASS CAP FLUSH
- BRASS CAP IN HANDHOLE
- DRAINAGE AND FLOOD CONTROL EASEMENT DEDICATED HEREON UNLESS NOTED OTHERWISE
- S.C. SCENIC CORRIDOR EASEMENT DEDICATED HEREON
- FND FOUND
- I.O.S. IMPROVED OPEN SPACE DEDICATED HEREON
- N.A.O.S. NATURAL AREA OPEN SPACE DEDICATED HEREON
- P.N.M.A.E. PUBLIC NON-MONUMENTED ACCESS EASEMENT
- P.U.E. PUBLIC UTILITY EASEMENT DEDICATED HEREON
- R/W RIGHT-OF-WAY
- S.D. SIGHT DISTANCE DEDICATED HEREON
- E.S.A. EMERGENCY SERVICE ACCESS EASEMENT DEDICATED HEREON
- V.N.A.E. VEHICLE NON ACCESS EASEMENT DEDICATED HEREON
- W.S.F. WATER AND SEWER FACILITIES DEDICATED HEREON
- E.S.A./P.U.E./PRIVATE ACCESS/I.O.S./W.S.F.


P:\2023\23170\Drawings\23170-PP-2022-12-PP-2022.dwg 12:23:44 PM 04/17/24






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SCALE  
1" = 40'



**LEGEND**

- SECTION LINE
- - - - - BOUNDARY
- RIGHT OF WAY
- - - - - DEDICATED EASEMENT
- - - - - TIE LINE
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30.00' W.S.F.  
DOC 2005-187858, M.C.R.  
DOC 2008-187859, M.C.R.

SE CORNER,  
SEC. 31, T4N, R5E,  
FND, BCF



**HUBBARD**  
ENGINEERING

1201 S. Alma School Rd.  
Mesa, AZ 85202  
PH: 480.882.3313  
WWW.HUBBARDENGINEERING.COM

94TH STREET AND BELL ROAD  
FINAL PLAN  
City of Scottsdale, Maricopa County, Arizona



41282  
ADRIAN M. BURCHAM  
REGISTERED PROFESSIONAL ENGINEER  
STATE OF ARIZONA

Date 04/17/24	Project Eng.
Project No. 23170	Project Manager ADRIAN BURCHAM

Sht. 5 of 13

PLAN CHECK NO. 267-24-3 12-PP-2022

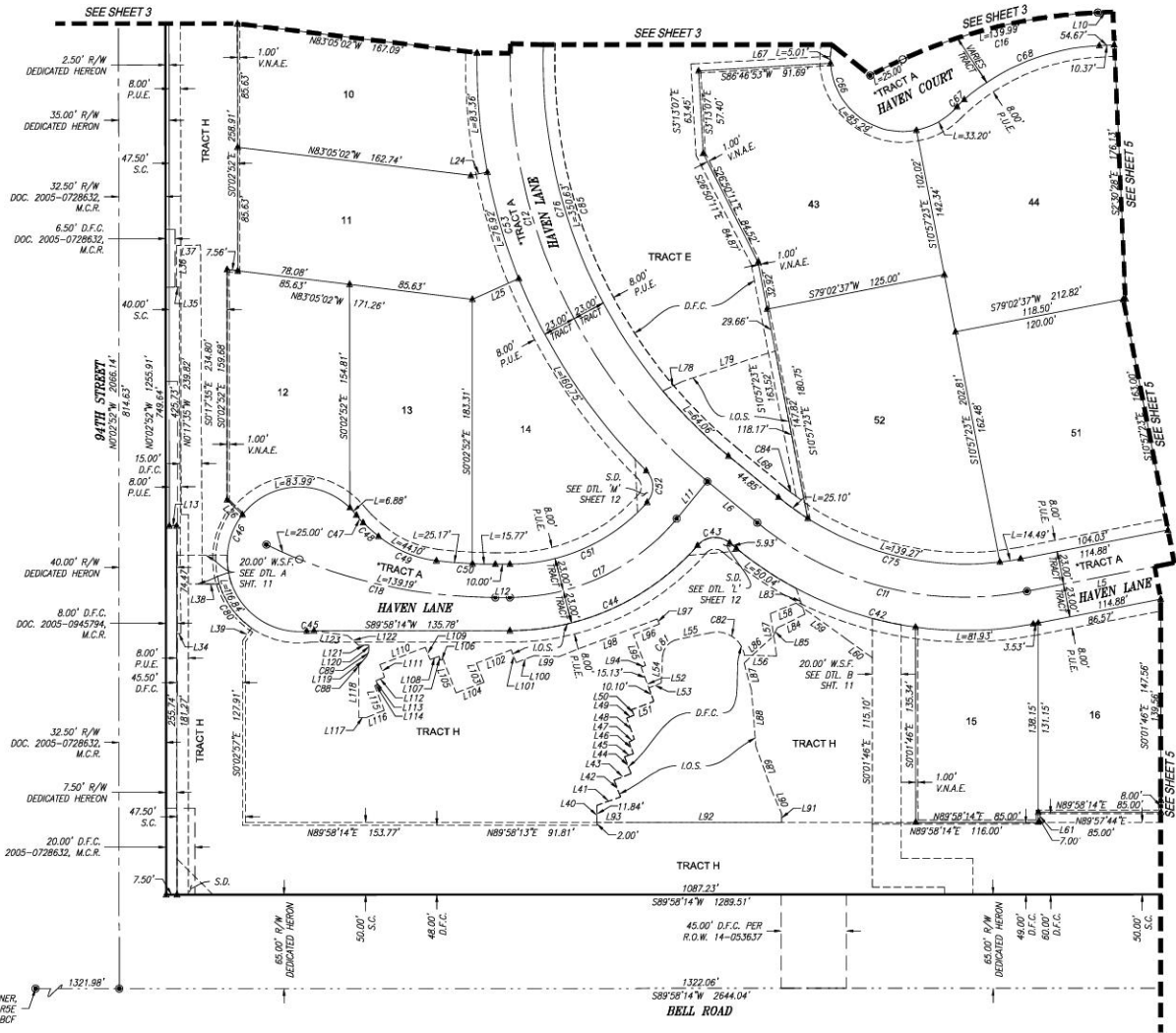


SCALE  
1"=40'



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- S.C. = SCENIC CORRIDOR EASEMENT DEDICATED HEREON
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- \* = E.S.A./P.U.E./PRIVATE ACCESS/I.O.S./W.S.F.



S. 1/4 CORNER  
SEC. 31, 14N, R5E  
FND. BCF

1201 S. Alma School Rd  
Mesa, AZ 85202  
PH: 480.882.3313



94TH STREET AND BELL ROAD  
FINAL PLAN  
City of Scottsdale, Maricopa County, Arizona



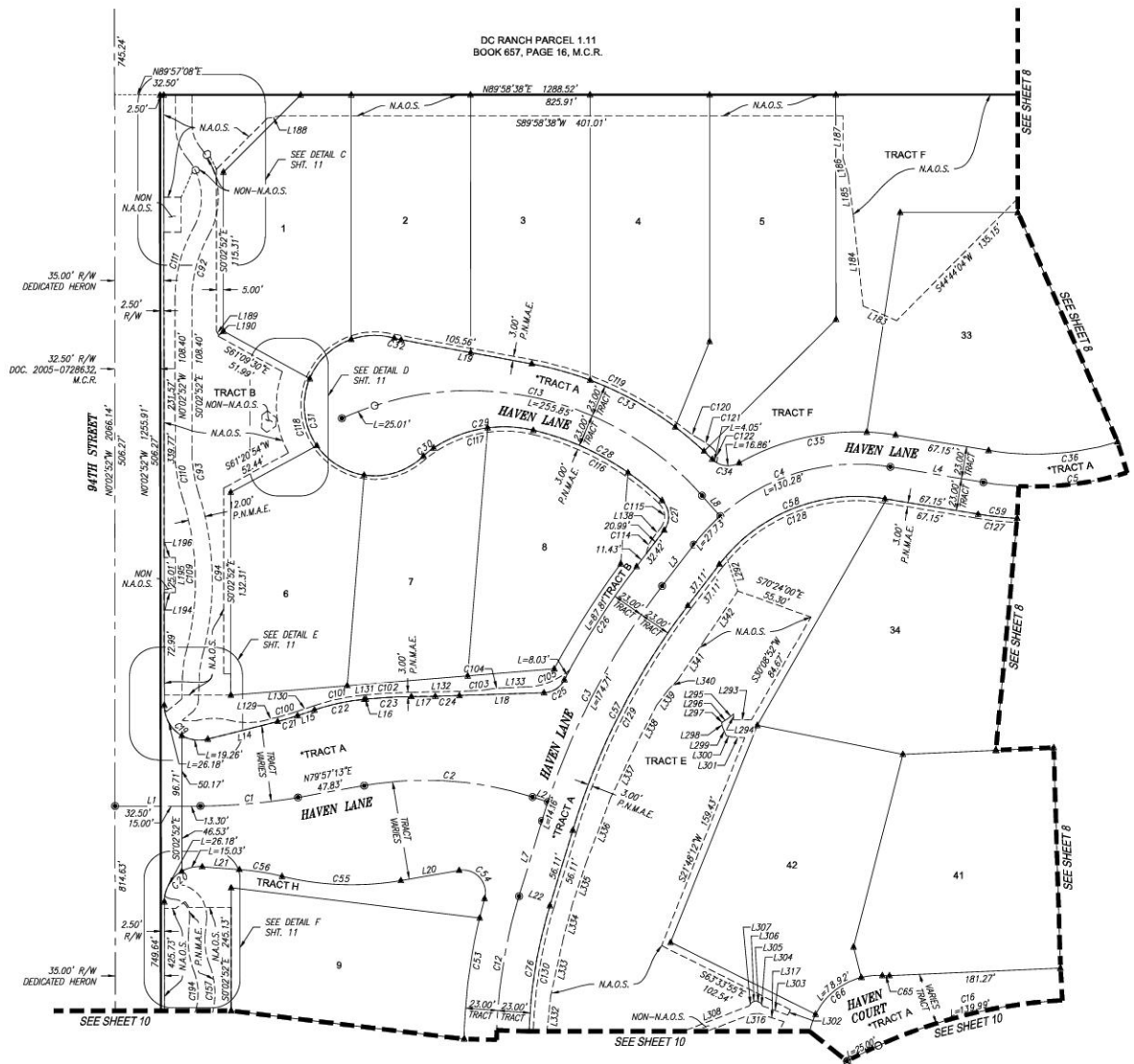
Project No.	Date
23170	04/17/24
Project Manager	Project Eng.
AUDAN BURDUM	

Sh# 6 of 13

PLAN CHECK NO. 267-24-3 12-PP-2022



DC RANCH PARCEL 1.11  
BOOK 657, PAGE 16, M.C.R.



SCALE  
1" = 40'

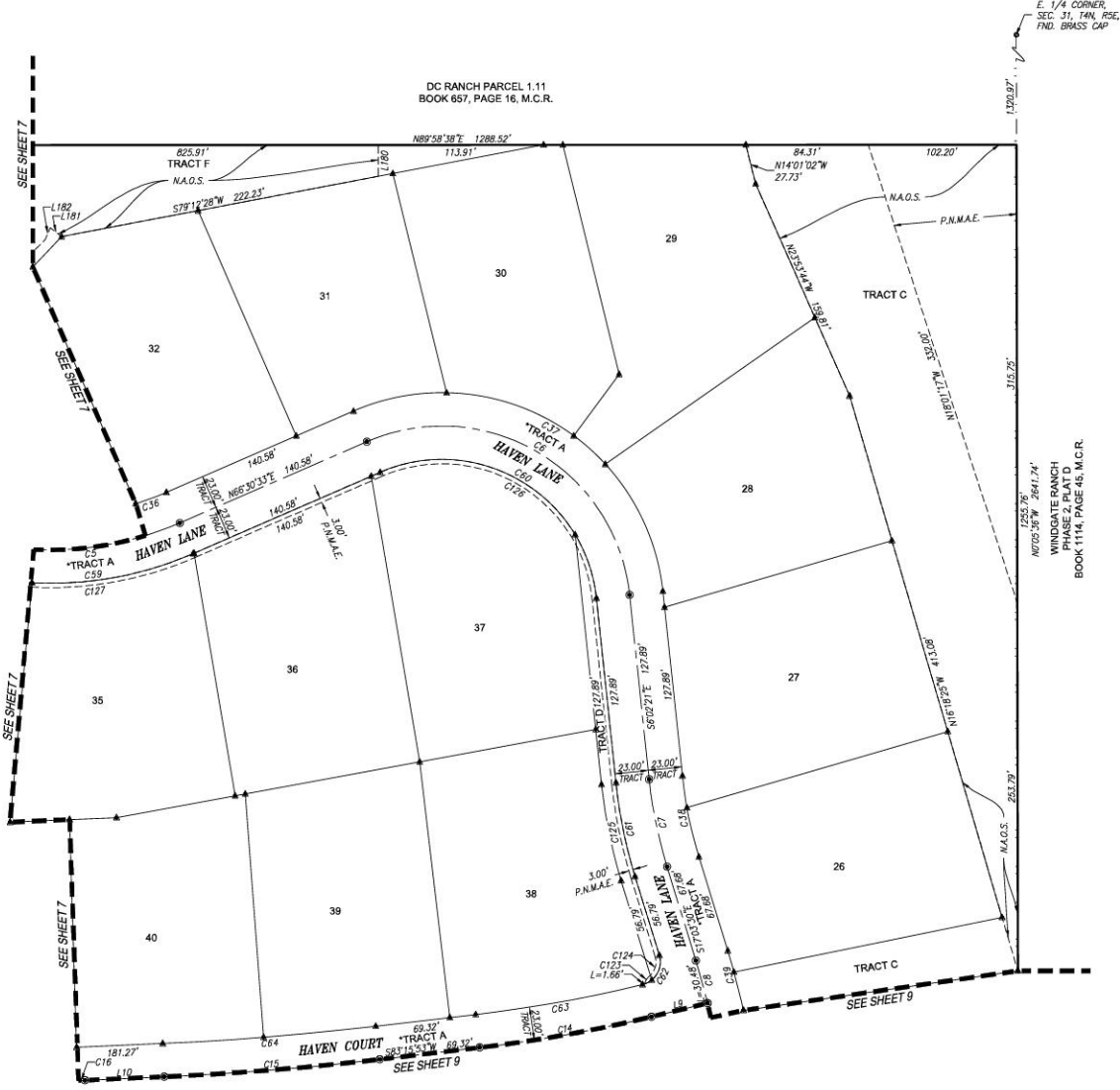


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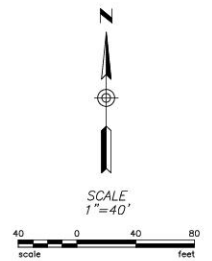
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DC RANCH PARCEL 1.11  
BOOK 657, PAGE 16, M.C.R.



E. 1/4 CORNER,  
SEC. 31, T4N, R5E,  
FND. BRASS CAP

252.79'  
1070.58' W 2641.74'  
WINDGATE RANCH  
PARCEL 1.11  
BOOK 1114, PAGE 45, M.C.R.



- LEGEND**
- SECTION LINE
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1201 S. Alma Street Rd  
Phoenix, AZ 85010  
PH: 480.882.3313  
WWW.HUBBARDENGINEERING.COM



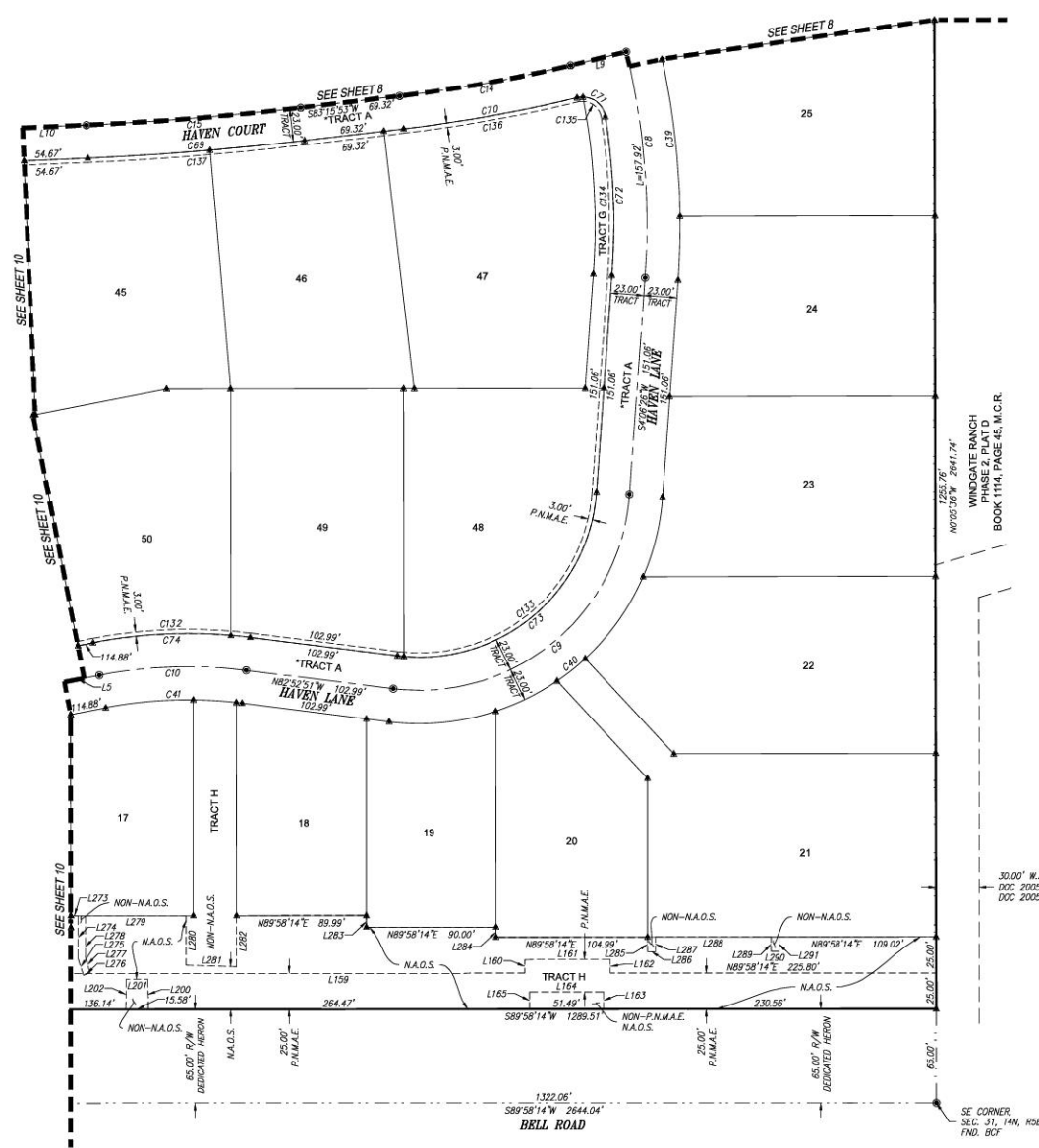
94TH STREET AND BELL ROAD  
FINAL PLAN  
City of Scottsdale, Maricopa County, Arizona




Project No.	Date	Project Eng.
23170	04/17/24	ADRIAN BURDHAM


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P:\2024\23170\Drawings\23170-Plan\_Planetree\_Planetree.dwg 11/17/2024 11:06am (Nashville)





SCALE  
1" = 40'

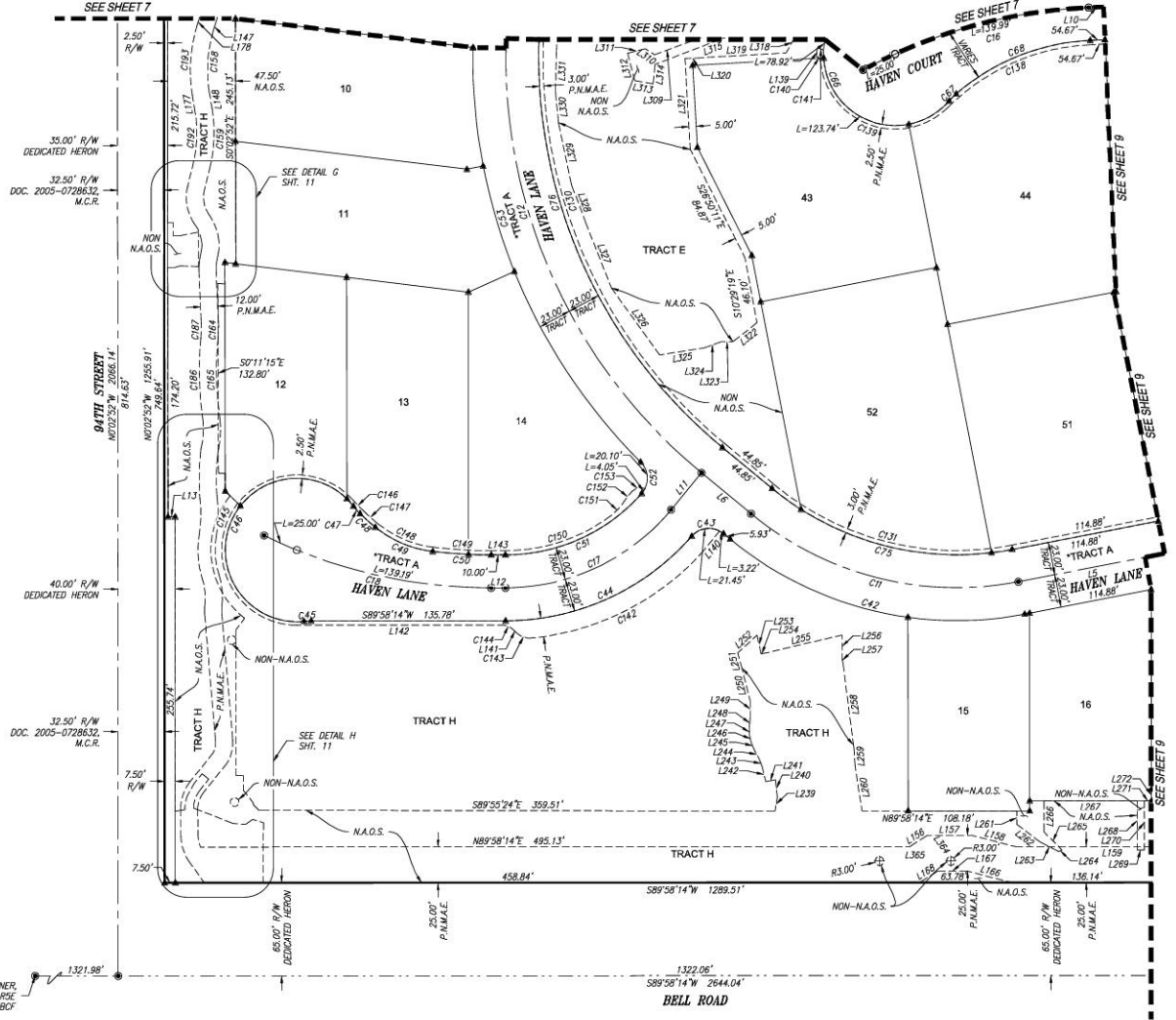


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- \* E.S.A./P.U.E./PRIVATE ACCESS/I.O.S./W.S.F.

30.00' W.S.F.  
DOC 2005-1878858, M.C.R.  
DOC 2005-1878859, M.C.R.

SE CORNER,  
SEC. 31, T4N, R5E,  
FND, BCF



- LEGEND**
- - - SECTION LINE
  - ===== BOUNDARY
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LINE TABLE		
LINE #	BEARING	LENGTH
L1	N89°57'13"E	60.80'
L2	S72°14'42"E	11.41'
L3	N37°24'29"E	37.11'
L4	S80°35'02"E	67.15'
L5	S79°02'37"W	114.88'
L6	N50°28'26"W	44.85'
L7	N16°50'04"E	56.11'
L8	N41°43'37"W	19.56'
L9	S76°21'56"W	39.72'
L10	S87°29'32"W	54.67'
L11	S39°31'34"W	33.46'
L12	S89°58'14"W	10.00'
L13	N89°57'08"E	5.00'
L14	N75°48'39"E	51.30'
L15	N71°25'00"E	12.78'
L16	N84°30'40"E	1.23'
L17	N89°02'35"E	17.05'
L18	N88°01'12"E	60.27'
L19	S79°32'07"W	94.60'
L20	S80°17'27"W	42.12'
L21	N85°36'21"W	26.50'
L22	S73°09'56"E	23.00'
L23	N4°35'54"E	65.18'
L24	S79°03'25"W	11.64'
L25	S68°01'46"W	35.21'
L26	S46°05'05"E	14.86'
L27	N36°22'56"E	52.77'
L28	S43°38'26"W	28.81'
L29	S14°02'10"E	22.50'
L30	S21°07'08"W	32.96'
L31	S5°49'43"W	49.63'
L32	N17°02'22"E	78.53'
L33	N15°52'29"W	22.35'
L34	N89°17'53"E	2.80'
L35	S88°02'12"W	1.77'
L36	N02°52'29"E	29.03'
L37	N89°10'00"E	16.65'
L38	N89°58'40"E	11.89'
L39	S34°52'23"W	11.01'
L40	N01°40'40"W	13.84'
L41	N70°03'21"E	17.39'
L42	N21°03'47"W	12.44'
L43	N68°56'13"E	12.50'
L44	N21°03'47"W	12.42'
L45	N68°56'13"E	6.50'
L46	N21°03'47"W	8.67'
L47	N61°26'25"E	4.26'
L48	N20°02'02"W	15.38'
L49	N67°18'18"E	5.34'
L50	N19°32'57"W	4.14'
L51	N69°24'39"E	16.33'
L52	N20°35'21"W	25.23'
L53	N68°55'58"E	9.42'
L54	N22°17'48"E	18.71'
L55	N78°15'31"E	24.74'
L56	S88°49'14"E	22.30'
L57	N8°33'53"W	29.80'
L58	N68°08'49"E	19.33'
L59	S54°17'22"E	43.43'
L60	S54°17'22"E	21.48'
L61	N01°46'46"W	6.99'
L62	N01°46'46"W	8.00'
L63	S01°46'46"E	8.00'

LINE TABLE		
LINE #	BEARING	LENGTH
L64	S00°00'00"E	7.00'
L65	S78°45'56"E	5.27'
L66	N78°45'56"W	5.09'
L67	S89°46'53"W	96.94'
L68	N50°28'26"W	44.85'
L69	N38°05'01"W	8.00'
L70	S10°25'04"E	20.00'
L71	N0°05'42"W	25.00'
L72	N89°28'31"E	65.36'
L73	N27°34'26"E	35.36'
L74	S16°18'17"E	38.54'
L75	N71°33'21"W	51.19'
L76	S57°12'00"W	23.15'
L77	N67°10'14"W	18.21'
L78	N63°35'35"E	14.85'
L79	N71°53'45"E	67.94'
L80	S47°01'15"E	11.08'
L81	S63°22'53"E	25.87'
L82	S89°58'14"W	30.00'
L83	S18°56'40"E	18.96'
L84	S63°34'56"W	21.47'
L85	S29°01'51"W	6.30'
L86	S47°26'04"W	27.57'
L87	S15°05'02"E	19.54'
L88	S4°36'03"E	38.92'
L89	S19°34'22"E	33.19'
L90	S23°52'26"E	89.11'
L91	S01°46'46"E	6.27'
L92	S89°58'14"W	104.60'
L93	S89°58'20"W	23.30'
L94	N68°38'24"E	3.21'
L95	N21°21'36"W	23.04'
L96	N89°58'14"E	19.58'
L97	N22°41'35"W	3.74'
L98	S69°08'06"W	73.26'
L99	N88°08'00"W	17.06'
L100	S68°56'13"W	13.31'
L101	N21°03'47"W	9.50'
L102	S68°56'13"W	25.63'
L103	S21°03'47"E	14.15'
L104	S68°56'13"W	20.67'
L105	N21°03'47"W	24.98'
L106	S68°56'13"W	2.00'
L107	N21°03'47"W	3.00'
L108	S68°56'13"W	6.50'
L109	N21°03'47"W	9.17'
L110	S68°56'13"W	33.75'
L111	S21°03'47"E	9.17'
L112	S68°56'13"W	6.50'
L113	S21°03'47"E	3.00'
L114	S68°56'13"W	2.00'
L115	S21°03'47"E	18.50'
L116	S68°56'13"W	13.23'
L117	S89°58'14"W	5.49'
L118	N01°46'46"W	34.58'
L119	N39°58'14"E	6.44'
L120	N01°46'46"W	2.11'
L121	S89°16'56"W	7.00'
L122	N48°08'46"W	10.24'
L123	N81°58'32"W	23.79'
L124	N01°46'46"W	5.00'
L125	S0°00'00"E	21.75'
L126	S38°00'30"E	2.54'

LINE TABLE		
LINE #	BEARING	LENGTH
L127	S1°59'33"W	15.32'
L128	S50°48'15"W	8.20'
L129	N75°48'39"E	8.95'
L130	N71°25'00"E	12.78'
L131	N84°30'40"E	1.23'
L132	N88°38'55"E	42.54'
L133	N88°03'12"E	14.76'
L134	N50°48'15"E	13.05'
L135	N1°59'33"E	15.32'
L136	N38°00'30"W	2.54'
L137	N0°00'00"E	21.75'
L138	N37°24'29"E	8.87'
L139	N6°06'06"E	6.00'
L140	S39°31'34"W	20.29'
L141	N45°01'46"W	2.17'
L142	S89°58'14"W	142.99'
L143	N89°58'14"E	10.00'
L144	S0°02'42"E	0.85'
L145	S83°38'56"E	1.55'
L146	S4°40'01"W	12.44'
L147	S17°00'13"W	5.00'
L148	S25°25'41"E	11.13'
L149	S13°51'49"W	15.71'
L150	S33°18'59"E	2.99'
L151	S10°42'04"W	7.09'
L152	S23°55'58"E	35.07'
L153	S4°54'39"E	89.11'
L154	S38°51'17"W	22.88'
L155	S0°51'59"E	17.85'
L156	N57°42'29"E	14.99'
L157	N89°58'14"E	30.76'
L158	S75°27'06"E	31.78'
L159	N89°58'14"E	409.67'
L160	N01°46'46"E	9.38'
L161	N89°58'14"E	59.55'
L162	S01°46'46"E	9.38'
L163	N01°46'46"E	12.00'
L164	S89°58'14"W	51.49'
L165	S01°46'46"E	12.00'
L166	N75°27'06"W	31.79'
L167	S89°58'14"W	20.33'
L168	S57°42'29"W	14.99'
L169	N35°14'56"W	18.03'
L170	N0°51'59"W	17.95'
L171	N38°51'17"E	22.88'
L172	N4°54'39"W	89.11'
L173	N23°55'58"W	35.07'
L174	N10°42'04"E	7.09'
L175	N33°18'59"W	2.82'
L176	N13°51'49"E	15.71'
L177	N9°25'41"W	11.13'
L178	N17°00'13"E	5.00'
L179	N4°40'01"E	12.28'
L180	S0°02'45"W	21.57'
L181	N51°52'09"W	9.99'
L182	S22°00'36"W	8.56'
L183	N66°21'40"W	26.07'
L184	N6°05'55"W	63.69'
L185	N7°35'49"W	29.97'
L186	N16°26'16"W	12.86'
L187	N01°15'15"W	30.00'
L188	S79°34'15"W	8.80'
L189	S29°19'53"E	2.88'

LINE TABLE		
LINE #	BEARING	LENGTH
L190	S4°32'31"W	1.17'
L191	N89°57'08"E	5.00'
L192	S0°02'52"E	15.12'
L193	N89°58'56"W	47.50'
L194	N89°57'08"E	8.00'
L195	N0°02'52"W	25.01'
L196	S89°57'08"W	8.00'
L197	N89°57'08"E	12.51'
L198	N0°02'51"W	25.00'
L199	S89°55'39"W	12.51'
L200	N0°15'46"W	20.85'
L201	S89°56'31"W	15.33'
L202	S0°25'05"W	20.85'
L203	N0°31'06"E	41.96'
L204	N0°02'51"W	8.02'
L205	S50°59'17"W	6.06'
L206	N85°42'59"W	8.76'
L207	N68°47'47"W	29.66'
L208	N38°51'17"E	8.86'
L209	N51°08'43"W	6.00'
L210	S38°51'17"W	8.86'
L211	S28°55'29"W	10.00'
L212	S80°50'19"W	6.73'
L213	N89°57'08"E	5.00'
L214	N74°08'50"E	3.73'
L215	S88°32'13"E	13.11'
L216	N1°01'37"W	23.87'
L217	S79°15'03"W	13.53'
L218	S89°57'08"W	4.00'
L219	N0°01'03"W	9.11'
L220	S89°55'26"W	4.00'
L221	S90°00'00"E	8.00'
L222	N54°34'25"E	7.00'
L223	S44°17'32"E	1.29'
L224	S34°29'45"E	3.56'
L225	N89°57'08"E	30.01'
L226	N83°05'06"W	7.56'
L227	S0°02'52"E	15.11'
L228	N83°05'06"W	5.04'
L229	N89°57'08"E	4.68'
L230	S0°02'52"E	12.38'
L231	S46°05'05"E	4.82'
L232	S37°21'24"W	9.97'
L233	N69°00'00"E	5.04'
L234	S0°03'53"E	10.35'
L235	S37°49'26"E	11.37'
L236	S01°46'46"E	1.01'
L237	S45°02'22"E	5.65'
L238	N89°58'14"E	1.00'
L239	N8°44'34"E	9.97'
L240	N62°34'00"W	12.14'
L241	S78°04'02"W	6.89'
L242	N13°02'36"W	10.27'
L243	N19°43'39"W	5.71'
L244	N28°09'46"W	8.46'
L245	N21°53'08"W	5.05'
L246	N13°00'29"W	4.94'
L247	N3°44'44"W	5.00'
L248	N6°22'01"E	7.29'
L249	N0°33'11"W	12.09'
L250	N14°13'37"W	23.84'
L251	N15°13'21"W	10.55'
L252	N47°06'15"E	18.40'

LINE TABLE		
LINE #	BEARING	LENGTH
L253	S12°13'22"E	13.55'
L254	N77°46'38"E	0.96'
L255	N76°49'53"E	57.00'
L256	S0°02'33"W	15.90'
L257	S11°25'30"E	3.39'
L258	S71°29'29"E	59.91'
L259	S3°48'01"E	12.63'
L260	S8°43'36"E	32.01'
L261	S0°01'46"E	9.48'
L262	S52°57'31"E	20.21'
L263	S63°04'40"E	14.69'
L264	N67°38'29"E	2.42'
L265	N44°15'34"W	17.83'
L266	N0°03'36"W	21.63'
L267	N89°58'12"E	64.97'
L270	N89°58'46"E	5.01'
L272	N0°01'46"W	8.00'
L273	N89°58'46"E	5.01'
L274	S01°24"E	29.81'
L275	S18°22'21"E	12.03'
L276	N70°59'42"E	4.90'
L277	N16°18'14"W	12.13'
L278	N0°03'36"W	27.99'
L279	N89°58'07"E	69.97'
L280	S0°01'26"E	34.40'
L281	S88°18'45"E	35.02'
L282	N0°01'03"W	35.45'
L283	S0°01'46"E	8.00'
L284	S0°01'46"E	10.00'
L285	S0°12'51"E	7.00'
L286	N80°00'00"E	5.40'
L287	N0°00'00"E	10.01'
L288	N88°08'41"E	80.27'
L289	S0°07'57"E	10.00'
L290	N89°59'53"E	5.40'
L291	N0°00'35"W	10.01'
L292	S18°31'15"E	26.25'
L293	N89°19'27"W	12.79'
L294	N2°38'00"E	4.20'
L295	S50°15'18"W	5.40'
L296	S57°46'36"W	4.30'
L297	S33°49'27"W	1.07'
L298	S7°35'07"E	2.60'
L299	S22°30'38"E	6.86'
L300	S74°18'35"E	3.62'
L301	S86°56'35"E	9.91'
L302	S29°05'21"W	4.28'
L303	N69°45'56"W	18.98'
L304	N31°01'31"W	2.49'
L305	N67°42'27"W	3.79'
L306	S71°36'12"W	3.16'
L307	S34°31'35"W	3.20'
L308	S68°58'35"W	53.66'
L309	S69°51'14"W	27.70'
L310	N56°01'51"W	7.55'
L311	S75°58'31"W	12.86'
L312	S14°41'38"E	19.94'
L313	N14°18'18"E	12.91'
L314	N5°40'42"E	13.71'
L315	N68°58'35"E	83.40'

LINE TABLE		
LINE #	BEARING	LENGTH
L316	N89°36'19"E	5.37'
L317	S71°55'06"E	16.15'
L318	S28°31'39"W	18.60'
L319	S86°46'06"W	60.04'
L320	S86°51'16"W	10.68'
L321	S31°13'07"E	63.45'
L322	S51°36'28"W	21.26'
L323	S88°17'32"W	8.47'
L324	S70°32'55"W	12.85'
L325	S81°00'56"W	31.22'
L326	N35°42'27"W	57.61'
L327	N21°26'15"W	48.02'
L328	N20°47'07"W	29.05'
L329	N11°47'38"W	44.70'
L		





**SCOTTSDALE DEVELOPMENT REVIEW BOARD  
KIVA-CITY HALL  
3939 DRINKWATER BOULEVARD  
SCOTTSDALE, ARIZONA  
Thursday, November 16, 2023**

**\*SUMMARIZED REGULAR MEETING MINUTES\***

**PRESENT:** Tom Durham, Councilmember  
George Ertel, Planning Commissioner  
Jeff Brand, Vice Chair, Design Member – attended remotely  
Doug Craig, Design Member – attended remotely  
Michal Ann Joyner, Development Member  
Ali Fakh, Design Member  
David Mason, Development Member

**ABSENT:** None

**STAFF:** Brad Carr  
Joe Padilla  
Karissa Rodorigo  
Caitlin Clark  
Meredith Tessier  
Bryan Cluff  
Jason McWilliams

**CALL TO ORDER**

Councilmember Durham called the meeting of the Development Review Board to order at 1:02 PM.

**ROLL CALL**

A formal roll call was conducted confirming members present as stated above.

**PUBLIC COMMENT – NON-AGENDIZED ITEMS**

Public Comment time is reserved for citizens to comment on non-agendized items that are within the Development Review Board's jurisdiction. No official Development Review Board action can be taken on the items.

**NO SPOKEN OR WRITTEN PUBLIC COMMENT RECEIVED AT HEARING FOR NON-AGENDIZED ITEMS.**

**ADMINISTRATIVE REPORT**

1. Identify supplemental information, if any, related to November 16, 2023 Development Review Board agenda items, and other correspondence.

\* Note: These are summary minutes only. An audio/video recording of the meeting is available on the Development Review Board website at: [http://scottsdale.granicus.com/ViewPublisher.php?view\\_id=36](http://scottsdale.granicus.com/ViewPublisher.php?view_id=36)

**MINUTES**

2. Approval of the October 19, 2023 Development Review Board Regular Meeting Minutes.  
**BOARD MEMBER JOYNER MOVED TO APPROVE THE OCTOBER 19, 2023 DEVELOPMENT REVIEW BOARD REGULAR MEETING MINUTES AS PRESENTED, 2ND BY BOARD MEMBER MASON. THE MOTION PASSED UNANIMOUSLY IN FAVOR BY COUNCILMEMBER DURHAM, COMMISSIONER ERTEL, VICE CHAIR BRAND, BOARD MEMBERS CRAIG, JOYNER, FAKIH, AND MASON, WITH A VOTE OF SEVEN (7) TO ZERO (0).**

**REGULAR AGENDA**

3. 30-DR-2019#2 (Caesar's Republic Scottsdale)  
Request for approval of revisions to the previously approved building elevations, removing the extended slab edges on all floors of the building, for a new 11-story hotel on an approximately 1.6-acre pad site located at 4700 N. Scottsdale Road, with Downtown/Downtown Regional Use – Type 2, Planned Block Development, Downtown Overlay (D/DRU-2 PBD DO) zoning.  
Staff Contact is Bryan Cluff, 480-312-2258  
Applicant Contact is David Hess, (417) 332-3412  
**BOARD MEMBER JOYNER MOVED TO APPROVE CASE 30-DR-2019#2, 2ND BY COMMISSIONER ERTEL. THE MOTION PASSED UNANIMOUSLY IN FAVOR BY COUNCILMEMBER DURHAM, COMMISSIONER ERTEL, BOARD MEMBERS CRAIG, JOYNER, FAKIH, AND MASON, WITH A VOTE OF SIX (6) TO ZERO (0), WITH VICE CHAIR BRAND RECUSING.**

**PUBLIC COMMENT:**

**JOHN SHORALL**

**DR. CHRISTINA SHORALL**

**HAMID SALARI**

**BOARD MEMBER CRAIG LEFT THE MEETING AFTER COMPLETION OF AGENDA ITEM #3.**

4. 12-PP-2022 (AFB Development)  
Request for approval of a Preliminary Plat for a 52-lot single-family residential subdivision, including approval of amended development standards to allow flag lots, walls within the Desert Scenic Setback, cuts and fills greater than eight (8) feet in depth/height, and a community clubhouse, all on a +/- 40-acre site located at 9402 E. Bell Road, with Single-family Residential, Environmentally Sensitive Lands, Planned Community Development (R1-7 ESL PCD) zoning.  
Staff Contact is Meredith Tessier, 480-312-4211  
Applicant Contact is Alex Stedman, (480) 994-0994  
**COMMISSIONER ERTEL MOVED TO APPROVE CASE 12-PP-2022 WITH AN ADDITIONAL STIPULATION THAT THE APPLICANT UPDATE THE ASSOCIATED IMPROVEMENT PLANS TO PROVIDE ADDITIONAL TREES ALONG THE NORTHERN BOUNDARY OF THE SUBJECT SITE. 2ND BY BOARD MEMBER JOYNER. THE MOTION PASSED UNANIMOUSLY IN FAVOR BY COUNCILMEMBER DURHAM, COMMISSIONER ERTEL, VICE CHAIR BRAND, BOARD MEMBERS JOYNER, FAKIH, AND MASON, WITH A VOTE OF SIX (6) TO ZERO (0), WITH BOARD MEMBER CRAIG RECUSING.**

**PUBLIC COMMENT:**

**CHRIS IRISH**

**JEANETTE OURADA**

**ADJOURNMENT**

With no further business to discuss, the regular meeting of the Development Review Board adjourned at 2:53 PM.