

CITY COUNCIL REPORT



Meeting Date: April 16, 2024
 General Plan Element: *Land Use*
 General Plan Goal: *Coordinate Planning to Balance Infrastructure*

ACTION

Quail Track Easement 3-AB-2023

Request to consider the following:

1. Adopt Resolution No. 13055 to abandon the 25-foot-wide right-of-way on N. 58th Street, adjacent to parcel 212-11-009Q with Single-Family Residential, Environmentally Sensitive Lands, Foothills Overlay (R1-43/ESL/FO) zoning designation, located at 5790 E Quail Track Dr. Owner to dedicate property interests to the City.

Goal/Purpose of Request

This applicant’s intent is to realign the right-of-way/property boundary for future improvements. The applicant is proposing to dedicate a twenty (20) foot wide water and sewer facilities easement along the east property boundary, for the north sixty-five (65) feet and narrowing to ten (10) feet wide for the remainder of distance to the southern property boundary.

Key Items for Consideration

- Access not impacted by this proposed abandonment
- Conformance with the Transportation Master Plan and Local Area Infrastructure Plan
- No public input received regarding the proposed abandonment
- Planning Commission heard this case on March 13, 2024 and recommended approval with a 7-0 vote.

OWNER

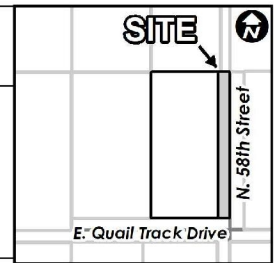
Viorel and Maria Bilauca
 (480) 577-4135

APPLICANT CONTACT

Viorel and Maria Bilauca
 (480) 577-4135

LOCATION

5790 E Quail Track Drive



BACKGROUND

Scottsdale General Plan 2035

The General Plan Land Use Element designates the property as Rural Neighborhoods. This land use designation includes areas of relatively large lot single-family neighborhoods. Densities in Rural Neighborhoods are usually one house per acre (or more) of land. Clustering of development is encouraged to preserve desert vegetation, washes, and natural features. Some of these areas were developed with one-acre lots under Maricopa County standards prior to annexation by Scottsdale.

Desert Foothills Character Area Plan

This property falls within the Desert Foothills Character Area Plan. The purpose of this character area is to promote or enhance the character of the Desert Foothills area by establishing development and design guidelines for maintaining the natural qualities of the upper desert, open space, and the rural lifestyle found in the area.

Zoning

The subject site is zoned Single-Family Residential, Environmentally Sensitive Lands, Foothills Overlay (R1-43 ESL FO). The R1-43/ESL/FO zoning district allows for single-family residential uses. The subject property was annexed into the City of Scottsdale in 1983 through Ordinance No. 1611. The Environmentally Sensitive Lands Overlay was applied in 1991.

The purpose of the Environmentally Sensitive Lands (ESL) overlay district is to identify and protect environmentally sensitive lands in the city and to promote the public health, safety and welfare by providing appropriate and reasonable controls for the development of such lands.

The purpose of the Foothills Overlay (FO) district is to provide a means to recognize and further preserve the rural desert character in the low-density areas that are generally not within subdivisions to help preserve the unique character. The FO standards are intended to result in minimum visual impact for buildings and other improvements and to further the related purposes of the Environmentally Sensitive Lands (ESL) district that relate to preservation of the desert and blending the form of buildings into the desert environment.

Context

The subject property is located at the northwest intersection of N. 58th Street and E. Quail Track Drive.

Adjacent Uses and Zoning

- North: R1-43 ESL FO, no subdivision, Single family home property
- South: R1-43 ESL FO, no subdivision, Single family home property
- East: R1-43 ESL FO, no subdivision, Single family home property
- West: R1-43 ESL FO, no subdivision, Single family home property

Related Policies, References:

2008 Scottsdale Transportation Master Plan
Desert Foothills Area 8a Local Area Infrastructure Plan (LAIP)

APPLICANTS PROPOSAL

Development Information

This is an existing developed residential parcel which would like to abandon excess right-of-way (ROW) that was dedicated as part of the original development of the parcel. The current right-of-way dedicated by recording document 1993-110379, required this lot to have twenty-five (25) feet of ROW along the eastern and southern property boundaries. For clarification that is the western twenty-five-foot half street of N. 58th Street and the northern twenty-five-foot half street of E. Quail Track Drive. The applicant is requesting to abandon the excess ROW on 58th Street for future improvements.

The transportation department in conjunction with the Desert Foothills Area 8a Local Area Infrastructure Plan (LAIP) has deemed there is no longer need for right-of-way for this segment along N. 58th Street and are supportive of the abandonment. There are existing and proposed utility improvements within the requested abandonment area and the city has reserved a water and sewer facilities easement (WSFE) over a proportion of that area. The applicant has agreed to dedicate a twenty (20) foot wide water and sewer facilities easement along the east property boundary, for the north sixty-five (65) feet and narrowing to ten (10) feet wide for the remainder of distance to the southern property boundary.

IMPACT ANALYSIS

Land Use

If this abandonment is approved, this property would gain twenty-five-feet of width along its eastern boundary which shifts the property boundary location where building setbacks are measured but does not change the current function or allowable land uses on this property.

Traffic/Trails

Access to this property and the surrounding area is and will continue to be provided by E. Quail Track Drive.

Emergency/Municipal Services and Utilities

All existing emergency and municipal access will be provided to the properties surrounding the abandonment area and maintained through existing dedicated public right-of-way along E. Quail Track Drive. No impacts are anticipated.

Public Utilities

The public utilities have been notified of the applicant's request. A water and sewer facilities easement will be retained over areas of the requested abandonment.

Community Involvement

Property owners within 750 feet of the subject properties were notified of this application. As of the writing of this report, staff has not received any objections to this application.

Community Impact

No community impacts are anticipated as a result of the requested +/- 7,630 square feet of right-of-way abandonment area within the scope of this application. This property and surrounding properties will still have public street access from E Quail Track Dr. to the south or E Pinnacle Vista Dr. to the north. The applicant agrees to pay \$3,812.50 as compensation to the city for the value of the abandonment area at the standard \$0.50 per square foot rate for this circumstance.

OTHER BOARDS & COMMISSIONS

Planning Commission:

Planning Commission heard this case on March 13, 2024 and recommended approval with a 7-0 vote.

Staff's Recommendation to Planning Commission:

Staff recommended that the Planning Commission make a recommendation to City Council for approval to abandon the west twenty-five (25) feet of N. 58th Street, finding that the proposal is consistent with and conforms to the adopted General Plan, subject to the following:

1. The property owner shall pay to the City an amount to be determined by City Council as compensation for the abandonment of right-of-way.
2. The property owner will dedicate a twenty (20) foot wide water and sewer facilities easement along the east property boundary for the north sixty-five (65) feet, and narrowing to ten (10) feet wide for the remainder of distance to the southern property boundary.

RECOMMENDATION

Recommended Approach:

Adopt Resolution No. 13055 to abandon the 25-foot-wide right-of-way on N. 58th Street, adjacent to parcel 212-11-009Q with Single-Family Residential, Environmentally Sensitive Lands, Foothills Overlay (R1-43/ESL/FO) zoning designation, located at 5790 E Quail Track Dr. Owner to dedicate property interests to the City.

RESPONSIBLE DEPARTMENT

Planning and Development Services

Current Planning Services

STAFF CONTACT

Chris Zimmer
Planner
480-312-2347
E-mail: czimmer@ScottsdaleAZ.gov

APPROVED BY



Christopher Zimmer, Report Author

3/25/2024

Date



Tim Curtis, AICP, Current Planning Director
Planning Commission Liaison
Phone: 480-312-7713 Email: tcurtis@scottsdaleaz.gov

3/26/2024

Date



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

03/28/2024

Date

ATTACHMENTS

1. Context Aerial
- 1A. Aerial Close-Up
2. Resolution No.13055
 - Exhibit A: Legal Description of right-of-way (ROW) Abandonment
 - Exhibit B: Legal Graphic of right-of-way (ROW) Abandonment
 - Exhibit C: Depiction of subject parcel
 - Exhibit D: Depiction of Water and Sewer facilities easement
3. Applicant's Narrative
4. Zoning Aerial
5. Required Dedications Map
6. Desert Foothills Area 8A Local Area Infrastructure Plan (LAIP)
7. City Notification Map
8. March 13, 2024 Draft Planning Commission Meeting Minutes



Context Aerial

3-AB-2023

ATTACHMENT 1



Close-up Aerial

3-AB-2023

ATTACHMENT 1A

RESOLUTION NO. 13055

A RESOLUTION OF THE COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA ABANDONING, SUBJECT TO CONDITIONS AND RESERVATIONS, CERTAIN INTERESTS IN A PORTION OF THE PUBLIC RIGHTS-OF-WAY FOR PROPERTY LOCATED AT 5790 E. QUAIL TRACK DRIVE.

(3-AB-2023)
(Quail Track Easement)

WHEREAS:

A. A.R.S. Sec. 28-7201, *et seq.* and A.R.S. §9-500.24 provide that a city may dispose of a public roadway or portion thereof that is no longer necessary for public use.

B. Scottsdale Revised Code §2-221 and other applicable laws provide that the City may dispose of other real property interests.

C. After notice to the public, the City of Scottsdale Planning Commission and City Council have held hearings on the proposed abandonment of a certain portion of the street right-of-way and other interests (collectively the "Abandonment Rights-of-way").

D. The Abandonment Rights-of-way are legally described on **Exhibit "A"** and depicted on **Exhibit "B"** attached hereto and comprise an area of approximately 7,630 square-feet.

E. The Abandonment Rights-of-way fall within, serve, affect or are near a parcel comprising approximately .1751 acres ("Owner's Parcel"), as depicted on **Exhibit "C"** attached hereto.

F. The Council finds that, subject to the conditions, requirements, reservations and limitations of this resolution, the Abandonment Rights-of-way are no longer necessary for public use.

G. The Council has considered the City expenditure, if any, authorized by this resolution and the direct consideration that City will receive and finds that there is a clearly identified public purpose for City's expenditure, if any, and that City will receive direct consideration substantially equal to its expenditure.

H. The Council finds that consideration and other public benefit commensurate with the value of the interests in the Abandonment Right-of-way being abandoned, giving due consideration to its degree of fragmentation and marketability, will be provided to City by the owners of the abutting property.

NOW, THEREFORE, BE IT RESOLVED by the city council of the City of Scottsdale, Arizona, as follows:

1. Abandonment. Subject to the reservations and conditions below, City's interests comprising the Abandonment Rights-of-way are hereby abandoned.

2. Reservations. City reserves to itself and excludes from this abandonment all of the following cumulative, perpetual interests:

2.1 Any and all interests in the Abandonment Rights-of-way that any related application, zoning case, plat, lot split, use permit, or other land use regulatory process or requirements may require to be dedicated to City.

2.2 Any of the following in favor of City that may already have been imposed on the Abandonment Rights-of-way prior to this resolution, if any:

2.2.1 Any V.N.A.E. or other vehicular non-access easement or covenant.

2.2.2 Any N.A.O.S. or other open space or similar easement or covenant.

2.2.3 Any drainage or flood control easement or similar easement or covenant.

2.2.4 Any public non-motorized access easement or trail easement or similar easement or covenant.

2.2.5 Any scenic corridor, setback or similar easement or covenant.

2.3 An easement for all existing utilities, if any.

2.4 Such rights and interests, if any, as are required to be reserved by A.R.S. Sec. 28-7210 and A.R.S. Sec. 28-7215.

3. Effective Date. This resolution shall not be recorded or become effective until the Zoning Administrator determines that all of the following conditions (the "Conditions") are satisfied in accordance with all applicable laws, regulations and policies and at no expense to City:

3.1 The owner of the parcel shall pay to City the total amount of Three Thousand Eight Hundred and Twelve Dollars and 50/100 (\$3,812.50) as compensation to the City for the Abandonment Right-of-way, in addition to any application fees or other amounts related to this resolution and in addition to any other amounts payable to City.

3.2 The owner has delivered to City a deed, plat or other instrument that dedicates to City, in accordance with City specifications, a twenty (20) foot wide water and sewer facilities easement along the east property boundary, for the north sixty-five (65) feet and narrowing to ten (10) feet wide for the remainder of distance to the southern property boundary as set forth in **Exhibit "D"**.

3.3 As proof of satisfaction of the conditions set forth in Section 3, The Zoning Administrator shall execute the certificate at the bottom of this resolution indicating that the Conditions have been satisfied.

4. Administration of Conditions. If the foregoing Conditions are not all satisfied prior to the second annual anniversary of this resolution, the Zoning Administrator shall report the same to the City Clerk and then the City Clerk shall mark this resolution to indicate that this resolution is void.

5. Exhibit Labeling. The text of this resolution controls any conflict with the exhibits as to the nature of the interests created, reserved or otherwise affected by this resolution. For example, if the text of this resolution indicates that City is reserving a particular type of easement, but the exhibit text or labels indicate a different type of real estate interest, then the text controls.

PASSED AND ADOPTED by the City Council of the City of Scottsdale this ____ day of _____, 2024.

CITY OF SCOTTSDALE, an Arizona municipal corporation


David D. Ortega, Mayor

ATTEST:

By: _____
Ben Lane, City Clerk

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY



Sherry R. Scott, City Attorney
By: Joe Padilla, Deputy City Attorney

CERTIFICATE

I am the zoning administrator of the City of Scottsdale. I certify that I have confirmed that the conditions stated in paragraph 3 of the abandonment resolution above have been fulfilled and the resolution is ready to be recorded and become effective.

DATED this ____ day of _____, 20____.

Signature

name printed

LEGAL DESCRIPTION
RIGHT OF WAY ABANDONMENT

LEGAL DESCRIPTION

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 5 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 33;

THENCE NORTH 0°08'52" EAST ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, 1981.48 FEET;

THENCE NORTH 89°50'43" EAST, 1322.15 FEET;

THENCE NORTH 0°06'59" EAST, 25.00 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED ABANDONMENT;

THENCE CONTINUING NORTH 0°06'59" EAST, 305.18 FEET;

THENCE SOUTH 89°50'53" WEST, 25.00 FEET;

THENCE SOUTH 0°06'59" WEST, 305.18 FEET;

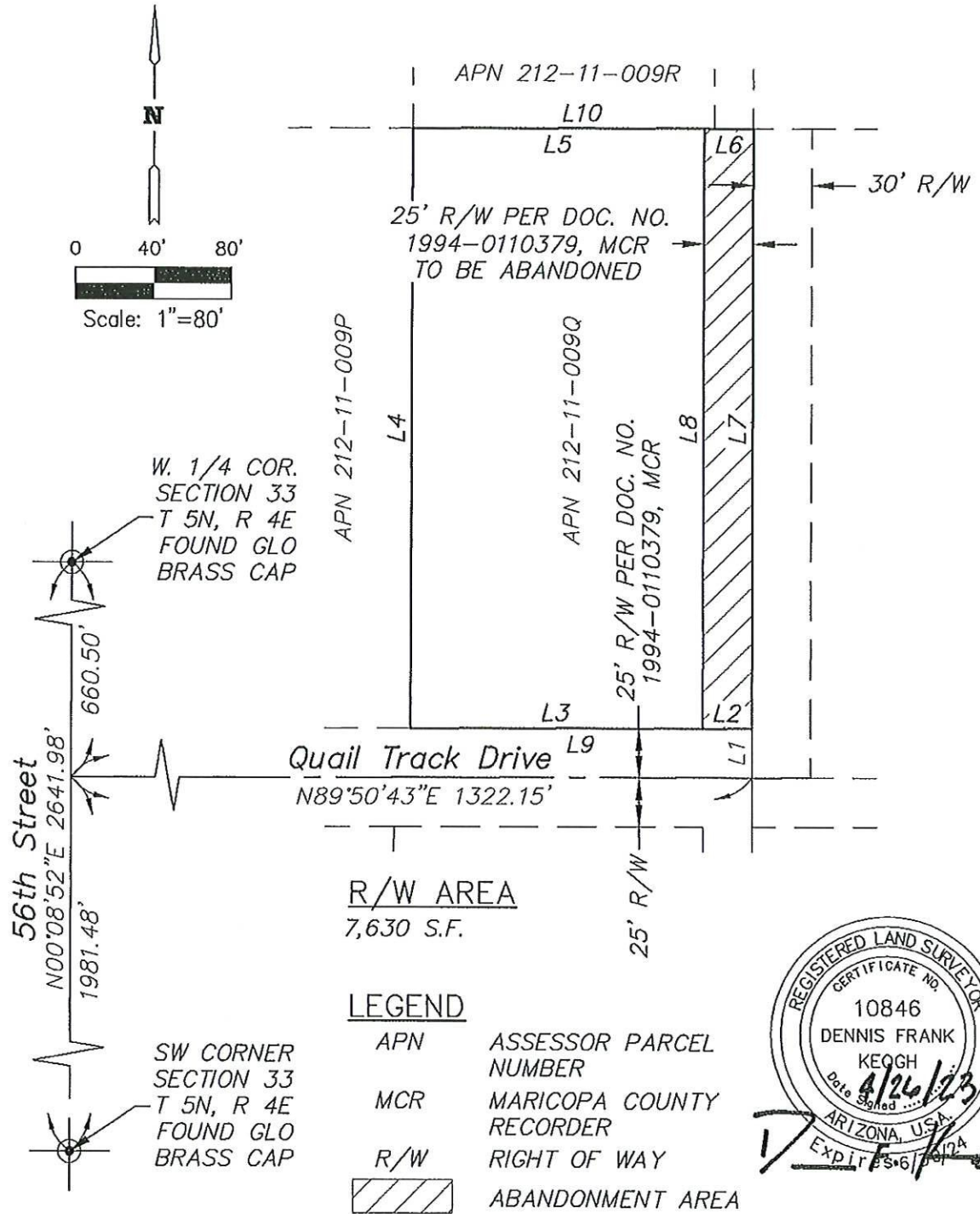
THENCE NORTH 89°50'43" EAST, 25.00 FEET TO THE POINT OF BEGINNING.

SAID RIGHT OF WAY CONTAINS 7,630 SQUARE FEET, MORE OR LESS.



EXHIBIT B

RIGHT OF WAY ABANDONMENT



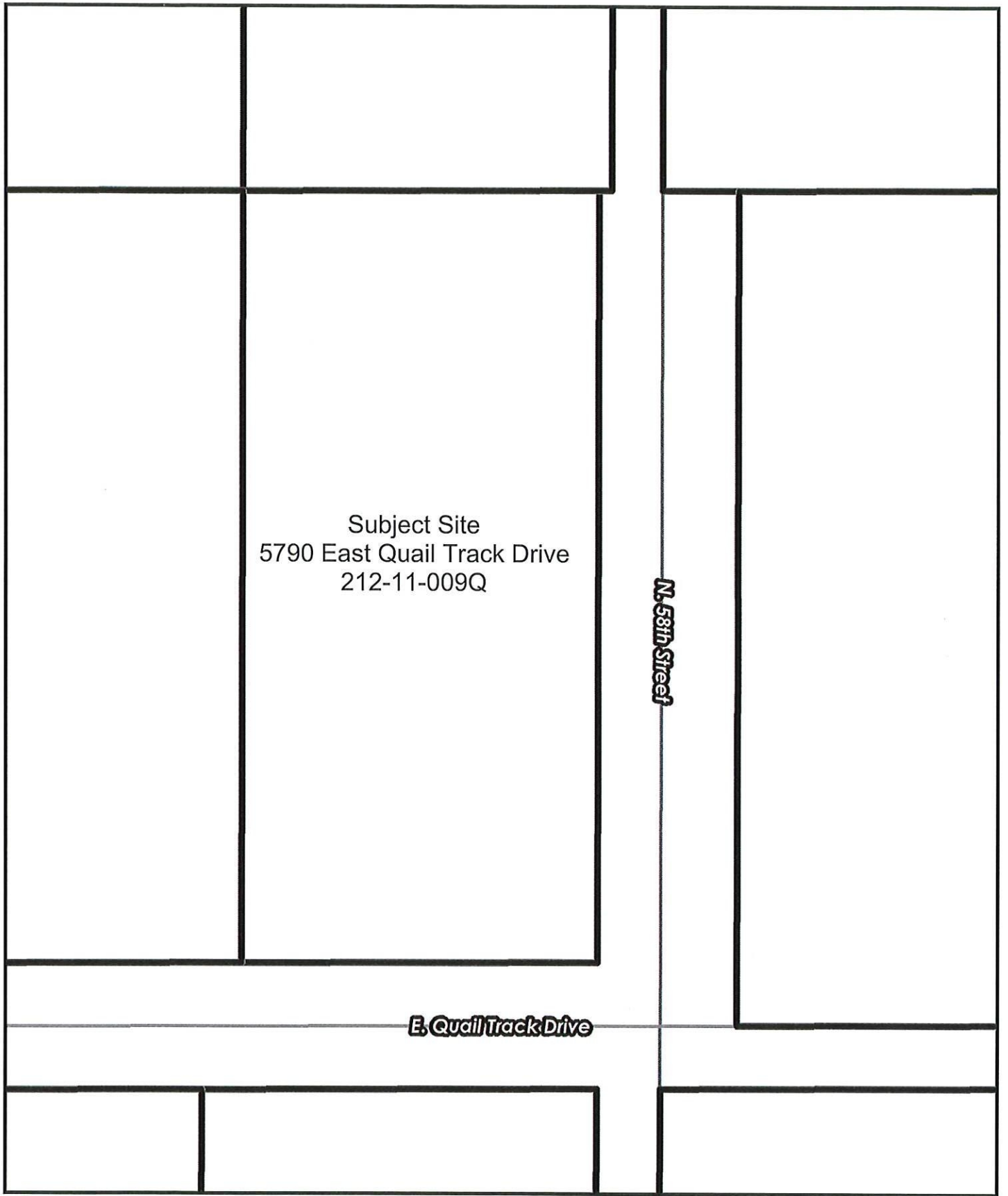
R/W AREA
7,630 S.F.

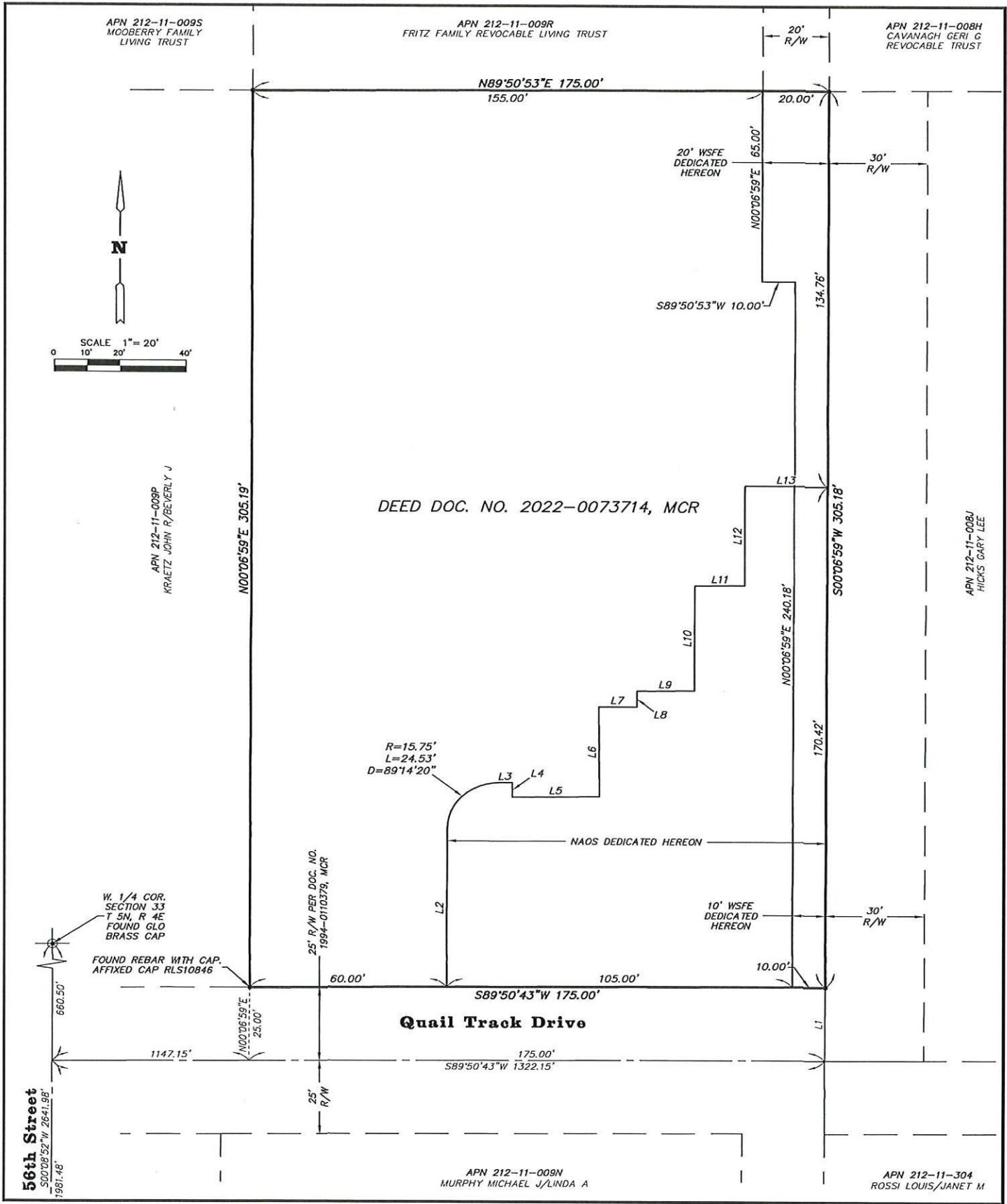
LEGEND

- APN ASSESSOR PARCEL NUMBER
- MCR MARICOPA COUNTY RECORDER
- R/W RIGHT OF WAY
- ABANDONMENT AREA



Keogh Engineering, Inc. 650 N. 137TH AVENUE #110 GOODYEAR, ARIZONA 85338 (623) 535-7260 KEOGH@KEOGHENGINEERING.COM	JN 22377	CHECKED BY: <u>DFK</u>	SHEET NO <u>1</u>
		DATE: <u>APRIL, 2023</u>	OF <u>2</u>





RE: Pre-Application Case #: 62-PA-2023
Project Name: Quail Track
Property Address: 5790 E Quail Track Dr Scottsdale AZ 85266
APN: 212-11-009Q

Narrative:

We would like to abandon the 25'-0" of Rights-Of-Way on North 58th St adjacent to parcel 212-11-009Q. This abandonment will allow us to improve the property to accommodate additional square footage.

Please note; We will be paying the amount of \$0.50 per SF for the area at Easement. (~7,625SF × \$0.50 = \$3,812.50).

Thank you.



Q.S.
49-41

Aerial

Zoning Aerial

3-AB-2023

ATTACHMENT 4

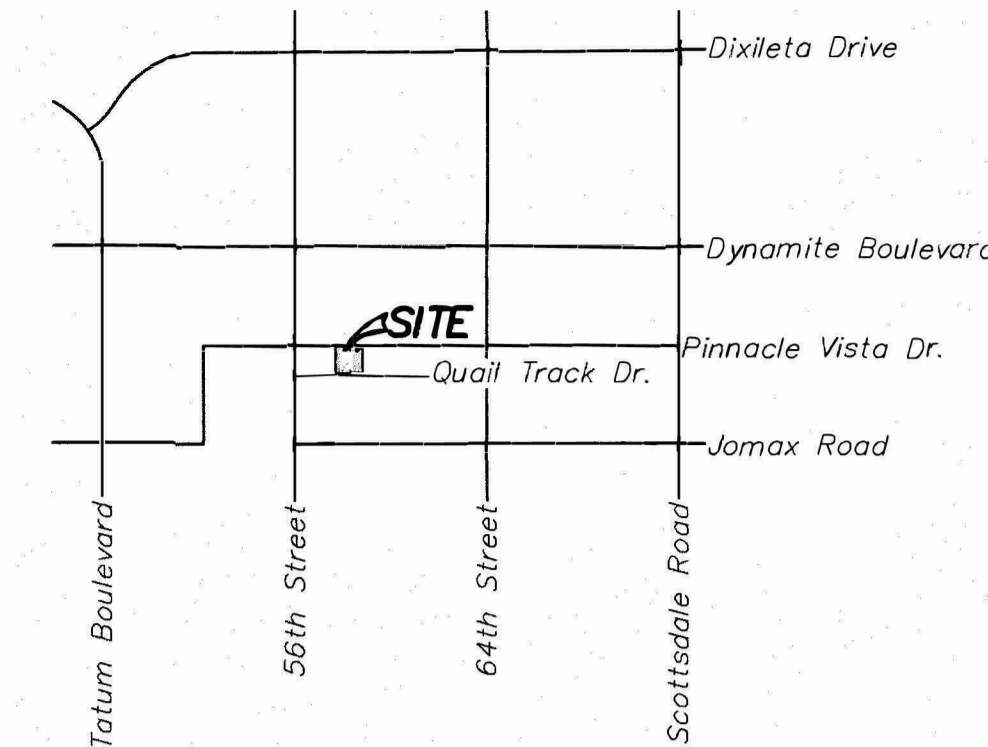
APN 212-11-009S
MOOBERRY FAMILY
LIVING TRUST

APN 212-11-009R
FRITZ FAMILY REVOCABLE LIVING TRUST

APN 212-11-008H
CAVANAGH GERRI G
REVOCABLE TRUST

MAP OF DEDICATION OF APN 212-11-009Q

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 33,
TOWNSHIP 5 NORTH, RANGE 4 EAST OF THE GILA AND SALT
RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA



VICINITY MAP
Not to Scale

OWNER

VIOREL BILAUCA AND MARIA U. BILAUCA
5790 EAST QUAIL TRACK DRIVE
SCOTTSDALE, ARIZONA 85266

SURVEYOR

KEOGH ENGINEERING, INC.
650 NORTH 137TH AVENUE #110
GOODYEAR, ARIZONA 85338
623-535-7260
KEOGH@KEOGHENGINEERING.COM
CONTACT: DENNIS F. KEOGH

LEGAL DESCRIPTION

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

THE EAST 175.00 FEET OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE TOWNSHIP 5 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT THE SOUTH 25.00 FEET, AND THE EAST 25.00 FEET THEREOF FOR RIGHT-OF-WAY, AS CONVEYED TO THE CITY OF SCOTTSDALE, ARIZONA, BY INSTRUMENT RECORDED FEBRUARY 8, 1994, IN DOCUMENT NO. 94-0110379, RECORDS OF MARICOPA COUNTY, ARIZONA.

BASIS OF BEARINGS

NORTH 00°08'52" EAST ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 5 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA PER 2ND AMENDED RECORD OF SURVEY PLSS SUBDIVISION AS RECORDED IN BOOK 665 OF MAPS, PAGE 18, RECORDS OF MARICOPA COUNTY, ARIZONA.

ASSESSOR'S PARCEL NO.

APN 212-11-009Q

ZONING

R1-43 ESL FO

SITE ADDRESS

5790 EAST QUAIL TRACK DRIVE
SCOTTSDALE, ARIZONA 85266

NAOS CALCULATIONS

NET LOT AREA: 175'x305' = 53,375 S.F.
REQUIRED NAOS: LOWER DESERT 0-2% SLOPE, 20% OF NET LOT AREA: 53,375 S.F. x (0.2) = 10,675 S.F.
PROVIDED NAOS: 11,556 S.F.
REVEG. PROVIDED: 2,210/11,556 = 19.1% <30%

APPROVAL

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

BY: _____ DATE _____
CHIEF DEVELOPMENT OFFICER

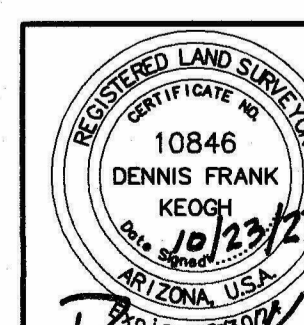
BY: _____ DATE _____
PROJECT COORDINATOR

CERTIFICATION

THIS IS TO CERTIFY THAT THE SURVEY AND SUBDIVISION OF THE PREMISES DESCRIBED AND PLATTED HEREON WERE MADE UNDER MY DIRECTION DURING THE MONTH OF APRIL, 2023; THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN; THAT MONUMENTS SHOWN ACTUALLY EXIST OR WILL BE SET AS SHOWN; THAT THEIR POSITIONS ARE CORRECTLY SHOWN; AND THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

NAME: DENNIS F. KEOGH
REGISTERED LAND SURVEYOR # 10846

SHEET 1 OF 1



MAP OF DEDICATION OF APN 212-11-009Q

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 5 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA

Keogh Engineering, Inc.

650 N. 137TH AVENUE #110 • GOODYEAR, ARIZONA 85338

PHONE: (623) 535-7260

EMAIL: keogh@keoghengineering.com

DRAWN BY: SPK
CHECKED BY: DFK
FIELD WORK BY: D KJ
DATE: OCTOBER, 2023
JOB NO. 22377

Call at least two full working days before you begin excavation.
ARIZONA BLUE STAKE, INC.
Arizona Blue Stake, Inc.
Dial 8-1-1 or 1-800-STAKE-IT (782-5348)
In Maricopa County: (602) 263-1100

DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

THAT VIOREL BILAUCA AND MARIA U. BILAUCA, AS OWNERS OF THE PROPERTY SITUATED IN THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 5 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, AS SHOWN AND MAPPED HEREON, HEREBY PUBLISHES THIS MAP OF DEDICATION FOR "APN 212-11-009Q", SAID MAP SETS FORTH AND GIVES THE DIMENSIONS OF THE FEE ROAD RIGHT-OF-WAY AND EASEMENTS ON THE ABOVE DESCRIBED PREMISES. THE EASEMENTS ARE DEDICATED FOR THE PURPOSES STATED HEREON.

VIOREL BILAUCA AND MARIA U. BILAUCA, DO HEREBY DEDICATE TO THE CITY OF SCOTTSDALE, AN ARIZONA MUNICIPAL CORPORATION:

WATER AND SEWER FACILITIES (WSF): 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 OTHER RELATED FACILITIES.

NATURAL AREA OPEN SPACE (NAOS): 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:

- 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.
- GRANTOR SHALL NOT GRADE, GRUB OR EXCAVATE THE EASEMENT, OR CONSTRUCT ANY STRUCTURE ON THE EASEMENT, EXCEPT AS APPROVED BY GRANTEE, IN WRITING, SPECIFICALLY REFERRING TO THIS EASEMENT.
- 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.
- GRANTEE MAY ENJOIN 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.

OWNER WARRANTS TO THE CITY OF SCOTTSDALE THAT IT IS THE SOLE OWNER OF THE PROPERTY ON THIS MAP, AND THAT EVERY LENDER, EASEMENT HOLDER OR OTHER PERSON HAVING ANY INTEREST IN THE PROPERTY ADVERSE TO OR INCONSISTENT WITH THE DEDICATIONS, CONVEYANCES OR OTHER PROPERTY INTERESTS CREATED OR TRANSFERRED BY THIS MAP HAS CONSENTED TO OR JOINED IN THIS MAP, AS EVIDENCED BY THE INSTRUMENTS WHICH ARE RECORDED IN THE MARICOPA COUNTY RECORDER'S OFFICE OR WHICH THE OWNER WILL RECORD NOT LATER THAN THE DATE ON WHICH THIS MAP IS RECORDED. 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 GRANTEE HAVE JOINED IN THIS DOCUMENT. THIS DOCUMENT RUNS IN FAVOR OF THE GRANTEE'S SUCCESSORS AND ASSIGNS.

DATED THIS 24th DAY OF October, 2023.

GRANTORS: VIOREL BILAUCA AND MARIA U. BILAUCA

BY: *VioREL Bilauca*
VIOREL BILAUCA
BY: *Maria U. Bilauca*
MARIA U. BILAUCA

ACKNOWLEDGEMENT

STATE OF ARIZONA
COUNTY OF MARICOPA } S.S.

THIS DOCUMENT WAS ACKNOWLEDGED BEFORE ME THIS 24th DAY OF October, 2023.

BY VIOREL BILAUCA AND MARIA U. BILAUCA

NOTARY PUBLIC: *[Signature]*

MY COMMISSION EXPIRES: 1-24-2026



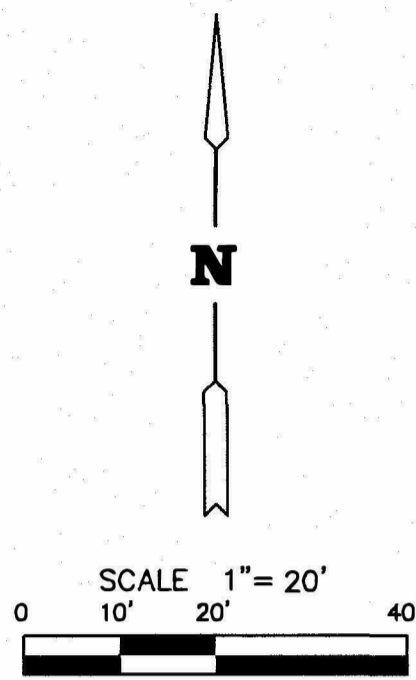
LINE TABLE

LINE	BEARING	LENGTH
L1	N00°06'59"E	25.00'
L2	N00°06'59"E	53.84'
L3	N89°21'19"E	4.12'
L4	S00°38'41"E	5.00'
L5	N89°21'19"E	26.50'
L6	N00°38'41"W	30.50'
L7	N89°21'19"E	11.62'
L8	N00°38'41"W	5.30'
L9	N89°21'19"E	17.64'
L10	N00°06'59"E	35.76'
L11	N89°21'19"E	15.00'
L12	N00°06'59"E	33.82'
L13	S89°53'01"E	25.00'

LEGEND

- APN ASSESSOR'S PARCEL NUMBER
- C.O.S. CITY OF SCOTTSDALE
- D DELTA ANGLE
- L ARC LENGTH
- MCR MARICOPA COUNTY RECORDER
- NAOS NATURAL AREA OPEN SPACE
- R RADIUS
- R/W RIGHT OF WAY
- S.F. SQUARE FEET
- WSFE WATER AND SEWER FACILITIES EASEMENT
- SURVEY MONUMENT
- PROPERTY BOUNDARY CORNER (SET 1/2" REBAR WITH CAP RLS10846 UNLESS OTHERWISE NOTED)
- PROPERTY LINE
- - - EASEMENT LINE
- STREET CENTERLINE
- ADJACENT LOT OR R/W
- LINE TO BE DEDICATED

ATTACHMENT 5



APN 212-11-009P
KRAETZ JOHN R/BEVERLY J

N00°06'59"E 305.19'

DEED DOC. NO. 2022-0073714, MCR

APN 212-11-008J
HICKS GARY LEE

S00°06'59"W 305.18'

N00°06'59"E 240.18'

170.42'

R=15.75'
L=24.53'
D=89°14'20"

NAOS DEDICATED HEREON

10' WSFE DEDICATED HEREON

30' R/W

W. 1/4 COR. SECTION 33 T. 5N, R. 4E FOUND GLO BRASS CAP

FOUND REBAR WITH CAP. AFFIXED CAP RLS10846

25' R/W PER DOC. NO. 1994-0110379, MCR

60.00'

Quail Track Drive

S89°50'43"W 175.00'

1147.15'

175.00'

S89°50'43"W 1322.15'

APN 212-11-009N
MURPHY MICHAEL J/LINDA A

APN 212-11-304
ROSSI LOUIS/JANET M

56th Street

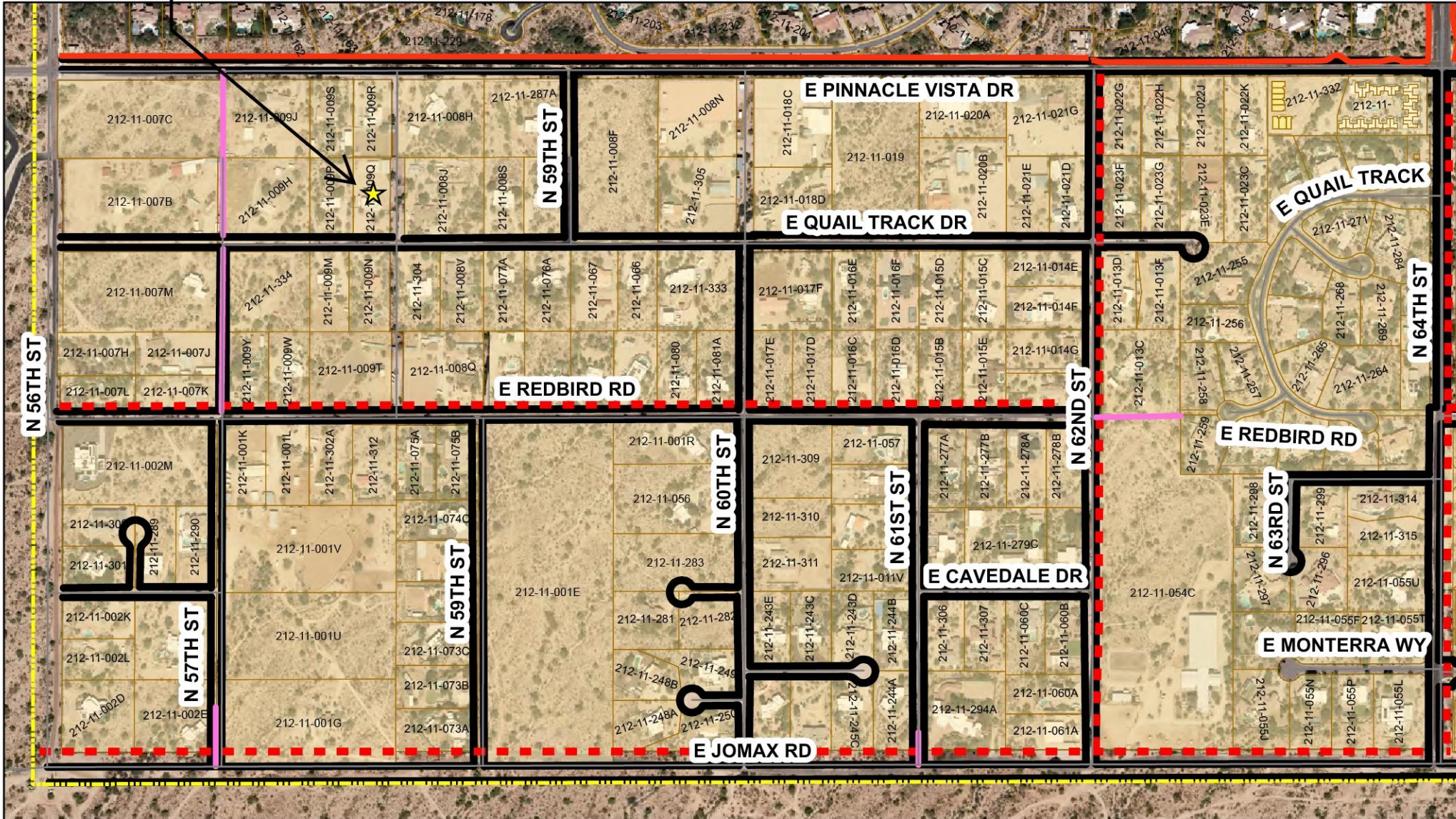
S00°08'52"W 2641.98'

1981.48'


SW CORNER SECTION 33 T. 5N, R. 4E FOUND GLO BRASS CAP

Desert Foothills Area 8A Local Area Infrastructure Plan

Subject Site



-  Parcels
-  Preserve
-  Proposed Street

-  City Boundary
-  Existing Trail
-  Planned Trail
-  Water/Sewer ROW



Notice: This document is provided for general information purposes only. The City of Scottsdale does not warrant its accuracy, completeness, or suitability for any particular purpose. It should not be relied upon without field verification.

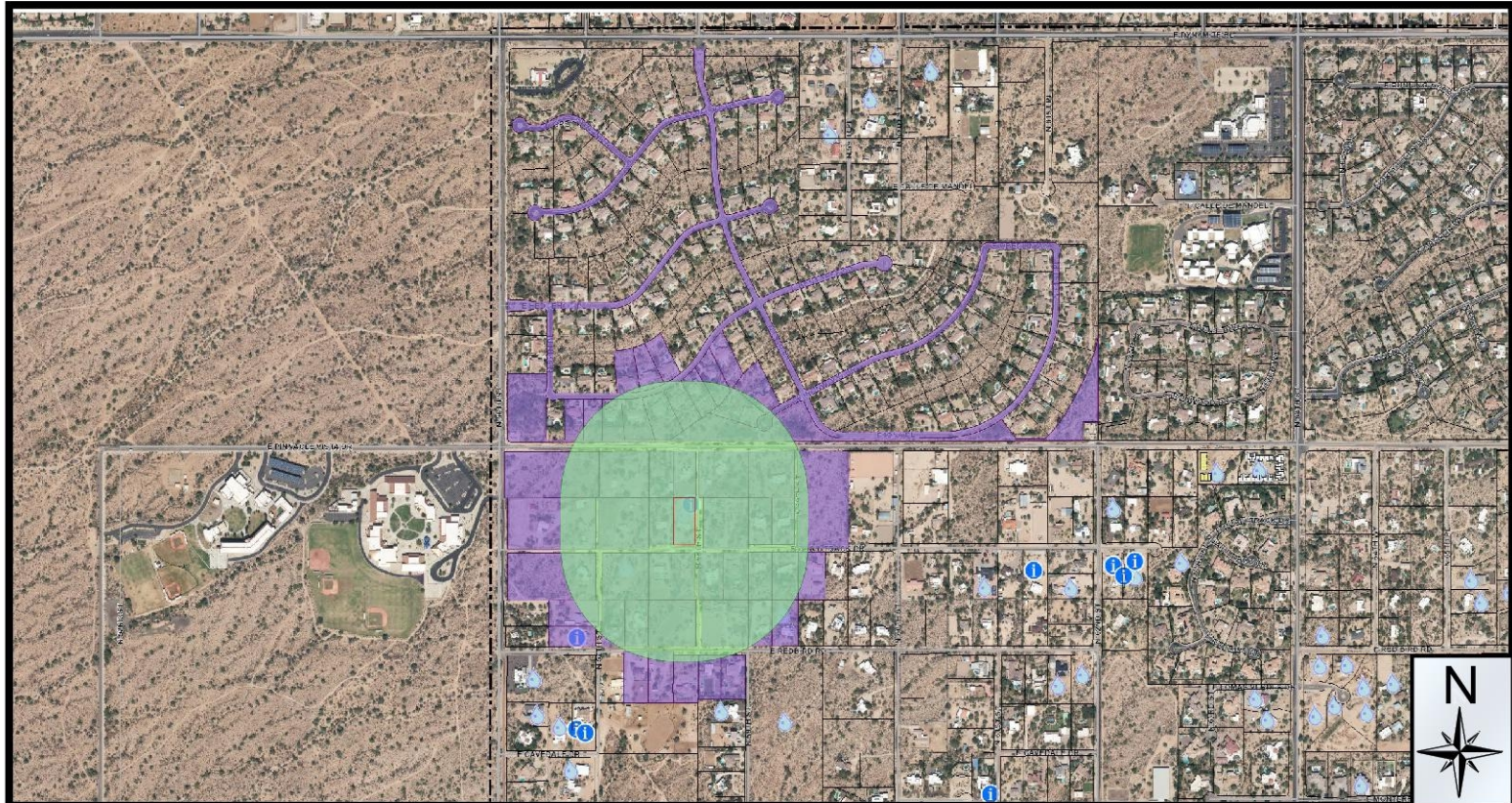


Last updated 9/29/2023

ATTACHMENT 6

City Notifications – Mailing List Selection Map

Quail Track Easement


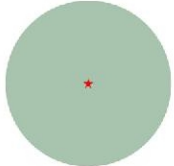


Additional Notifications:

- Interested Parties List
- Adjacent HOA's
- P&Z E-Newsletter
- Facebook
- Nextdoor.com
- City Website-Projects in the hearing process

Pulled Labels
February 22, 2024

Map Legend:

-  Site Boundary
-  Properties within 750-feet

Postcards: 79

3-AB-2023



**SCOTTSDALE PLANNING COMMISSION
KIVA-CITY HALL
3939 DRINKWATER BOULEVARD
SCOTTSDALE, ARIZONA**

WEDNESDAY, MARCH 13, 2024

DRAFT SUMMARIZED MEETING MINUTES

PRESENT: Renee Higgs, Chair
Joe Young, Vice Chair
Barney Gonzales, Commissioner
Diana Kaminski, Commissioner
George Ertel, Commissioner
Christian Serena, Commissioner
William Scarbrough, Commissioner

ABSENT: None

STAFF: Tim Curtis
Eric C. Anderson
Chris Zimmer
Jason Katz
Sandra Childers
Becca Cox
Jason McWilliams
Karissa Rodorigo

CALL TO ORDER

Chair Higgs called the regular session of the Scottsdale Planning Commission to order at 5:01 p.m.

ROLL CALL

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

MINUTES REVIEW AND APPROVAL

1. Approval of the February 28, 2024 [Regular Meeting Minutes](#).

Vice Chair Young moved to approve the February 28, 2024 Regular Meeting Minutes, Second by Commissioner Scarbrough, the motion carried unanimously by a vote of seven (7) to zero (0) by Chair Higgs, Vice Chair Young, Commissioner Gonzales,

* Note: These are summary action minutes only. A complete copy of the meeting audio is available on the Planning Commission page on ScottsdaleAZ.gov, search "Planning Commission"

Commissioner Kaminski, Commissioner Ertel, Commissioner Serena and Commissioner Scarbrough.

CONSENT AGENDA

2. [3-AB-2023 \(Quail Track Easement\)](#)

Request by owner to abandon 25-foot-wide of right-of-way on N. 58th Street, adjacent to parcel 212-11-009Q with Single-Family Residential, Environmentally Sensitive Lands, Foothills Overlay (R1-43/ESL/FO) zoning designation, located at 5790 E Quail Track Dr. Owner to dedicate property interests to the City. Staff contact person is Chris Zimmer, 480-312-2347. **Applicant contact person is Viorel Bilauca, (480) 577-4135.**

3. [10-AB-2023 \(Pencek Abandonment\)](#)

Request by owner to abandon the western 8-foot-wide portion of a 33-foot-wide GLO Patent Easement along the eastern property boundary and 33-foot-wide GLO Patent Easement along the southern property boundary and the 25-foot-wide Roy Rogers Drive Right-of-way along the southern property boundary, of a property with Single-Family Residential Environmentally Sensitive Lands Foothills Overlay (R1-70 ESL FO) zoning located at 28848 N 79th Street. Owner to dedicate property interests to the City. Staff contact person is Jason Katz, 480-312-2542. Applicant contact person is Tyler Pencek, (602) 818-2269.

4. [7-UP-2018#2 \(Verizon PHO Pima & McDonald\)](#)

Request by owner for approval of a Conditional Use Permit for an existing Type 4 Alternative Concealment Wireless Communication Facility (WCF), concealed within a 60-foot-tall artificial broadleaf tree, with associated ground mounted equipment, located at 8465 E. McDonald Drive (A.P.N. 173-75-004L) with Highway Commercial (C-3) zoning. Staff contact person is Sandra Childers, 480-312-4214. Applicant contact person is Greg Heisser, 623-363-4561.

Items 2,3 & 4 Commissioner Scarbrough made a motion for recommendation of approval to City Council for cases 3-AB-2023, 10-AB-2023 and 7-UP-2018#2 per the staff recommend stipulations and after finding that the abandonments are consistent and conform with the adopted General Plan and the conditional use permit criteria have been met. Second by Vice Chair Young. The motion carried unanimously by a vote of seven (7) to zero (0) by Chair Higgs, Vice Chair Young, Commissioner Gonzales, Commissioner Kaminski, Commissioner Ertel, Commissioner Serena and Commissioner Scarbrough.

ADJOURNMENT

With no further business to discuss, the regular session of the Planning Commission adjourned at 5:07 p.m.

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