

# CITY COUNCIL REPORT



Meeting Date: December 3, 2024  
General Plan Element: *Land Use*  
General Plan Goal: *Coordinate Planning to Balance Infrastructure*

## ACTION

### Triple Wash Ranch Abandonment 11-AB-2023

#### Request to consider the following:

1. Adopt Resolution No. 13256 to abandon the western five feet of N. 114th Street adjacent to parcels 216-74-005F, 216-74-439, and 216-74-006E and the portions of E. Morning Vista Road adjacent to parcels 216-74-005F and 216-74-739 (various widths), for properties located at 11348 and 11303 E. Morning vista Road, and N. 114th Street, with Single-family Residential District, Environmentally Sensitive Lands (R1-190/ESL) zoning designation.

#### Goal/Purpose of Request

The purpose of the abandonment requests is to maximize the private use of the property while being consistent with the City's roadway plans.

#### Key Items for Consideration

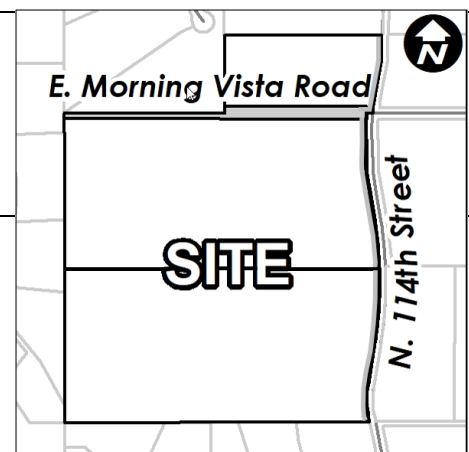
- Owner shall dedicate required fee-simple right-of-way in place of existing easement dedicated right-of-way
- Access not impacted by this proposed abandonment
- Conformance with the Transportation Master Plan and Local Area Infrastructure Plan
- No public input received regarding the proposed abandonment
- Planning Commission heard this case on October 23, 2024, and recommended approval with a 7-0 vote

## OWNER

Triple Wash Ranch  
David Schwan  
(602) 330-5252

## APPLICANT CONTACT

David Gulino  
Land Development Services LLC  
(602) 330-5252



## **LOCATION**

---

11348 and 11303 E. Morning vista Road, and N. 114th Street  
(Parcels 216-74-005F, 216-74-439, and 216-74-006E)

## **BACKGROUND**

---

### **General Plan**

The General Plan Land Use Element designates the property as Rural Neighborhoods. This category designation includes areas of relatively large lot single-family neighborhoods. Densities in Rural Neighborhoods are usually one house per acre (or more) of land.

### **Character Area Plan**

The property is located within the Dynamite Foothills Character Area boundary. The Dynamite Foothills Character Area is designed to preserve the natural and visual qualities of the Sonoran Desert by using design qualities, building materials, and construction techniques that are sensitive to the desert environment. Projects located within the Dynamite Foothills Character Area should preserve natural open space areas, scenic and vista corridors, and support trail links and connections.

### **Zoning**

The subject parcels are zoned Single-Family Residential, Environmentally Sensitive Lands (R1-190/ESL) District. The R1-190/ESL zoning district allows for single-family residential uses and have an Environmentally Sensitive Lands zoning designation.

The subject parcels were annexed into the City of Scottsdale in October 1983. These annexed parcels were rezoned from the county designation to Single-Family Residential, Hillside District (R1-190/HD/HC) through case 32-ZN-1982. In 1991, the Environmentally Sensitive Lands (ESL) ordinance was adopted as an amendment to the Hillside District overlay.

### **Context**

The subject properties are generally located north of E. Rio Verde Drive and west of N. 114<sup>th</sup> Street. The multiple parcels are located along the north and south sides of E. Morning Vista Road, between N. 112<sup>th</sup> Street and N. 114<sup>th</sup> Street. The subject properties were created from a series of previously approved minor land divisions. The McDowell Sonoran Preserve is within close proximity, located to the north of the subject sites. The Scottsdale National Golf Club courses are located to the east.

The existing parcels originated from the Goldie Brown Pinnacle Peak Ranch Unit 3 subdivision plat. The individual parcels were later created by separate minor land divisions and quick claim deeds.

### **Related Policies, References:**

1999 Dynamite Foothills Character Area Plan  
2003 Scenic Corridor Design Guidelines  
2016 Trails Master Plan  
2004 Environmentally Sensitive Lands Ordinance  
2016 Transportation Master Plan  
2035 City of Scottsdale General Plan  
32-ZN-1982, 36-ZN-1984, 5-GP-1999, and 11-TA-2000

## APPLICANTS PROPOSAL

---

### Development Information

The development proposal includes a request to abandon the western 5 feet of N. 114th Street and the northern 30-foot half-street of E. Morning Vista Road adjacent to parcel 216-74-005F; to abandon the western 5 feet of N. 114th Street and the southern 25-foot half-street of E. Morning Vista Road adjacent to parcel 216-74-439; and to abandon the western 5 feet of N. 114th Street adjacent to parcel 216-74-006E. The purpose of the abandonment requests is to maximize the private use of the property.

## IMPACT ANALYSIS

---

### Land Use

The existing land use for this subject site is in conformance with the General Plan designated land use of Rural Neighborhoods. The request shall not modify the existing General Plan land use.

### Traffic/Trails

The Transportation Master Plan Local Area Infrastructure Planned Streets (LAIPS) plan does not show a planned/existing E. Morning Vista Road east/west right-of-way connection between N. 112<sup>th</sup> Street and N. 114<sup>th</sup> Street. The LAIPS plan does not require right-of-way, or a public trail planned along E. Morning Vista Road; and therefore, does not require E. Morning Vista Road as a planned street connection. This request is consistent with the City roadway requirement for a Local Collector, with a Rural ESL Character and trail. The Transportation Department supports the abandonments as proposed in this request.

### 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 N. 114<sup>th</sup> Street. No impacts are anticipated.

### Public Utilities

The public utilities have been notified of the applicant's request. The utility companies have indicated that there are no conflicts with the proposed abandonments and support the abandonments if Public Utility Easements are located over the proposed abandonment areas and an 8-foot wide Public Utility Easement is dedicated along the eastern boundary of the parcels. All necessary easements will be provided

The owner will be dedicating a total of 55 feet of Public Utility Easement along E. Morning Vista Road, adjacent to 11348 and 11303 E. Morning Vista Road (Parcels 216-74-005F and 216-74-439).

### Community Involvement

The applicant conducted the required mailing to property owners located within 750 feet of the proposed roadway easement abandonments. The City staff also conducted a mailing to property owners within 750 feet of the proposed roadway easement abandonments. Site postings were also provided. No public input received regarding the proposed abandonments.

### Policy Implications

The compensation amount has been compiled by City of Scottsdale staff in accordance with abandonment valuation procedure. The valuation methodology is prepared as if the land is available

for development at its highest and best use under the current zoning designation. The owner has agreed to the proposed compensation amount.

The owner of the parcel has agreed to pay to City the total amount of \$29,208.50 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. Additionally, the owner will dedicate Public Utility Easements located along the eastern boundary of the subject sites, and along E. Morning Vista Road, adjacent to 11348 and 11303 E. Morning Vista Road (Parcels 216-74-005F and 216-74-439).

## **OTHER BOARDS & COMMISSIONS**

---

### **Planning Commission:**

Planning Commission heard this case on October 23, 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 western five feet of N. 114th Street adjacent to parcels 216-74-005F, 216-74-439, and 216-74-006E; and the portions of E. Morning Vista Road adjacent to parcels 216-74-005F and 216-74-739 (various widths); for properties located at 11348 and 11303 E. Morning vista Road, and N. 114th 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 the final amount to be determined as compensation to the City for the abandonment of right-of-way and associated fees,
2. The property owner shall record a final plat that establishes the updated parcel boundaries associated with the abandonment areas and required dedications. Final plat shall include the 5-foot-wide parcel created by the abandonment request adjacent to parcel 216-74-005F, along N. 114<sup>th</sup> Street, 11348 E. Morning Vista Road. The final plat shall dedicate the remaining required right-of-way as fee-simple to replace easement dedicated right-of-way,
3. The property owner shall dedicate Public Utility Easements over the proposed abandonment areas (25-foot to 55-foot widths between 11348 and 11303 E. Morning Vista Road (Parcels 216-74-005F and 216-74-439), and along the eastern boundary of the three subject sites (8-foot width).
4. The property owner shall pay to the city the combined total amount of \$29,208.50 as compensation to the city for the abandonment of right-of-way.

## **STAFF RECOMMENDATION**

---

### **Recommended Approach:**

Adopt Resolution No. 13256 to abandon the western five feet of N. 114th Street adjacent to parcels 216-74-005F, 216-74-439, and 216-74-006E and the portions of E. Morning Vista Road adjacent to parcels 216-74-005F and 216-74-739 (various widths), for properties located at 11348 and 11303 E. Morning vista Road, and N. 114th Street, with Single-family Residential District, Environmentally Sensitive Lands (R1-190/ESL) zoning designation.

**RESPONSIBLE DEPARTMENT**

---

**Planning and Development Services**

Current Planning Services

**STAFF CONTACT**

---

Jesus Murillo

Senior Planner

480-312-7849

E-mail: jmurillo@scottsdaleAZ.gov

**APPROVED BY**

---



---

Jesus Murillo, Report Author

November 7, 2024

---

Date



---

Tim Curtis, AICP, Current Planning Director


Planning Commission Liaison

Phone: 480-312-7713      Email: tcurtis@scottsdaleaz.gov

11/15/2024

---

Date



---

Erin Perreault, AICP, Executive Director

Planning + Development Services

Phone: 480-312-7093      Email: eperreault@scottsdaleaz.gov

11/15/2024

---

Date

## ATTACHMENTS

---

1. Context Aerial
- 1A. Aerial Close-Up
2. Applicant's Narrative
3. Resolution No. 13256
  - Exhibit A: Legal Graphic
  - Exhibit B: Legal Description
  - Exhibit C: Legal Graphic
  - Exhibit D: Legal Description
  - Exhibit E: Legal Graphic
  - Exhibit F: Legal Description
  - Exhibit G: Legal Graphic
  - Exhibit H: Legal Description
  - Exhibit I: Legal Graphic
  - Exhibit J: Legal Description
  - Exhibit K: Depiction of subject parcels
4. Proposed Abandonment Areas Map
5. Local Area Infrastructure Plans (LAIPs)
6. Required Dedications Map
7. Neighborhood Outreach
8. City Notification Map
9. October 23, 2024, Planning Commission Meeting Minutes