



12/2/2024

Taylor C. Earl
Earl & Curley, PC
3101 N Central Av 1000
Scottsdale, AZ 85012

RE: **9-AB-2024**

The Arden Scottsdale - ROW Abandonment
H2486 (Key Code)

E&C - COMMENT RESPONSES IN BOLD GREEN - 01/22/25

Planning & Development Services has completed review of the above referenced development application. The following comments represent issues or deficiencies identified by the review team and are intended to provide you with guidance for compliance with city codes, policies, and guidelines.

Staff comments from the Transportation Department are outstanding as of the issuance of this 1st Review Comment Letter. Please contact Stephanie Croker (480-312-7802 or scroker@scottsdaleaz.gov) for any Transportation related comments on this abandonment application.

Significant Zoning Ordinance or Scottsdale Revise Code Issues

The following code and ordinance related issues have been identified and must be addressed with the resubmittal. Addressing these items is critical to determining the application for public hearing and may affect staff's recommendation. Please address the following:

Real Estate – Michelle Colby, 480-312-7042, mcolby@scottsdaleaz.gov and Wendy Hardy, 480- 312-7066, whardy@scottsdaleaz.gov:

1. The Southwest Gas (SWG) letter states that they object to the proposed request as they have existing lines within the proposed area of abandonment. The letter goes on to mention they may entertain the option of having their lines relocated. Alternatively, the applicant's narrative states that SWG has requested an easement. There appears to be some confusion that needs to be addressed. All utility company approvals are required prior to the application moving forward to a hearing.

E&C – A reply email was sent to SW Gas; the proposed resolution has been updated in the narrative.

2. Proposed plat includes an incorrect legal description including referring to the northwest quarter of Section 2 when it should be the Southeast quarter. Shown incorrectly under the plat title, vicinity map and dedication sections. (Legal description in the Dedication section is completely wrong; ¼ ¼ Section, Township & Range)

E&C – Legal Description updated as per comments.

3. Provide written legal description for proposed abandonment area.

E&C – Written legal description provided for proposed abandonment area.

4. Provide draft of proposed 10' gas easement shown on Final Plat.

E&C – Draft 10-foot gas easement provided with resubmittal, coordination with SW Gas has begun, waiting on formal response to draft.

5. Clarify who is Cochise Split on the dedication language.

E&C – The inclusion of Cochise Split was error and has been removed and the plat corrected.

6. Proposed easement agreement needs Exhibits A, B, C, and D.

E&C – Exhibits A, B, C & D have been added to the proposed easement agreement.

7. Regarding the subject of compensation, it is RES staff recommendation that, to avoid duplicative efforts, an appraisal should not be requested at this time based on preliminary/conceptual information provided with the first review. Staff does not have sufficient exhibits and documentation needed to write a scope of work. Based on the 2nd review, RES will hopefully be able to write a scope of work for the applicant to order an independent appraisal.

E&C – Noted.

Engineering – Eliana Hayes, 480-312-2757, ehayes@scottsdaleaz.gov

8. SRC 48:

- a. Please submit a letter from owner of APN 131-15-001Y in support of submitted Easement Agreement, understanding they signed the ROW abandonment application.
- b. Proposed easement agreement: Update to include exhibits.
- c. Applicant to acknowledge that ROW abandonment will be conditioned upon the executed recordation of submitted Easement Agreement.

E&C – Letter submitted from owners of APN 131-15-001Y in support of easement agreement, exhibits are now provided with easement agreement and noted that the abandonment will be conditional upon recordation of Easement Agreement.

9. Please see uploaded mark-ups from the engineering department.

E&C – Mark-ups reviewed and addressed

Technical Issues

The following technical corrections have been identified. Though these items may not be critical to scheduling the case for public hearing, they may affect a decision on the construction plan submittal and should be addressed as soon as possible. Please address the following:

GIS - Dorota Wlodarczky, 480-312-4132, dwlo@scottsdaleaz.gov

10. Please see uploaded GISmark-ups.

E&C – Mark-ups reviewed and addressed

Please submit the revised application requirements and supplemental information identified in Attachment A. Once reviewed, staff will determine if the application is ready to be determined for a hearing, or if additional information is needed.

E&C – Revised application requirements and supplemental information identified in Attachment A has been provided with the resubmittal.

The Zoning Administrator may consider an application withdrawn if a resubmittal has not been received within 180 days of the date of this letter (Section 1.305. of the Zoning Ordinance).

If you have any questions, or need further assistance, contact case reviewer identified below.



Regards,
Brad Carr, AICP, LEED-AP
Planning & Development Area Manager

ATTACHMENT A Resubmittal Checklist

Submit digitally at: <https://eservices.scottsdaleaz.gov/bldgresources/Cases/DigitalLogin>

All files shall be uploaded in PDF format. Application forms and other written documents or reports should be formatted to 8.5 x 11, and plans should be formatted to 11 X 17.

- Comment Response Letter – Provide responses to the issues identified in this letter
- Plat
- ROW legal description and graphic
- Updated easement agreement