

**Marked Agendas
Approved Minutes
Approved Reports**

Official signed Ordinances/Resolutions and
approved Minutes can be found at:
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Resolution 10680

Planning Commission Hearing 1/25/2017

City Council Hearing 03/21/2017

Case History

810-PA-2015

10-AB-2016

**Scottsdale Heights Roadway Easement
Abandonment**

PLANNING COMMISSION REPORT



Meeting Date: January 25, 2017
General Plan Element: *Land Use*
General Plan Goal: *Coordinate Planning to Balance Infrastructure*

ACTION

Scottsdale Heights Roadway Easement Abandonment 10-AB-2016

Request to consider the following:

1. A recommendation to City Council regarding a request by owner to abandon the eastern 30-foot of a 55-foot-wide roadway easement along the western edge of a property located at 7225 E. Dove Valley Road, with Central Business District, Environmentally Sensitive Lands (C-2 ESL) zoning.

Goal/Purpose of Request

The applicant's request is to abandon the eastern 30-foot of a 55-foot-wide roadway easement along the western edge of a property located at 7225 E. Dove Valley Road. The proposed abandonment will remove not needed, excess roadway easement along the western portion of the site and allow the required minor-arterial half street of seventy-five (75) foot dedication to remain in place.

Key Items for Consideration

- Access will not be impacted by this proposed abandonment. Any future street improvements can occur within existing 75-foot wide right-of-way.
- Conformance with Transportation Master Plan.
- Area to remain undeveloped and part of the scenic corridor.
- Associated with Scottsdale Heights case 4-GP-2016 and 9-ZN-2016.

OWNER

Michael Lieb
602-870-9741

APPLICANT CONTACT

John Berry
Berry/Riddell LLC
480-385-2727

LOCATION

7225 E Dove Valley Rd

BACKGROUND



General Plan

The General Plan Land Use Element designates the property as Commercial, which permits uses that provide a variety of goods and services to the community – including retail businesses, major single uses, and shopping centers.

Zoning

The site is zoned Highway Commercial, Environmentally Sensitive Lands (C-2 ESL). The C-2 ESL zoning district allows for commercial/retail, restaurants, bars, drive-through restaurants, banks, theaters, hotels, and office uses. The property has had C-2 zoning since annexation. In 2001, this parcel was included as part of the Whisper Rock zoning case, 10-ZN-2001. In this case, C-2 zoning was to remain on the property, with a stipulation for a 100-foot wide scenic corridor along the Scottsdale Road frontage.

Associated case 9-ZN-2016, known as Scottsdale Heights is requesting a zoning map amendment on the subject property to Medium Density Residential, Environmentally Sensitive Lands (R-3 ESL).

Context

The subject property is located along the east side of N. Scottsdale Road, south of E. Dove Valley Road.

History

The subject property roadway easement was dedicated by the property owner to Maricopa County in 1968. Plans to create a Desert Foothills Scenic Drive along N. Scottsdale Road have been in place since 1966, when the area was under the jurisdiction of Maricopa County. At that time, N. Scottsdale Road was to have a 105-foot-wide half street right-of-way, with an additional 40-foot setback beyond the right-of-way-line. When the subject roadway easement was dedicated in 1968, there was an existing 50-foot-wide half-street roadway easement already in place along N. Scottsdale Road, so an additional 55-foot-wide roadway easement was dedicated to the City to create the 105-foot-wide half street right-of-way as required by the Desert Foothills Scenic Drive guidelines. At this time, there were no scenic corridor easements, so it appears the county

obtained roadway easements to preserve the open space along the roadside.

In 1999, a new 75-foot half-street right-of-way was dedicated over the existing roadway easements, with a remnant 30-foot-wide roadway easement remaining east of the right-of-way line. By this time, it was determined that N. Scottsdale Road would only need a 75-foot wide half-street right-of-way, with a 100-foot-wide Scenic Corridor Easement extending east beyond the 75-foot right-of-way line.

What is required today will provide a minimum 175-foot development setback from the Scottsdale Road centerline (75-foot half street right-of-way, plus 100-foot wide scenic corridor easement), compared to a 145-foot development setback from the Scottsdale Road centerline (105-foot half street right-of-way, plus a 40-foot setback) which was proposed in the 1960's.

Adjacent Uses and Zoning

- North: Clustered patio home development within the Winfield community zoned R-4R ESL
- South: Summit retail center with C-2 ESL zoning.
- East: Undeveloped property with R-3 ESL zoning. Case 23-ZN-2005 approved a rezoning from C-2 ESL to R-3 ESL, and a maximum of 90 dwelling units in December of 2006. A 78 unit patio home development was approved with case 31-DR-2012, but was never constructed. The Development Review board approval has since lapsed, and would need to return through the process for re-approval.
- West: 70 lot single-family residential subdivision with R1-10 ESL zoning.

Other Related Policies, References:

Scottsdale General Plan 2001, as amended
Scottsdale Transportation Master Plan

IMPACT ANALYSIS

Traffic/Trails

The street classification on this portion of N. Scottsdale Road is a Minor Arterial, with a total required right-of-way of 150-feet, comprised of two 75-foot-wide half streets. In 1999, the N. Scottsdale Road east half-street was dedicated to the City of Scottsdale. There is also to be a 10-foot-wide multi-use concrete path and an 8-foot wide unpaved trail. With the plan for the adjacent development, the path will be built within the 75-foot wide right-of-way, and the trail will be built within the scenic corridor area.

Public Utilities

The public utility companies have been notified of this abandonment request. All of the utility companies consent to the abandonment of the roadway easement. Century Link is requesting an 8-foot-wide public utility easement to be retained along the western property line. APS is requesting a public utility easement be placed over the existing transformers along Scottsdale Road.

Open Space

The Scottsdale Heights project is able to meet the Natural Area Open Space (NAOS) requirement, without needing to dedicate NAOS within the 30-foot-wide roadway easement area that is being abandoned. However, the area to be abandoned will be preserved as open space, with areas outside of the public utility easement also to be dedicated as NAOS.

A Scenic Corridor easement will be retained over the abandonment area, which is part of the overall 100-foot-wide Scenic Corridor Easement, measured from the edge of the 75-foot-wide right-of-way, will be dedicated to the City prior to the issuance of permits for the Scottsdale Height project.

Community Involvement

The applicant, as well as City staff mailed notifications of this abandonment request to property owners within 750-feet. The site was also posted with a public hearing notification sign. Staff did receive a few phone calls from residents asking for more information about the request.

Community Impact

The proposed abandonment will not restrict access to any adjacent properties, the 30-foot-wide area is not needed for any future street improvements, and the area will remain as open space. The owner will provide \$14,235.00 to the City as compensation to the City of Scottsdale for the roadway easement. The purpose of the 1968 roadway easement was to preserve a scenic corridor along the roadside of Scottsdale Road. The owner will not be building within this abandonment area, and will be dedicating a scenic corridor easement for open space over it.

STAFF RECOMMENDATION

Recommended Approach:

Staff recommends that the Planning Commission make a recommendation to City Council for approval to abandon the eastern 30-feet of a 55-foot-wide roadway easement along the western edge of a property located at 7225 E. Dove Valley Road, with Central Business District, Environmentally Sensitive Lands (C-2 ESL) zoning, finding that the proposal is consistent with and conforms to the adopted General Plan, subject to the following:

1. The property owner reserves a Scenic Corridor Easement over the abandonment area.
2. The property owner reserves an 8-foot-wide public utility easement along the western property line.
3. The property owner reserves a 30-foot by 70-foot electric easement for existing electrical transformers.
4. The property owner pays to the City the amount of \$14,235.00 as compensation to the City of Scottsdale for the roadway easement.

RESPONSIBLE DEPARTMENT

Planning and Development Services
Current Planning Services

STAFF CONTACT

Keith Niederer
Senior Planner
480-312-2953
E-mail: kniederer@ScottsdaleAZ.gov

APPROVED BY



Keith Niederer, Report Author

1-17-2017

Date



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

1/17/2017

Date



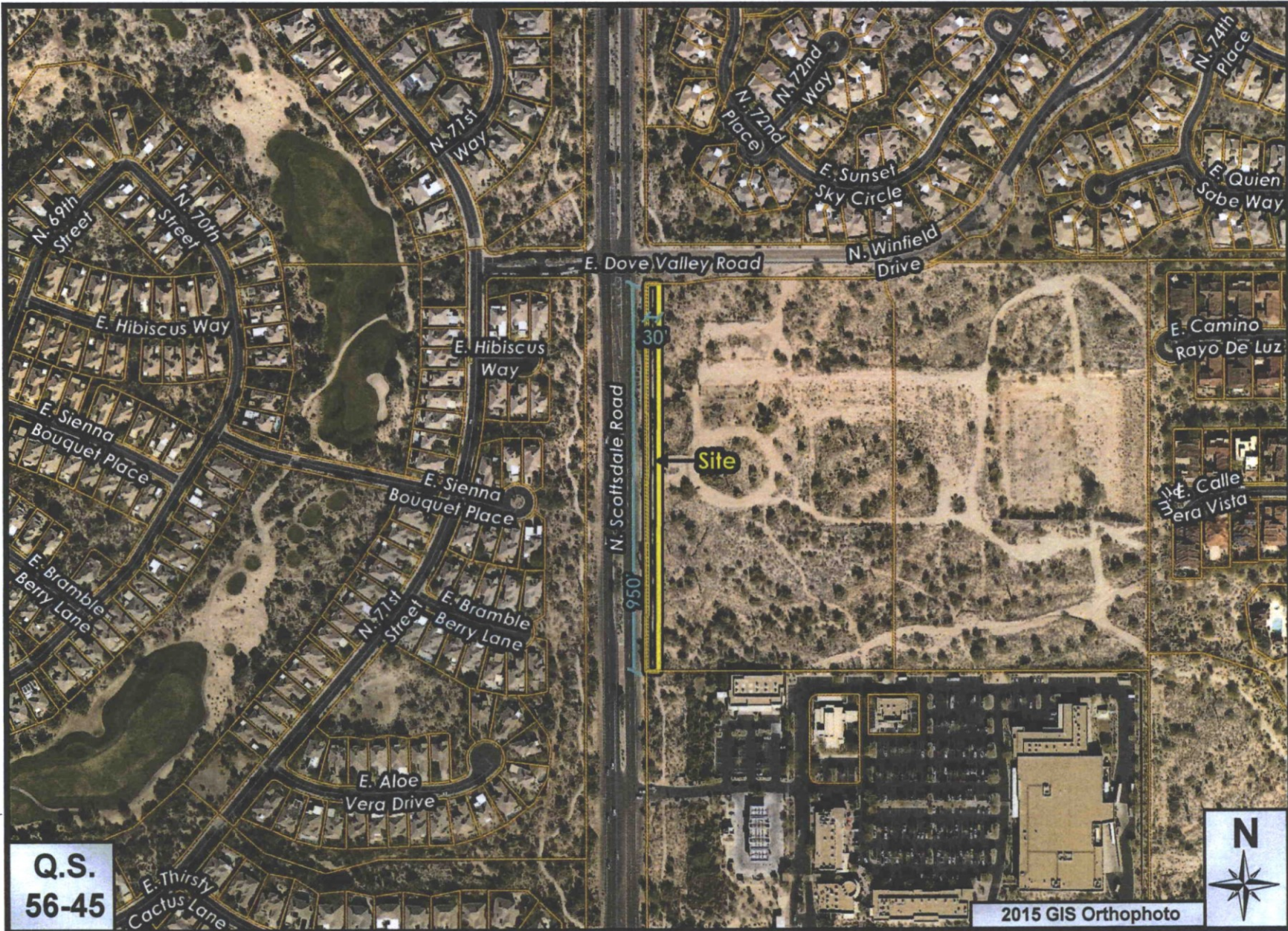
Randy Grant, Director
Planning and Development Services
480-312-2664, rgrant@scottsdaleaz.gov

1/18/17

Date

ATTACHMENTS

1. Context Aerial
- 1A. Aerial Close-Up
2. Applicant's Narrative
3. Legal Description and Graphic of abandonment area.
4. Scottsdale Heights Site Plan/NAOS exhibit
5. 1968 Desert Foothills Scenic Drive Plan Scottsdale Road Cross Section
6. City Notification Map
7. Neighborhood Correspondence



Q.S.
56-45

2015 GIS Orthophoto



Scottsdale Heights

10-AB-2016



Scottsdale Heights

10-AB-2016

Scottsdale Heights
Abandonment Application
Project Narrative
10-AB-2016

Prepared for:
Shea 124th Investments, LLC

Prepared by:
Berry Riddell, LLC
6750 East Camelback Road, Suite 100
Scottsdale, Arizona 85251
480-385-2727

I. Abandonment Request

The request is for abandonment of a roadway easement dedication that falls along the property located southeast corner of Scottsdale Road and Dove Valley (the "Property"). The request is to abandon the **eastern 30 feet** of an existing 55-foot wide roadway easement along the western edge of the Property, aligning with Scottsdale Road. This 55-foot roadway easement overlaps the existing right-of-way dedication on the western 25 feet and a future Scenic Corridor on the eastern 30 feet, hence the request to only abandon the eastern 30 feet. It has been determined by City Staff that the roadway easement is not needed and is redundant with the existing R.O.W. The 55-foot roadway easement was dedicated under MCR 7132-539, a copy of which is included with the application. The existing 75 feet of right-of-way for Scottsdale Road (half street) will be maintained and not affected by this application.

The applicant is also processing a non-major General Plan Amendment and rezoning case for residential development on a 14+/- Property, cases 4-GP-2016 and 9-ZN-2016.

Utility companies have been contacted regarding the proposed roadway easement abandonment (APS, SRP, Century Link, COS, Cox, SW Gas). Correspondence is included with the application documents.

II. Consideration for Abandonment

The owner has agreed to a valuation of \$0.50 per s.f. for the roadway easement area to be abandoned. This area is 949' x 30' and equals 28,470 s.f. x \$0.50 = \$14,235. The Property owner will provide direct compensation to the City of Scottsdale for the land area to be abandoned.

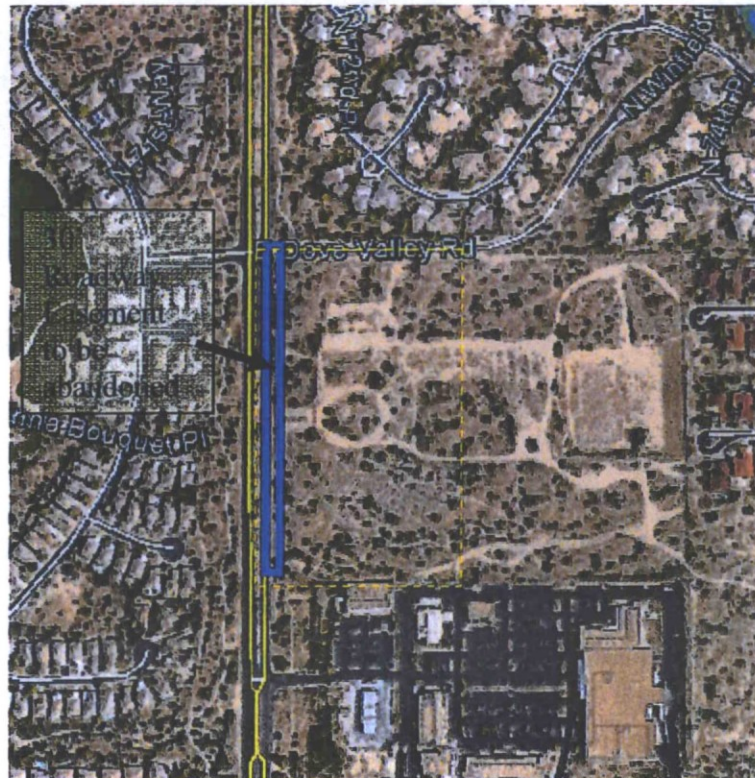


EXHIBIT A

LEGAL DESCRIPTION

Easement for Highway Purposes Easement
Partial Abandonment

That portion of the Easement for Highway Purposes recorded in Docket 7132, Page 539, Maricopa County Records, lying within the North half of Section 14, Township 5 North, Range 4 East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

Except the West 25 feet of said easement.

Except the North 51 feet of said easement.

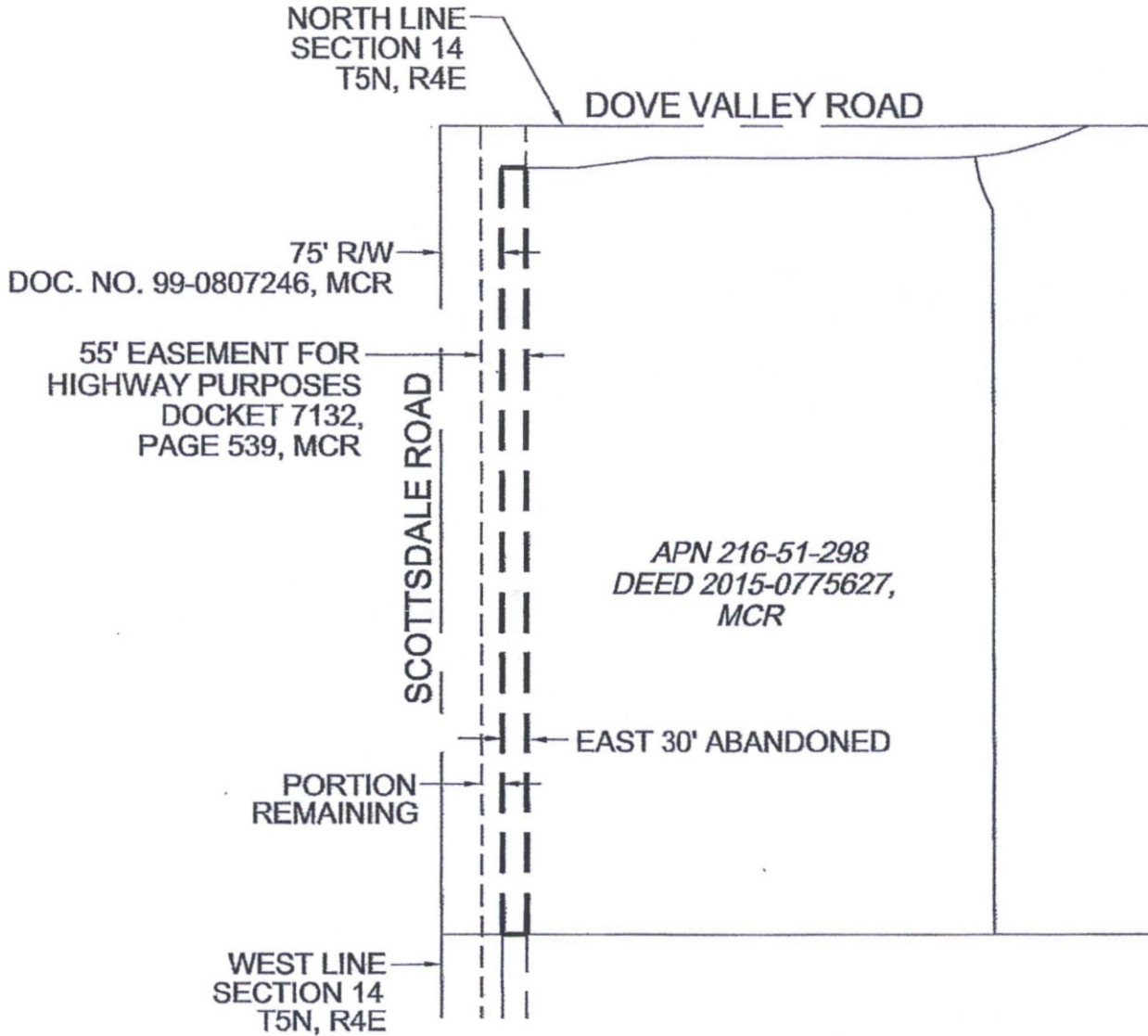


P.O. Box 2170, Chandler, AZ 85244
Daniel D. Armijo, RLS (480) 244-7630
Brian D. Warren, LSIT (480) 243-4287

September 19, 2016
AWLS #16-062



EXHIBIT "B"
 EASEMENT FOR HIGHWAY PURPOSES
 PARTIAL ABANDONMENT



**AW
LAND
SURVEYING, LLC**

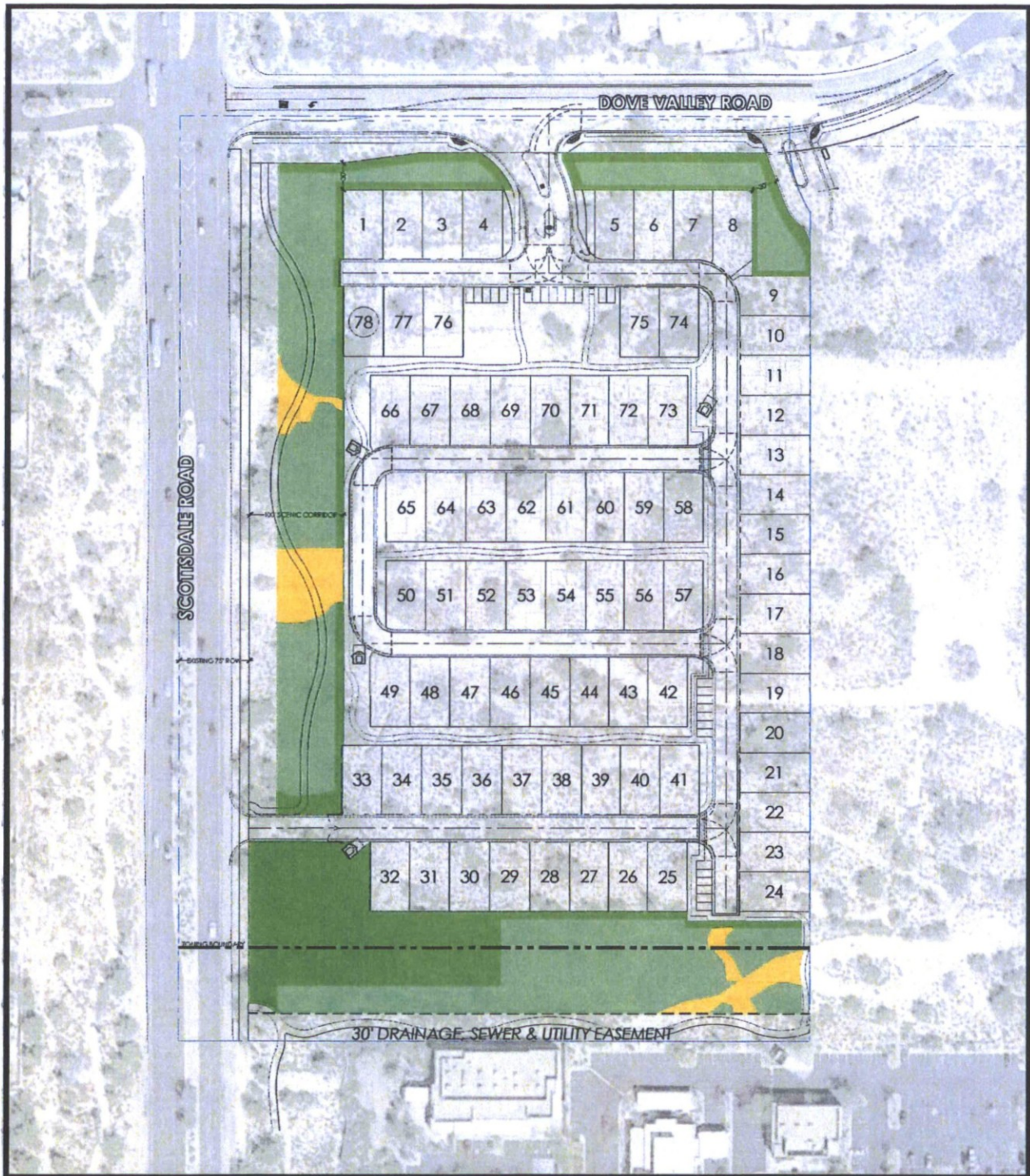
P.O. BOX 2170, CHANDLER, AZ 85244
 (480) 244-7630
 (480) 243-4287



DRAWN BY: DDA	CHECKED BY: DDA	DATE: 09/19/16	JOB NO.: 16-062
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SHEET NO. **2 OF 2**

10-AB-2016
 09/29/16



LEGEND

0.27 AC	HISTORICALLY SCARRED, TO BE RESTORED AS N.A.O.S.
1.9 AC	N.A.O.S. UNDISTURBED
1.0 AC	N.A.O.S. REVEGETATED

SITE DATA

CROSS SITE AREA:	15.5 ACRES
NET SITE AREA:	13.3 ACRES

SLOPE ANALYSIS

SLOPE CATEGORY	AREA (ACRES)	UPPER DESERT FACTOR	REQ. N.A.O.S. (ACRES)
0%	7%	3.70	0.66
2%	5%	4.40	1.10
5%	10%	4.03	1.21
10%	15%	1.13	0.35
15%	25%	0.26	0.11
25%	-	0.06	0.02
TOTAL	13.3		3.45

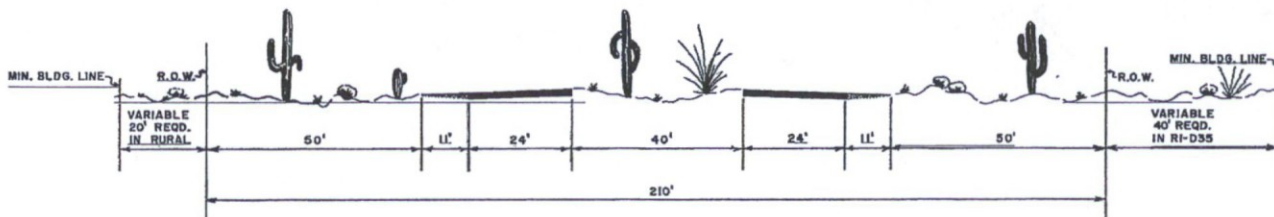
N.A.O.S. REQUIREMENTS

N.A.O.S. REQUIRED PER SLOPE ANALYSIS:	3.45 AC
MAX. ALLOWED REVEGETATED AREA (20%):	1.03 AC
MIN. ALLOWED UNDISTURBED AREA (70%):	2.42 AC
N.A.O.S. REQUIRED AFTER SCARRED AREA CREDIT:	2.91 AC
(ALL ALLOWED 2:1 CREDIT FOR RESTORED AREA SCARRED PRIOR TO 1990)	
SCARRED CREDIT TO BE REDUCED FROM UNDISTURBED N.A.O.S. REQUIREMENT:	
MAX. ALLOWED REVEGETATED AREA (1.03 AC):	1.03 AC
MIN. ALLOWED UNDISTURBED AREA (2.42 AC - 0.54 AC):	1.88 AC

N.A.O.S. PROVIDED

N.A.O.S. - REVEGETATED:	1.0 AC
N.A.O.S. - UNDISTURBED:	1.9 AC
N.A.O.S. - SCARRED TO BE RESTORED CREDIT:	.54 AC
ACTUAL SCARRED AREA BEFORE 2:1 CREDIT - .27 AC	
TOTAL N.A.O.S. PROVIDED:	3.9 AC
(INCLUDING SCARRING CREDIT)	

NOTE: ANY UTILITIES LOCATED WITHIN UNDISTURBED N.A.O.S. CORRIDOR SHALL BE RELOCATED.



4-LANE DIVIDED SCENIC RURAL HIGHWAY

SUGGESTED FUTURE TYPICAL CROSS-SECTION

CAVE CREEK ROAD between NW cor., SW1/4, sec. 14, T4N, R3E and sec. 33, T6N, R4E
 SCOTTSDALE ROAD between NE cor., sec. 10; T4N, R4E and sec. 3, T5N, R4E.

MARICOPA COUNTY PLANNING AND ZONING DEPARTMENT

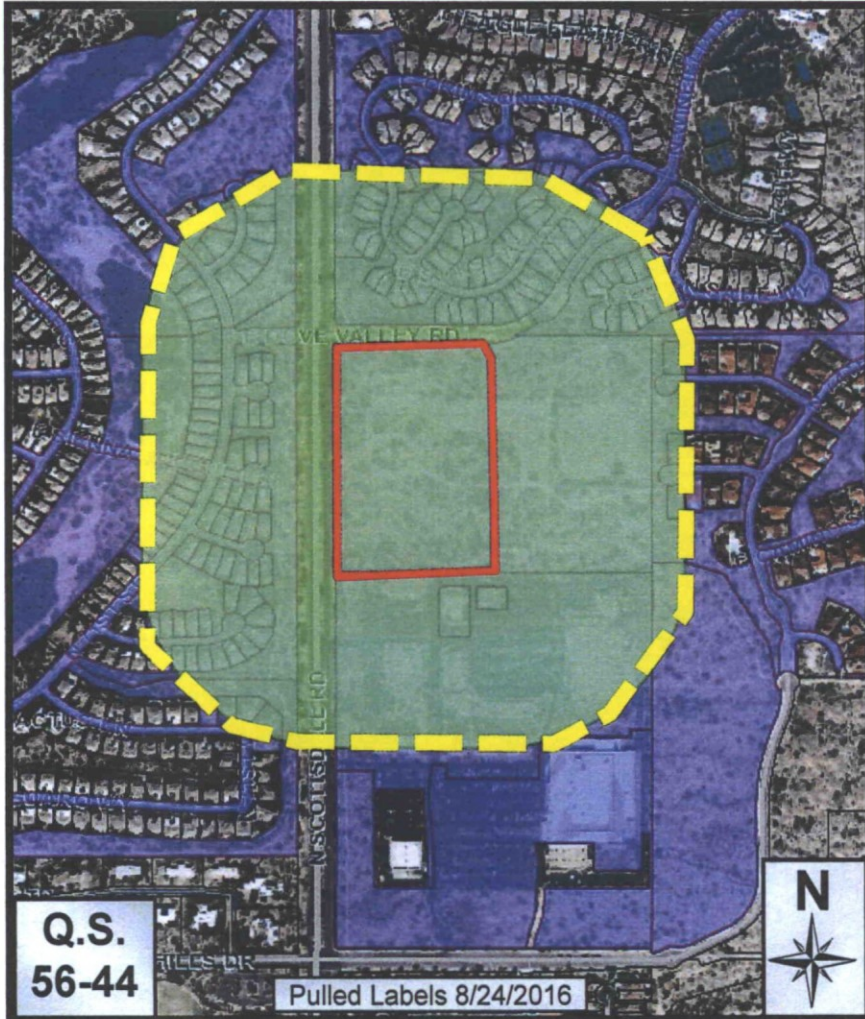
G. L. B. - MAY, 1966

PLATE 3

ATTACHMENT #5

City Notifications – Mailing List Selection Map

ATTACHMENT #6



Map Legend:



Site Boundary



Properties within 750-feet

Postcards 191

Additional Notifications:

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

Scottsdale Heights

10-AB-2016

Niederer, Keith

From: Roeser <mjroeser@aol.com>
Sent: Wednesday, September 14, 2016 8:55 PM
To: Niederer, Keith
Subject: Re: Easement Abandonment

Thanks Keith. That explains it quite well.

Michael

Sent from my iPhone

> On Sep 14, 2016, at 8:09 PM, Niederer, Keith <KNiederer@Scottsdaleaz.gov> wrote:

>

> Michael,

>

> The 55' wide road roadway easement overlaps the 75' wide Scottsdale Road right-of-way. The roadway easement extends 30' east of the edge of 75' wide right-of-way. So, their narrative stating the request is to abandon 55' of ROW is not correct. They are seeking to abandon 30'.

>

> The length of the property is approximately 949 feet. Multiply that by 30 is a 28,470 s.f. area. Staff typically doesn't allow NAOS to be dedicated within roadway easements, so if the abandonment were not approved, that 28,470 s.f. area couldn't be counted towards their provided NAOS. They want to be able to count this area as NAOS, therefore they are going through the abandonment process.

>

> Regarding the valuation, staff asks on commercial properties than an appraisal be submitted. The appraisal came back offering the City \$1,000 in compensation for the easement.

>

> Keith

>

> -----Original Message-----

> From: Roeser [<mailto:mjroeser@aol.com>]

> Sent: Wednesday, September 14, 2016 7:39 AM

> To: Niederer, Keith

> Subject: Re: Easement Abandonment

>

> Thanks Keith, but I am a bit confused.

>

> 1. The application requests to abandon a 55' easement, so not sure how that works with the dimensions in your last email where you said the developer has requested that this 30' of roadway easement be abandoned."

>

> 2. My question arising from your August 30 email is how many square feet of NAOS does the developer avoid providing by abandoning this easement? It is my impression from that email that the developer avoids developing NAOS in the actual development by abandoning this easement. Am I wrong?

>

> 3. How is the valuation calculated? If in fact the developer is allowed more area to build by abandoning this easement, shouldn't the valuation be based on the value of having more area to develop rather than an estimate based on the value of the same area as unbuildable?

>

> Thanks,

>

> Michael

>

> Sent from my iPhone

>

>> On Sep 12, 2016, at 11:03 AM, Niederer, Keith <KNiederer@Scottsdaleaz.gov> wrote:

>>

>> Hi Michael,

>>

>> The eastern half of the Scottsdale Road right-of-way is 75' (centerline to eastern edge of ROW). This area is owned by the City. There is an old roadway easement that extends an additional 30' east of the right-of-way line. The property owner owns this 30'. Typically, staff doesn't allow applicants to dedicate NAOS easements inside of roadway easements, so the applicant has requested that this 30' of roadway easement be abandoned. There will still be a 100' building setback provided, measured from the existing 75' ROW line.

>>

>> Keith

>>

>> -----Original Message-----

>> From: Michael Roeser [<mailto:mjroeser@aol.com>]

>> Sent: Monday, September 12, 2016 7:11 AM

>> To: Niederer, Keith

>> Subject: Easement Abandonment

>>

>> Hi Keith,

>>

>> I know odd hours on my emails to you, but I am in Little Rock on a road trip but still paying attention to these issues.

>>

>> I have thought about your last email, and wondered if the easement is abandoned does that mean that the developer reduces the NAOS he must include in his proposal by 55 feet times the length of the parcel on Scottsdale Road? If so, that seems like a substantial area which he can then build on. Am I right on this?

>>

>> Thanks,

>>

>> Michael

>>

>> Sent from my iPad

>

Niederer, Keith

From: Michael Roeser <mjroeser@aol.com>
Sent: Tuesday, August 30, 2016 6:58 PM
To: Niederer, Keith
Subject: Re: Scottsdale Heights

Hi Keith,

Thanks for the explanation. Please forgive me if I am a little slow on the uptake.

If the request is denied, does that mean the development would have to be located further to the East to satisfy the open space area requirements.

How does this jive with the set back for the scenic corridor?

Again thanks for being patient as I am not hip, yet, to all of the obviously complicated open space, scenic corridor, provisions.

Michael

Sent from my iPad

> On Aug 30, 2016, at 6:20 PM, Niederer, Keith <KNiederer@Scottsdaleaz.gov> wrote:

>

> Hi Michael,

>

> There is 75-feet of right-of-way on the east half of Scottsdale Road, owned by the City. This will remain in place.

>

> There is also an existing 30-foot-wide roadway easement running along the west side of the subject property, which is dedicated to the City beyond (east) of the 75-foot line. The City's doesn't need more than a 75-foot wide half street along Scottsdale Road for the street and associated improvements.

>

> The applicant is asking to abandon this 30-foot roadway easement area, so they can count this easement area towards their provided natural area open space. An abandonment request also requires a hearing before the Planning Commission and approval by the City Council.

>

> So far, there are not any Planning Commission or City Council dates scheduled for the rezoning application.

>

> Keith

>

> -----Original Message-----

> From: Roeser [<mailto:mjroeser@aol.com>]

> Sent: Tuesday, August 30, 2016 5:45 AM

> To: Niederer, Keith

> Subject: Scottsdale Heights

>

> Morning Keith,

>

> In monitoring the Website noticed the application to abandon an easement. If you have a minute would you mind letting me know how this affects the proposal for the duplexes?

>

> Thank you,

>

> Michael Roeser

>

> Sent from my iPhone

>

CITY COUNCIL REPORT



Meeting Date: March 21, 2017
General Plan Element: *Land Use*
General Plan Goal: *Coordinate Planning to Balance Infrastructure*

ACTION

Scottsdale Heights Roadway Easement Abandonment 10-AB-2016

Request to consider the following:

Adopt Resolution No. 10680 to abandon the eastern 30-feet of a 55-foot-wide roadway easement along the western edge of a property located at 7225 E. Dove Valley Road, with Central Business District, Environmentally Sensitive Lands (C-2 ESL) zoning.

Goal/Purpose of Request

The applicant's request is to abandon the eastern 30-feet of a 55-foot-wide roadway easement along the western edge of a property located at 7225 E. Dove Valley Road. The proposed abandonment will remove not needed, excess roadway easement along the western portion of the site and allow the required minor-arterial half street of seventy-five (75) foot dedication to remain in place.

Key Items for Consideration

- Access will not be impacted by this proposed abandonment. Any future street improvements can occur within existing 75-foot wide right-of-way.
- Conformance with Transportation Master Plan.
- Area to remain undeveloped and part of the scenic corridor.
- Associated with Scottsdale Heights case 4-GP-2016 and 9-ZN-2016.
- Planning Commission heard this case on January 25, 2017 and recommended approval with a 5-0 vote.

OWNER

Michael Lieb
602-870-9741

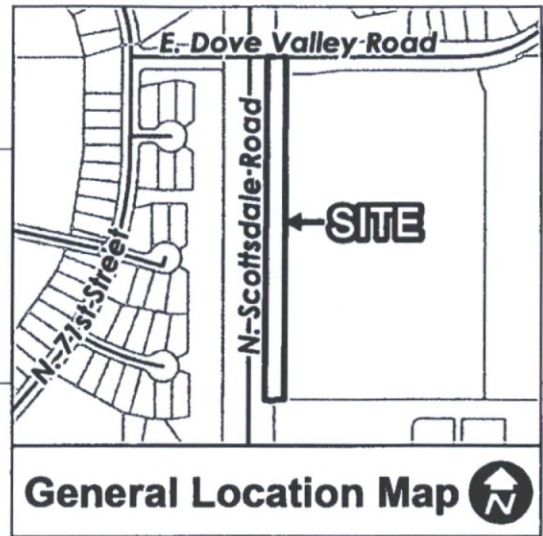
APPLICANT CONTACT

John Berry
Berry/Riddell LLC
480-385-2727

LOCATION

7225 E Dove Valley Rd

BACKGROUND



General Plan

The General Plan Land Use Element designates the property as Commercial, which permits uses that provide a variety of goods and services to the community – including retail businesses, major single uses, and shopping centers.

Zoning

The site is zoned Highway Commercial, Environmentally Sensitive Lands (C-2 ESL). The C-2 ESL zoning district allows for commercial/retail, restaurants, bars, drive-through restaurants, banks, theaters, hotels, and office uses. The property has had C-2 zoning since annexation. In 2001, this parcel was included as part of the Whisper Rock zoning case, 10-ZN-2001. In this case, C-2 zoning was to remain on the property, with a stipulation for a 100-foot wide scenic corridor along the Scottsdale Road frontage.

Associated case 9-ZN-2016, known as Scottsdale Heights is requesting a zoning map amendment on the subject property to Medium Density Residential, Environmentally Sensitive Lands (R-3 ESL).

Context

The subject property is located along the east side of N. Scottsdale Road, south of E. Dove Valley Road.

History

The subject property roadway easement was dedicated by the property owner to Maricopa County in 1968. Plans to create a Desert Foothills Scenic Drive along N. Scottsdale Road have been in place since 1966, when the area was under the jurisdiction of Maricopa County. At that time, N. Scottsdale Road was to have a 105-foot-wide half street right-of-way, with an additional 40-foot setback beyond the right-of-way-line. When the subject roadway easement was dedicated in 1968, there was an existing 50-foot-wide half-street roadway easement already in place along N. Scottsdale Road, so an additional 55-foot-wide roadway easement was dedicated to the City to create the 105-foot-wide half street right-of-way as required by the Desert Foothills Scenic Drive guidelines. At this time, there were no scenic corridor easements, so it appears the county

obtained roadway easements to preserve the open space along the roadside.

In 1999, a new 75-foot half-street right-of-way was dedicated over the existing roadway easements, with a remnant 30-foot-wide roadway easement remaining east of the right-of-way line. By this time, it was determined that N. Scottsdale Road would only need a 75-foot wide half-street right-of-way, with a 100-foot-wide Scenic Corridor Easement extending east beyond the 75-foot right-of-way line.

What is required today will provide a minimum 175-foot development setback from the Scottsdale Road centerline (75-foot half street right-of-way, plus 100-foot wide scenic corridor easement), compared to a 145-foot development setback from the Scottsdale Road centerline (105-foot half street right-of-way, plus a 40-foot setback) which was proposed in the 1960's.

Adjacent Uses and Zoning

- North: Clustered patio home development within the Winfield community zoned R-4R ESL
- South: Summit retail center with C-2 ESL zoning.
- East: Undeveloped property with R-3 ESL zoning. Case 23-ZN-2005 approved a rezoning from C-2 ESL to R-3 ESL, and a maximum of 90 dwelling units in December of 2006. A 78 unit patio home development was approved with case 31-DR-2012, but was never constructed. The Development Review board approval has since lapsed, and would need to return through the process for re-approval.
- West: 70 lot single-family residential subdivision with R1-10 ESL zoning.

Other Related Policies, References:

Scottsdale General Plan 2001, as amended
Scottsdale Transportation Master Plan

IMPACT ANALYSIS

Traffic/Trails

The street classification on this portion of N. Scottsdale Road is a Minor Arterial, with a total required right-of-way of 150-feet, comprised of two 75-foot-wide half streets. In 1999, the N. Scottsdale Road east half-street was dedicated to the City of Scottsdale. There is also to be a 10-foot-wide multi-use concrete path and an 8-foot wide unpaved trail. With the plan for the adjacent development, the path will be built within the 75-foot wide right-of-way, and the trail will be built within the scenic corridor area.

Public Utilities

The public utility companies have been notified of this abandonment request. All of the utility companies consent to the abandonment of the roadway easement. Century Link is requesting an 8-foot-wide public utility easement to be retained along the western property line. APS is requesting a public utility easement be placed over the existing transformers along Scottsdale Road.

Open Space

The Scottsdale Heights project is able to meet the Natural Area Open Space (NAOS) requirement, without needing to dedicate NAOS within the 30-foot-wide roadway easement area that is being abandoned. However, the area to be abandoned will be preserved as open space, with areas outside of the public utility easement also to be dedicated as NAOS.

A Scenic Corridor easement will be retained over the abandonment area, which is part of the overall 100-foot-wide Scenic Corridor Easement, measured from the edge of the 75-foot-wide right-of-way, will be dedicated to the City prior to the issuance of permits for the Scottsdale Height project.

Community Involvement

The applicant, as well as City staff mailed notifications of this abandonment request to property owners within 750-feet. The site was also posted with a public hearing notification sign. Staff did receive a few phone calls from residents asking for more information about the request.

Community Impact

The proposed abandonment will not restrict access to any adjacent properties, the 30-foot-wide area is not needed for any future street improvements, and the area will remain as open space. The owner will provide \$14,235.00 to the City as compensation to the City of Scottsdale for the roadway easement. The purpose of the 1968 roadway easement was to preserve a scenic corridor along the roadside of Scottsdale Road. The owner will not be building within this abandonment area, and will be dedicating a scenic corridor easement for open space over it.

OTHER BOARDS AND COMMISSIONS

Planning Commission

The Planning Commission heard this case on January 25, 2017 and recommended approval with a 5-0 vote.

Staff's Recommendation to Planning Commission

Staff recommended that the Planning Commission make a recommendation to City Council for approval to abandon the eastern 30-feet of a 55-foot-wide roadway easement along the western edge of a property located at 7225 E. Dove Valley Road, with Central Business District, Environmentally Sensitive Lands (C-2 ESL) zoning, finding that the proposal is consistent with and conforms to the adopted General Plan, subject to the following:

1. The property owner reserves a Scenic Corridor Easement over the abandonment area.
2. The property owner reserves an 8-foot-wide public utility easement along the western property line.
3. The property owner reserves a 30-foot by 70-foot electric easement for existing electrical transformers.
4. The property owner pays to the City the amount of \$14,235.00 as compensation to the City of Scottsdale for the roadway easement.

RECOMMENDATION

Recommended Approach:

Adopt Resolution No. 10680 to abandon the eastern 30-feet of a 55-foot-wide roadway easement along the western edge of a property located at 7225 E. Dove Valley Road, with Central Business District, Environmentally Sensitive Lands (C-2 ESL) zoning.

RESPONSIBLE DEPARTMENT

Planning and Development Services
Current Planning Services

STAFF CONTACT

Keith Niederer
Senior Planner
480-312-2953
E-mail: kniederer@ScottsdaleAZ.gov

APPROVED BY



Keith Niederer, Report Author

2-24-2017

Date



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

2/28/2017

Date



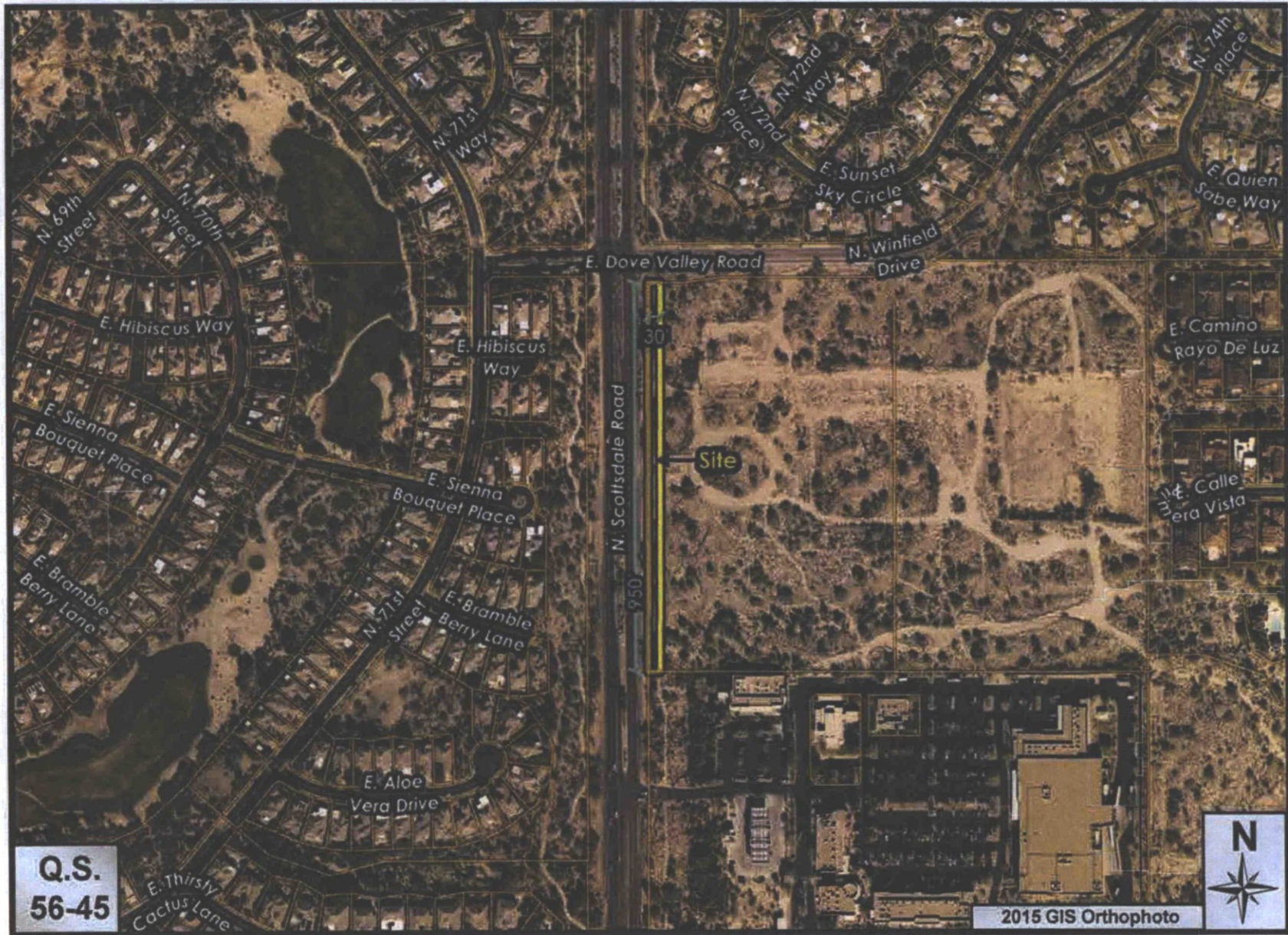
Randy Grant, Director
Planning and Development Services
480-312-2664, rgrant@scottsdaleaz.gov

3/6/17

Date

ATTACHMENTS

1. Context Aerial
- 1A. Aerial Close-Up
2. Resolution No. 10680
3. Applicant's Narrative
4. Scottsdale Heights Site Plan/NAOS exhibit
5. 1968 Desert Foothills Scenic Drive Plan Scottsdale Road Cross Section
6. City Notification Map
7. Neighborhood Correspondence
8. January 25, 2017 Planning Commission meeting minutes



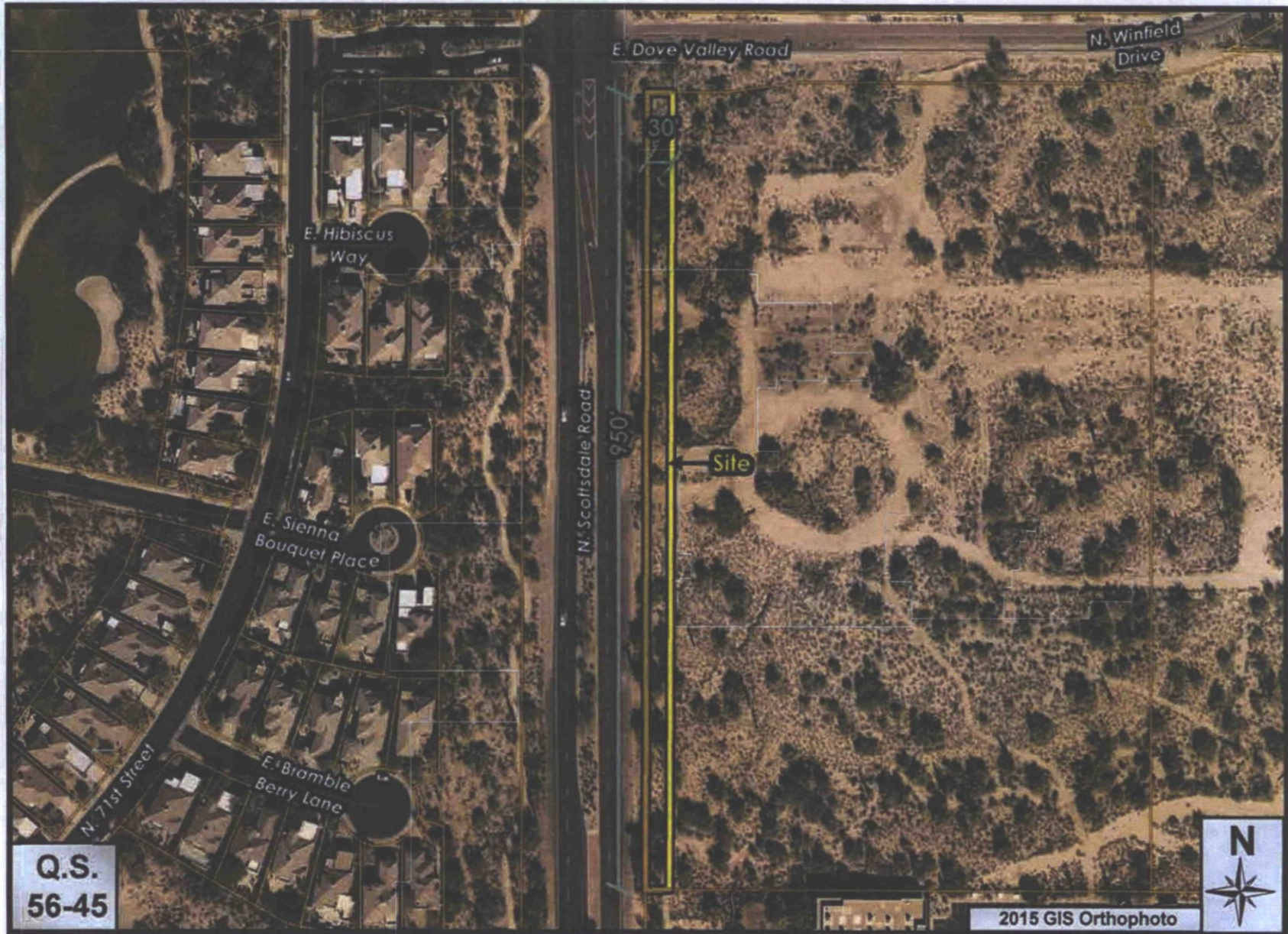
Q.S.
56-45

2015 GIS Orthophoto



Scottsdale Heights

10-AB-2016



Q.S.
56-45

2015 GIS Orthophoto



Scottsdale Heights

10-AB-2016

RESOLUTION NO. 10680

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 RIGHT-OF-WAY FOR A PORTION OF SCOTTSDALE ROAD, SOUTH OF DOVE VALLEY ROAD

(10-AB-2016)

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. After notice to the public, the City of Scottsdale ("City") City's planning commission and City Council have held hearings on the proposed abandonment of a certain interests in a portion of the street right-of-way and other interests (collectively the "Abandonment Right-of-way").

C. The Abandonment Right-of-way is described on **Exhibit "A"** and **Exhibit "B"** attached hereto.

D. The Abandonment Right-of-way falls within, serves, affects or is near the parcel (the "Shea 124 Investments/HV and Canal Parcel") comprising approximately 14 acres located east of the parcel comprising the Abandonment Right-of-way.

E. City's city council finds that, subject to the conditions, requirements, reservations and limitations of this resolution, the Abandonment Right-of-way is no longer necessary for public use.

F. City's city 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.

G. City's city 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 THAT:

1. Abandonment. Subject to the reservations and conditions below, City's interests comprising the Abandonment Right-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 A scenic corridor easement over the entire Abandonment Right-of-way.

2.2 A perpetual 8 foot public utility easement along the west property line.

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

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

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

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

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

2.5 An easement for all existing utilities, if any.

2.6 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 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 owners of the Shea 124 Investments/HV and Canal Parcel (and all lenders, tenants, and other interest holders in such parcels) shall convey to City using City specified forms the following:

3.1.1 A scenic corridor easement covering the entire Abandonment Right-of-way.

3.1.2 An 8 foot perpetual public utility easement along the west property line.

3.1.3 A public utility easement for the purpose of an Arizona Public Service electrical cabinet as described in **Exhibit "C"** and depicted on **Exhibit "D"** hereto.

3.2 The owners of the Shea 124 Investments/HV and Canal Parcel (and all lenders, tenants, and other interest holders in such parcels) shall convey to City using City specified forms each of the real estate interests specifically described in this resolution as having been reserved in favor of City. For example, if this resolution reserves to City a water line easement over a portion of the Abandonment Right-of-way, then this paragraph requires such persons to rededicate such water line easement. If such interest was originally dedicated in a manner that a portion of such interest falls within such parcels but outside the boundaries of the

Abandonment Right-of-way, then the new dedication required by this paragraph shall also include such additional portion of the interest.

3.3 The owners of the Shea 124 Investments/HV and Canal Parcel shall pay to City the combined total amount of Fourteen Thousand, Two Hundred Thirty-Five and No/100 Dollars (\$14,235.00) as compensation to 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.

3.4 The zoning administrator executes the certificate at the bottom of this resolution.

4. Administration of Conditions. If the Conditions are not all satisfied prior to the second annual anniversary of this resolution, or if this resolution is not recorded prior to that deadline, then the city clerk shall mark this resolution to indicate that this resolution is void.

5. Exhibit. The text of this resolution controls any conflict with the exhibits as to the rights or 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 _____, 20_____.

CITY OF SCOTTSDALE, an Arizona municipal corporation

W. J. "Jim" Lane, Mayor

ATTEST:

By: _____
Carolyn Jagger, City Clerk

APPROVED AS TO FORM:

RNEY
Bruce Washburn, City Attorney
By: Margaret Wilson, Assistant 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

EXHIBIT A

LEGAL DESCRIPTION

Easement for Highway Purposes Easement
Partial Abandonment

That portion of the Easement for Highway Purposes recorded in Docket 7132, Page 539, Maricopa County Records, lying within the North half of Section 14, Township 5 North, Range 4 East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

Except the West 25 feet of said easement.

Except the North 51 feet of said easement.

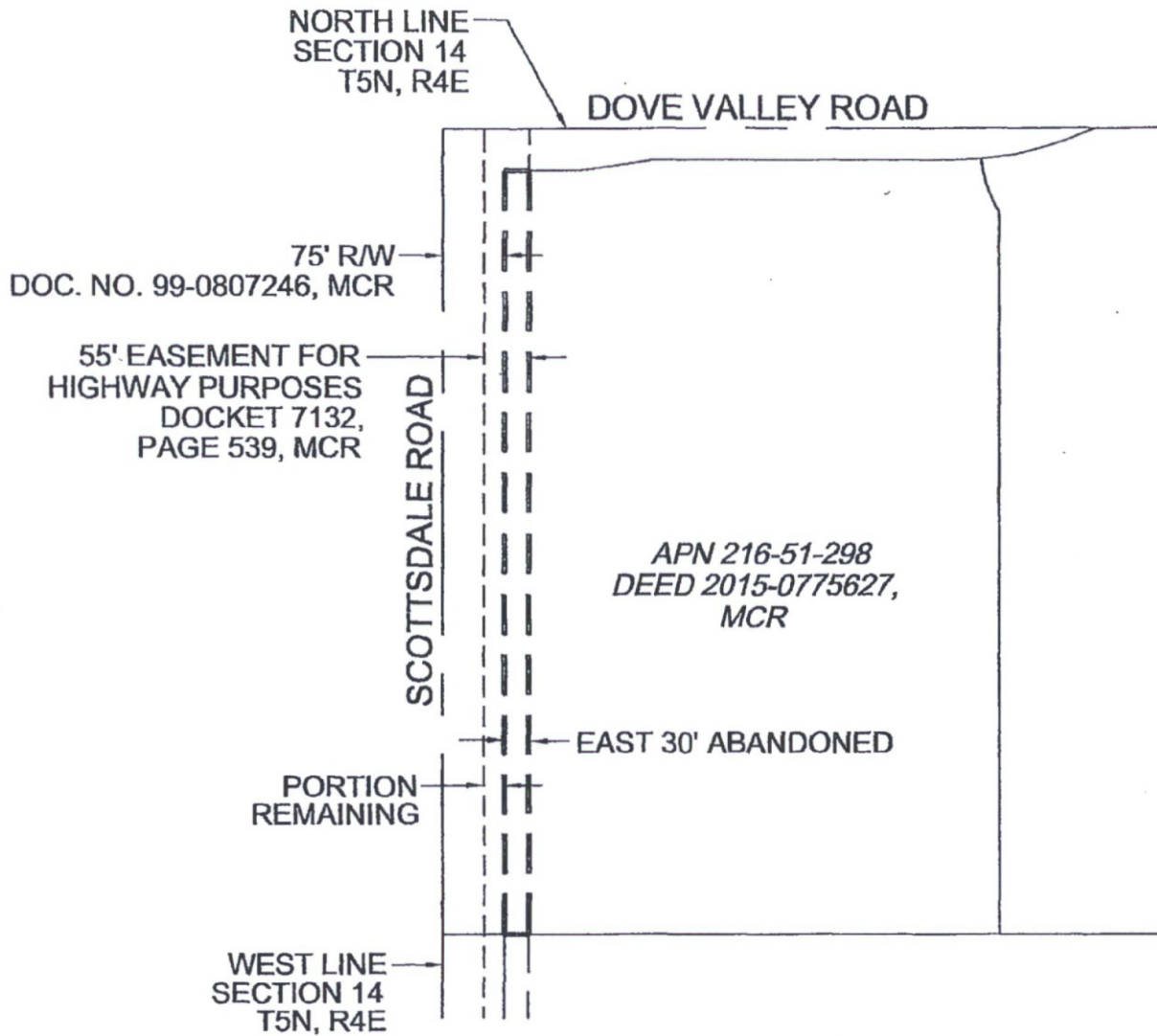


P.O. Box 2170, Chandler, AZ 85244
Daniel D. Armijo, RLS (480) 244-7630
Brian D. Warren, LSIT (480) 243-4287

September 19, 2016
AWLS #16-062

✓ EXPIRES 12/16

EXHIBIT "B"
 EASEMENT FOR HIGHWAY PURPOSES
 PARTIAL ABANDONMENT



AW
LAND
SURVEYING, LLC

P.O. BOX 2170, CHANDLER, AZ 85244
 (480) 244-7630
 (480) 243-4287



DRAWN BY: DDA	CHECKED BY: DDA	DATE: 09/19/16	JOB NO.: 16-062	SHEET NO. 2 OF 2
------------------	--------------------	----------------	-----------------	-------------------------

EXHIBIT A

Legal Description Public Utility Easement Dedication

A portion of that certain parcel of land described in Document No. 2015-0775627, Maricopa County Records, being a portion of the northwest quarter of Section 14, 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 northwest corner of said Section 14, a GLO brass cap in handhole, from which the west quarter corner, a GLO brass cap in handhole, bears South 00 degrees 01 minutes 33 seconds West, a distance of 2642.13 feet;

Thence along the west line of the northwest quarter of said Section 14, South 00 degrees 01 minutes 33 seconds West, a distance of 228.50 feet;

Thence leaving said west line, South 89 degrees 58 minutes 27 seconds East, a distance of 75.00 feet, to the easterly right-of-way line of Scottsdale Road and the **Point of Beginning**;

Thence leaving said easterly right-of-way line, South 89 degrees 58 minutes 27 seconds East, a distance of 30.00 feet;

Thence South 00 degrees 01 minutes 33 seconds West, a distance of 70.00 feet;

Thence North 89 degrees 58 minutes 27 seconds West, a distance of 30.00 feet, to said easterly right-of-way line;

Thence along said easterly right-of-way line, North 00 degrees 01 minutes 33 seconds East, a distance of 70.00 feet, to the **Point of Beginning**.



P.O. Box 2170, Chandler, AZ 85244
Daniel D. Armijo, RLS (480) 244-7630
Brian D. Warren, LSIT (480) 243-4287

December 8, 2016
AWLS #16-062

EXPIRES 12/31/18

EXHIBIT "B"
PUBLIC UTILITY EASEMENT
DEDICATION

NW CORNER
SECTION 14
T5N, R4E
FD GLO BRASS CAP
IN HANDHOLE
POINT OF
COMMENCEMENT

DOVE VALLEY ROAD

2642.13'
228.50'
S 00°01'33" W
SCOTTSDALE ROAD

75' R/W
DOC. NO. 99-0807246, MCR

POINT OF BEGINNING

S 89°58'27" E
75.00'

S 89°58'27" E
30.00'

APN 216-51-298
DEED 2015-0775627,

S 00°01'33" W MCR
70.00'

PUBLIC UTILITY
EASEMENT
DEDICATED

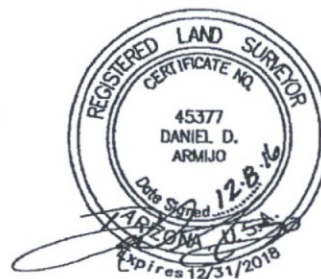
N 00°01'33" E
70.00'

N 89°58'27" W
30.00'

W 1/4 CORNER
SECTION 14
T5N, R4E
FD GLO BRASS CAP IN HANDHOLE

AW
LAND
SURVEYING, LLC

P.O. BOX 2170, CHANDLER, AZ 85244
(480) 244-7630
(480) 243-4287



DRAWN BY:
DDA

CHECKED BY:
DDA

DATE: 12/08/16 JOB NO.: 16-062

SHEET NO. 2 OF 2

PUE Closure

Closure Report

Thu Dec 08 14:01:20 2016

Northing	Easting	Bearing	Distance
1012769.078	697276.163	N 00°01'33" E 70.000	
1012839.078	697276.195	S 89°58'27" E 30.000	
1012839.065	697306.195	S 00°01'33" W 70.000	
1012769.065	697306.163	N 89°58'27" W 30.000	
1012769.078	697276.164		

Closure Error Distance > 0.00010 Error Bearing > N 89°58'27" W
Closure Precision > 1 in 2000002.3 Total Distance > 200.000
Area: 2100.0 sq ft, 0.048 acres



Scottsdale Heights
Abandonment Application
Project Narrative
10-AB-2016

Prepared for:
Shea 124th Investments, LLC

Prepared by:
Berry Riddell, LLC
6750 East Camelback Road, Suite 100
Scottsdale, Arizona 85251
480-385-2727

I. Abandonment Request

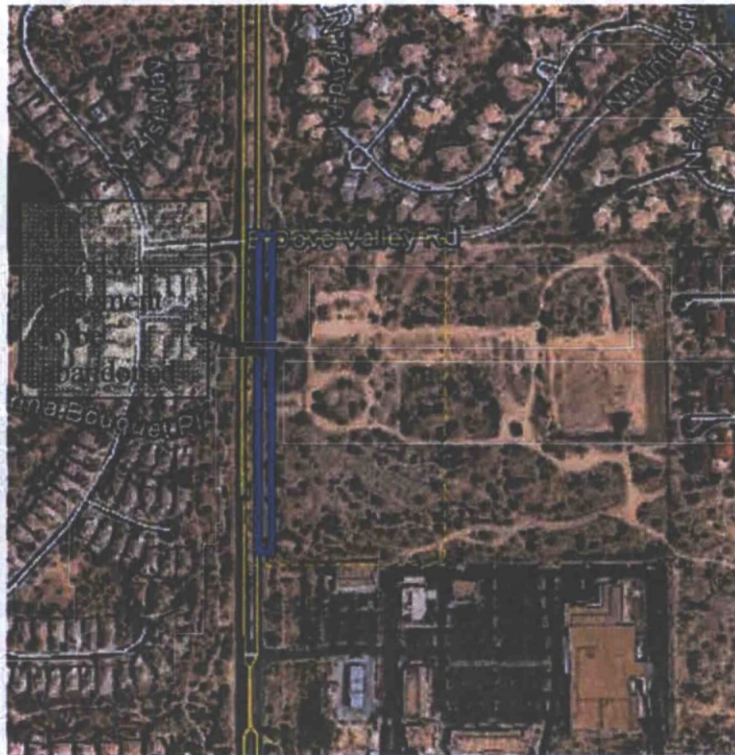
The request is for abandonment of a roadway easement dedication that falls along the property located southeast corner of Scottsdale Road and Dove Valley (the "Property"). The request is to abandon the **eastern 30 feet** of an existing 55-foot wide roadway easement along the western edge of the Property, aligning with Scottsdale Road. This 55-foot roadway easement overlaps the existing right-of-way dedication on the western 25 feet and a future Scenic Corridor on the eastern 30 feet, hence the request to only abandon the eastern 30 feet. It has been determined by City Staff that the roadway easement is not needed and is redundant with the existing R.O.W. The 55-foot roadway easement was dedicated under MCR 7132-539, a copy of which is included with the application. The existing 75 feet of right-of-way for Scottsdale Road (half street) will be maintained and not affected by this application.

The applicant is also processing a non-major General Plan Amendment and rezoning case for residential development on a 14+/- Property, cases 4-GP-2016 and 9-ZN-2016.

Utility companies have been contacted regarding the proposed roadway easement abandonment (APS, SRP, Century Link, COS, Cox, SW Gas). Correspondence is included with the application documents.

II. Consideration for Abandonment

The owner has agreed to a valuation of \$0.50 per s.f. for the roadway easement area to be abandoned. This area is 949' x 30' and equals 28,470 s.f. x \$0.50 = \$14,235. The Property owner will provide direct compensation to the City of Scottsdale for the land area to be abandoned.





LEGEND

0.27 AC	HISTORICALLY SCARRED, TO BE RESTORED AS N.A.O.S.
1.9 AC	N.A.O.S. UNDISTURBED
1.0 AC	N.A.O.S. REVEGETATED

NET SITE DATA

GRIPED DEEP AREA:	15.5 ACRES
NET SITE AREA:	18.3 ACRES

SOPE ANALYSIS

SLOPE CATEGORY	AREA (ACRES)	UPPER CENTER FACTOR	REQ. N.A.O.S. (ACRES)
0%	0%	30%	0.00
1%	0.40	20%	0.80
2%	0.40	30%	1.20
3%	1.15	30%	0.35
4%	0.24	30%	0.11
5%	0.04	30%	0.02
TOTAL	2.63		2.48

SCARRED AREA SUMMARY

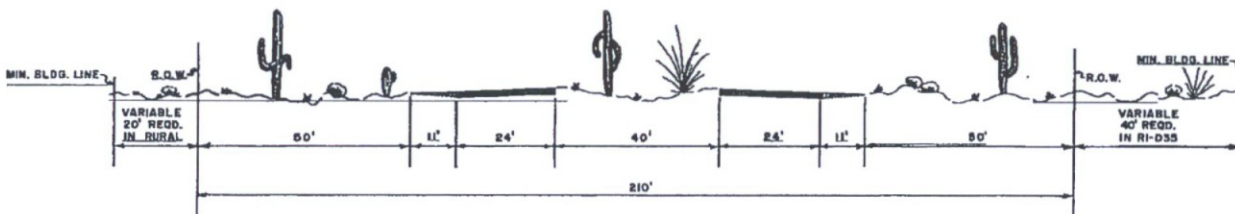
N.A.O.S. SCARRED FOR SCARRED ANALYSIS:	3.49 AC
MAX. ALLOWED REVEGETATED AREA (DURE)	1.03 AC
AREA ALLOWED UNDISTURBED AREA (DURE)	2.46 AC
N.A.O.S. REMAINS AFTER SCARRED AREA CREDIT:	2.91 AC
RECALCULATED TO BE RESTORED (SCARRED FACTOR) AND RECALCULATED TO BE RESTORED (SCARRED FACTOR) N.A.O.S. REMAINS	1.03 AC
MAX. ALLOWED REVEGETATED AREA (1.03 AC)	1.03 AC
MIN. ALLOWED UNDISTURBED AREA (2.42 AC) - 0.44 AC	1.98 AC

N.A.O.S. PROVIDED

N.A.O.S. - REVEGETATED:	1.03 AC
N.A.O.S. - UNDISTURBED:	1.9 AC
N.A.O.S. - SCARRED (YTD) BE RESTORED CREDIT:	0.44 AC
ACTUAL SCARRED AREA BEFORE 2:1 CREDIT:	3.97 AC
NET N.A.O.S. PROVIDED (INCLUDING SCARRED CREDIT)	2.9 AC

NOTE: ANY UTILITY LOCATED WITHIN UNDISTURBED N.A.O.S. CORRIDOR SHALL BE RELOCATED.

PRELIMINARY AND FOR CONSTRUCTION - SUBJECT TO ENGINEERING AND CITY REVIEW AND APPROVAL. © COPYRIGHT LVA DESIGN INC. This document, together with the conceptual design presented herein, is an instrument of service, is prepared solely for the specific project and shall be a confidential document. No use or reproduction of this document without written permission is allowed. LVA DESIGN INC. 120 South Oak Avenue, Tempe, Arizona 85281-1517. 480.994.0994. 10/10/16



4-LANE DIVIDED SCENIC RURAL HIGHWAY

SUGGESTED FUTURE TYPICAL CROSS-SECTION

CAVE CREEK ROAD between NW cor., SW1/4, sec. 14, T4N, R3E and sec. 33, T6N, R4E

SCOTTSDALE ROAD between NE cor., sec. 10; T4N, R4E and sec. 3, T5N, R4E.

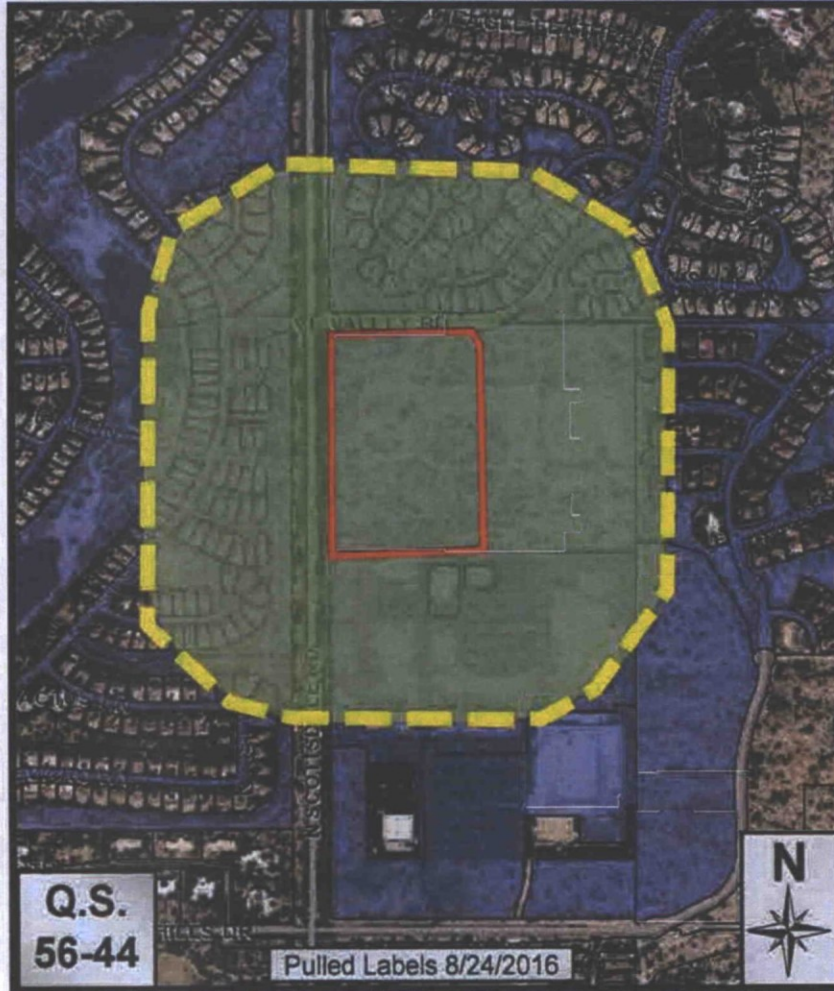
MARICOPA COUNTY PLANNING AND ZONING DEPARTMENT

G. L. B. - MAY, 1968

PLATE 3

City Notifications – Mailing List Selection Map

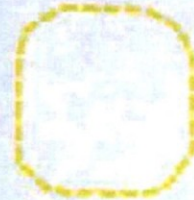
ATTACHMENT #6



Map Legend:



Site Boundary



Properties within 750-feet

Postcards 203

Additional Notifications:

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

Scottsdale Heights

10-AB-2016

Niederer, Keith

From: Roeser <mjroeser@aol.com>
Sent: Wednesday, September 14, 2016 8:55 PM
To: Niederer, Keith
Subject: Re: Easement Abandonment

Thanks Keith. That explains it quite well.

Michael

Sent from my iPhone

> On Sep 14, 2016, at 8:09 PM, Niederer, Keith <KNiederer@Scottsdaleaz.gov> wrote:

>

> Michael,

>

> The 55' wide road roadway easement overlaps the 75' wide Scottsdale Road right-of-way. The roadway easement extends 30' east of the edge of 75' wide right-of-way. So, their narrative stating the request is to abandon 55' of ROW is not correct. They are seeking to abandon 30'.

>

> The length of the property is approximately 949 feet. Multiply that by 30 is a 28,470 s.f. area. Staff typically doesn't allow NAOS to be dedicated within roadway easements, so if the abandonment were not approved, that 28,470 s.f. area couldn't be counted towards their provided NAOS. They want to be able to count this area as NAOS, therefore they are going through the abandonment process.

>

> Regarding the valuation, staff asks on commercial properties than an appraisal be submitted. The appraisal came back offering the City \$1,000 in compensation for the easement.

>

> Keith

>

> -----Original Message-----

> From: Roeser [<mailto:mjroeser@aol.com>]

> Sent: Wednesday, September 14, 2016 7:39 AM

> To: Niederer, Keith

> Subject: Re: Easement Abandonment

>

> Thanks Keith, but I am a bit confused.

>

> 1. The application requests to abandon a 55' easement, so not sure how that works with the dimensions in your last email where you said the developer has requested that this 30' of roadway easement be abandoned."

>

> 2. My question arising from your August 30 email is how many square feet of NAOS does the developer avoid providing by abandoning this easement? It is my impression from that email that the developer avoids developing NAOS in the actual development by abandoning this easement. Am I wrong?

>

> 3. How is the valuation calculated? If in fact the developer is allowed more area to build by abandoning this easement, shouldn't the valuation be based on the value of having more area to develop rather than an estimate based on the value of the same area as unbuildable?

>

ATTACHMENT #7

> Thanks,
>
> Michael
>
> Sent from my iPhone
>
>> On Sep 12, 2016, at 11:03 AM, Niederer, Keith <KNiederer@Scottsdaleaz.gov> wrote:
>>
>> Hi Michael,
>>
>> The eastern half of the Scottsdale Road right-of-way is 75' (centerline to eastern edge of ROW). This area is owned by the City. There is an old roadway easement that extends an additional 30' east of the right-of-way line. The property owner owns this 30'. Typically, staff doesn't allow applicants to dedicate NAOS easements inside of roadway easements, so the applicant has requested that this 30' of roadway easement be abandoned. There will still be a 100' building setback provided, measured from the existing 75' ROW line.
>>
>> Keith
>>
>> -----Original Message-----
>> From: Michael Roeser [<mailto:mjroeser@aol.com>]
>> Sent: Monday, September 12, 2016 7:11 AM
>> To: Niederer, Keith
>> Subject: Easement Abandonment
>>
>> Hi Keith,
>>
>> I know odd hours on my emails to you, but I am in Little Rock on a road trip but still paying attention to these issues.
>>
>> I have thought about your last email, and wondered if the easement is abandoned does that mean that the developer reduces the NAOS he must include in his proposal by 55 feet times the length of the parcel on Scottsdale Road? If so, that seems like a substantial area which he can then build on. Am I right on this?
>>
>> Thanks,
>>
>> Michael
>>
>> Sent from my iPad
>

Niederer, Keith

From: Michael Roeser <mjroeser@aol.com>
Sent: Tuesday, August 30, 2016 6:58 PM
To: Niederer, Keith
Subject: Re: Scottsdale Heights

Hi Keith,

Thanks for the explanation. Please forgive me if I am a little slow on the uptake.

If the request is denied, does that mean the development would have to be located further to the East to satisfy the open space area requirements.

How does this jive with the set back for the scenic corridor?

Again thanks for being patient as I am not hip, yet, to all of the obviously complicated open space, scenic corridor, provisions.

Michael

Sent from my iPad

> On Aug 30, 2016, at 6:20 PM, Niederer, Keith <KNiederer@Scottsdaleaz.gov> wrote:

>

> Hi Michael,

>

> There is 75-feet of right-of-way on the east half of Scottsdale Road, owned by the City. This will remain in place.

>

> There is also an existing 30-foot-wide roadway easement running along the west side of the subject property, which is dedicated to the City beyond (east) of the 75-foot line. The City's doesn't need more than a 75-foot wide half street along Scottsdale Road for the street and associated improvements.

>

> The applicant is asking to abandon this 30-foot roadway easement area, so they can count this easement area towards their provided natural area open space. An abandonment request also requires a hearing before the Planning Commission and approval by the City Council.

>

> So far, there are not any Planning Commission or City Council dates scheduled for the rezoning application.

>

> Keith

>

> -----Original Message-----

> From: Roeser [<mailto:mjroeser@aol.com>]

> Sent: Tuesday, August 30, 2016 5:45 AM

> To: Niederer, Keith

> Subject: Scottsdale Heights

>

> Morning Keith,

>

> In monitoring the Website noticed the application to abandon an easement. If you have a minute would you mind letting me know how this affects the proposal for the duplexes?

>

> Thank you,

>

> Michael Roeser

>

> Sent from my iPhone

>

**Greater Pinnacle Peak Association
Friends of the Scenic Drive**

January 25, 2017

To: Planning Commission, City of Scottsdale

Subject: 10-AB-2016 (Scottsdale Heights Roadway Easement Abandonment)

This letter is in support for this request by the owner to abandon the eastern 30-feet of a 55-foot roadway easement along the western edge of a property located at 7225 East Dove Valley Road.

The Greater Pinnacle Peak Association (GPPA) is a 53-year old group of volunteers dedicated to protecting Scottsdale's unique Upper Sonoran Desert areas. GPPA has been instrumental in the formation and support of Scottsdale's McDowell Sonoran Preserve, Pinnacle Peak Park, and the Desert Foothills Scenic Drive. Scottsdale's Desert Foothills Scenic Drive (Scottsdale Road between Happy Valley Road and Carefree Highway) was founded over 50 years ago by GPPA and our volunteers continue to maintain this unique Scottsdale treasure.

After reviewing this Roadway Easement Abandonment request, the Greater Pinnacle Peak Association's Board of Directors supports this Scottsdale Heights Roadway Easement Abandonment request, 10-AB-2016.

Dr. Robert Cappel
President, Board of Directors
Greater Pinnacle Peak Association

Cc: Keith Niederer

WINFIELD
The Carefree Side of Scottsdale
Winfield Owners Community Association

January 17, 2017

To: Planning Commission, City of Scottsdale

Subject: 10-AB-2016 (Scottsdale Heights Roadway Easement Abandonment)

This letter is in support for this request by the owner to abandon the eastern 30-feet of a 55-foot roadway easement along the western edge of a property located at 7225 East Dove Valley Road.

Winfield is a Planned Community of 511 homes located adjacent to this property along the north side of East Dove Valley Road. After presenting this Roadway Easement Abandonment request to Winfield's homeowners, the majority of whom were in support, the Winfield Owners Community Association's Board of Directors voted to support this Scottsdale Heights Roadway Easement Abandonment request, 10-AB-2016.



Dr. Robert Cappel
President, Board of Directors
Winfield Owners Community Association

Cc: Keith Niederer

Niederer, Keith

From: Niederer, Keith
Sent: Tuesday, February 28, 2017 5:44 PM
To: 'Warren Loveland'
Subject: RE: case 10AB-2016

Mr. Loveland ,

I'll forward your comments to the applicant, and have them answer your trail connection question.

There will be a sidewalk along with entire length of the property from Dove Valley to the south property line. The sidewalk will not be right up along the street, there will be an open space buffer between the sidewalk and street.

The area between the Summit retail center and the proposed access drive will likely be a storm water retention area, so that is why the 8' trail isn't shown going all the way down the Summit property. If there is way to route a trail around the basin, I'll ask them to look at that.

Regarding the Summit property, there is currently no sidewalk along the Scottsdale Road frontage. However, there is an existing trail that will be tied into the proposed trail.

Keith

From: Warren Loveland [<mailto:wloveland@Horizon-Management.net>]
Sent: Tuesday, February 28, 2017 2:19 PM
To: Niederer, Keith
Subject: RE: case 10AB-2016

Thanks. Questions Why does the 8' path stop 200 ft north of the shopping center? Many Winfield residents walk to grocery. With the speed limit at 50 and many going 60 it will be uncomfortable to walk on the edge of the highway. Can you get it to continue south to the Van Dyke trail and make some provision for entry to the safeway parking lot. Why no path along the Summit property?

Sent from [Mail](#) for Windows 10

From: [Niederer, Keith](#)
Sent: Tuesday, February 28, 2017 1:03 PM
To: [Warren Loveland](#)
Subject: RE: case 10AB-2016

Mr. Loveland –

Below is a link to case 9-ZN-2016:

<https://eservices.scottsdaleaz.gov/bldgresources/Cases/Details/46069>

You can view the applicant's submittal, as well as the Planning Commission Staff Report.

Also, below is a link to the roadway easement abandonment application, case 10-AB-2016

<https://eservices.scottsdaleaz.gov/bldgresources/Cases/Details/46572>

You can view the applicant's submittal, as well as the Planning Commission Staff Report.

Both of these applications are scheduled to be heard by the City Council on Tuesday March 21. The meeting will begin at 5PM in City Hall.

I've also attached the proposed site plan.

There will still be a 75-foot-wide half street right-of-way along Scottsdale Road. There will also be a 100-foot of scenic corridor between the Scottsdale Road right-of-way line and the new development.

A new 10' wide concrete sidewalk and 8' wide trail we be constructed on the east side of Scottsdale Road between Dove Valley Road and the Summit retail center, giving pedestrians a route to get from Winfield to the shopping center.

The developer will need to contribute towards the cost of a new traffic signal that would be built at the intersection of Dove Valley and Scottsdale Road, once the traffic count warrant requirement is met at the intersection.

There will be storm water retention basins built. The final locations and sizes will be determined during the Development Review Board portion of the project, which would happen after the zoning change is approved.

Please let me know if you have any questions.

Thanks,

Keith Niederer

Senior Planner

City of Scottsdale, AZ

480-312-2953

Get informed!

Subscribe to [Scottsdale P & Z Link](#) newsletter

 follow us on Facebook

 **twitter**

From: Warren Loveland [<mailto:wloveland@Horizon-Management.net>]

Sent: Tuesday, February 28, 2017 11:19 AM

To: Niederer, Keith

Subject: case 10AB-2016

7225 East Dove Valley Rd. Please provide me with relevant information on this file. Does this request to vacate 33 ft of the road right of way mean that there will not be landscaping separating Scottsdale rd from the commercial buildings. Why would Scottsdale give up this beautiful scenic corridor concept. Why would a rapidly growing community give up road right of way when much land is still undeveloped and traffic volumes will continue to grow. Will there be a stop light for the 524 cars at the commercial plus the cars for the the new residential. Many people at Winfield walk to the grocery. Will access to the safeway be preserved or provided for. I don't see any on site storm water retention

Sent from [Mail](#) for Windows 10



REQUEST TO SPEAK

4,546

Request to Speak cards must be submitted to City Staff **BEFORE** public testimony begins.
Public testimony is limited to three (3) minutes per speaker.
Additional time **MAY** be granted to speakers representing two or more persons.
Cards for designated speakers and the person(s) they represent must be submitted together.

NAME (print) BRENT DIEDRICH MEETING DATE 1-25-2017

NAME OF GROUP/ORGANIZATION (if applicable) _____

ADDRESS 32828 N. 69TH ST., SCOTTSDALE ZIP 85266

HOME PHONE 248-770-5728 WORK PHONE _____

E-MAIL ADDRESS (optional) _____

I WISH TO SPEAK ON AGENDA ITEM # 4 I WISH TO DONATE MY TIME TO _____

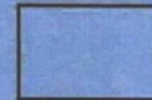
I WISH TO SPEAK DURING "PUBLIC COMMENT"* CONCERNING _____

*Citizens may complete one Request to Speak "Public Comment" card per meeting and submit it to City Staff. "Public Comment" time is reserved for citizen comments regarding non-agendized items. The Board and Commission may hear "Public Comment" testimony, but is prohibited by state law from discussing items which are not listed on the agenda.

This card constitutes a public record under Arizona law.



REQUEST TO SPEAK



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Cards for designated speakers and the person(s) they represent must be submitted together.*

NAME (print) Hamdi HIRSI MEETING DATE _____

NAME OF GROUP/ORGANIZATION (if applicable) _____

ADDRESS 7002 N huahale St Apt 139 ZIP _____

HOME PHONE 505-563-6080 WORK PHONE _____

E-MAIL ADDRESS (optional) Tosareey@hotmail.com

I WISH TO SPEAK ON AGENDA ITEM # _____ I WISH TO DONATE MY TIME TO _____

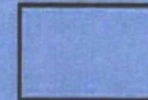
I WISH TO SPEAK DURING "PUBLIC COMMENT"* CONCERNING _____

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REQUEST TO SPEAK



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Cards for designated speakers and the person(s) they represent must be submitted together.*

NAME (print) LORRA MOYER MEETING DATE 1/27/2016

NAME OF GROUP/ORGANIZATION (if applicable) _____

ADDRESS 30714 N. 65th St ZIP 85531

HOME PHONE 4805758428 WORK PHONE _____

E-MAIL ADDRESS (optional) _____

I WISH TO SPEAK ON AGENDA ITEM # _____ I WISH TO DONATE MY TIME TO _____

I WISH TO SPEAK DURING "PUBLIC COMMENT"* CONCERNING Scottsdale Heights.

**Citizens may complete one Request to Speak "Public Comment" card per meeting and submit it to City Staff. "Public Comment" time is reserved for citizen comments regarding non-agendized items. The Board and Commission may hear "Public Comment" testimony, but is prohibited by state law from discussing items which are not listed on the agenda.*

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REQUEST TO SPEAK



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 Additional time **MAY** be granted to speakers representing two or more persons.
 Cards for designated speakers and the person(s) they represent must be submitted together.*

NAME (print) Dan McNeill MEETING DATE 1/25/17

NAME OF GROUP/ORGANIZATION (if applicable) _____

ADDRESS 7151 E Thirsty Cactus Lane ZIP 85266

HOME PHONE 480-689-6611 WORK PHONE ~~480~~-858-204-1881

E-MAIL ADDRESS (optional) dan.mcneil@mcneilgroup.com

I WISH TO SPEAK ON AGENDA ITEM # 4,5,6 I WISH TO DONATE MY TIME TO _____

I WISH TO SPEAK DURING "PUBLIC COMMENT"* CONCERNING _____

**Citizens may complete one Request to Speak "Public Comment" card per meeting and submit it to City Staff. "Public Comment" time is reserved for citizen comments regarding non-agendized items. The Board and Commission may hear "Public Comment" testimony, but is prohibited by state law from discussing items which are not listed on the agenda.*

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REQUEST TO SPEAK

4

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Additional time **MAY** be granted to speakers representing two or more persons.
Cards for designated speakers and the person(s) they represent must be submitted together.

NAME (print) Robert Cappel MEETING DATE 1/25/2017

NAME OF GROUP/ORGANIZATION (if applicable) Winfield HOA & Greater Pinnacle Peak Ass.

ADDRESS 33600 N. 79th Way, Scottsdale ZIP 85266

HOME PHONE 480-595-1805 WORK PHONE _____

E-MAIL ADDRESS (optional) _____

I WISH TO SPEAK ON AGENDA ITEM # 4 I WISH TO DONATE MY TIME TO _____

I WISH TO SPEAK DURING "PUBLIC COMMENT"* CONCERNING _____

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REQUEST TO SPEAK

5

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NAME (print) Robert Cappel MEETING DATE 1/25/2017

NAME OF GROUP/ORGANIZATION (if applicable) Winfield HOA + Greater Pinnacle Peak Assn

ADDRESS 33600 N. 79th Way, Scottsdale ZIP 85266

HOME PHONE 480-595-1805 WORK PHONE _____

E-MAIL ADDRESS (optional) _____

I WISH TO SPEAK ON AGENDA ITEM # 5 I WISH TO DONATE MY TIME TO _____

I WISH TO SPEAK DURING "PUBLIC COMMENT"* CONCERNING _____

**Citizens may complete one Request to Speak "Public Comment" card per meeting and submit it to City Staff. "Public Comment" time is reserved for citizen comments regarding non-agendized items. The Board and Commission may hear "Public Comment" testimony, but is prohibited by state law from discussing items which are not listed on the agenda.*

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REQUEST TO SPEAK

6

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Additional time **MAY** be granted to speakers representing two or more persons.
Cards for designated speakers and the person(s) they represent must be submitted together.

NAME (print) Robert Cappel MEETING DATE 1/25/2017

NAME OF GROUP/ORGANIZATION (if applicable) Winfield HOA + Greater Pinnacle Peak Assn

ADDRESS 33600 N. 79th Way Scottsdale ZIP 85266

HOME PHONE 480-595-1805 WORK PHONE _____

E-MAIL ADDRESS (optional) _____

I WISH TO SPEAK ON AGENDA ITEM # 6 I WISH TO DONATE MY TIME TO _____

I WISH TO SPEAK DURING "PUBLIC COMMENT"* CONCERNING _____

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REQUEST TO SPEAK

4,546

Request to Speak cards must be submitted to City Staff **BEFORE** public testimony begins.
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Additional time **MAY** be granted to speakers representing two or more persons.
Cards for designated speakers and the person(s) they represent must be submitted together.

NAME (print) MICHAEL ROESER MEETING DATE 1/25/17

NAME OF GROUP/ORGANIZATION (if applicable) _____

ADDRESS 7111 EAST SIENNA BOUQUET PL ZIP 85266

HOME PHONE 775 750 4909 WORK PHONE _____

E-MAIL ADDRESS (optional) _____

I WISH TO SPEAK ON AGENDA ITEM # 4, 5 I WISH TO DONATE MY TIME TO _____

I WISH TO SPEAK DURING "PUBLIC COMMENT"* CONCERNING _____

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REQUEST TO SPEAK

4,546

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Additional time **MAY** be granted to speakers representing two or more persons.
Cards for designated speakers and the person(s) they represent must be submitted together.

NAME (print) David Gordon MEETING DATE 1/25/2017

NAME OF GROUP/ORGANIZATION (if applicable) _____

ADDRESS 33100 N. 72nd Way ZIP 85266

HOME PHONE 714-264-8130 WORK PHONE _____

E-MAIL ADDRESS (optional) azdgordon@gmail.com

I WISH TO SPEAK ON AGENDA ITEM # 4,5,6 I WISH TO DONATE MY TIME TO _____

I WISH TO SPEAK DURING "PUBLIC COMMENT"* CONCERNING _____

*Citizens may complete one Request to Speak "Public Comment" card per meeting and submit it to City Staff. "Public Comment" time is reserved for citizen comments regarding non-agendized items. The Board and Commission may hear "Public Comment" testimony, but is prohibited by state law from discussing items which are not listed on the agenda.

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REQUEST TO SPEAK

4

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Additional time **MAY** be granted to speakers representing two or more persons.
Cards for designated speakers and the person(s) they represent must be submitted together.*

NAME (print) JAMES JOHNSON MEETING DATE 1/25/2017

NAME OF GROUP/ORGANIZATION (if applicable) LAS PUEBLOS of Seveno Peak HOA

ADDRESS 7422 E. Camino Rayo DE Luz ZIP 85266

HOME PHONE 847-778-5641 WORK PHONE _____

E-MAIL ADDRESS (optional) JHJOHNSON1127@GMAIL.COM

I WISH TO SPEAK ON AGENDA ITEM # 4/8 I WISH TO DONATE MY TIME TO _____

I WISH TO SPEAK DURING "PUBLIC COMMENT"* CONCERNING _____

**Citizens may complete one Request to Speak "Public Comment" card per meeting and submit it to City Staff. "Public Comment" time is reserved for citizen comments regarding non-agendized items. The Board and Commission may hear "Public Comment" testimony, but is prohibited by state law from discussing items which are not listed on the agenda.*

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REQUEST TO SPEAK

4542

Request to Speak cards must be submitted to City Staff **BEFORE** public testimony begins.
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Additional time **MAY** be granted to speakers representing two or more persons.
Cards for designated speakers and the person(s) they represent must be submitted together.

NAME (print) Bob Moore MEETING DATE 1/25/17

NAME OF GROUP/ORGANIZATION (if applicable) _____

ADDRESS 7425 E Scoring Engle ZIP 85266

HOME PHONE 480-595-0349 WORK PHONE _____

E-MAIL ADDRESS (optional) ramco4032@gmail.com

I WISH TO SPEAK ON AGENDA ITEM # 4 I WISH TO DONATE MY TIME TO _____

I WISH TO SPEAK DURING "PUBLIC COMMENT"* CONCERNING _____

*Citizens may complete one Request to Speak "Public Comment" card per meeting and submit it to City Staff. "Public Comment" time is reserved for citizen comments regarding non-agendized items. The Board and Commission may hear "Public Comment" testimony, but is prohibited by state law from discussing items which are not listed on the agenda.

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REQUEST TO SPEAK

4

Request to Speak cards must be submitted to City Staff **BEFORE** public testimony begins.
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Additional time MAY be granted to speakers representing two or more persons.
Cards for designated speakers and the person(s) they represent must be submitted together.

NAME (print) DON BUCH ("BUSH") MEETING DATE 1-25-17

NAME OF GROUP/ORGANIZATION (if applicable) _____

ADDRESS 6572 E. SLEEY OWL WAY ZIP 85266

HOME PHONE _____ → WORK PHONE 619.985.4321

E-MAIL ADDRESS (optional) dnbuch@hotmail.com

I WISH TO SPEAK ON AGENDA ITEM # 4 I WISH TO DONATE MY TIME TO _____

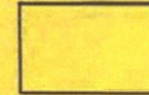
I WISH TO SPEAK DURING "PUBLIC COMMENT"* CONCERNING _____

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WRITTEN COMMENTS



This card is used to submit written comments to the Board or Commission.
Written comment cards may be submitted to the Staff at any time. Cards submitted after public testimony has begun will be provided to the Board or Commission at the conclusion of the testimony for that item.

NAME (print) Ronald A. Rhoads MEETING DATE Jan. 25, 2017

NAME OF GROUP/ORGANIZATION (if applicable) _____

ADDRESS 6960 E. Sienna Bouquet Place ZIP 85266

HOME PHONE 630-502-7049 WORK PHONE _____

E-MAIL ADDRESS (optional) _____

AGENDA ITEM # 4-GP-2016 9-211 SUPPORT OPPOSE
10-AB-2016 2016

COMMENTS (additional space is provided on the back) _____

This card constitutes a public record under Arizona law.



WRITTEN COMMENTS



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NAME (print) NEIL BUTSTEIN MEETING DATE 1/25/17

NAME OF GROUP/ORGANIZATION (if applicable) _____

ADDRESS 32875 N. 70TH ST. ZIP 85266

HOME PHONE 480-595.9816 WORK PHONE _____

E-MAIL ADDRESS (optional) _____

AGENDA ITEM # 4-6P-2016 9-2N-2016 70 AB-2016 SUPPORT OPPOSE

COMMENTS (additional space is provided on the back) THIS DEVELOPMENT DOES NOT
FIT WITH THE SURROUNDING COMMITTEES. THE DENSITY IS
3X TIMES OTHER DEVELOPMENTS. THIS HAS RENTAL
WRITTEN ALL OVER IT. I AM CONSIDERING PURCHASE
OF A LARGER HOME & IF THIS IS BUILT I WILL NOT STAY
IN NORTH SCOTTSDALE.

This card constitutes a public record under Arizona law.



WRITTEN COMMENTS

4,56

This card is used to submit written comments to the Board or Commission.
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NAME (print) GRANT IRELAND MEETING DATE 1/25/17

NAME OF GROUP/ORGANIZATION (if applicable) _____

ADDRESS 7952 E. RUSSET SKY DR SCOTTSDALE ZIP 85266

HOME PHONE 480-454-6855 WORK PHONE _____

E-MAIL ADDRESS(optional) IRELAND LLC @ COMCAST.NET

AGENDA ITEM # 4,5,6 SUPPORT OPPOSE

COMMENTS (additional space is provided on the back) DENSITY AS PROPOSED

IS TOO DENSE AND NOT IN KEEPING WITH
ALL OTHER NEARBY NORTH SCOTTSDALE COMMUNITIES

I SUBMITTED A LETTER OPPOSED IN DECEMBER

This card constitutes a public record under Arizona law.



WRITTEN COMMENTS

4,546

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Written comment cards may be submitted to the Staff at any time. Cards submitted after public testimony has begun will be provided to the Board or Commission at the conclusion of the testimony for that item.

NAME (print) Paula Rudnick MEETING DATE 1/25/17

NAME OF GROUP/ORGANIZATION (if applicable) _____

ADDRESS 8029 E. Granite Pass Rd ZIP 85266

HOME PHONE 480-361-4697 WORK PHONE _____

E-MAIL ADDRESS (optional) _____

AGENDA ITEM # 5 Scottsdale Heights SUPPORT OPPOSE

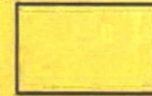
COMMENTS (additional space is provided on the back) _____

I am strongly opposed to
increasing the # of homes -
we can't stand for this high density
+ the garbage/road + other problems it will
cause

This card constitutes a public record under Arizona law.



WRITTEN COMMENTS



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Written comment cards may be submitted to the Staff at any time. Cards submitted after public testimony has begun will be provided to the Board or Commission at the conclusion of the testimony for that item.

NAME (print) Charles Levitt MEETING DATE 1-25-17

NAME OF GROUP/ORGANIZATION (if applicable) Winfield

ADDRESS 7451 E Evening Glows Dr; Scottsdale ZIP 85266

HOME PHONE 914-954-4754 WORK PHONE _____

E-MAIL ADDRESS (optional) chaslevitt@aol.com

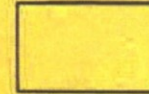
AGENDA ITEM # 4, 5, 6 SUPPORT OPPOSE

COMMENTS (additional space is provided on the back) Much too dense, especially in relationship to adjoining communities. This congestion will adversely bring down the value of our homes. Security is a concern. Traffic will increase dramatically.

This card constitutes a public record under Arizona law.



WRITTEN COMMENTS



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Written comment cards may be submitted to the Staff at any time. Cards submitted after public testimony has begun will be provided to the Board or Commission at the conclusion of the testimony for that item.

NAME (print) David Gordon MEETING DATE 1/25/2017

NAME OF GROUP/ORGANIZATION (if applicable) _____

ADDRESS 33120 N. 72nd Way ZIP 85266

HOME PHONE 714-264-8130 WORK PHONE _____

E-MAIL ADDRESS(optional) azdgordon@gmail.com

AGENDA ITEM # 4,5,6 SUPPORT OPPOSE

COMMENTS (additional space is provided on the back) (1) requested zoning of R-3 potentially allows apartments (2) Density of the proposal project is substantially greater than that of existing neighboring and nearby residential neighborhoods (3) the proposed project does not appear to have adequate guest parking (4) design is not compatible with neighbor residential ~~at~~ developments

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Written Comment cards may be submitted to Staff at any time. Cards submitted after public testimony has begun will be provided to the Board or Commission at the conclusion of the testimony for that item.

(5) the cultural feature (Dick Van Dyke tribute) is unlikely to be seen by the public - there is no provision for parking for public visitors to view this feature.

Therefore, I oppose agenda items 4, 5, and 6.

David Gordon

REQUEST TO SPEAK: Citizens wishing to address the Board or Commission in person may obtain a blue Request to Speak card from staff located at the Staff table in the Kiva.



WRITTEN COMMENTS



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NAME (print) Cynthia McParland MEETING DATE 1-25-17

NAME OF GROUP/ORGANIZATION (if applicable) _____

ADDRESS 7051 E. Mighty Saguaro Way, Scottsdale ZIP 85266

HOME PHONE 602-292-9622 WORK PHONE _____

E-MAIL ADDRESS (optional) _____

AGENDA ITEM # 46 P. 2016 (Scottsdale Heights) SUPPORT OPPOSE

COMMENTS (additional space is provided on the back) I oppose the construction of this project due to the density and dangerous access onto Dove Valley Rd. At present Dove Valley Rd access is only 2 lanes. The existing road already causes traffic problems on many

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occasions, those turning left (south) onto Scottsdale Rd often turn directly into the left turn lane which allows north bound travelers to turn (~~west~~) onto Dove Valley Rd.

I myself have been witness to several near-miss incidents or accidents.

The potential for an accident can only be compounded by this project.

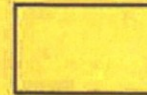
If this project goes thru - a traffic light on Dove Valley & Scottsdale is a must.

At the present time, with heavy N-S traffic on valley Scottsdale Rd. I fear turning into Terraviva^{and}. I often drive 1 mile north where there is a light to safely turn left. - This is awful

REQUEST TO SPEAK: Citizens wishing to address the Board or Commission in person may obtain a blue Request to Speak card from staff located at the Staff table in the Kiva.



WRITTEN COMMENTS



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Written comment cards may be submitted to the Staff at any time. Cards submitted after public testimony has begun will be provided to the Board or Commission at the conclusion of the testimony for that item.

NAME (print) Joan Blozis Levitt MEETING DATE 1/25/17

NAME OF GROUP/ORGANIZATION (if applicable) Resident in Winfield

ADDRESS 7451 E Evening Glow Dr. Scottsdale AZ ZIP 85216

HOME PHONE (914) 246-2213 WORK PHONE _____

E-MAIL ADDRESS (optional) joanatchar@aol.com

AGENDA ITEM # 4-GP-2016 Heights SUPPORT OPPOSE

COMMENTS (additional space is provided on the back) _____

I'm very much opposed to the proposed Scottsdale Heights Community Plan. The traffic in our area is already creating problems in regards to safety issues. Having Dove Valley as the main entrance & exit to this community will also impact

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our community negatively. Please amend the plan to a less dense community, less than 78 and lower in height, with much more open space.

Even though our Chairman of the HOA board sent a letter of non-opposition I can honestly tell you that as a Winkfield HOA property owner I was not informed of the facts in regard to the Scottsdale Heights community plan and I am definitely opposed to it. Many other homeowners were not informed either, vote for R-1 or R-4 zoning instead of what's proposed.

Sincerely,

Jean Blay is Jewett

REQUEST TO SPEAK: Citizens wishing to address the Board or Commission in person may obtain a blue Request to Speak card from staff located at the Staff table in the Kiva.



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

WEDNESDAY, JANUARY 25, 2017

SUMMARIZED MEETING MINUTES

PRESENT: Paul Alessio, Chair
David Brantner, Vice Chair
Matthew Cody, Commissioner
Larry S. Kush, Commissioner
Prescott Smith, Commissioner
Michael Minnaugh, Commissioner

ABSENT: Ali Fakh, Commissioner

STAFF: Tim Curtis
Sherry Scott
Randy Grant
Keith Niederer
Brad Carr
Andrew Chi
Taylor Reynolds

CALL TO ORDER

Chair Alessio called the regular session of the Scottsdale Planning Commission to order at 5:00 p.m.

ROLL CALL

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

* 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"

ATTACHMENT #8

MINUTES REVIEW AND APPROVAL

1. Approval of January 11, 2017 Regular Meeting Minutes including the Study Session.

VICE CHAIR BRANTNER MOVED TO APPROVE THE JANUARY 11, 2017 REGULAR MEETING MINUTES INCLUDING THE STUDY SESSION, SECONDED BY COMMISSIONER KUSH, THE MOTION CARRIED UNANIMOUSLY WITH A VOTE OF SIX (6) TO ZERO (0).

EXPEDITED AGENDA

2. 8-UP-2012#2 (Monarch Wellness Centers)
Request by owner for a renewal of an existing Conditional Use Permit for a Medical Marijuana Use in a 1,585 +/- square-foot facility located at 8729 E. Manzanita Drive, with Commercial Office District, Planned Community District (C-O PCD) zoning. Staff contact person is Greg Bloemberg, 480-312-4306. Applicant contact person is Court Rich, 480-505-3937.
3. 9-UP-2016 (Fry's Fuel Center #621)
Request by owner for an amendment to an existing Conditional Use Permit to allow for the expansion of an existing Gas Station use with four (4) additional dispensers on a +/- 9.5-acre site located at 9350 N. 90th Street with Planned Community (PC) zoning, with comparable Highway Commercial (C-3) zoning district land uses and property development standards. Staff contact person is Brad Carr, AICP, 480-312-7713. Applicant contact person is Joanna Bartholomew, 480-588-7226.
Item No's 2 and 3: Recommended to City Council for approval of cases 8-UP-2012#2 and 9-UP-2016, by a vote of 6-0; Motion by Vice Chair Brantner, per the staff recommended stipulations, based upon the finding that the Conditional Use Permit criteria have been met, 2nd by Commissioner Kush.

REGULAR AGENDA

4. 4-GP-2016 (Scottsdale Heights)
Request by owner for a non-major General Plan amendment to the City of Scottsdale General Plan 2001 from Commercial to Urban Neighborhoods on +/- 14-acres of a +/- 15.5-acre site located at 7225 East Dove Valley Road. Staff contact person is Keith Niederer, 480-312-2953. Applicant contact person is John Berry, 480-385-2727.

* 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"

5. 9-ZN-2016 (Scottsdale Heights)
Request by owner for a Zoning District Map Amendment from Central Business District, Environmentally Sensitive Lands (C-2 ESL) to Medium Density Residential, Environmentally Sensitive Lands (R-3 ESL) on +/- 14-acres of a +/- 15.5-acre site located at 7225 East Dove Valley Road. Staff contact person is Keith Niederer, 480-312-2953. Applicant contact person is John Berry, 480-385-2727.
6. 10-AB-2016 (Scottsdale Heights Roadway Easement Abandonment)
Request by owner to abandon the eastern 30-feet of a 55-foot-wide roadway easement along the western edge of a property located at 7225 E. Dove Valley Road, with Central Business District, Environmentally Sensitive Lands (C-2 ESL) zoning. Staff contact person is Keith Niederer, 480-312-2953. Applicant contact person is John Berry, 480-385-2727.

Item No's 4, 5 & 6: Recommended to City Council for approval of cases 4-GP-2016, 9-ZN-2016 and 10-AB-2016: by a vote of 5-0; Motion by Commissioner Kush, per the staff recommended stipulations after determining that the proposed Zoning District Map Amendment and Abandonment are consistent and conform with the adopted General Plan, 2nd by Vice Chair Brantner. Commissioner Smith recused himself.

Request to Speak Cards: Robert Cappel, Michael Roeser, Brent Diedrich, Dan McNeill, David Gordon, James Johnson, Bob Moore, Don Buch, Lorra Moyer, Hamdi Hirsi.

Written Comment Cards: Ronald A. Rhoads, Neil Blitstein, Grant Ireland, Paula Rudnick, Charles Levitt, Joan Blazis Levitt, David Gordon, Cynthia McParland.

NON-ACTION ITEM

7. 2-TA-2016 (Sign Ordinance Update - Temporary Signs)
Request by the City of Scottsdale to amend the City's Zoning Ordinance (Ordinance No. 455) for the purposes of modifying the sign requirements for temporary and semi-permanent signs, and to remove special event sign regulations from the Zoning Ordinance. Staff/Applicant contact person is Andrew Chi, 480-312-7828.

ADJOURNMENT

With no further business to discuss, the regular session of the Planning Commission adjourned at 6:43 p.m.

* 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"

Scottsdale Heights

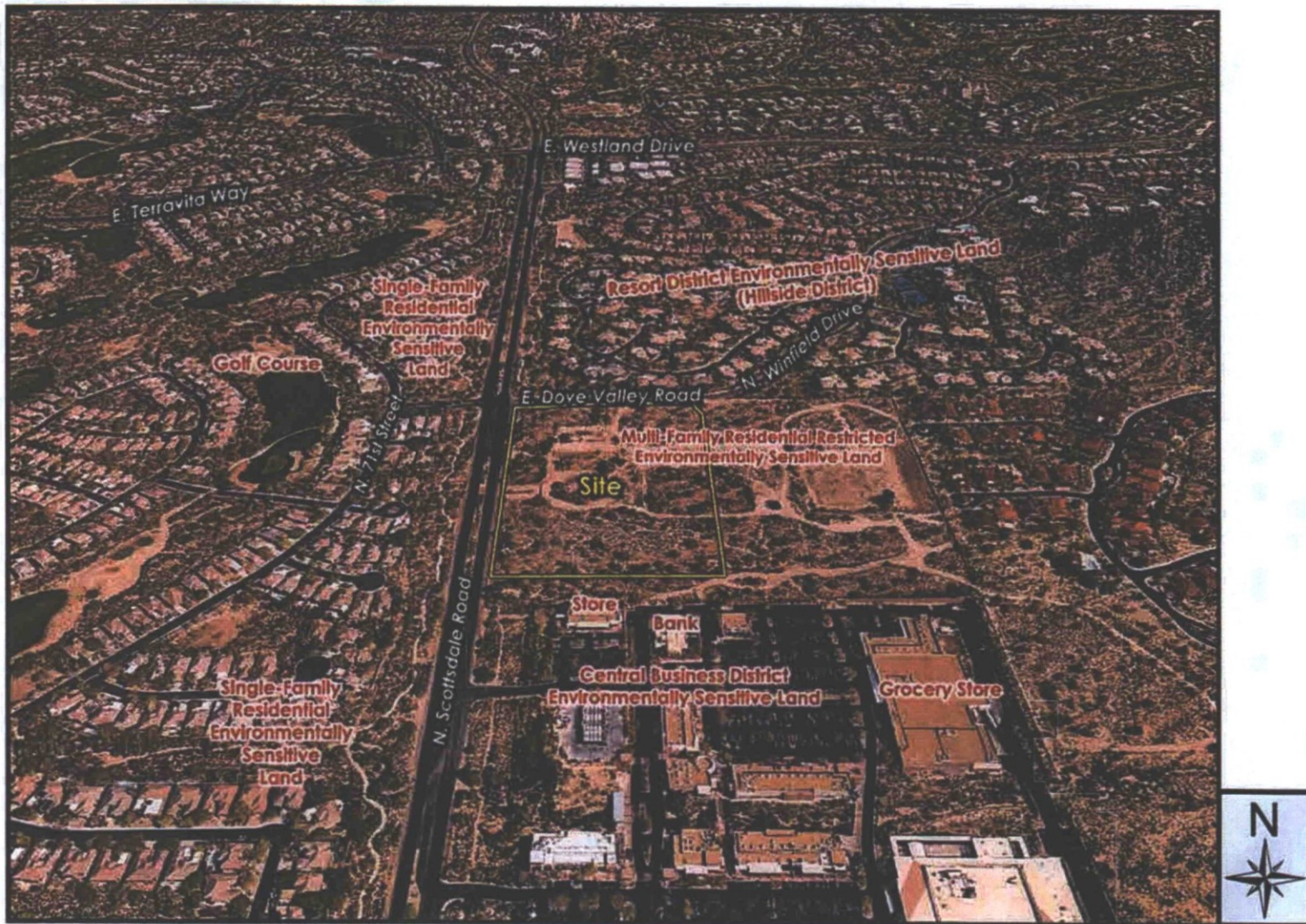
4-GP-2016, 9-ZN-2016 & 10-AB-2016

City Council

March 21, 2017

Coordinator: Keith Niederer

Scottsdale Heights



CONTEXT AERIAL

4-GP-2016 & 9-ZN-2016

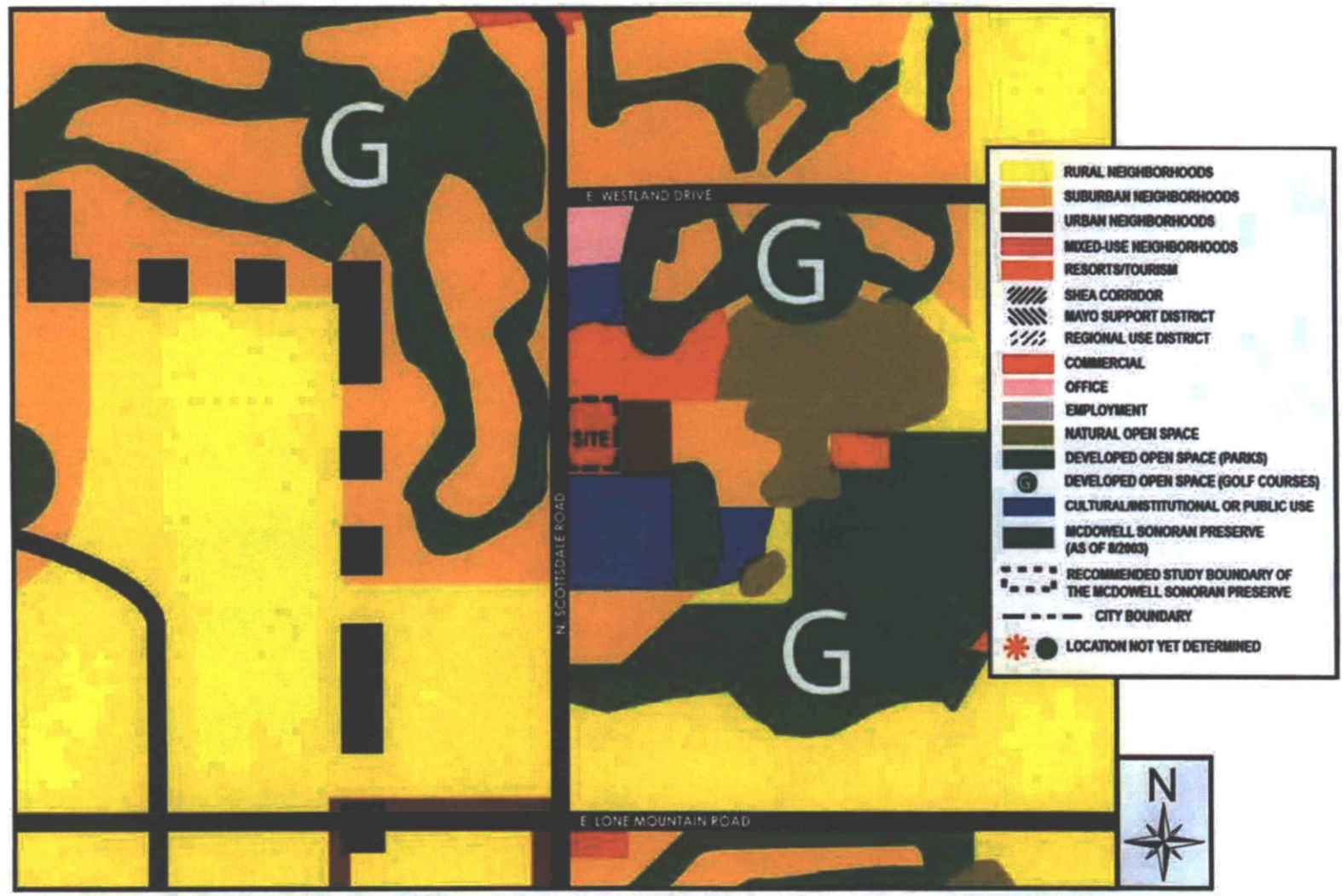
Scottsdale Heights



DETAIL AERIAL

4-GP-2016 & 9-ZN-2016

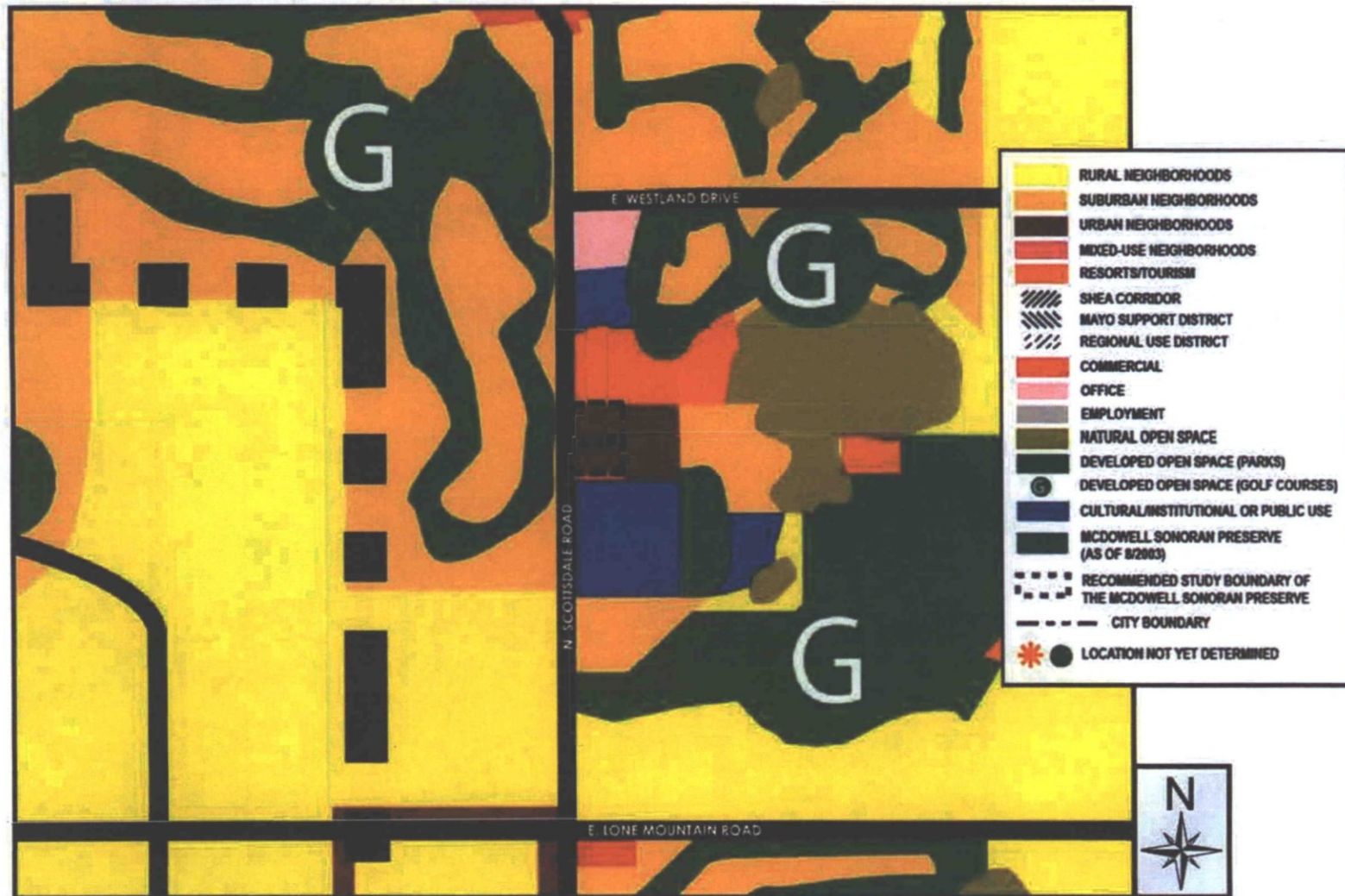
Scottsdale Heights



EXISTING GENERAL PLAN LAND USE (GP SITE)

4-GP-2016 & 9-ZN-2016

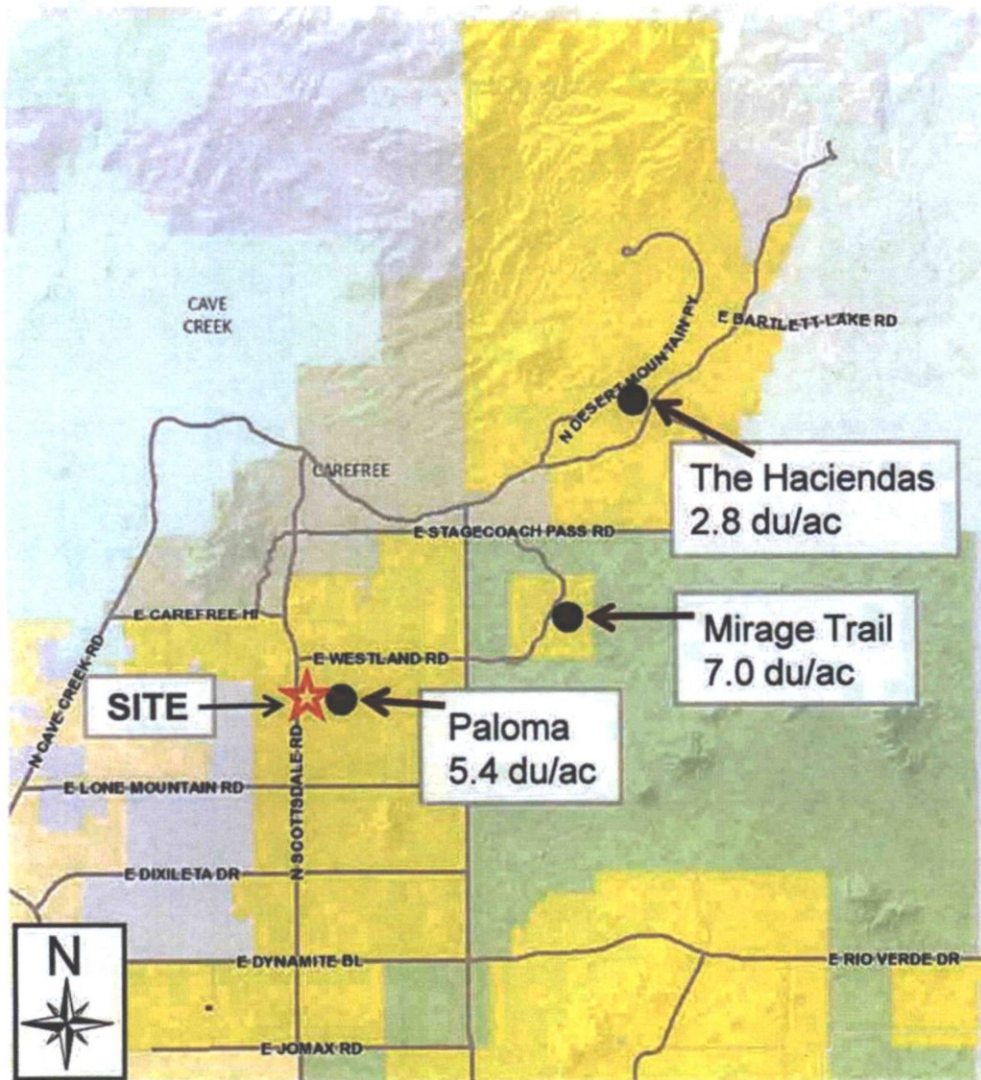
Scottsdale Heights



PROPOSED GENERAL PLAN LAND USE (GP SITE)

4-GP-2016 & 9-ZN-2016

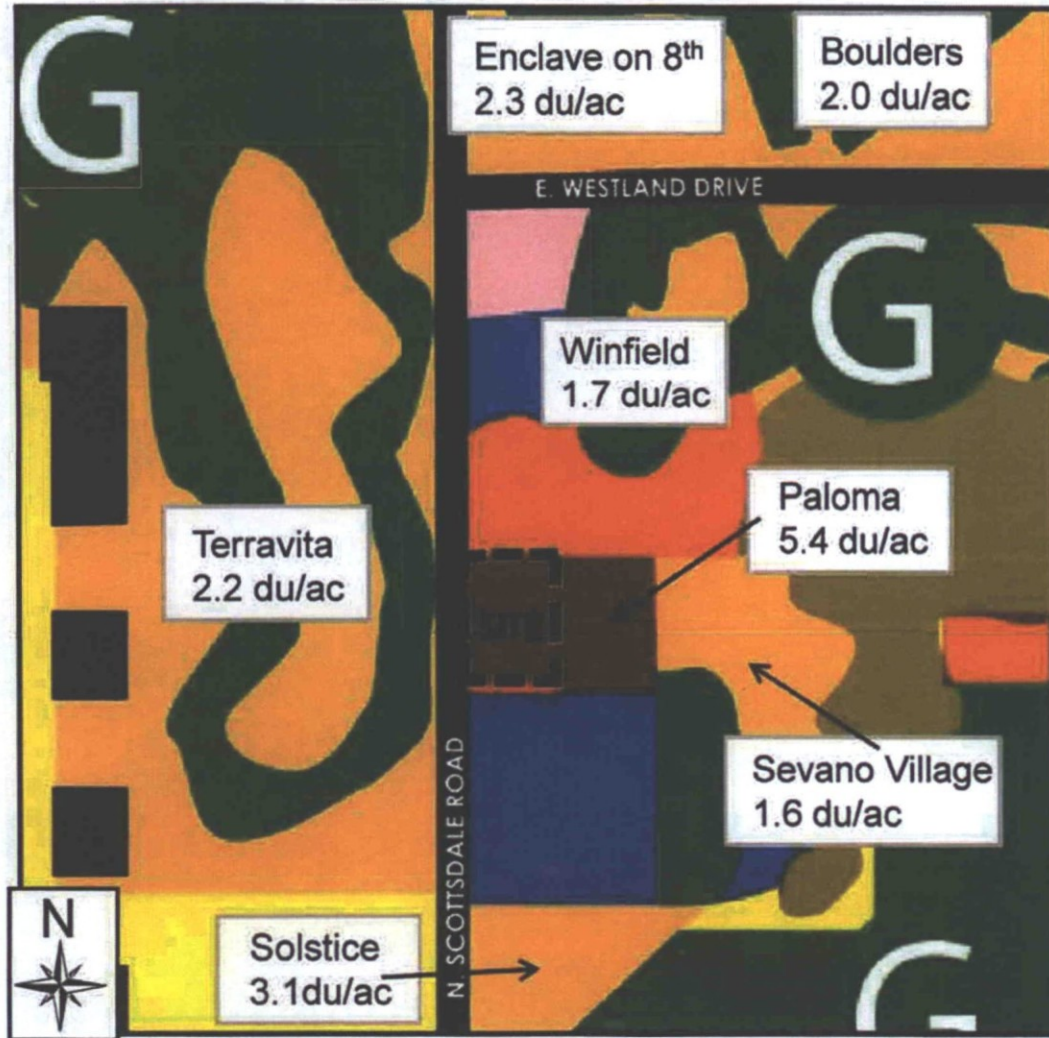
Urban Neighborhood Context



In northern area of the City:

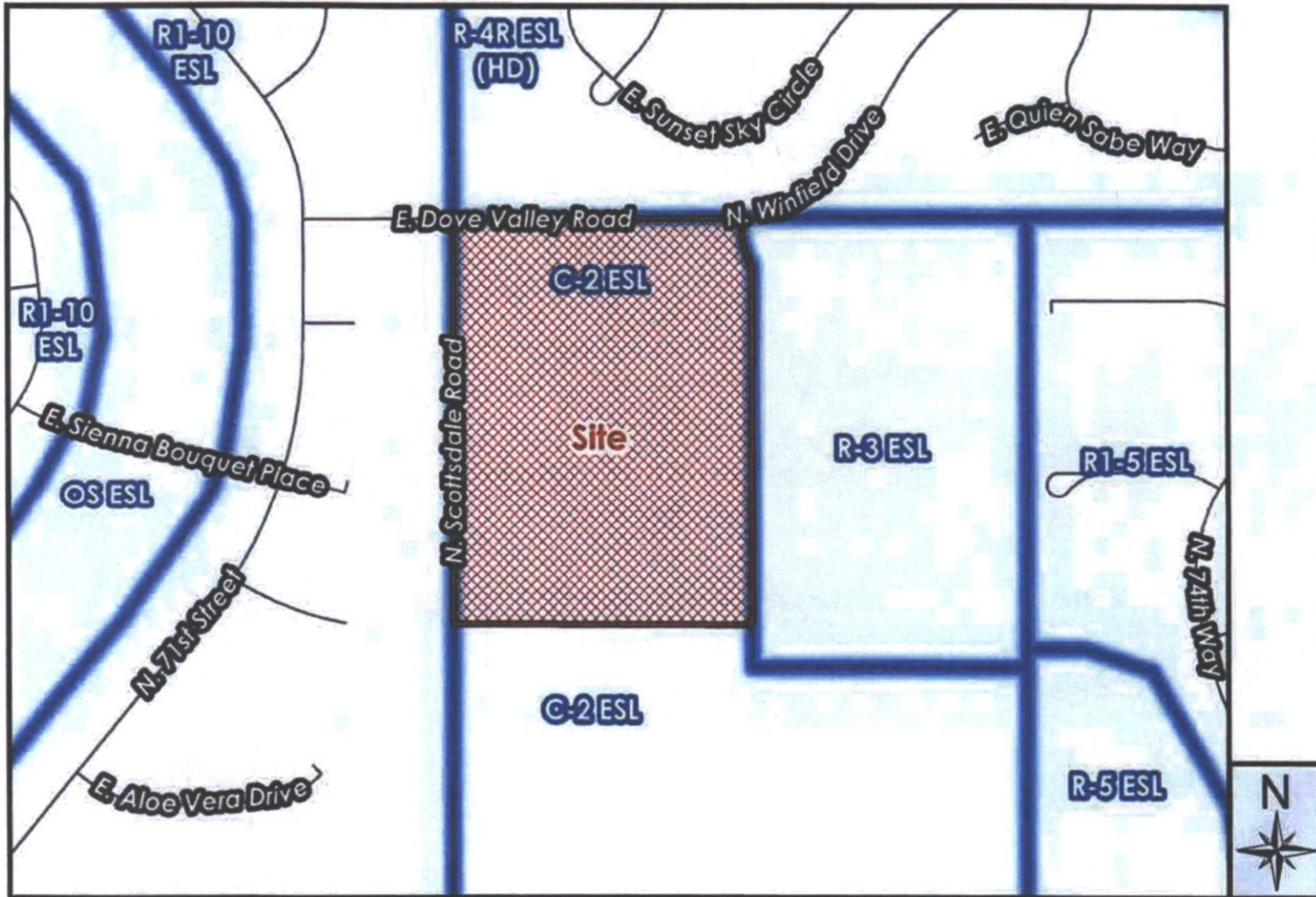
- Aligns with City Council implementation of Urban Neighborhoods, with a requested density below 8 du/ac

Context Area



- Applicant requesting 5.6 du/ac
 - Twice the density of surrounding designated Suburban Neighborhoods
- Immediately adjacent to City Council-adopted Urban Neighborhoods with an approved density of 5.4 du/ac

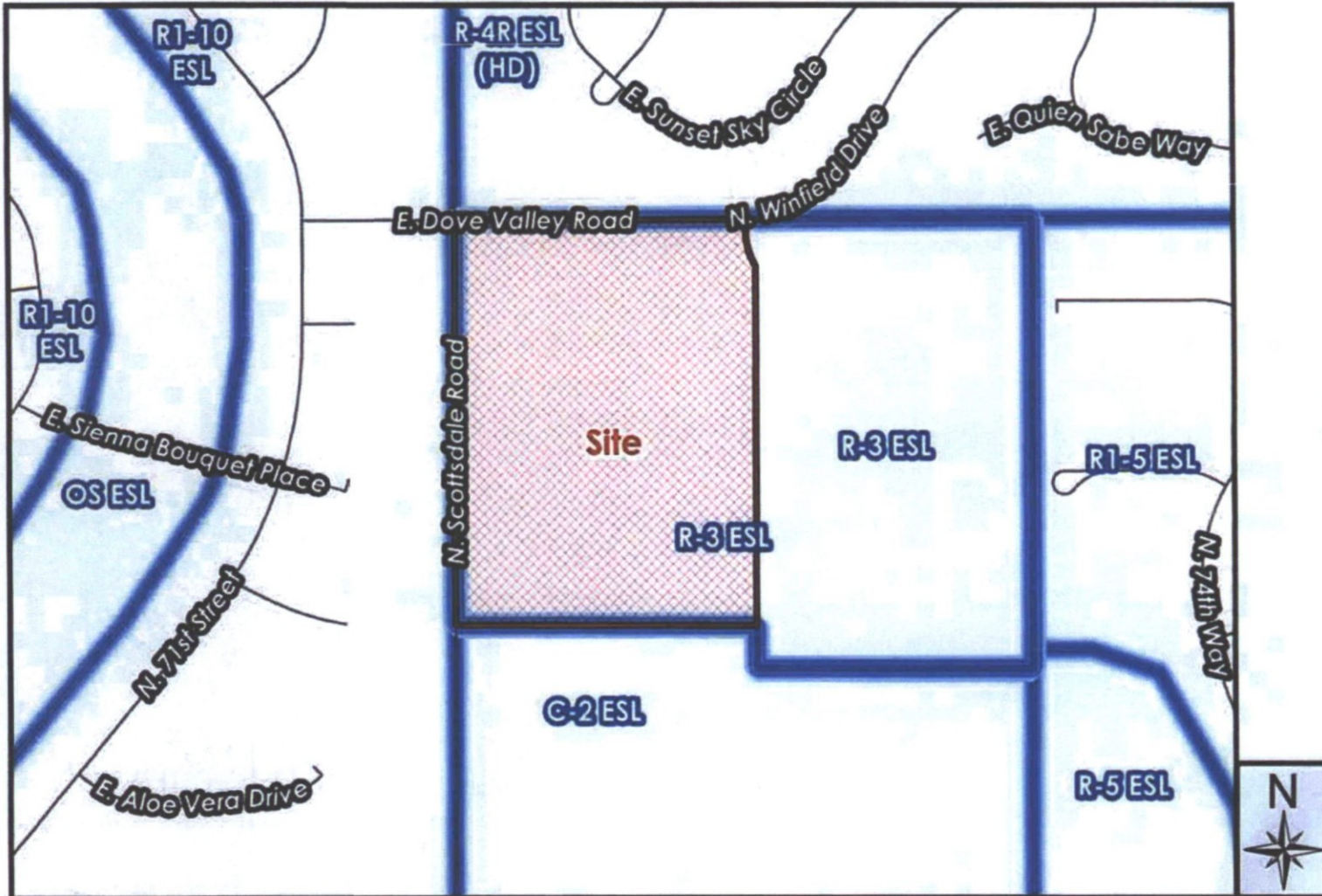
Scottsdale Heights



EXISTING ZONING

4-GP-2016 & 9-ZN-2016

Scottsdale Heights



PROPOSED ZONING

4-GP-2016 & 9-ZN-2016

Scottsdale Heights

78 unit, single-story duplex condominium development.

5.6 dwelling units per acre.

100 foot Scenic Corridor along Scottsdale Rd.

40 foot open space setback along Dove Valley Rd.

Interpretative Path proposed along south side of property.



PROPOSED SITE PLAN

4-GP-2016 & 9-ZN-2016

Scottsdale Heights

Development Standard	C-2 ESL	Straight R-3 ESL	Proposed
Density	One dwelling unit integrated into each business	12.93 du/ac	5.6 du/ac
Gross Floor Area	+/- 465,084 s.f. of floor area	Not Applicable	Not Applicable
Building Height	36-ft. above natural grade	30-ft. above natural grade	28-ft above natural grade, 24-ft. above finished floor
Permitted Uses by right	Banks & Restaurants with or without drive-thrus, hotels, office, retail & storage facilities	Dwelling Units	Dwelling Units
Traffic	8,839 daily trips based on a 150,000 sf retail center	1,195 daily trips	518 daily trips

C-2 vs. R-3 COMPARISON

4-GP-2016 & 9-ZN-2016

Scottsdale Heights

Abandon eastern 30-foot of a roadway easement dedicated to the County in 1968.

Original purpose was believed to maintain the area as open space as part of the Desert Scenic Drive

30-ft. area will be dedicated as NAOS, and be part of the Scenic Corridor.



ABANDONMENT

10-AB-2016

Scottsdale Heights

Numerous e-mails and petitions have been received against the request, which are attached to the report.

The primary concern is the proposed density.

A letter in support of the 3 applications has also been submitted.