

**Correspondence Between
Staff and Applicant
Approval Letter**

January 8, 2017

Jesus Murillo
3939 N Drinkwater Blvd
Scottsdale, AZ 85251

RE 26-ZN-2016
The Reserve at Black Mountain

Dear Mr Murillo

Thank you for your review of The Reserve at Black Mountain Rezoning applications referenced above. All first review comments have been responded to and incorporated into the revised submittal.

General Plan, Zoning Ordinance, and Scottsdale Revise Code Significant Issues

Legal/Application

- ✓ 1 The proposed project site plan can only be executed if the existing N 83rd Street right-of-way is abandoned by the City Council. Please update the project narrative to identify this fact, and submit a concurrent abandonment application. The proposed site plan will be contingent on the abandonment of those portions of N 83rd Street located within the project area.

Response – The applicant intends to submit an abandonment application for the existing portions of dedicated 83rd Street right-of-way to run concurrently with the rezoning application.

- ✓ 2 The proposed subject site plan identifies parcel 216-34-268 as part of this application rezoning request (parcel predominantly encompassing proposed lot 27). The submitted applications do not include a signed application, a Letter of Authorization, Commitment for Title, Affidavit to Act on Behalf of the Owner, Appeals of Dedication, or Request for Site Visit forms for this owner/parcel (Ordinance Section 1 305 C 1 and 1 305 C 2).

Response – The required materials listed above for parcel 216-34-268 have been provided with this resubmittal.

- 3 Please provide complete and updated Commitment for Title within the last 30 days, for all the parcels encompassed within this application request. The "Proposed Insured" shall be the City of Scottsdale and the "Amount" shall be the estimated value of the property. Commitment for Title must be within 30 days of resubmittal date. The provided Commitment for Titles provided conflicting information with City records. The provided Commitment for Titles provided PL Black Mountain Preserve LLC as the "proposed insured" for a majority of the subject parcels and differing vested owners. Commitment for Title shall have all sections and paragraphs completed (DSPM Chapter 1, Section 1-1 403 G).

Response – All title reports have been updated to reflect the City of Scottsdale as a “Proposed Insured”

- ✓ 4 The project Citizen Review Report states that the applicant conducted a second neighborhood meeting due to the project increasing the project area and the proposed number of lots being increased from 24 lots to 27. Please update the Citizen Review Report if the applicant will be conducting an additional meeting due to further increasing the project area and the number of proposed lots from 27 to 31 lots.

Response – The applicant is not proposing an additional neighborhood meeting at this time. The notification for the second neighborhood meeting did include a mail-out radius that anticipated the additional area that was subsequently added to the project. The contribution of the additional project area resulted in an increase to the number of proposed lots, but also reduced the overall density of the project.

Additionally, as evidenced in the updated Citizen Participation Report, the applicant has been involved in continuous communication with the surrounding neighborhoods. Our team has been actively meeting with each community separately and sharing updated plans including the most current 31 lot layout. We will continue to engage the surrounding neighbors throughout the rezoning process.

- ✓ 5 Please update the narrative to identify the “refinements” that resulted from neighborhood feedback. Please update the project Citizen Review Report to include any further communications.

Response – Community outreach efforts have generated refinements to the site plan. For example, comments received from the first neighborhood meeting resulted in increased setbacks along the perimeters of the Sandflower and Vista Viento communities. Additionally, the lot layout was adjusted and internal streets were reconfigured to eliminate a “row home” image in the northwest corner of the property. The cul-de-sac at the northwest corner of the property was also eliminated to avoid potential headlight exposure into the Sandflower community. Neighbors also expressed the desire to have safe walking paths incorporated into the project which resulted in the implementation of a sidewalk on 84th Street as well as connecting the existing pedestrian trail on the north side of Black Mountain Road. Furthermore the two remaining R1-190 parcels were included in this rezoning request in order to unify larger areas and eliminate any fear of additional future rezoning and construction. Other refinements have resulted in individual meetings and communication with adjacent property owners such as additional screening and buffering agreements. The size of the property has increased since the initial neighborhood meeting, however, the overall density of the project has decreased.

Section III.A Community Involvement 3 has been updated in the narrative, as well as the Citizen Participation Report

- ✓ 6 In the project narrative, Exhibit 8 the General Plan Map and Exhibit 9 the Proposed Zoning Map, the site boundary appears to exclude Parcel 216-34-268 Please clarify the intent for this parcel

Response – The intent for parcel 216-34-268 is to be included with this application Exhibit 8 & 9 have been revised to show the correct boundary

- ✓ 7 The project application identifies an owner/vested party, Jayhawk 100 LLC, which does not appear in City/County records The submitted application did not include any required forms or materials of this owner Please update the project application and materials to correctly identify all vested owners for this application

Response – Jayhawk 100 is the former ownership entity for the 5 acre property in the SWC of the project This ownership has recently updated to “PL Black Mountain Reserve LLC” The application has been revised with the updated property ownership information

Zoning

- ✓ 8 Natural Area Open Space (NAOS) is calculated from the subject site’s gross acreage, not the net acreage (Zoning Ordinance Section 6 1060) Please update the project narrative, project site plan, and project NAOS plan to clearly identify the NAOS provided calculation

Response – The applicant has updated application materials to reflect the new gross area calculations for NAOS

- ✓ 9 Natural Area Open Space (NAOS) is calculated from the subject site’s gross acreage, not the net acreage (Zoning Ordinance Section 6 1060) The allowable disturbed NAOS square footage and percentage is calculated from the required NAOS amount (14 89 acres), not the provided amount (16 38 acres) Please revise NAOS data table accordingly

Response – The applicant has updated the Slope Analysis exhibit and NAOS exhibit to reflect open space calculations being derived from the gross acreage

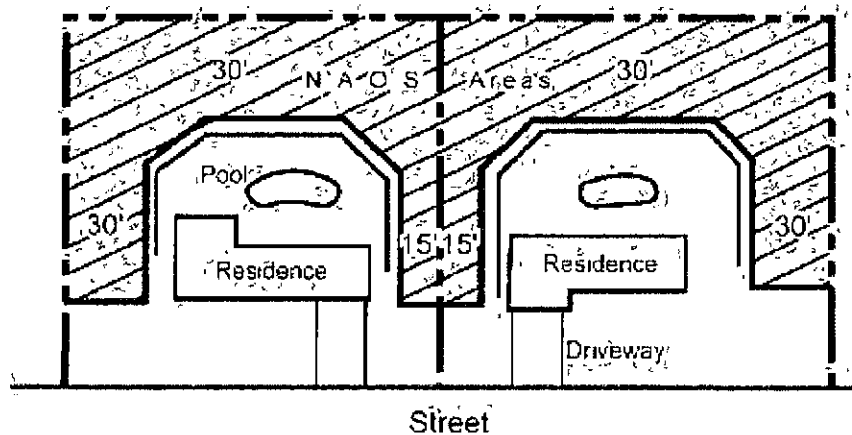
- STP ✓ 10 The Environmentally Sensitive Lands (ESL) ordinance expresses the importance of Natural Area Open Space (NAOS) to be placed in tracts Identified NAOS areas should be placed in a tracts wherever possible (Ordinance Section 6 1010 E) NAOS tracts shall meet all ESL requirements for dedicated NAOS areas Please update all dedicated NAOS areas to meet the minimum thirty-foot (30-ft) width, and 4,000 square-foot contiguous area (Zoning Ordinance Section 6 1060 F 1)

Response – The ESL Ordinance does allow for NAOS to be placed in tracts vs on-lot but does not indicate a preference for either The applicant will demonstrate that

on-lot NAOS will be protected through the establishment of NAOS Easements and language in the CC&Rs that clearly communicate restrictions within NAOS areas

- ✓ 11 The zoning ordinance requires the minimum NAOS width to be thirty (30 ft) feet Please update the project site plan to identify a minimum 30-foot NAOS width provided by each proposed parcel (Zoning Ordinance Section 6 1060 F) Please update all dedicated NAOS areas to identify the NAOS minimum width, between all proposed parcels, to total a minimum of sixty feet (60) Each parcel should be able to stand alone in meeting the NAOS requirements in regards to widths and area

Response – The applicant has provided an NAOS exhibit that conforms to the standards identified in the Section 6 1060 F 1 of the ESL Ordinance (see graphic below) with regards to minimum width (30’) and area(4,000 Sq Ft) The Ordinance does not specify a requirement for a total minimum of 60’ on adjacent parcels, or that each parcel be required to stand alone in meeting the NAOS requirements Where NAOS has been designated along the project perimeter, a minimum width of 30’ unless adjacent to a right-of-way (minimum 20’)



The applicant is also willing to address the setback of accessory structures to require that all such improvements be limited to the development envelope or in accordance with building setbacks, whichever is greater

- ✓ 12 The ESL ordinance limits the maximum revegetated NAOS area to thirty (30%) percent of the required NAOS area (Ordinance Sec 1060 D 2) Additionally provided NAOS may not be disturbed Please revise NAOS data table accordingly

Response – The NAOS calculations have been modified to limit the revegetated NAOS to a maximum of 30% of the required NAOS area The applicant has added an “additional NAOS” category to specify the amount of provided NAOS (undisturbed NAOS only) that exceeds the minimum requirement As a result of the City not accepting any revegetated NAOS dedications beyond the maximum 30%, the applicant has been forced to reduce the overall amount of provided NAOS within the project from approximately a 10% surplus to 4% surplus

✓ Drainage

- 13 Please submit two (2) copies of the revised Drainage Report with the original red-lined copy of the report to me with the rest of the resubmittal material identified in Attachment A

Response – OK Report has been provided with this resubmittal

- ✓ 14 Please submit one (1) copy of the revised Storm Water Waiver with the original red-lined copy of the waiver to me with the rest of the resubmittal material identified in Attachment A Please reference the “Significant Policy Related Issues” section for further comments

Response – Ok Report has been provided with this resubmittal

Water and Waste Water

- 15 Please submit three (3) copies of the revised Water and Waste Water Design Report(s) with the original red-lined copy of the report to me with the rest of the resubmittal material identified in Attachment A Please reference the “Significant Policy Related Issues” section for further comments

Response – Ok Reports have been provided with this resubmittal

✓ Archaeology

- 16 Please revise the Class III Cultural Resource Survey (SRSF) for the 84th & Black Mountain project as follows
- Revise the Abstract to include the date of the report

Response – That date has been added to the abstract

- Culture History section Revise the 3rd paragraph to include comments related to the Dixileta and Pinnacle Peak Villages

Response – A sentence was added to the end of the 3rd paragraph referencing the Dixileta site and the Pinnacle Peak Village site

- On page 11, there is a spacing issue with the reference to Jones

Response – This typo was corrected

- Throughout the document there are several references to ‘Luchetta’ and ‘Lucetta’ Please verify these references and spelling of these names

Response – The correct spelling of the author’s name is Luchetta and these have been corrected

- e On page 14, the references to Luchetta (sp?) and Jones 2010 have 5 entries but the alpha numeric designations are only `a-d` Should these be `a-e`?

Response – The references have been updated and corrected

- f On page 25, same comment as `d` above

Response – The references have been updated and corrected

Significant Policy Related Issues

2001 General Plan Analysis

Please provide responses to additional General Plan goals and approaches, specifically the following

- ✓ 17 Character and Design Goal 1, Approaches 1 and 2 addressing how the proposed project meets community goals including high quality development and takes into consideration the context of the surrounding environment and land uses and how the development is compatible with it

Response – Section III.A Character & Design 1 of the project narrative has been added to address this comment

- ✓ 18 Character and Design Goal 1, Approach 3 and Character and Design Goal 2, Approach 5 addressing how the proposed project responds to the natural environment and character of the area, including the topography and vegetation

Response – Section III.A Character & Design 1 of the project narrative has been added to address this comment

- ✓ 19 Land Use Goal 7, Approaches 1 and 2 discussing how the proposed project protects any sensitive natural features and provides transitions to the surrounding neighborhoods

Response – Section III.A Land Use 7 of the project narrative has been added to address this comment

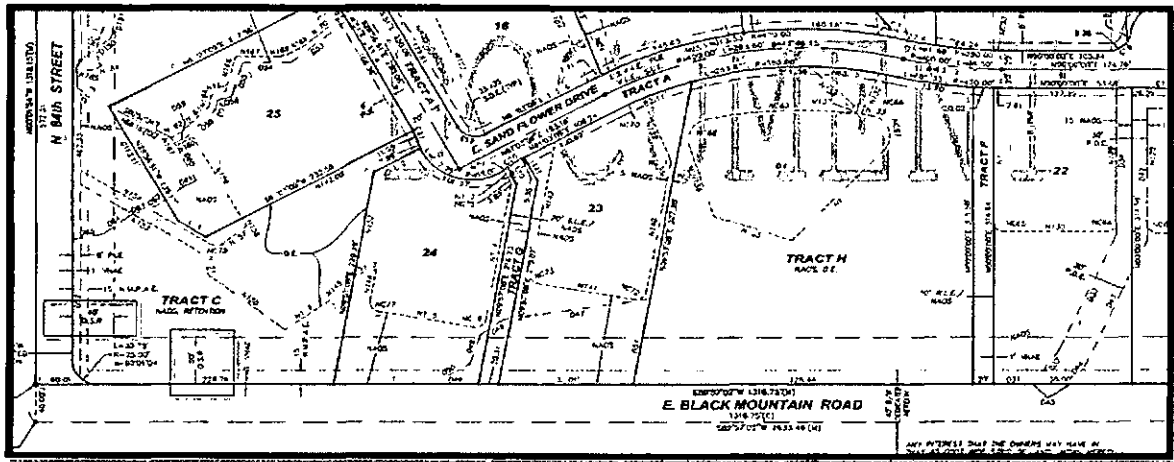
- ✓ 20 Consider Community Mobility Goal 5, Approach 1 and Goal 7, Approach 2 regarding the proposal to maintain access to 84th Street and Black Mountain Road for the two existing homes The curb cut for the existing home on Lot 7 is very close to the entry for Vista Viento located to the north and could be eliminated with access provided via the private street in the development Similarly, the curb cut for Lot 27 could be eliminated and access provided through the private street in the development

Response – The existing homes have indicated their preference to retain access independence from the proposed community Due to the local collector classification of both Black Mountain Road and 84th Street, the applicant believes that retaining access is both safe and acceptable Discussions with Transportation staff support

maintaining existing driveway locations if these two affected lots are provided access to internal private streets. The applicant has modified the site plan to show connectivity to internal streets via tracts or envelope extensions that will allow for future connectivity if the property owners of Lots 7 and 27 when and if they should want this

STIP ✓

- 21 Open Space and Recreation, Goal 1, Approach 19 for Buffered Roadways and Approach 20 related to Desert Scenic Roadways, consistent with the Sierra Highlands development to the east, please dedicate a 40' Buffered Roadway easement on 84th Street and a 50' Desert Scenic Roadway easement for Black Mountain Road, as illustrated below



Response – The applicant proposes to provide setbacks along 84th Street and Black Mountain Road that exceed Desert Scenic Roadway (DSR) setback of 50' when measured as an average. The applicant has taken guidance from language noted in section 2-1 501 of the DS&PM which references a 50' open space corridor along the edge of the right-of-way. The adjacent Sierra Highlands development (case #6-ZN-2014) allowed for reductions to the minimum DSR setback as long as minimum averages were maintained. The applicant for Reserve at Black Mountain seeks a similar interpretation in limited instances

- *Black Mountain Road – Minimum DSR Setback along this frontage to be 50'*
- *84th Street – The applicant is requesting that the development envelope project no more than 5 feet into a minimum 40' setback, if the portion of said envelope within the setback is either open or enclosed by a viewfence (no solid fencing). The applicant has identified only two locations within the project (lots 6 & 31) where small encroachments within the 40' setback may be necessary. All other development envelopes will adhere to the 40' minimum setback (with 50' overall average) from 84th Street and Black Mountain Road*

- ✓ 22 Please respond to the Sensitive Design Principles, specifically principles 1, 2, 3, 4, 7, and 12 addressing how the proposal enhances the character of the area, preserves vistas and natural features, is sensitive to topography, shows consideration for the pedestrian, and is adapted to the desert environment

Response – Section V C 1-4, 7, 12 of the project narrative has been added to address this comment. The applicant has worked extensively with adjacent property owners to address issues of setback and viewshed preservation and will mitigate through establishment of generous open space setbacks and building orientation. Interior lots are located in areas that reduce impacts to significant wash corridors and some existing rock outcroppings. Internal roadways were initially established to complement the existing topography and minimize wash crossings to the greatest extent possible.

- STP ✓ 23 Please revise the layout of the lots and tracts so that the Significant Wash, which is indicated on Figure 3 Existing Conditions Drainage Map in the Preliminary Drainage Report, will be located in a tract instead of on lots as currently proposed (DSPM Section 4-1 407)

Response – The applicant has committed to placing the site's most significant wash corridor, which bisects the southeast corner of the site, within the southern portions of Tract H. This wash is 154 cfs.

Throughout the remaining portions of the site, very few segments of wash exceed the 50 cfs threshold. The applicant has worked diligently to protect drainage corridors throughout the site, by limiting development envelopes and street crossings from encroaching into these areas. Drainage corridors will include several layers of protective easements where tracts are not feasible, that will seek to limit future disturbance. These easement types will include NAOS, Drainage and Conservation.

Landscape Design:

- ✓
STIP
26. Please revise the Landscape Character Plan to add a note that the plants that are proposed to be installed in Drainage Basins shall be in conformance with Design Standards and Policies Manual Section 2-1.903 Native Plants in Detention Basins and Drainage Channels.

Response – A note has been added to the Landscape Character Area Plan that speaks to plants installed in Drainage Basins and conformance to Section 2-1.901 of the DSPM.

Circulation:

- STIP ✓
27. The owner will likely be required to construct half-street improvements along E. Black Mountain Road to be consistent with the Local Collector Street, Rural/ESL character, modified cross section. This street designation includes twenty-four (24) feet of total pavement width, roll curb and gutter along the north side, and a 6-foot-wide sidewalk, separated from the back of curb, or an 8-foot-wide sidewalk located at the back of curb. The street improvements will include a transition to the existing street improvements to the west and will need to align with the existing street improvements to the east (Scottsdale Revised Code Section 47-21 and 47-22 and DSPM Section 5-3.100; Fig. 5.3-16). Please update the project narrative and site plan to identify these improvements.

Response - The applicant is proposing a 8foot trail improvement along the north side of Black Mountain Road to be consistent with existing improvements east of 84th Street. The trail improvements will be terminated at the western edge of the property where there are currently no sidewalk or trail improvements. The applicant agrees to provide the additional asphalt width and transition.

- STIP ✓
28. The owner will likely be required to construct half-street improvements along N. 84th Street to be consistent with the Local Collector Street, Rural/ESL character, modified cross section along the unimproved section, adjacent to the northeast portion of the site. The improvements shall include 24 feet of total pavement width, roll curb and gutter (along the north side), and a 6-foot-wide sidewalk, separated from the back of curb, or an 8-foot-wide sidewalk located at back of curb. The street improvements shall be required to be consistent with the existing street improvements located to the south, and shall include a transition to the existing street improvements located to the north (Scottsdale Revised Code Section 47-21 and 47-22, and DSPM Section 5-3.100; Fig. 5.3-16). Please update the project narrative and site plan to identify these improvements.

Response – The applicant is proposing the construction of a 6 foot detached sidewalk along the project's 84th Street frontage. Existing street and curb/gutter improvements are complete and do not require any additional improvements. An additional 35 foot right-of-way dedication shall be provided for the segment of 84th Street adjacent to existing parcel #216-34-003R.

Drainage:

- ✓ 29 The content and analysis requirements for case drainage reports in support of general plan amendment application is not the same as those for case drainage reports in support of development review or preliminary plat applications. The City requires significantly less information and analysis for the former application due to the preliminary nature of the application. In general, case drainage reports submitted in support of zoning applications should include a 50% level of design and analysis (DSPM Section 4-1 804)

KHA Response – The provided drainage report for this rezoning application provides a 50% level of design and analysis

- ✓ 30 Please update case drainage reports to provide the missing off-site watershed delineation exhibits (DSPM Section 4-1 806)

Response – Added Exhibits from Andaluza and Sierra highlands which constitutes the offsite watershed modeling

- ✓ 31 Please update case drainage reports to provide the HEC-1 schematic depicting all basins, storage, routing and concentration points consistent with the submitted model. Schematics shall be provided for existing and proposed conditions (DSPM Section 4-1 804)

Response - Added Exhibits from Andaluza and Sierra highlands which constitutes the offsite watershed modeling

- ✓ 32 Please update case drainage reports to revise the HEC-1 model LG Record – Green and Ampt Loss Rate. The Field 5 RTIMP appears to be low for proposed condition when compared to existing condition. Provide Exhibit with analysis do show Percent of sub-basin which is impervious for all proposed condition basins (DSPM Section 4-1 800)

Response - Updated imperviousness per request

- ✓ 33 Please update case drainage reports to provide rating tables for storage basin volume and outflow/overflow analysis (DSPM Section 4-1 800)

Response - Added elevation area volume tables for det basins

- ✓ 34 Please update case drainage reports to provide the missing Land Use Map (DS&PM Section 4-1 806)

Response - Added

- ✓ 35 Please update case drainage reports to provide the missing Soils Map (DS&PM Section 4-1 806)

Response - Added

- ✓ 36 Please update case drainage reports to provide the missing “proposed conditions” HEC-RAS model (DS&PM Section 4-1 800)

Response - Will provide with final drainage report HEC-RAS analysis was prepared and highwater elevations shown on the grading plan depict inundation limits Due to the small sizes of the washes documentation has not been provided in this preliminary report but will be provided along with the final engineering stages of the project

- ✓ 37 Please update case drainage reports to Identify proposed condition stormwater infrastructure sizes (catch basins, storm drains, culverts and erosion mitigation measures (DS&PM Section 4-1 800)

Response - Will provide with final drainage report Preliminary culvert sizing for all crossings has been added to the grading plan

- ✓ 38 Please update case drainage reports to revise bank station locations in HEC-RAS model (DSPM Section 4-1 806)

Response – Revised

- ✓ 39 Please update case drainage reports to provide the DDMS and HEC-1 digital input / output files (DSPM Section 4-1 800)

Response – Will provide

- ✓ 40 Please update case drainage reports to revise the “proposed condition” drainage map add flow direction arrows which will conform to each lot grading upon development (DSPM Section 4-1 901)

Response – Added flow arrows indicating flow direction

- ✓ 41 Please update case drainage reports to identify and callout all retaining walls, if any (DSPM Section 4-1 901)

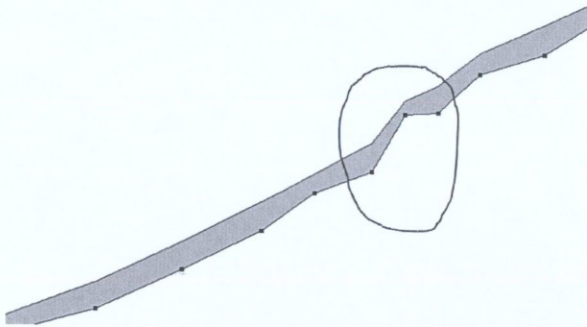
Response - Retaining walls are shown on the grading plan, which is provided within the drainage report (There are not more than a handful of retaining wall locations)

- ✓ 42 Please update case drainage reports to discuss how each individual lot will be developed Identify in the report if the project proposes to provide custom G&D for each lot (DSPM Section 4-1 800)

Response - Added to report that lots will be individually graded

- ✓ 43. Please update case drainage reports to review / revise wash flow line of Ex. HEC-RAS model (DSPM Section 4-1.800).

BlackMountain Plan ExistingConditions_BM 11/30/2016
Wash 70 Reach 1



Response - The flow line of the channel was reviewed and it was determined that the drop in the channel bed elevation is due to an outcropping of bedrock that prevents the channel from reaching its equilibrium slope. This explanation will be included in the drainage report.

Water and Wastewater:

44. Please update case water and wastewater basis of design reports to identify the PRV just west of Node J-6.

Response - Will add to system layout exhibit.

45. Please update case water and wastewater basis of design reports to identify which options are being considered for this project. Options 2, 3, 4 or 5 will require a dedicated tract through the existing Sand Flower subdivision property. These options would require the authorization and replat of the Sand Flower subdivision. These options will require additional development analysis, review, and approval. This proposed application would be contingent on these additional application requests being approved.

Response - Per previous agreement with Doug Mann, a 20' easement through adjacent lot was an acceptable sewer outfall solution for the project. This easement has been approved by the adjacent HOA to provide Alternative 3. There is known hard dig (blue granite) within Black Mountain both to the west and east of the project. Doug Mann removed the stipulation for Sandflower to extend the sewer to our project limit as typically would have been required because they hit hard dig that would have been very costly to extend this public sewer. The removal of that

stipulation left this site without a nearby sewer Doug agreed to using alternative peaking factors and d/D limits to prove that the sewer within Sandflower has significant excess capacity for our project

We also had an agreement with Doug to utilize ejector pumps for lots 25-27 due to the hard dig constraints in black mountain as well as the cutting off of a direct sewer route to the west due to the existing Lawrence property downstream of these lots We agreed to provide a gravity sewer down the hill to lots 24/28 to maximize the number of lots on gravity lines and minimize the ejector pumps (down to only 3 lots)

Because the easement is now secured, we have now removed the other sewer alternatives in this BOD

- 46** Please update case water and wastewater basis of design reports to select the option that would employ the extension of the existing sewer line located within E Black Mountain Road, east approximately 1900 feet, which will allow gravity flow and eliminate any proposed/required ejectors

Response – See previous comment response

- 47** Please update the water and wastewater basis of design reports to identify the existing homes on the subject site as being converted from septic to the required public sewer line Confirm the water service, to proposed lot “27” Existing water service to lot 7 to be adjusted as per the proposed Water Basis of Design report approved by the Water Services Department

Response – Lot 7 and 27 are included in the water and sewer calculations

- 48** Please update the water and wastewater basis of design reports to identify the existing 12” waterline, located within N 84th Street, to connect to the existing 12” waterline located within E Black Mountain Road The waterline connection will be approximately 1100ft, and is subject to the Water and Wastewater Department approval The proposed waterline within the subject site will be required to be “looped” as per the Water Basis of Design report approved by the Water and Wastewater Department

Response - With the adjacent project Sierra Highlands, we provided a 12” loop through the site for Doug to take the place of the 12” line in the 84th Street frontage We have added the lnework for this on the water system layout to clarify where this 12” loop was previously provided

- 49** Any drainage facilities located within E Black Mountain Road (existing 36” pipes) will be required to be adjusted for travel clearance and the new concrete structures will be required to comply with DSPM Section 2-1 504

Response - Agreed

Circulation:

- ✓
STIP 50. The owner will likely be required to dedicate a thirty-five-foot (35-ft.), fee simple, half-street along the property's N. 84th Street frontage (Scottsdale Revised Code Section 47-10 and DSPM Section 5-3.100).

Response – The requested 35 foot right-of-way dedication shall be provided.

- ✓
STIP 51. The owner will likely be required to provide a minimum 8-foot-wide unpaved trail located along the west side of N. 84th Street and north side of E. Black Mountain. Trails to be constructed within the right-of-way, or desert scenic buffer easement, and maintained by the homeowners association (Scottsdale 2015 Transportation Master Plan (Non-motorized Vehicle Element – Trails), Scottsdale Trails Master Plan (Trail Network), Planned trail segment (#302- 84th Street, #303 - Black Mountain, and DSPM Section 8-3.202.B, Secondary Trails). There are drainage facilities located along the west side of N. 84th Street, and the north side of E. Black Mountain Road, that will be required to be extended, and/or relocated, to provide enough width for a 6-foot-wide compacted shoulder and the required 6/8-foot-wide sidewalk. Please coordinate this effort with Stormwater and Engineering staff.

Response - The applicant has agreed to provide a 8' natural surface trail along the Black Mountain Road frontage to match/extend existing improvements to the east. The applicant has agreed to provide a 6' sidewalk along the 84th Street frontage.

- ✓
STIP 52. Please provide a minimum fifty-foot (50-ft.) Desert Scenic Buffer easement located along the subject site's N. 84th Street and E. Black Mountain Road frontages. The provided Environmental Features Plan identify the desert scenic buffered setback area, but now easement is identified in the project site plan.

Response – The applicant has delineated a Desert Scenic Buffer easement along both street frontages that meets or exceeds a minimum average width of 50'. The applicant is requesting flexibility on easement width to allow for minimums of 20 feet in very limited instances along 84th Street. Similar flexibility was approved along the east side of 84th Street with a minimum average of 35' approved with the Sierra Highlands case stipulations (6-ZN-2014).

- ✓ 53. Proposed site plan identifies proposed Lots 7 (maintaining access from N. 84th Street) lot 27 (maintaining access from E. Black Mountain Road) being accessed directly from public streets. Please update the project site plan to identify these properties being provided access from the private drive proposed with this gated community and eliminate the existing access points.

Response – See response to Comment #20

Considerations

Circulation

STIP ✓ 54 Please update the project narrative and the project landscape character plan to show the existing rock outcropping, located on northwest corner of N 84th Street and E Black Mountain Road, being removed to improve sight visibility at the intersection

Response – Section III G and the Landscape Character Area Plan has been updated to show the existing rock outcropping and note the removal due to sight visibility issues at the intersection

✓ 55 The project Citizen Review Report provides several open house comment cards in which the attendees are opposed to the proposed density Provide justification for the proposed density in response to the neighborhood comments

Response – It is important to note that positive verbal comments were also obtained during multiple neighborhood meetings and open houses The majority of the attendees were not concerned about the proposed density as they expressed verbally that R1-43 is appropriate zoning in comparison with the adjacent communities Also, this proposal is below the maximum density allowed in the R1-43 ESL district The property and the surrounding properties to the east, north and west were annexed into the City (81-ZN-85) as R1-190, which reflected the prior County zoning designation Over proceeding years, all of these properties (Sandflower, Vista Viento, Sierra Highlands) were rezoned to R1-43 ESL Please see new table added to project narrative that compares zoning and densities of existing/proposed adjacent communities

The request to rezone the subject site seeks to rezone to a district that is comparable to all adjacent communities, and at densities that are below the adjacent communities of Sandflower, Vista Viento and Contona The applicant has opted to reduce the density below the maximum allowed in the R1-43 ESL district to provide site design that conforms to the site's topography, reduces wash impacts and provides meaningful open space buffers to adjacent properties

The comment cards gathered by the applicant during the neighborhood meetings related to density concerns were voiced by residents of communities with higher densities than the Reserve and Black Mountain provides Furthermore, these individuals are opposed to any new development on this property, the proposed density is not the main concern for them as they would prefer the property remain vacant desert

Technical Corrections

The following technical ordinance or policy related corrections have been identified in the first review of the project While these items are not as critical to scheduling the case for public hearing, they will likely affect a decision on the final plans submittal (construction and improvement documents) and should be addressed as soon as possible Correcting these items before the hearing may also help clarify questions regarding these plans Please address the following

Legal/Application:

✓
STIP 56. The existing application request will require the release of any existing easements within the proposed project site. Any further required easements will be required to be dedicated through the future final plat process for any required easements for the proposed plan (i.e. water/sewer/drainage/PUE /Public trail/ Scenic corridor, etc.).

Response – An abandonment application has been prepared and submitted for City review.

✓ 57. In the project narrative, Section II A, there is a reference to the parcels that are included in this request. Please verify the parcel numbers: one is indicated as '206-34-269' but should be 216-34-269.

Response – Section II.A of the project narrative has been updated to reference parcel #216-34-296.

✓ 58. In the project narrative, Section III B 2, there is a reference to N. '84th Avenue' but this should be N. 84th Street.

Response – Section III.B.2 has been revised to reference 84th Street.

Site Design:

✓
STIP 59. Please update the proposed project site plan to provide and identify a minimum seventy-five-foot (75-ft.) queuing distance from the entry kiosk/call-box to the back of curb. The gated subdivision entry shall be consistent with DSPM Section 2-1.806, Figure 2.1-3.

Response – The project entry has been updated to meet or exceed the gated subdivision entry requirements. A minimum of 75' has been provided from back of curb on 84th Street to the project keypad.

✓
STIP 60. Please update the proposed project site plan to provide and identify the safety triangle sight distance easements at the intersection of N. 84th Street and E. Black Mountain Road, and at the subdivision's private street intersection with N. 84th Street (DSPM Section 5-3.119D; Fig. 5.3-27).

Response – The project site plan has been updated to include safety triangle and sight distance triangles.

✓ 61. Please update the proposed project site plan to show the removal of the median, within the internal street, located adjacent to proposed lots "12" and "13."

Response – The median has been removed.

✓ 62. Please update the proposed project site plan to provide a building envelope for proposed lots "7" and "27."

Response – Lot 7 and Lot 27 have been revised to reflect areas on each lot that will be dedicated as NAOS, whereby defining the building and development envelope.

✓
CTH
Fire:

63. Additional or proposed hydrants shall be placed outside of proposed cul-de-sac(s). All fire hydrants shall also be located along the fire lane/road and spacing of hydrants and shall be constructed as per 4045 Section 507-5-1 EXP #2 and 507-5-1-2 #2.

Response – An additional fire hydrant has been added to comply with CoS standards spacing.

✓
STIP
Circulation:

64. All proposed internal private streets to be consistent with Local Residential, ESL/Rural character, Fig. 5.3-19. These streets are private, to be dedicated to provide emergency and service vehicle access. Please update the site plan to provide a detail identifying these improvement requirements.

Response – Agreed. A typical cross section illustrating conformance with Figure 5.3-19 has been included on the Pedestrian & Vehicular Circulation Plan

✓
Landscaping:

65. With the resubmittal, please provide a cut and fill exhibit.

Response - Will provide with grading plan. Grading plan clearly identifies all areas with cut and fill in excess of 8', see hatched area and legend for clarification. The site grading was refined to mitigate these areas down to only 3 small isolated areas on the site. Two of which are in drainage basins and are needed for drainage purposes, and one is the corner of a lot near an anomaly. These areas have been kept under 10'.

✓
Other:

66. The proposed project application is required to provide a signing and pavement marking plan for N. 84th Street and E. Black Mountain Road.

Response - To be provided with final engineering per conversation with Jesus.

Please feel free to call me if you have any questions or would like to discuss these responses. My phone number is (480)994-0994 and email is astedman@lvadesign.com

Sincerely,
Alex Stedman

**ATTACHMENT A
Resubmittal Checklist**

Case Number **26-ZN-2016**

Please provide the following documents, in the quantities indicated, with the resubmittal (all plans larger than 8 ½ x11 shall be folded)

- One copy COVER LETTER – Respond to all the issues identified in the first review comment letter
- One copy Revised CD of submittal (DWG or DWF format only)
- One original Letter of Authorization-actual owner of record
- One copy Revised Narrative for Project
- One copy Commitment for Title Insurance (Updated and completed for all Parcels included in this request)
- One copy Results of Alta Survey (Updated and completed for all parcels included in this request)

Context Aerial with the proposed Site Plan superimposed
 Color 1 24" x 36" 1 11" x 17" 2 8 ½" x 11"

Site Plan
10 24" x 36" 1 11" x 17" 2 8 ½" x 11"

NAOS Plan
2 24" x 36" 1 11" x 17" 2 8 ½" x 11"

Construction Envelope Exhibit
2 24" x 36" 1 11" x 17" 2 8 ½" x 11"

Landscape Plan
 Color 2 24" x 36" 1 11" x 17" 2 8 ½" x 11"
 B/W 2 24" x 36" 1 11" x 17" 2 8 ½" x 11"

Cuts & Fills Site Plan
2 24" x 36" 1 11" x 17" 2 8 ½" x 11"

Desert Scenic Corridor Plan
1 24" x 36" 1 11" x 17" 2 8 ½" x 11"

Other Supplemental Materials
 Landscape Character Plan, signed application, Letter of Authorization, Commitment for Title, Affidavit to Act on Behalf of the Owner, Appeals of Dedication, and Request for Site Visit forms for the owners/parcels

Technical Reports:

- 2 copies of Revised Drainage Report:
- 1 copies of Revised Storm Water Waiver:
- 3 copies of Revised Water Design Report:
- 3 copies of Revised Waste Water Design Report:

Resubmit the revised Drainage Reports, Water and Waste Water Report and/or Storm Water Waiver application to your Project Coordinator with any prior City mark-up documents.

August 2, 2016

Superintendent
Cave Creek Unified School District
PO Box 426
Cave Creek, AZ 85327

Dear Madam or Sir,

This letter is being sent to you pursuant to City of Scottsdale Zoning Code (Ordinance No. 455), Article 1, Administration and Procedures, Section a.a500, Collaborative City and School Planning.

Please be advised that we are applying for a rezoning application that will seek to modify the residential zoning on a 35 acre property resulting in a greater residential density allowed on the subject property. The property is currently zoned as R1-190 (.21 residential units per acre). Our application will result in a total of 24 units allowed, and increase of about seventeen homes.

Enclosed please find a location map, site plan, and Determination Form required by the City per the above Ordinance. If you would like to schedule a meeting to discuss the proposal I can be reached by the below contact information.

Sincerely,

Alex Stedman
Planning Manager
LVA Urban Design Studio
Email: astedman@lvadesign.com

Cc: City of Scottsdale Current Planning Department

26-ZN-2016
11/02/2016

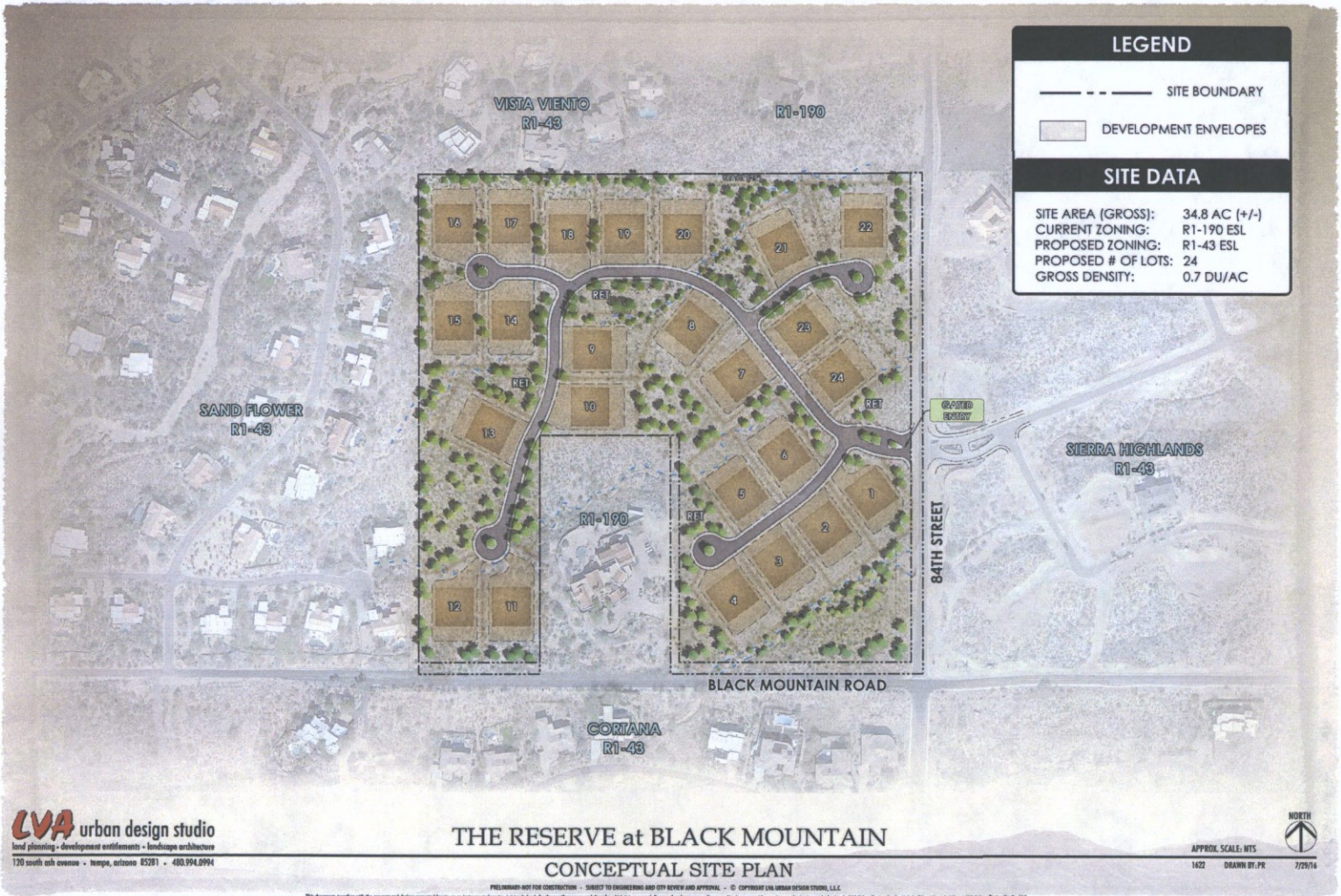


CVA urban design studio
 land planning • development entitlements • landscape architecture
 120 south oak avenue • tempe, arizona 85281 • 480.994.0994

THE RESERVE at BLACK MOUNTAIN
 CONTEXT AERIAL

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APPROX. SCALE: 1"=300'
 NORTH
 0000 DRAWN BY: EX



LEGEND

--- SITE BOUNDARY

DEVELOPMENT ENVELOPES

SITE DATA

SITE AREA (GROSS): 34.8 AC (+/-)
 CURRENT ZONING: R1-190 ESL
 PROPOSED ZONING: R1-43 ESL
 PROPOSED # OF LOTS: 24
 GROSS DENSITY: 0.7 DU/AC

LVA urban design studio
 land planning • development entitlements • landscape architecture
 120 south oak avenue • tempe, arizona 85281 • 480.994.0994

THE RESERVE at BLACK MOUNTAIN
CONCEPTUAL SITE PLAN

APPROX. SCALE: NTS
 1/4" = 1' DRAWN BY: PJ 7/20/14

PRELIMINARY NOT FOR CONSTRUCTION - SUBJECT TO ENGINEERING AND CITY REVIEW AND APPROVAL - © COPYRIGHT LVA URBAN DESIGN STUDIO, L.L.C.
 This document, together with the concepts and design presented herein, is an instrument of service, a contract of service, a record of work, and a record of design. It is prepared for the specific project and site to which it is applied. It is not to be used for any other project or site without the written consent and approval of LVA Urban Design Studio, L.L.C. shall be without liability to LVA Urban Design Studio, L.L.C.
 01/20/14 8470 & BLACK MOUNTAIN RESERVE PLANNING/15-1422 LOTTING PLAN 2014-01-21.dwg APR 2014



SCHOOL DISTRICT

Determination of Adequate Facilities

City of Scottsdale Project Number 536 -PA- 2016

Project name The Reserve at Black Mountain

Project Location NWC 84th St & Black Mountain

Applicant Name Alex Stedman Phone 480-994-0994

Applicant E-mail astedman@lvadesign.com Fax _____

School District Cave Creek Unified

I, _____ hereby certify that the following determination has been made in regards to the Referenced project

- The school district had adequate school facilities to accommodate the projected number of additional students generated by the proposed rezoning within the school district's attendance area, or
- The school district will have adequate school facilities via a planned capital improvement to be constructed within one year of the date of notification of the district and located within the school district's attendance area, or
- The school district has determined an existing or proposed charter school as contracted by the district can be provide adequate school facilities for the projected increase in students, or
- The applicant and the school district have entered into an agreement to provide, or help to provide, adequate school facilities within the school district's attendance area in a timely manner (a copy said agreement is attached hereto), or
- The school district does not have adequate school facilities to accommodate projected growth attributable to the rezoning

Attached are the following documents supporting the above certification

- Maps of the attendance areas for elementary, middle and high schools for this location
- Calculations of the number of students that would be generated by the additional homes
- School capacity and attendance trends for the past three years

Or,
I, _____, hereby request a thirty (30) day extension of the original discussion and response time

Superintendent or Designee

Date

Planning and Development Services Department

7447 E Indian School Road, Suite 105, Scottsdale, AZ 85251 ♦ Phone 480-312-7000 ♦ Fax 480-312-7088

PS Form 3800, April 2015 PSN 7530-02-000-9047

City, State, ZIP+4[®]

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Botanical Bklt/10 (Unit Price:\$4.70)	1	\$4.70
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April 26, 2017

Alex Stedman
120 S. Ash Ave.
Tempe, AZ 85281

Re: 536-PA-2016
26-ZN-2016
84th & Black Mountain

Dear Alex,

This is to advise you that the case referenced above was approved at the April 25, 2017 City Council meeting. The ordinance No. 4304 may be obtained from the City Clerk's office or city website @ <https://eservices.scottsdaleaz.gov/eServices/ClerkDocs/Default.aspx>.

Please remove the red hearing sign as soon as possible. If you have any questions, please contact me at 480-312-7849.

Sincerely,

Jesus Murillo
Senior Planner