

**Marked Agendas
Approved Minutes
Approved Reports**

Approved Minutes can be found at:
<https://eservices.scottsdaleaz.gov/eServices/ClerkDocs/Default.aspx>

City Council Hearing 5/9/2017

Planning Commission 3/1/2017

13-AB-2016

Cielo Stellato Abandonment

Resolution No. 10748

Official /Signed Resolution can be found at:
<https://eservices.scottsdaleaz.gov/eServices/ClerkDocs/Default.aspx>

City Council Hearing 5/9/2017

Planning Commission 3/1/2017

13-AB-2016

Cielo Stellato Abandonment

CITY COUNCIL REPORT



Meeting Date: May 9, 2017
 General Plan Element: *Community Mobility*
 General Plan Goal: *Safely, effectively and efficiently move people, goods, and information*

ACTION

Cielo Stellato Abandonment 13-AB-2016

Request to consider the following:

Adopt Resolution No. 10748 to abandon a 20-foot wide roadway easement along the southern boundary of parcel 219-11-344, with Single-family Residential District, Environmentally Sensitive Lands (R1-43, ESL) zoning located at 36755 N. Lone Mountain Parkway.

Purpose of Request

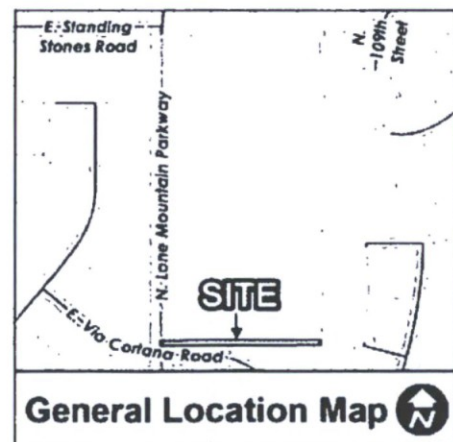
The applicant's request is to abandon the easement as part of a planned 14-lot subdivision (related to 3-PP-2016). The existing easement was not utilized as an access way or a means to serve utilities and is currently in a natural desert condition.

Key Items for Consideration

- Access not impacted by this proposed abandonment
- Conformance with Transportation Master Plan
- Area to remain undeveloped and part of Natural Area Open Space.
- Associated with Cielo Stellato (Case 3-PP-2016), 14-lot subdivision.
- No public input received regarding the proposed abandonment.
- Planning Commission heard this case on March 1, 2017 and recommended approval with a 7-0 vote.

OWNER

Pinnacle Land Development LLC
480-719-1500



APPLICANT CONTACT

Kimley Horn and Associates Inc
602-906-1373

LOCATION

36755 N. Lone Mountain Parkway

BACKGROUND

General Plan

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

Zoning

The site is zoned Single-family Residential, Environmentally Sensitive Lands (R1-43, ESL), which allows single-family dwellings, religious and educational facilities. The surrounding properties are also zoned Single-family Residential District, Environmentally Sensitive Lands. The Development Review Board approved a 14-lot subdivision for this property in October 2016 (Case 3-PP-2016).

Context

The subject roadway easement was dedicated in 1983. Located at the northeast corner of N. Lone Mountain Parkway and E. Via Cortana Road, the 20-acre parcel is currently undeveloped and is surrounded by existing residential communities (see context aerial attachments).

Adjacent Uses and Zoning

- North: Single-family Residential, Environmentally Sensitive Lands, zoned R1-43 ESL (Mirabel Village 8 West).
- South: Single-family Residential, Environmentally Sensitive Lands, zoned R1-43 ESL (Treviso).
- East: Single-family Residential, Environmentally Sensitive Lands, zoned R1-43 ESL (Treviso Amended).
- West: Single-family Residential, Environmentally Sensitive Lands, zoned R1-43 ESL (Treviso).

Other Related Policies, References:

2001 Scottsdale General Plan, as amended
2008 Scottsdale Transportation Master Plan
Environmentally Sensitive Lands Ordinance
3-PP-2016: companion final plat for the site

APPLICANTS PROPOSAL

Purpose

This request is to abandon the existing 20-foot wide roadway easement along the south boundary of the property located at 36755 N. Lone Mountain Parkway, as part of a new 14-lot subdivision.

IMPACT ANALYSIS

Traffic/Trails

Access to the site will be provided by an existing public access easement within the existing Treviso subdivision to the south. The Transportation Department supports the subject abandonment with the dedication of a fee simple 45-foot wide half-street of right-of-way along N. Lone Mountain Parkway. No street or trail impacts are anticipated.

Emergency/Municipal Services and Utilities

All existing and municipal access will be provided to the properties surrounding the abandonment area and maintained through an existing public access easement.

Public Utilities

The public utility companies have been notified of the request and support the request to abandon the existing roadway easement.

Natural Open Space

The required Natural Area Open Space (NAOS) for this property will be dedicated with the associated 14-lot subdivision. There are no impacts on NAOS.

Community Involvement

The applicant and city staff mailed notification of this abandonment request to property owners with 750 feet. This site was also posted with a public hearing notification sign.

Community Impact

The proposed abandonment does not restrict or remove access to any adjacent properties and will dispose of excess right-of-way at the southern end of the new residential development. Compensation to the City includes a 45-foot wide roadway dedication along N. Lone Mountain Parkway frontage. This 59,203 sq.ft. dedication is significantly more than 13,221 sq.ft. of the proposed abandonment area, and is independent of the proposed associated subdivision (case 3-PP-2016).

OTHER BOARDS AND COMMISSIONS

Planning Commission:

Planning Commission heard this case on March 1, 2017 and recommended approval with a 7-0 vote.

Staff's Recommendation to Planning Commission

Staff recommended that the Planning Commission make a recommendation to City Council for approval to abandon the 20-foot roadway easement along the southern edge of the property located at 36755 N. Lone Mountain Parkway, with Single-family Residential, Environmentally Sensitive Lands (R1-43, ESL) zoning, finding that the proposal is consistent with and conforms to the adopted General Plan, subject to the following:

1. The property owner dedicates a 45-foot wide half-street of fee simple right-of-way, along N. Lone Mountain Parkway.

RECOMMENDATION

Recommended Approach:

Adopt Resolution No. 10748 to abandon a 20-foot wide roadway easement along the southern boundary of parcel 219-11-344, with Single-family Residential District, Environmentally Sensitive Lands (R1-43, ESL) zoning located at 36755 N. Lone Mountain Parkway.

RESPONSIBLE DEPARTMENTS

Planning and Development Services

Current Planning Services
Stormwater Management
Traffic Engineering
Fire and Life Safety


STAFF CONTACT

Meredith Tessier
Senior Planner
480-312-4211
E-mail: mtessier@ScottsdaleAZ.gov

APPROVED BY


Meredith Tessier, Report Author

04/14/2017
Date


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

4/17/2017
Date


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

4/25/17
Date

ATTACHMENTS

1. Context Aerial
- 1A. Detail Aerial
2. Resolution No. 10748
3. Applicant's Narrative
4. Site Plan
5. Legal Description and Graphic for Abandonment Area
6. City Notification Map
7. March 1, 2017 Planning Commission meeting minutes
8. Correspondence



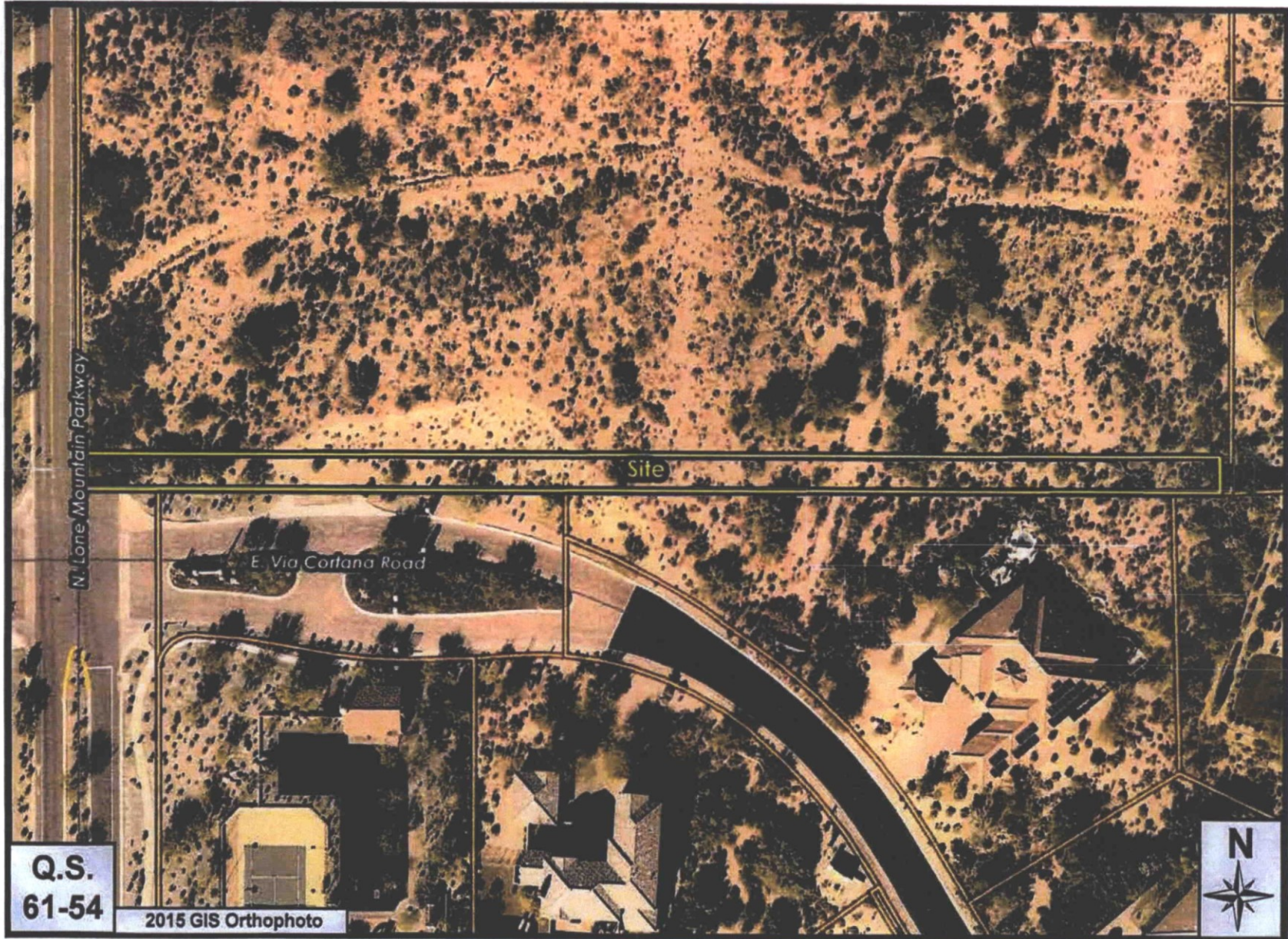
Q.S.
61-54

2015 GIS Orthophoto



Cielo Stellato Abandonment

13-AB-2016



Cielo Stellato Abandonment

13-AB-2016

RESOLUTION NO. 10748

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 A RIGHT-OF-WAY EASEMENT ALONG THE SOUTHERN BOUNDARY OF A PROPERTY LOCATED AT 36755 NORTH LONE MOUNTAIN PARKWAY

(13-AB-2016)
(PINNACLE LAND DEVELOPMENT ("PINNACLE"))

WHEREAS:

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

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

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

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

E. The Abandonment Right-of-way falls within, serves, affects or is near the parcel (the "Pinnacle Parcel") comprising approximately 20 acres at the northeast corner of North Lone Mountain Parkway and Via Cortana Road as depicted on **Exhibit "C"** attached hereto.

F. 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.

G. 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.

H. 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 by the city council of the City of Scottsdale, Arizona, as follows:

1. Abandonment. Subject to the reservations and conditions below, City's interests comprising the Abandonment 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 Any and all interests in the Abandonment Right-of-way that any related application, zoning case, plat, lot split, use permit, or other land use regulatory process or requirements may require to be dedicated to City.

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

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

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

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

2.3 An easement for all existing utilities, if any.

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

3. Effective Date. This resolution shall not be recorded or become effective until 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 Pinnacle Parcel shall dedicate to the City using specified forms a 45 foot wide half street of fee simple right-of-way along North Lone Mountain Parkway.

3.2 The zoning administrator executes the certificate at the bottom of this resolution indicating that the Conditions have been satisfied.

4. Administration of Conditions. If the foregoing Conditions are not all satisfied prior to the second annual anniversary of this resolution, 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 Labeling. The text of this resolution controls any conflict with the exhibits as to the nature of the interests created, reserved or otherwise affected by this resolution. For example, if the text of this resolution indicates that City is reserving a particular type of easement, but the exhibit text or labels indicate a different type of real estate interest, then the text controls.

PASSED AND ADOPTED by the City Council of the City of Scottsdale this _____ day of _____, 2017.

CITY OF SCOTTSDALE, an Arizona municipal corporation

W. J. "Jim" Lane, Mayor

ATTEST:

By: _____
Carolyn Jagger, City Clerk

APPROVED AS TO FORM:

Marg
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

Table of Exhibits

<u>Exhibit</u>	<u>Paragraph</u>	<u>Description</u>
A	D	Legal description of street right-of-way to be abandoned
B	D	Scaled and dimensioned drawing to accompany legal description of street right-of-way to be abandoned
C	E	Map showing the Pinnacle Parcel

EXHIBIT "A"
LEGAL DESCRIPTION
ROADWAY & PUBLIC UTILITY EASEMENT RELEASE

THE ROADWAY AND PUBLIC UTILITY EASEMENT, AS RECORDED IN DOCUMENT 1983-464309, RECORDS OF MARICOPA COUNTY, ARIZONA, SITUATED WITHIN A PORTION OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 6 NORTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTH 20.00 FEET OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 33.



EXHIBIT "B"
ROADWAY & PUBLIC UTILITY EASEMENT RELEASE

APN# 219-11-007Z
 CONCRETE FINISHING
 CO INC. DBPP/ET AL

APN# 219-11-344
 PL LONE MOUNTAIN LLC
 DEED NO. 2016-0504371

"TREVISO"
 BK. 632, PG. 12, M.C.R.

N. LONE MOUNTAIN PARKWAY

"TREVISO AMENDED"
 BK. 728, PG. 48, M.C.R.



20.00' ROADWAY &
 PUBLIC UTILITY ESMT. PER
 DOC. 1983-464309, M.C.R.
 (RELEASED)

VIA CORTANA ROAD

CIELO STELLATO
 EASEMENT RELEASE DOC. 1983-464309
 EXHIBIT "B"
 City of Scottsdale, Maricopa County, Arizona

Project No. 16126	Date 04/05/17	Sht: 1 of 1
Project Manager ADRIAN BURCHAM	Project Eng.	

EXHIBIT "C"
APN# 219-11-344

APN# 219-11-007Z
CONCRETE FINISHING
CO INC. DBPP/ET AL

"TREVISO"
BK. 632, PG. 12, M.C.R.

N. LONE MOUNTAIN PARKWAY

"TREVISO AMENDED"
BK. 728, PG. 48, M.C.R.



APN# 219-11-344
PL LONE MOUNTAIN LLC
DEED NO. 2016-0504371



VIA CORTANA ROAD

CIELO STELLATO
APN# 219-11-344
EXHIBIT "C"

City of Scottsdale, Maricopa County, Arizona

Project No. 16126	Date 04/05/17	Sht: 1 of 1
Project Manager ADRIAN BURCHAM	Project Eng.	

Memorandum

To: Meredith Tessier
City of Scottsdale Planning and Development

From: Andrew Jupp
Senior Project Manager

Date: January 20, 2016

Subject: Narrative for Release of Public Access/Utility Easements for Cielo Stellato Subdivision

■
7740 N. 16th Street
Suite 300
Phoenix, Arizona
85020

Ms. Tessier,

The applicant, PL Lone Mountain, LLC (Pinnacle Land Development, LLC), owner of parcel 219-11-344, proposes to release the public access and utility easement located along the southern 20' of the project in order to support the development of the Cielo Stellato Subdivision, Case 3-PP-2016. The recorded document for the original dedication of this easement is DOC#19830464309. The proposed abandonment would extinguish this easement in its entirety.

The existing easement was not utilized as an accessway or a means to serve utilities and is currently in a naturally undisturbed state. The easement will be unnecessary to serve any adjacent properties. Private roadways and public utilities easements were dedicated for all adjacent parcels with the devolvement of their respective subdivisions. Upon the development of the Cielo Stellato Subdivision, all lots within the development will be served with a private roadway and public utility easement with final plat dedication.

The applicant is proposing that a non-monetary exchange in the form of right-of-way and easement to the benefit of the City as shown in the table below is considered as the full compensation for the proposed abandonment and additional monetary payment will not be required.

Proposed Abandonment:

Access Easement and PUE (DOC#19830464309)	13,221 SF 0.30 AC
---	-------------------

Offsetting Dedications:

Lone Mountain R/W	59,203 SF 1.36 AC
Public Sewer/Water and Emergency Access Easement and PUE	53,968 SF 1.24 AC
Additional NAOS	36,590 SF 0.84 AC



If you have any further questions, please feel free to contact me at (602) 944-5500.

Very truly yours,

KIMLEY HORN AND ASSOCIATES, INC.

A handwritten signature in black ink, appearing to read 'Andrew M. Jupp', is written in a cursive style.

Andrew Jupp, PE



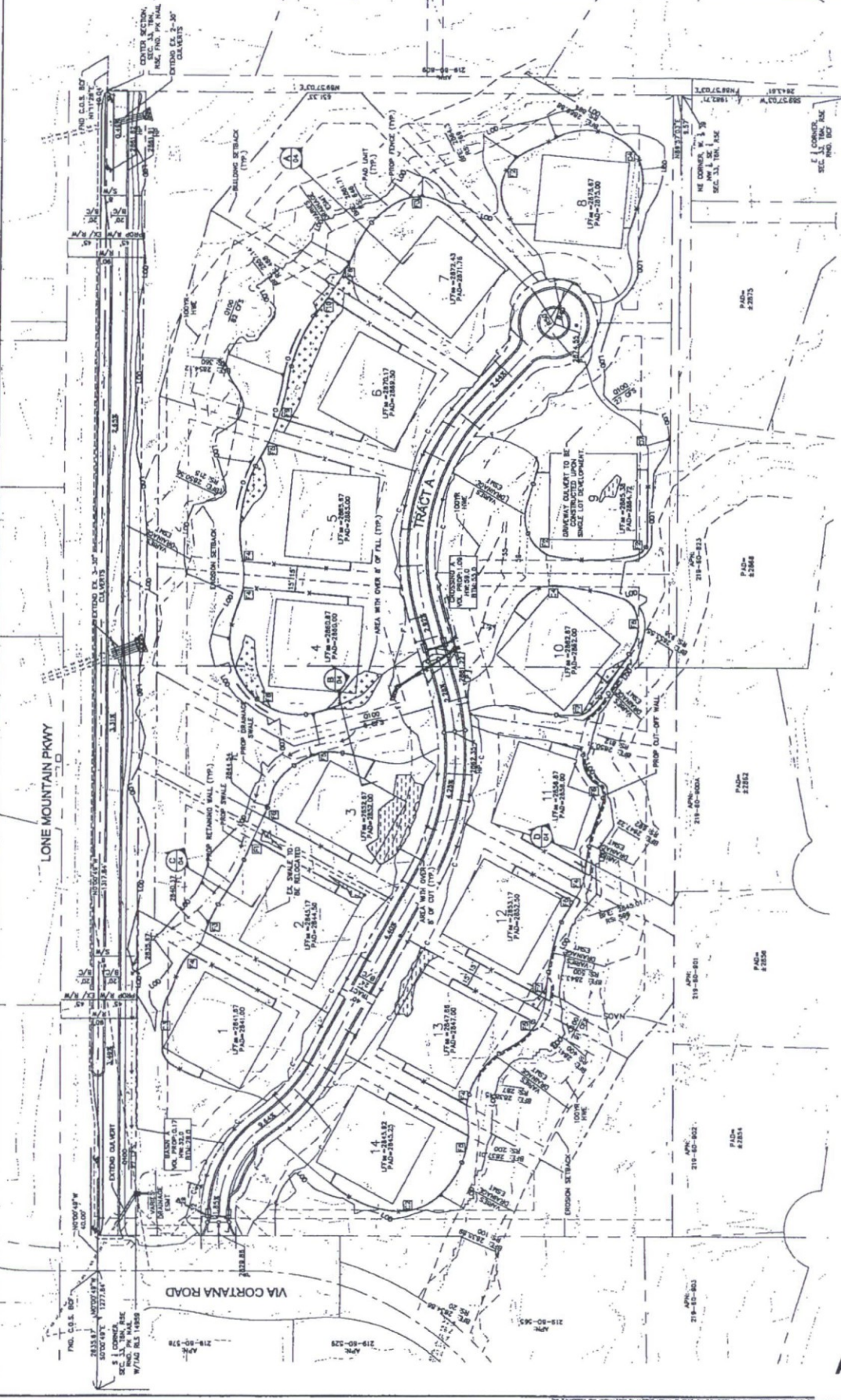
PRELIMINARY GRADING PLAN
 CIELO STELLATO
 SCOTTSDALE ARIZONA

Kimley-Horn

DATE: 08/27/2016	CHECKED BY: MAM	DESIGNED BY: MAM	SCALE: 1/2" = 10'
DRAWN BY: MAM	PROJECT NO: 281030000	DRAWING NAME: SUBDIVISION	03 of 04
PROJECT NO: 281030000	DRAWING NAME: SUBDIVISION	DRAWING NO: 03 of 04	

13-AB-2016
 12/02/2016

NOTE: THE FIRM LANE SURFACE SHALL BE SUITABLE FOR ALL-WEATHER USE, WITH A CROSS SLOPE WITHOUT INCLUDING ANY RIDGE OR CULVERT.



ATTACHMENT #4

Kimley-Horn and Associates, Inc. is a registered professional engineering firm in the State of Arizona. License No. 281030000. The firm is not responsible for any errors or omissions in this drawing or any other documents prepared by the firm or its consultants, subcontractors, or affiliates. The firm is not responsible for any actions taken by the client or any other parties. The firm is not responsible for any actions taken by the client or any other parties. The firm is not responsible for any actions taken by the client or any other parties.

EXHIBIT "A"

CIELO STELLATO

DESCRIPTION

THE ROADWAY AND PUBLIC UTILITY EASEMENT, AS RECORDED IN DOCUMENT 1983-464309, RECORDS OF MARICOPA COUNTY, ARIZONA, SITUATED WITHIN A PORTION OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 6 NORTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.



ATTACHMENT #5

13-AB-2016
12/02/2016

EXHIBIT "B"
ROADWAY & PUBLIC UTILITY EASEMENT RELEASE

APN# 219-11-007Z
 CONCRETE FINISHING
 CO INC. DBPP/ET AL

"TREVISO"
 BK. 632, PG. 12, M.C.R.

"TREVISO AMENDED"
 BK. 728, PG. 48, M.C.R.



APN# 219-11-344
 LONE MTN DDMJ LLC



20.00' ROADWAY &
 PUBLIC UTILITY ESMT. PER
 DOC. 1983-464309, M.C.R.
 (RELEASED)

VIA CORTANA ROAD

CIELO STELLATO
 EASEMENT RELEASE DOC. 1983-464309

EXHIBIT "B"

City of Scottsdale, Maricopa County, Arizona

Project No.
 16126

Date
 09/23/16

Project Manager
 ADRIAN BURCHAM

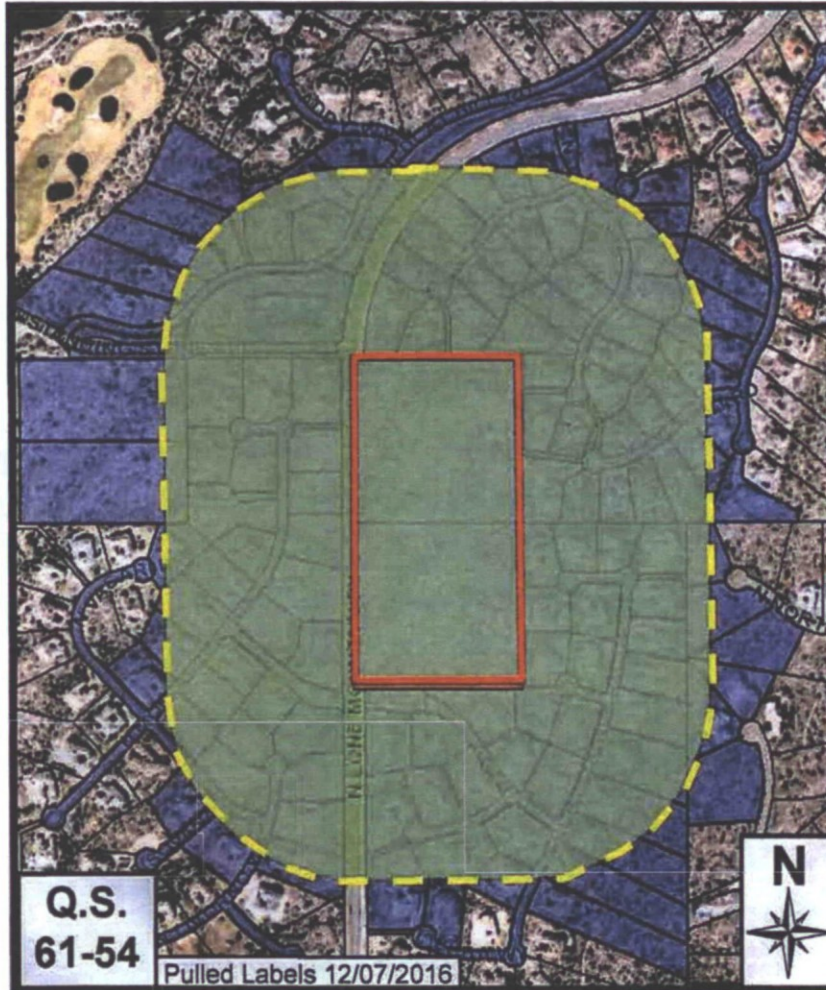
Project Eng.

Sht: 1 of 1



13-AB-2016
12/02/2016

City Notifications – Mailing List Selection Map

ATTACHMENT #6



Map Legend:

-  Site Boundary
-  Properties within 750-foot
148 Postcards

Additional Notifications:

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

Cielo Stellato Abandonment

13-AB-2016



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

WEDNESDAY, MARCH 1, 2017

SUMMARIZED MEETING MINUTES

PRESENT: Paul Alessio, Chair
David Brantner, Vice Chair
Ali Fakh, Commissioner
Prescott Smith, Commissioner
Michael Minnaugh, Commissioner
Kelsey Young, Commissioner
Larry S. Kush, Commissioner

STAFF: Tim Curtis
Joe Padilla
Andrew Chi

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"

MINUTES REVIEW AND APPROVAL

1. Approval of February 22, 2017 Regular Meeting Minutes including the Study Session.

COMMISSIONER YOUNG MOVED TO APPROVE THE FEBRUARY 22, 2017 REGULAR MEETING MINUTES INCLUDING THE STUDY SESSION, SECONDED BY COMMISSIONER KUSH, THE MOTION CARRIED UNANIMOUSLY WITH A VOTE OF SEVEN (7) TO ZERO (0).

EXPEDITED AGENDA

2. 13-AB-2016 (Cielo Stellato Abandonment)
Request by owner for the abandonment of a 20-foot wide roadway easement along the southern boundary of a property located at 36755 N. Lone Mountain Parkway with Single-family Residential District, Environmentally Sensitive Lands (R1-43, ESL) zoning. Staff contact person is Meredith Tessier, 480-312-4211. Applicant contact person is Andrew Jupp, 480-994-0994.

Item No. 2: Recommended City Council approve case 13-AB-2016, by a vote of 7-0; Motion by Commissioner Kush, per the staff recommended stipulations, based upon the finding that the Abandonment is consistent and conforms with the adopted General Plan, 2nd by Vice Chair Brantner.

ADJOURNMENT

With no further business to discuss, the regular session of the Planning Commission adjourned at 5:04 p.m.

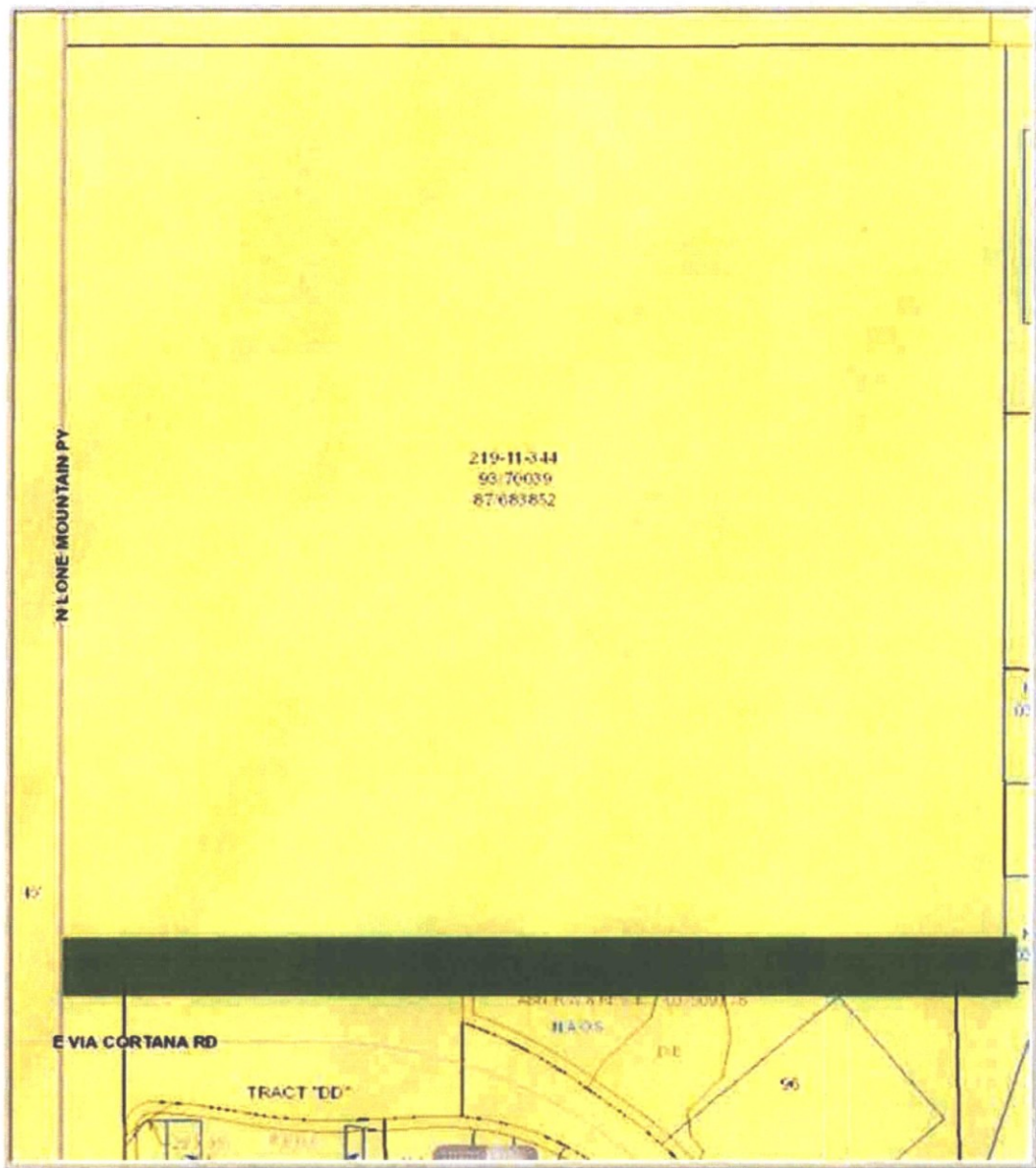
Tessier, Meredith

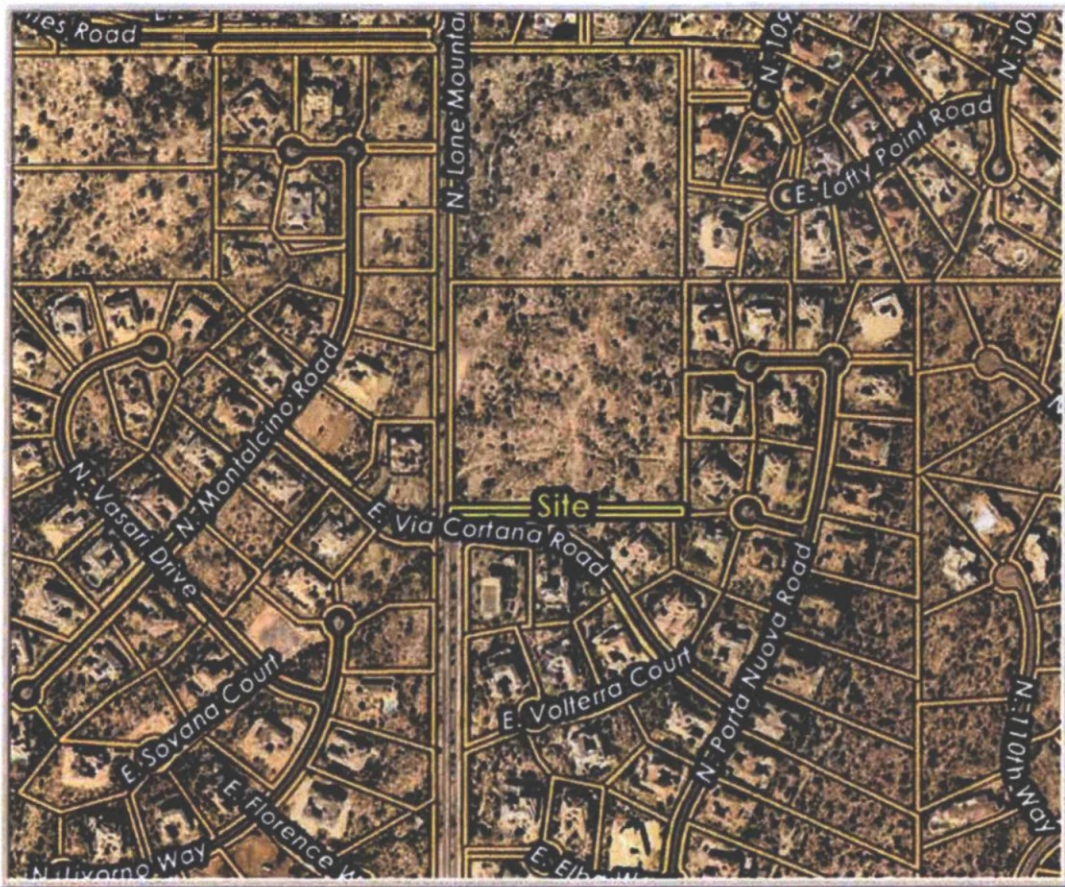
From: Tessier, Meredith
Sent: Thursday, February 09, 2017 10:18 AM
To: 'russell.falconer@gmail.com'
Cc: Acevedo, Alex
Subject: FW: Abandonment of easement --Case # 13-AB-2016

Importance: High

Russ:

Thank you for contacting the City of Scottsdale regarding the easement. This easement is located on 36755 N. Lone Mountain Road which is owned by PL Lone Mountain LLC. Please refer to the exhibit below, the easement is highlighted in green. Please contact me if you have any additional questions.





Thank you,
 Meredith Tessier, Senior Planner
 Planning & Development Services
 P: 480/312-4211



From: question@scottsdaleaz.gov [mailto:question@scottsdaleaz.gov]
Sent: Tuesday, February 07, 2017 12:37 PM
To: Question
Subject: Abandonment of easement --Case # 13-AB-2016

Abandonment of easement --Case # 13-AB-2016

Survey Information

Site:	ScottsdaleAZ.gov
Page Title:	General Question or Complaint
URL:	http://www.scottsdaleaz.gov/contact/complaint-form

Submission Time/Date: 2/7/2017 12:36:00 PM

Survey Response

Subject	Abandonment of easement --Case # 13-AB-2016
Comments	I have tried without success to see a map showing in detail the location of the proposed abandonment of easement for this case(#13-AB-2016). The Case name is Cielo Stellato Abandonment. Who owns the easement that is being considered for abandonment? Can you email a detailed map? I have tried eservices.scottsdaleaz.gov/bldgresources/Cases without success. Thanks for your help.I can be reached by email and if there are any questions please call 480 306-7434.
If you wish to have someone reply to you directly, please provide your contact information below (optional).	
First Name	Russ
Last Name	Falconer
Phone	306-7434
Email	russell.falconer@gmail.com
This is a secure form. All information is encrypted to prevent interception by unauthorized parties. However, information submitted through this form is used by city staff to improve our web services and is also subject to public information laws. The information may not be confidential.	

PLANNING COMMISSION REPORT



Meeting Date: March 1, 2017
General Plan Element: *Community Mobility*
General Plan Goal: *Safely, effectively and efficiently move people, goods, and information*

ACTION

Cielo Stellato Abandonment 13-AB-2016

Request to consider the following:

1. A recommendation to City Council regarding a request by owner to abandon the 20-foot wide roadway easement along the southern boundary of a property located at 36755 N. Lone Mountain with Single-family Residential District, Environmentally Sensitive Lands (R1-43, ESL) zoning.

Purpose of Request

The applicant's request is to abandon the easement as part of a planned 14-lot subdivision (related to 3-PP-2016). The existing easement was not utilized as an access way or a means to serve utilities and is currently in a natural desert condition.

Key Items for Consideration

- Access not impacted by this proposed abandonment
- Conformance with Transportation Master Plan
- Area to remain undeveloped and part of Natural Area Open Space.
- Associated with Cielo Stellato (Case 3-PP-2016), 14-lot subdivision.
- No public input received regarding the proposed abandonment.

OWNER

Pinnacle Land Development LLC
480-719-1500



APPLICANT CONTACT

Kimley Horn and Associates Inc
480-994-0994

LOCATION

36755 N. Lone Mountain Parkway

BACKGROUND

General Plan

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

Zoning

The site is zoned Single-family Residential, Environmentally Sensitive Lands (R1-43, ESL), which allows single-family dwellings, religious and educational facilities. The surrounding properties are also zoned Single-family Residential District, Environmentally Sensitive Lands. The Development Review Board approved a 14-lot subdivision for this property in October 2016 (Case 3-PP-2016).

Context

The subject roadway easement was dedicated in 1983. Located at the northeast corner of N. Lone Mountain Parkway and E. Via Cortana Road, the 20-acre parcel is currently undeveloped and is surrounded by existing residential communities (see context aerial attachments).

Adjacent Uses and Zoning

- North: Single-family Residential, Environmentally Sensitive Lands, zoned R1-43 ESL (Mirabel Village 8 West).
- South: Single-family Residential, Environmentally Sensitive Lands, zoned R1-43 ESL (Treviso).
- East: Single-family Residential, Environmentally Sensitive Lands, zoned R1-43 ESL (Treviso Amended).
- West: Single-family Residential, Environmentally Sensitive Lands, zoned R1-43 ESL (Treviso).

Other Related Policies, References:

2001 Scottsdale General Plan, as amended
2008 Scottsdale Transportation Master Plan
Environmentally Sensitive Lands Ordinance
3-PP-2016: companion preliminary plat for the site

APPLICANTS PROPOSAL

Purpose

This request is to abandon the existing 20-foot wide roadway easement along the south boundary of the property located at 36755 N. Lone Mountain Parkway, as part of a new 14-lot subdivision.

IMPACT ANALYSIS

Traffic/Trails

Access to the site will be provided by an existing public access easement within the existing Treviso subdivision to the south. The Transportation Department supports the subject abandonment with the dedication of a fee simple 45-foot wide half-street of right-of-way along N. Lone Mountain Parkway. No street or trail impacts are anticipated.

Emergency/Municipal Services and Utilities

All existing and municipal access will be provided to the properties surrounding the abandonment area and maintained through an existing public access easement.

Public Utilities

The public utility companies have been notified of the request and support the request to abandon the existing roadway easement.

Natural Open Space

The required Natural Area Open Space (NAOS) for this property will be dedicated with the associated 14-lot subdivision. There are no impacts on NAOS.

Community Involvement

The applicant and city staff mailed notification of this abandonment request to property owners with 750 feet. This site was also posted with a public hearing notification sign.

Community Impact

The proposed abandonment does not restrict or remove access to any adjacent properties and will dispose of excess right-of-way within the new residential development.

STAFF RECOMMENDATION

Recommended Approach:

Staff recommends that the Planning Commission make a recommendation to City Council for approval to abandon the 20-foot roadway easement along the southern edge of the property located at 36755 N. Lone Mountain Parkway, with Single-family Residential, Environmentally Sensitive Lands (R1-43, ESL) zoning, finding that the proposal is consistent with and conforms to the adopted General Plan, subject to the following conditions:

1. The property owner dedicates a 45-foot wide half-street of fee simple right-of-way, along N. Lone Mountain Parkway.

RESPONSIBLE DEPARTMENTS

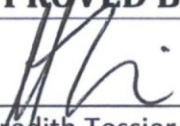
Planning and Development Services

Current Planning Services
Stormwater Management
Traffic Engineering
Fire and Life Safety

STAFF CONTACT

Meredith Tessier
Senior Planner
480-312-4211
E-mail: mtessier@ScottsdaleAZ.gov

APPROVED BY


Meredith Tessier, Report Author

02/10/2017
Date


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

2/10/2017
Date


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

2/13/17
Date

ATTACHMENTS

1. Context Aerial
2. Detail Aerial
3. Applicant's Narrative
4. Site Plan
5. Legal Description and Graphic for Abandonment Area
6. City Notification Map



Q.S.
61-54

2015 GIS Orthophoto



Cielo Stellato Abandonment

13-AB-2016



Q.S.
61-54

2015 GIS Orthophoto



Cielo Stellato Abandonment

13-AB-2016

Memorandum

To: Meredith Tessier
City of Scottsdale Planning and Development

From: Andrew Jupp
Senior Project Manager

Date: January 20, 2016

Subject: Narrative for Release of Public Access/Utility Easements for Cielo Stellato Subdivision

7740 N. 16th Street
Suite 300
Phoenix, Arizona
85020

Ms. Tessier,

The applicant, PL Lone Mountain, LLC (Pinnacle Land Development, LLC), owner of parcel 219-11-344, proposes to release the public access and utility easement located along the southern 20' of the project in order to support the development of the Cielo Stellato Subdivision, Case 3-PP-2016. The recorded document for the original dedication of this easement is DOC#19830464309. The proposed abandonment would extinguish this easement in its entirety.

The existing easement was not utilized as an accessway or a means to serve utilities and is currently in a naturally undisturbed state. The easement will be unnecessary to serve any adjacent properties. Private roadways and public utilities easements were dedicated for all adjacent parcels with the devolvement of their respective subdivisions. Upon the development of the Cielo Stellato Subdivision, all lots within the development will be served with a private roadway and public utility easement with final plat dedication.

The applicant is proposing that a non-monetary exchange in the form of right-of-way and easement to the benefit of the City as shown in the table below is considered as the full compensation for the proposed abandonment and additional monetary payment will not be required.

Proposed Abandonment:

Access Easement and PUE (DOC#19830464309)	13,221 SF 0.30 AC
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Offsetting Dedications:

Lone Mountain R/W	59,203 SF 1.36 AC
Public Sewer/Water and Emergency Access Easement and PUE	53,968 SF 1.24 AC
Additional NAOS	36,590 SF 0.84 AC



If you have any further questions, please feel free to contact me at (602) 944-5500.

Very truly yours,

KIMLEY HORN AND ASSOCIATES, INC.

A handwritten signature in black ink, appearing to read "Andrew M. Jupp". The signature is written in a cursive, flowing style.

Andrew Jupp, PE



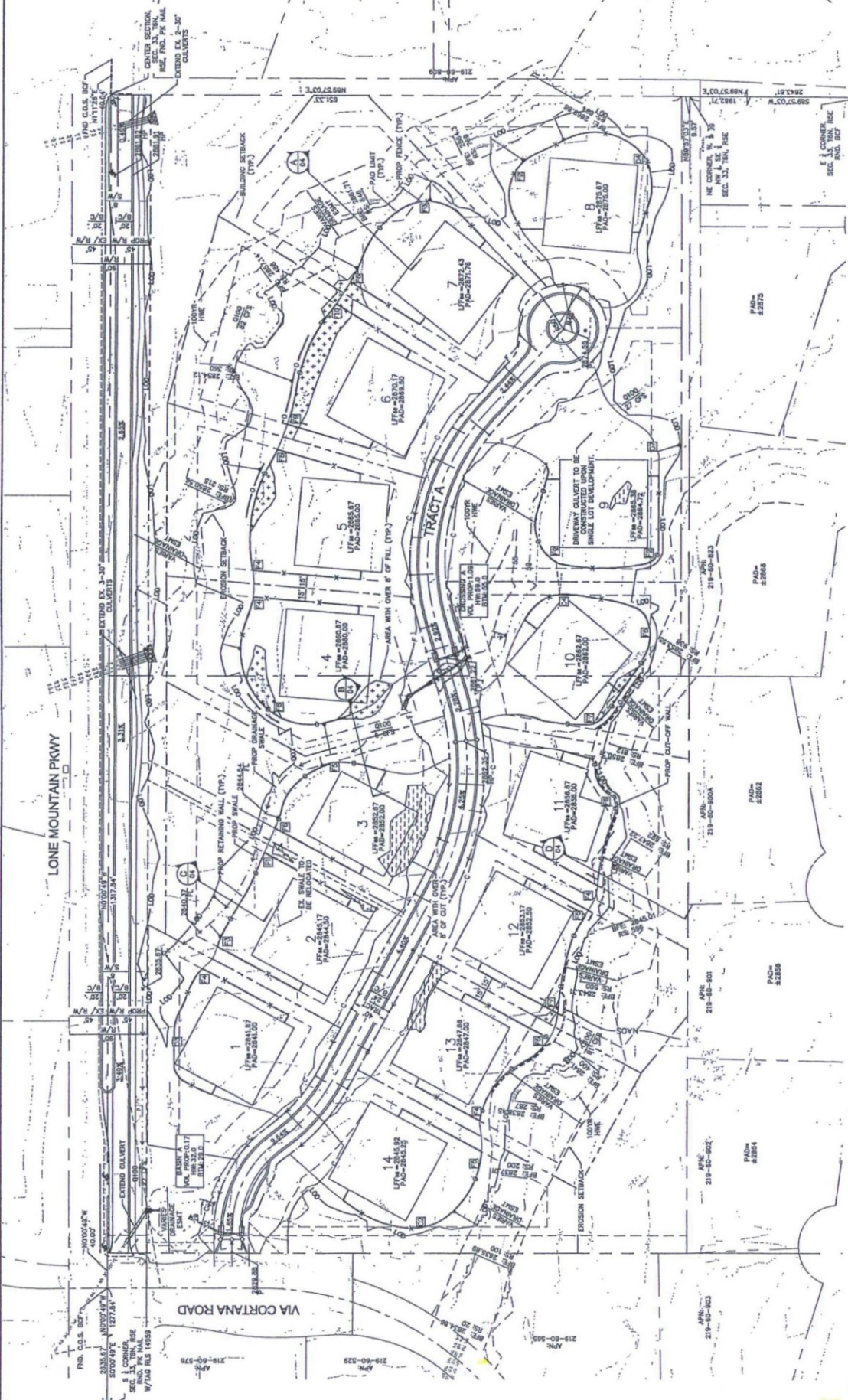
SCOTTSDALE ARIZONA
 CIELO STELLATO
 PRELIMINARY GRADING PLAN

Kimley»Horn
 DESIGNED BY: KAC
 CHECKED BY: MLL
 DRAWN BY: TRK
 DATE: SEPT 2016
 SCALE: (N) NONE
 PROJECT: 2016 HORN-HEMM AND ASSOCIATES, INC.
 7740 NORTH 15TH STREET, SUITE 300
 PHOENIX, ARIZONA 85022 (602) 944-2500

NO.	REVISION	DATE	APP'D.

13-AB-2016
 12/02/2016

NOTE: THE NEW LANE SURFACE SHALL BE ADJUSTED FOR ALL ELEVATIONS TO BE ADJUSTED TO THE FINISHED GRADE OF EXISTING LANE SURFACE. THE DESIGN OF EXISTING LANE SURFACE SHALL BE SHOWN ON CALVERTS.



ATTACHMENT #4

Kimley-Horn and Associates, Inc. is not responsible for the accuracy of the information shown on this drawing. The user of this drawing is advised to verify all information shown on this drawing with the project engineer and the project owner. The user of this drawing is advised to verify all information shown on this drawing with the project engineer and the project owner. The user of this drawing is advised to verify all information shown on this drawing with the project engineer and the project owner.

EXHIBIT "A"

CIELO STELLATO DESCRIPTION

THE ROADWAY AND PUBLIC UTILITY EASEMENT, AS RECORDED IN DOCUMENT 1983-464309, RECORDS OF MARICOPA COUNTY, ARIZONA, SITUATED WITHIN A PORTION OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 6 NORTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.



ATTACHMENT #5

13-AB-2016
12/02/2016

EXHIBIT "B"
ROADWAY & PUBLIC UTILITY EASEMENT RELEASE

APN# 219-11-007Z
CONCRETE FINISHING
CO INC. DBPP/ET AL

"TREVISO"
BK. 632, PG. 12, M.C.R.

"TREVISO AMENDED"
BK. 728, PG. 48, M.C.R.



APN# 219-11-344
LONE MTN DDMJ LLC



20.00' ROADWAY &
PUBLIC UTILITY ESMT. PER
DOC. 1983-464309, M.C.R.
(RELEASED)

VIA CORTANA ROAD

CIELO STELLATO
EASEMENT RELEASE DOC. 1983-464309
EXHIBIT "B"

City of Scottsdale, Maricopa County, Arizona

Project No.
16126

Date
09/23/16

Project Manager
ADRIAN BURCHAM

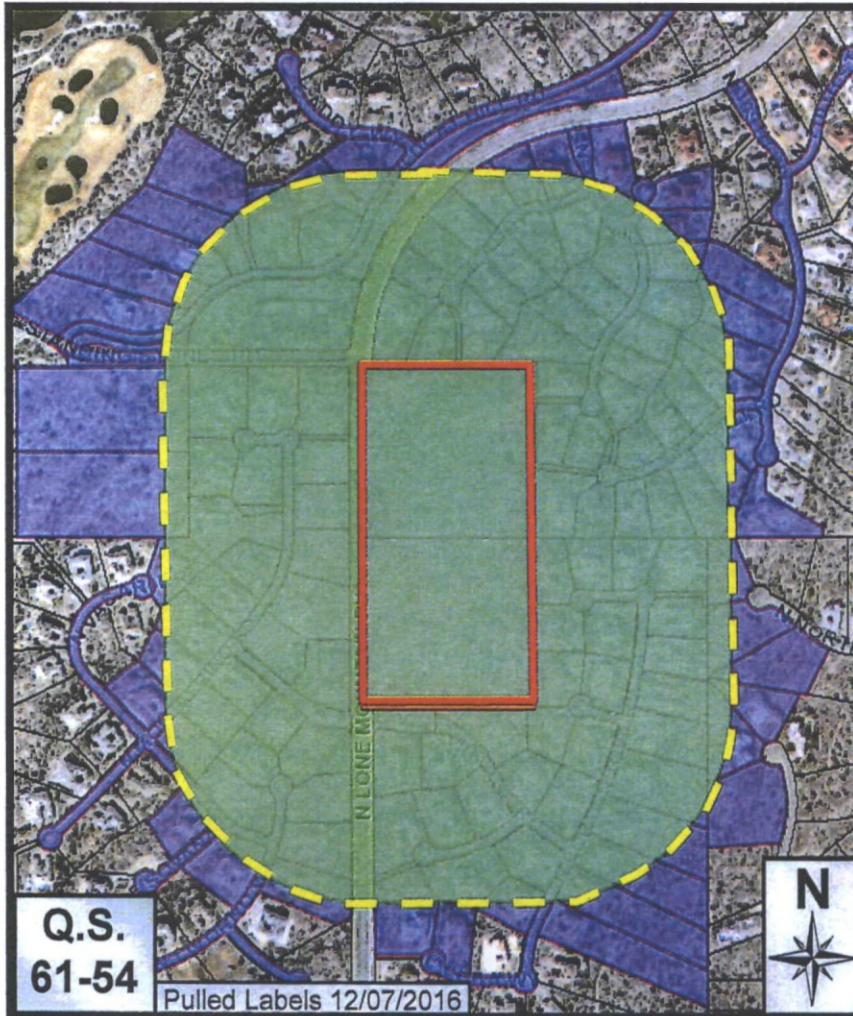
Project Eng.

Sht: 1 of 1

13-AB-2016
12/02/2016

City Notifications – Mailing List Selection Map

ATTACHMENT #6



Map Legend:



Site Boundary



Properties within 750-foot
148 Postcards

Additional Notifications:

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

Cielo Stellato Abandonment

13-AB-2016