Application

Narrative

Cash Transmittal

Development Standards
# Development Application

## Development Application Type:

Please check the appropriate box of the Type(s) of Application(s) you are requesting:

<table>
<thead>
<tr>
<th>Zoning</th>
<th>Development Review</th>
<th>Land Divisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐ Rezoning (ZN)</td>
<td>☐ Development Review (Major) (DR)</td>
<td>☐ Subdivision (PP)</td>
</tr>
<tr>
<td>☐ In-fill Incentive (II)</td>
<td>☐ Development Review (Minor) (SA)</td>
<td>☐ Subdivision (Minor) (MD)</td>
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<tr>
<td>☐ Conditional Use Permit (UP)</td>
<td>☐ Wash Modification (WM)</td>
<td>☐ Land Assemblage</td>
</tr>
<tr>
<td>☐ Text Amendment (TA)</td>
<td>☐ Historic Property (HP)</td>
<td>Other</td>
</tr>
<tr>
<td>☐ Development Agreement (DA)</td>
<td>☐ Wireless Communication Facilities</td>
<td>☐ Annexation/De-annexation (AN)</td>
</tr>
<tr>
<td>☐ Minor Amendment (MN)</td>
<td>☐ Small Wireless Facilities (SW)</td>
<td>☐ General Plan Amendment (GP)</td>
</tr>
<tr>
<td>☐ Hardship Exemption (HE)</td>
<td>☐ Type 2 WCF DR Review Minor (SA)</td>
<td>☐ In-Lieu Parking (IP)</td>
</tr>
<tr>
<td>☐ Variance/Accommodation/Appeal (BA)</td>
<td>☐ Community Sign District (MS)</td>
<td>☐ Abandonment (AB)</td>
</tr>
<tr>
<td>☐ Special Exception (SX)</td>
<td>☐ Master Sign Program (MS)</td>
<td>Other Application Type Not Listed</td>
</tr>
</tbody>
</table>

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## Project Name:

Alexan Scottsdale

## Property's Address:

C-3 and R1-7

## Property's Current Zoning District Designation:

The property owner shall designate an agent/applicant for the Development Application. This person shall be the owner's contact for the City regarding this Development Application. The agent/applicant shall be responsible for communicating all City information to the owner and the owner application team.

### Owner:

Ryan Hattersley

### Company:
Palm Lane Partners LLC

### Address:

3819 Paolo Alto Drive, Lafayette, CA 94549

### Phone:

925-286-2536

### E-mail:

ryan.hattersley@cashware.com

### Engineer:

Steve Hanley

### Company:

Davis

### Address:

74 E. Rio Salado Pkwy, Tempe, AZ 85281

### Phone:

480-638-1176

### E-mail:

a.valente@thedavisengineering.com

### Agent/Applicant:

John Berry / Michele Hammond

### Company:

Berry Riddell

### Address:

6750 E. Camelback, #100, Scottsdale, AZ 85251

### Phone:

480-385-2853

### E-mail:

mh@berryriddell.com

### Company:

Kimley Horn

### Address:

7740 N. 16th Street #300, Phx, AZ, 85020

### Phone:

Fax:

Please indicate in the checkbox below the requested review methodology (please see the descriptions on page 2).

- This is not required for the following Development Application types: AN, AB, BA, II, GP, TA, PE and ZN. These applications will be reviewed in a format similar to the Enhanced Application Review methodology.

- Enhanced Application Review: I hereby authorize the City of Scottsdale to review this application utilizing the Enhanced Application Review methodology.

- Standard Application Review: I hereby authorize the City of Scottsdale to review this application utilizing the Standard Application Review methodology.

---

**See letter of authorization**

Owner Signature

Agent/Applicant Signature

---

### Official Use Only

<table>
<thead>
<tr>
<th>Submittal Date:</th>
<th>Development Application No.:</th>
</tr>
</thead>
</table>

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### Planning and Development Services


Development Application Page 1 of 3

Revision Date: 5/10/2018
Alexan Scottsdale
Abandonment Application
657-PA-2018
Associated Cases: 21-ZN-2018

Project Narrative

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

Accompanying the rezoning request for Alexan Scottsdale located at 2001 N. Scottsdale Road, this request is for abandonment of a segment of right-of-way/alleyway located along the western edge of the vacant lot as depicted below. The right-of-way segment is approximately 12,047 s.f. The purpose of the abandonment is to allow the proposed redevelopment to utilize the remnant right-of-way that traverses the site. Utility companies have been contacted regarding the proposed abandonment (APS, Century Link, COS, Cox, SW Gas). Correspondence is included with the application documents.

Context Aerial
II. Consideration for Abandonment

The development team hired an appraiser and the appraisal report is provided with this application. The appraised value was determined to be $155,000. The developer is evaluating potential improvements (ie: undergrounding utilities), which will be applied to offset the abandonment valuation amount. Once the terms are determined, it will be memorialized in a Development Agreement and the developer will provide compensation to the City of Scottsdale for the land area to be abandoned through agreed upon public improvements associated Alexan Scottsdale and/or monetary consideration.

Abandonment Exhibit

October 2018
City of Scottsdale Cash Transmittal

# 117208

Received From:
Michele Hammond/John Berry
6750 E. Camelback Road Suite 1
Scottsdale, AZ 85251
(480) 385-2753

Reference # 17-AB-2018
Address 7242 E PALM LN

Bill To:
Michele Hammond/John Berry
6750 E. Camelback Road Suite 1
Scottsdale, AZ 85251
(480) 385-2753

Lot Number
Meters/Bounds No
Gross Lot Area 0
NAOS Lot Area 0
Net Lot Area 0
Number of Units 1

Cost Center
Jurisdiction SCOTTSDALE
Water Zone
Water Type
Sewer Type
Meter Size

Owner Information
Palm Lane Partners LLC
3819 PALO ALTO DR
LAFAYETTE, CA 94549
925-286-2536

Code Description Additional Qty Amount Account Number
3136 ABANDONMENT 1 $2,385.00 100-21200-44209

Total Amount $2,385.00

Signed by Michele Hammond on 10/23/2018

(WHEN A CREDIT CARD IS USED AS PAYMENT I AGREE TO PAY THE ABOVE TOTAL AMOUNT ACCORDING TO THE CARD ISSUER AGREEMENT.)

3" AND LARGER WATER METER FEES ARE BASED ON COST RECOVERY. THE CITY WILL CONTACT THE OWNER OF THE CONSTRUCTION PERMIT IF ADDITIONAL FUNDS ARE DUE. PAYMENT WILL BE DUE WITHIN 30 DAYS NOTIFICATION.

TO HAVE WATER METER SET - CALL 480-312-5650 AND REFER TO TRANSMITTAL # 117208
Request for Site Visits and/or Inspections
Development Application (Case Submittals)

This request concerns all property identified in the development application.

Pre-application No: 657-PA-2018
Project Name: Alexan Scottsdale
Project Address: 2001 N. Scottsdale Rd

STATEMENT OF AUTHORITY:

1. I am the owner of the property, or I am the duly and lawfully appointed agent of the property and have the authority from the owner to sign this request on the owner’s behalf. If the land has more than one owner, then I am the agent for all owners, and the word “owner” refer to them all.

2. I have the authority from the owner to act for the owner before the City of Scottsdale regarding any and all development application regulatory or related matter of every description involving all property identified in the development application.

STATEMENT OF REQUEST FOR SITE VISITS AND/OR INSPECTIONS

1. I hereby request that the City of Scottsdale’s staff conduct site visits and/or inspections of the property identified in the development application in order to efficiently process the application.

2. I understand that even though I have requested the City of Scottsdale’s staff conduct site visits and/or inspections, city staff may determine that a site visit and/or an inspection is not necessary, and may opt not to perform the site visit and/or an inspection.

Property owner/Property owners agent: [Signature]

Print Name: [Name]

City Use Only:

Submittal Date: ____________ Case number: ____________

Planning, Neighborhood & Transportation Division
7447 E Indian School Road, Suite 105, Scottsdale, AZ 85251 ♦ Phone: 480-312-7000 ♦ Fax: 480-312-7088

Rev. 9/2012
Request To Submit Concurrent Development Applications

Acknowledgment and Agreement

The City of Scottsdale recognizes that a property owner may desire to submit concurrent development applications for separate purposes where one or more the development applications are reliant upon the approval of another development application. City Staff may agree to process concurrently where one or more the development applications are reliant upon the approval of another development application upon receipt of a complete form signed by the property owner.

Development Application Types
Please check the appropriate box of the types of applications that you are requesting to submit concurrently:

- Zoning
  - Text Amendment (TA)
  - Rezoning (ZN)
  - In-fill Incentive (II)
  - Conditional Use Permit (UP)
- Exemptions to the Zoning Ordinance
  - Hardship Exemption (HE)
  - Special Exception (SX)
  - Variance (BA)
- Minor Amendment (MA)
- Development Review
  - Development Review (Major) (DR)
  - Development Review (Minor) (SA)
- Signs
  - Master Sign Program (MS)
  - Community Sign District (MS)
  - Historic Property (HP)
  - Land Divisions (PP)
  - Subdivisions
  - Condominium Conversion
  - Perimeter Exceptions
  - Plat Correction/Revision
  - Other
  - Annexation/De-annexation (AN)
  - General Plan Amendment (GP)
  - In-Lieu Parking (IP)
  - Abandonment (AB)
  - Other Application Type Not Listed

Owner: Palm Lane Partners, LLC
Company: Palm Lane Partners, LLC
Address: 3819 Palo Alto Drive, LaFayette, CA 94549
Phone: (925) 290-2236
Fax: N/A
E-mail: MAN.HATTELEY@CUSHWAKE.COM

As the property owner, by providing my signature below, I acknowledge and agree: 1) that the concurrent development applications are processed at the property owner’s risk; 2) to hold the City harmless of all cost, expense, claims, or other liability arising in connection with the concurrent development applications; 3) to the City of Scottsdale’s Substantive Policy Statement pertaining to Concurrent Applications that states that a concurrent development application that is reliant on a decision of separate development application and is submitted at the risk of the property owner, is not considered to be subject to the provisions and timeframes of the Regulatory Bill of Rights (A.R.S. §8-831 – 8-840); and 4) that upon completion of the City review(s) of the development applications, the development application(s) may not be approved.

Property owner (Print Name):
Title: Manager/Coowner
Date: 8/16/2018

Signature:

Official Use Only:
Request: □ Approved or □ Denied
Submittal Date: ___________________

Staff Name (Print): ___________________
Staff Signature: ___________________
Date: ___________________

Planning, Neighborhood & Transportation Division
7447 East Indian School Road Suite 105, Scottsdale, Arizona 85251 Phone: 480-312-7000 Fax: 480-312-7088
City of Scottsdale’s Website: www.scottsdaleaz.gov
Page 1 of 1 Revision Date: 01/23/2013
Approved in Resolution 6161, October 7, 2002

APPEALS OF DEDICATIONS, EXACTIONS, OR ZONING REGULATIONS

POLICY OF THE CITY OF SCOTTSDALE
ON APPEALS OF DEDICATIONS, EXACTIONS, OR ZONING REGULATIONS

RIGHTS OF PROPERTY OWNER

In addition to other rights granted to you by the U.S. and Arizona Constitution, federal and state law and city ordinances or regulations, you are hereby notified of your right to appeal the following City actions relating to your property:

1) Any dedication or exaction which is required of you by an administrative agency or official of the city as a condition of granting approval of your request to use, improve or develop your real property. This appeal right does not apply to a dedication or exaction required as part of a city legislative act (for example a zoning ordinance) where an administrative agency or official has no discretion to determine the dedication or exaction.
2) The adoption or amendment of a zoning regulation that creates a taking of property in violation of Arizona and federal court decisions.

APPEAL PROCEDURE

The appeal must be in writing and specify the City action appealed and the date final action was taken, and it must be filed with or mailed to the hearing officer designated by the city within 30 days after the final action is taken. Address the appeal as follows:

Hearing Officer, C/O City Clerk
3939 Drinkwater Blvd.
Scottsdale, AZ 85251

- No fee will be charged for filing
- The City Attorney’s Office will review the appeal for compliance with the above requirements, and will notify you if your appeal does not comply.
- Eligible appeals will be forwarded to the hearing officer, and a hearing will be scheduled within 30 days of receipt by the hearing officer of your request. Ten days notice will be given to you of the date, time and place of the hearing unless you indicate that less notice is acceptable to you.
- The city will submit a takings impact report to the hearing officer.
- In an appeal from a dedication or exaction, the City will bear the burden of proving that the dedication or exaction to be imposed on your property bears an essential nexus between the requirement and a legitimate governmental interest and that the proposed dedication or exaction is roughly proportional to the impact of the use, improvement or development you proposed.
- In an appeal from the adoption or amendment of a zoning regulation, the City will bear the burden of proving that any dedication or exaction requirement in the zoning regulation is roughly proportional to the impact of the proposed use, improvement, or development, and that the zoning regulation does not create a taking of property in violation of Arizona and federal court cases.
- The hearing officer must render his decision within five working days after the appeal is heard.
- The hearing officer can modify or delete a dedication or exaction or, in the case of an appeal from a zoning regulation, transmit a recommendation to the City Council.
- If you are dissatisfied with the hearing officer’s decision, you may file a complaint for a trial de novo with the Superior Court within 30 days of the hearing officer’s decision.

If you have questions about this appeal process, you may contact:

City Attorney’s Office
3939 Drinkwater Blvd.
Scottsdale, AZ 85251
(480) 312-2405

Please be aware that City staff cannot give you legal advice. You may wish, but are not required, to hire an attorney to represent you in an appeal.

Page 1 of 2
Owner Certification
Acknowledging Receipt
Of
Notice Of Right To Appeal
Exactions And Dedications

I hereby certify that I am the owner of property located at:

2001 N. Scottsdale Rd.

(address where development approval, building permits, or city required improvements and dedications are being required)

and hereby certify that I have received a notice that explains my right to appeal all exactions and/or dedications required by the City of Scottsdale as part of my property development on the parcel listed in the above address.

Signature of Property Owner

Date: 8/30/2018

Page 2 of 2
Abandonment
Development Application Checklist

At your pre-application meeting, your project coordinator will identify which items indicated on this Development Application Checklist are required.

To avoid delays, all documents in your Development Application must be complete and comply with the following:

- The General Plan
- The Scottsdale Revised Code, including the Zoning Ordinance
- Stipulations of any Development Application approved before this application is submitted
- Scenic Corridor Design Guidelines
- Transportation Master Plan and related local plans
- The Design Standards & Policies Manual

A Development Application that does not include all the required items, does not meet the standards above, or is inconsistent with previously submitted pre-application information may not be accepted. A Development Application received by the City does not mean that the application meets the minimum submittal requirements. The City may request additional information to facilitate review, even if the Development Application is deemed complete.

Prior to application submittal, please research original zoning case history to find the original adopted ordinance(s) and exhibit(s) to confirm the zoning for the property. This will help to define your application accurately. The City’s full-service Records Department can assist.

When Items 1 through 16 are ready for submittal, call 480-312-7767 to schedule a submittal meeting with a Planning Specialist; provide your pre-application number: 657-PA-2018.

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<th>Req'd</th>
<th>Doc(s)</th>
<th>Notes</th>
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<td>☑</td>
<td>Abandonment Development Application Checklist</td>
<td>(this Checklist)</td>
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<tr>
<td>☑</td>
<td>Application Fee $2,385</td>
<td>(subject to change)</td>
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<tr>
<td>☑</td>
<td>Development Application Form</td>
<td>(form provided)</td>
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<td>☑</td>
<td>Application Narrative</td>
<td>Reason for request</td>
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<tr>
<td></td>
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<td>Consideration for Abandonment</td>
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Planning and Development Services
7447 E Indian School Road Suite 105, Scottsdale, AZ 85251 • www.ScottsdaleAZ.gov
Abandonment Development Application Checklist

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<thead>
<tr>
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</thead>
</table>
| **5. Affidavit of Authorization to Act for Property Owner** (form provided; required only for non-city-owned property)  
- Required when the applicant is not the property owner  
- Required when the applicant is an organization |
|   |   |   |
| **6. Consideration for Abandonment Information**  
Attach Appraisal from Roger Dunlap Underway |
|   |   |   |
| **7. Legal Description and Graphic of Area(s) to be Abandoned**  
- Include required reservations on both legal description and graphic  
- Comply with all Maricopa County Recorder requirements, including minimum 10 point font, ¼” clear borders and acid free paper |
|   |   |   |
| **8. Title Insurance Commitment**  
(form provided: Requirements for Submitting Evidence of Title to the City of Scottsdale Planning Department)  
- Include Schedule A and B  
- Commitment shall be dated no later than 30 days before application submittal. |
|   |   |   |
| **9. Utility Consent Letters** (See the City website for contact information: www.ScottsdaleAZ.gov and search: utility contacts) |
|   |   |   |
| **10. Request to Submit Concurrent Development Applications** (form provided) |
|   |   |   |
| **11. Agreement and Release by GLC Abandonment-Parcel Owner** (form provided)  
- Originally signed agreement form must be returned.  
(Copy and faxes will not be accepted) |
|   |   |   |
| **12. Photo Exhibit of Existing Conditions: Printed digital photos on 8-1/2" x 11" Paper**  
- 8-1/2" x 11" - 1 copies of the set of prints  
- See attached Existing Conditions Photo Exhibit graphic showing required photograph locations and numbers.  
- 8-1/2" x 11" - 1 copies of the set of prints (Delayed submittal). At the time your Project Coordinator is preparing the public hearing report(s), he/she will request these items, and they are to be submitted by the date indicated in the request. |
|   |   |   |
| **13. Aerial Photo with Proposed Site Plan Overlay** (all photos must be suitable for reproduction)  
- 24" x 36" – 2 color copies, folded  
- 11" x 17" – 1 color copy, folded  
- 8 ½" x 11" – 1 color copy  
Photo shall be the most recent available, and should not be more than 1 year old.  
Site plan overlay shall show lot lines, tracts, easements, street locations and names, and surrounding zoning:  
- 750 foot radius from site  
- ½ mile radius from site  
- Other __________radius from site |
### Abandonment Development Application Checklist

14. Public Participation

**Step 1: Complete Neighborhood Notification**
- Mail Neighborhood Notification 1st Class Letter to property owners & HOAs within 750', the City’s standard interested parties list, and to the City project coordinator at least 10 calendar days prior to formal application submittal (include the following information):
  - Project request and description
  - Pre-application number (xx-PA-xxxx)
  - Project location (street address)
  - Size (e.g. Number of Acres of project, Square Footage of Lot)
  - Zoning
  - Legal graphic
  - Applicant and City contact names and phone numbers

**Step 2: City will post public hearing signs and provide other public notification including:**
- Mailing out postcards to property owners within 750 feet
- Publishing legal ad in newspaper
- Posting case information on the City website
- Posting on social media
- Sending to email subscribers

15. Request for Neighborhood Group/Homeowners Association (form provided)

16. Request for Site Visits and/or Inspections (form provided)

17. Other:

### ADDITIONAL SUBMITTAL REQUIREMENTS

Additional submittals shall be submitted as requested as the Project Coordinator prepares the public hearing report(s)

1. Applicable Dedication and Consent Forms (forms provided)
   - [ ] Drainage and Flood Control Easement and Provision for Maintenance
   - [ ] Natural Area Open Space Easement Including Restored Desert
   - [ ] Public Right-of-way Dedication
   - [ ] Public Non-motorized Access Easement
   - [ ] Public motorized Access
   - [ ] Public Utility Easement
   - [ ] Scenic Corridor Easement
   - [ ] Sewer Line Easement
   - [ ] Vehicular Non-Access Easement
   - [ ] Waterline Easement
   - [ ] Confirmation of Dedication
   - [ ] Other Easement or Dedication:

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**Planning and Development Services**
7447 E Indian School Road Suite 105, Scottsdale, AZ 85251 • www.ScottsdaleAZ.gov

Abandonment Development Application Checklist Page 3 of 5 Revision Date: 09/05/2017
### Abandonment Development Application Checklist

#### Other:

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#### Application contact

<table>
<thead>
<tr>
<th>Name (print):</th>
<th>BRAD CARR</th>
</tr>
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<tbody>
<tr>
<td>Phone Number:</td>
<td>480-312-7713</td>
</tr>
<tr>
<td>email:</td>
<td><a href="mailto:bcarr@scottsdaleaz.gov">bcarr@scottsdaleaz.gov</a></td>
</tr>
<tr>
<td>Date:</td>
<td>8-30-2018</td>
</tr>
</tbody>
</table>

#### Signature:

An applicant may request a clarification from the City regarding an interpretation or application of a statute, ordinance, code, or authorized substantive policy statement related to this abandonment application. The request shall be in writing on the City form and submitted to:

Planning & Development Services Director  
7447 E. Indian School Rd, Suite 105  
Scottsdale, AZ 85251

For City use only:

- [ ] New project number, or
- [ ] New phase to an old project number

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**Planning and Development Services**  
7447 E Indian School Road Suite 105, Scottsdale, AZ 85251 • www.scottsdaleAZ.gov  
Abandonment Development Application Checklist  
Page 4 of 5  
Revision Date: 09/05/2017
Development Application Process
Abandonment (AB), Municipal Use Master Site Plan (UP), Infill Incentive (II), & Zoning District Map Amendment (ZN)

Note:
1. Time period determined by owner/applicant.

Planning and Development Services
7447 E Indian School Road Suite 105, Scottsdale, AZ 85251 • www.ScottsdaleAZ.gov
Abandonment Development Application Checklist Page 5 of 5
Revision Date: 09/05/2017