PLANNING COMMISSION REPORT

Meeting Date: November 17, 2026
General Plan Element: *Land Use*
General Plan Goal: *Coordinate Planning to Balance Infrastructure*

ACTION

Maggio Abandonment
5-AB-2025

Request to consider the following:

1. A recommendation to City Council regarding a request by owner to abandon the twenty (20) feet of right-of-way along the south side of residential property located at 29300 N 76th Street with existing Single-family Residential Environmentally Sensitive Lands Foothills Overlay (R1-70 ESL FO) zoning. Owner to dedicate property interest to the City of Scottsdale.

Goal/Purpose of Request

This request is to abandon the existing north twenty (20) foot half street located along E Skinner Drive consistent with the City's Local Area Infrastructure Plan. The applicant will dedicate a 20-foot-wide water and sewer facility easement over the abandoned right-of-way. The abandonment will allow additional setback flexibility for property improvements.

Key Items for Consideration

- Access not impacted by this proposed abandonment
- Conformance with the Transportation Master Plan and Local Area Infrastructure Plan
- No public input received regarding the proposed abandonment

OWNER

Stephen Maggio
(602) 740-6229

APPLICANT CONTACT

Stephen Maggio
Stephen Maggio
(602) 740-6229



LOCATION

29300 N 76th St

BACKGROUND

General Plan

The General Plan 2030 Land Use Element designates the property as Rural Neighborhoods. This category includes Single-family Residences.

Character Area Plan

The subject property falls within the Desert Foothills Character Area Plan. The Desert Foothills Character Area Plan Character Area Plan is intended to preserve the Natural Desert, promote connected areas of open space, and seek to balance rural lifestyle with the unique and fragile upper Sonoran Desert.

Zoning

The site is zoned Single-family Residential Environmentally Sensitive Lands Foothills Overlay (R1-70 ESL FO). The (R1-70 ESL FO) zoning district(s) allows for Single-family dwellings and uses incidental or accessory thereto, together with required recreational, religious, and educational services This subdivision is located South of E Dixileta Drive. The surrounding properties are zoned Single-family Residential Environmentally Sensitive Lands Foothills Overlay (R1-70 ESL FO).

Context

The subject 20-foot fee-simple right-of-way was dedicated in 2004. The right-of-way was dedicated to the city by the current owner/applicant, but the right-of-way was never improved. Changes to the Local Area Infrastructure Plan no longer require access along this alignment. The subject property is located on the west side of 76th Street south of E Dixileta Drive. Please refer to context graphics attached.

Related Policies, References:

2008 Scottsdale Transportation Master Plan

IMPACT ANALYSIS

Land Use

The existing land use is in conformance with the General Plan designated land use for this site. The request will not modify the existing land use.

Traffic/Trails

Access to the property will continue to be provided by N 76th Street from E Via Dona Road to the south or E Dixileta Drive to the north. North/south trail alignments are intended to be accommodated along N 76th Street and along N 74th Street to the west and along N 78th Street to the east. East/west trail alignments in the area are intended to be accommodated within the public rights-of-way along E Dixileta Drive to the north and E Via Dona Road to the south. This abandonment will have no impact on the public trails system.

Emergency/Municipal Services and Utilities

All existing emergency and municipal access will be provided to the properties surrounding the abandonment area and maintained through existing dedicated public right-of-way along N 76th Street. No impacts are anticipated.

Public Utilities

The public utilities have been notified of the applicant's request. The utility companies have indicated that there are no conflicts with the proposed abandonment and support the abandonment. Public utilities are located within the adjacent right-of-way along N 76th Street. The applicant will dedicate a twenty-foot-wide Water and Sewer Facility Easement over an existing water line in the abandonment area along the southern property boundary.

Community Involvement

The applicant sent notification to all neighboring property owners of the subject parcel. As of the writing of this report, staff has received no public comments about this application.

Community Impact

No community impacts are anticipated as a result of the requested right-of-way abandonment within the scope of this application.

Policy Implications

The compensation amount has been compiled by City of Scottsdale staff in accordance with abandonment evaluation procedure. The valuation methodology is prepared as if the land is available for development at its highest and best use under the current zoning designation. The owner has agreed to the compensation amount.

The owner of the parcel has agreed to pay the city the total amount of $3,147.50 (at $.50/sq.ft.) for the abandonment right-of-way, in addition to any application fees or other amounts related to this resolution and in addition to any other amounts payable to City. Additionally, the owner

shall dedicate a 20-foot wide Water and Sewer Facility Easement over the existing water line within the abandonment area.

STAFF RECOMMENDATION

Recommended Approach:

Staff recommends that the Planning Commission make a recommendation to City Council for approval to abandon the north twenty feet of the E Skinner Drive right-of-way, finding that the proposal is consistent with and conforms to the adopted General Plan, subject to the following:

1. The property owner shall pay to the city the total amount of $3,147.5 as compensation to the city for the abandonment of right-of-way.
2. The property owner dedicates a 20-foot wide Water and Sewer Facility Easement over the abandoned right-of-way.

RESPONSIBLE DEPARTMENT

Planning and Development Services

Current Planning Services

STAFF CONTACT

Jason Katz
Planner
480-312-2542
E-mail: jkatz@scottsdaleaz.gov

APPROVED BY



10/21/2026

Jason Katz, Planner, Report Author — Date



11/5/2026

Tim Curtis, AICP, Current Planning Director — Date
Planning Commission Liaison
Phone: 480-312-4210 Email: tcurtis@scottsdaleaz.gov



11/04/2026

Erin Perreault, AICP, Sr. Director/Zoning Administrator — Date
Planning & Development Services
Phone: 480-312-7093 Email: eperreault@scottsdaleaz.gov

ATTACHMENTS

1. Context Aerial
1A. Aerial Close-Up
2. Applicant's Narrative
3. Resolution No. xxxxx
   - Exhibit A: Legal Description
   - Exhibit B: Legal Graphic
   - Exhibit C: Depiction of subject parcel
4. Zoning Aerial
5. Required Dedications Map
6. Neighborhood Outreach
7. City Notification Map



Context Aerial

5-AB-2025

Attachment 1



Close-up Aerial

5-AB-2025

Attachment 1A

Skinner Drive Abandonment Request

This abandonment request is being made because the right-of-way area identified is no longer required right of way by the Scottsdale Transportation department. Vacating this portion will not interfere with existing infrastructure, nor will it restrict future service deliver. The purpose is to clear the property title of unnecessary encumbrances and facilitate lawful use of the property in accordance with city and subdivision requirements.

By abandoning this segment of Right-of-way, the property will no longer be considered a corner lot and will no longer require a front yard setback of 60 feet from the southern property line. Instead, the southern property line will be a side yard requiring only a 30' setback. This results in a net gain of roughly 5700 square feet of developable land added to the property's building envelope.

Stephen Maggio

29300 N 76th St

Scottsdale, AZ 85266

Attachment 2

RESOLUTION NO. xxxxx

A RESOLUTION OF THE COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA ABANDONING, SUBJECT TO CONDITIONS AND RESERVATIONS, CERTAIN INTERESTS IN A PORTION OF THE PUBLIC RIGHTS-OF-WAY FOR PROPERTY LOCATED AT 29300 N. 76th Street.

(5-AB-2025)
(Maggio Abandonment)

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 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 Rights-of-way").

D. The Abandonment Rights-of-way are legally described on **Exhibit "A"** and depicted on **Exhibit "B"** attached hereto, and comprise an area of approximately 6,259 square-feet.

E. The Abandonment Rights-of-way fall within, serve, affect or are near a parcel comprising approximately 2.15 acres ("Owner's Parcel"), as depicted on **Exhibit "C"** attached hereto.

F. The Council finds that, subject to the conditions, requirements, reservations and limitations of this resolution, the Abandonment Rights-of-way are no longer necessary for public use.

G. The 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. The 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 Rights-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 Rights-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 Rights-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 drainage or flood control easement or similar easement or covenant.

2.2.4 Any public non-motorized access easement or trail easement or similar easement or covenant.

2.2.5 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 the Zoning Administrator determines that 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 owner of the parcel shall pay to City the total amount of Three Thousand One Hundred Forty Seven Dollars and 50/100 ($3,147.5) as compensation to the City for the Abandonment Right-of-way, in addition to any application fees or other amounts related to this resolution and in addition to any other amounts payable to City.

3.2 The owner has delivered to City a deed, plat or other instrument that dedicates to City, in accordance with City specifications, a 20-foot-wide Water and Sewer Facility Easement over the southern portion of Owner's parcel along East Skinner Drive alignment.

3.3 If determined to be necessary by the Zoning Administrator, the owner shall remove all vegetation and boulders in the right-of-way along the south property line of the parcel.

3.4 As proof of satisfaction of the conditions set forth in Section 3, The Zoning Administrator shall execute 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, the Zoning Administrator shall report the same to the City Clerk and 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 _____, 2026.

CITY OF SCOTTSDALE, an Arizona municipal corporation

_____
Lisa Borowsky, Mayor

ATTEST:

By: _____
Ben Lane, City Clerk

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY

_____
Luis E. Santaella, Interim City Attorney
By: Joe Padilla, Deputy 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

EVERETTALAN
{ GROUP }
SURVEYING & ENGINEERING

6300 E Cave Creek Rd #202,
Cave Creek, AZ 85331
480.990.0545 office
480.994.9097 fax
www.everettalangroup.com

EXHIBIT "A"
RIGHT-OF-WAY RELEASE OF
A PORTION OF LOT 21, PINNACLE PEAK PARADISE RECORDED IN BOOK 79, PAGE 10 M.C.R.

THE SOUTH 20.00 FEET OF THAT CERTAIN PARCEL RECORDED IN WARRANTY DEED NUMBER 2021-0309050, RECORDS OF MARICOPA COUNTY, DESCRIBED AS FOLLOWS;

THAT PORTION OF LOT 21, **PINNACLE PEAK PARADISE**, ACCORDING TO BOOK 79 OF MAPS, PAGE 10, RECORDS OF MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 21;

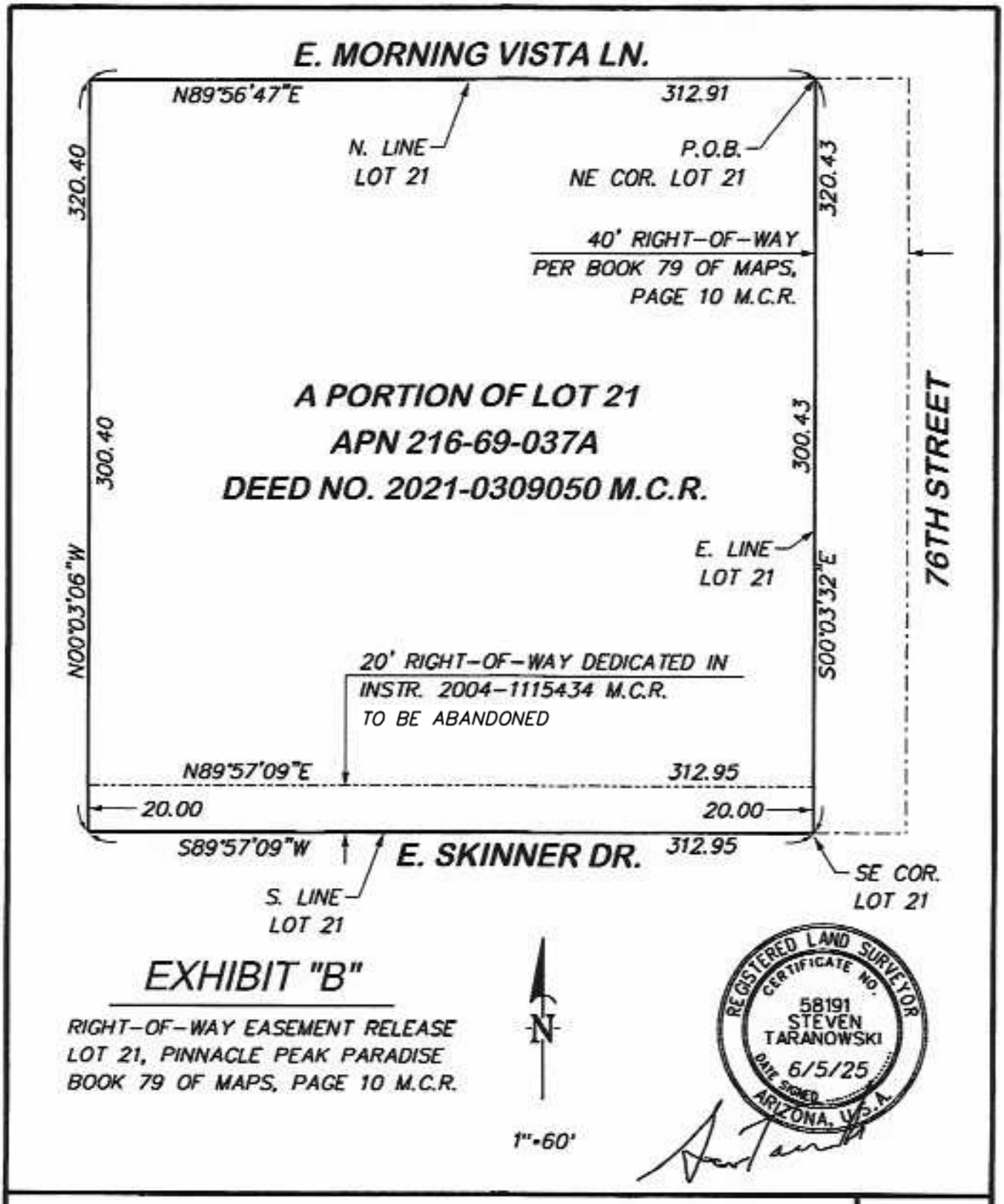
THENCE SOUTH 00 DEGREES 03 MINUTES 32 SECONDS EAST ALONG THE EAST LINE OF SAID LOT 21 A DISTANCE OF 320.43 FEET TO THE SOUTHEAST CORNER OF SAID LOT 21;

THENCE SOUTH 89 DEGREES 57 MINUTES 09 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 21 A DISTANCE OF 312.95 FEET;

THENCE NORTH 00 DEGREES 03 MINUTES 06 SECONDS WEST A DISTANCE OF 320.40 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 21;

THENCE NORTH 89 DEGREES 56 MINUTES 47 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 21 A DISTANCE OF 312.91 FEET TO THE **POINT OF BEGINNING**.





EVERETTALAN
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6300 East Cave Creek Road, Suite 202
Cave Creek, Arizona 85331
Phone 480.990.0545 Fax 480.994.9097
www.EverettAlanGroup.com

JOB NO.
250534

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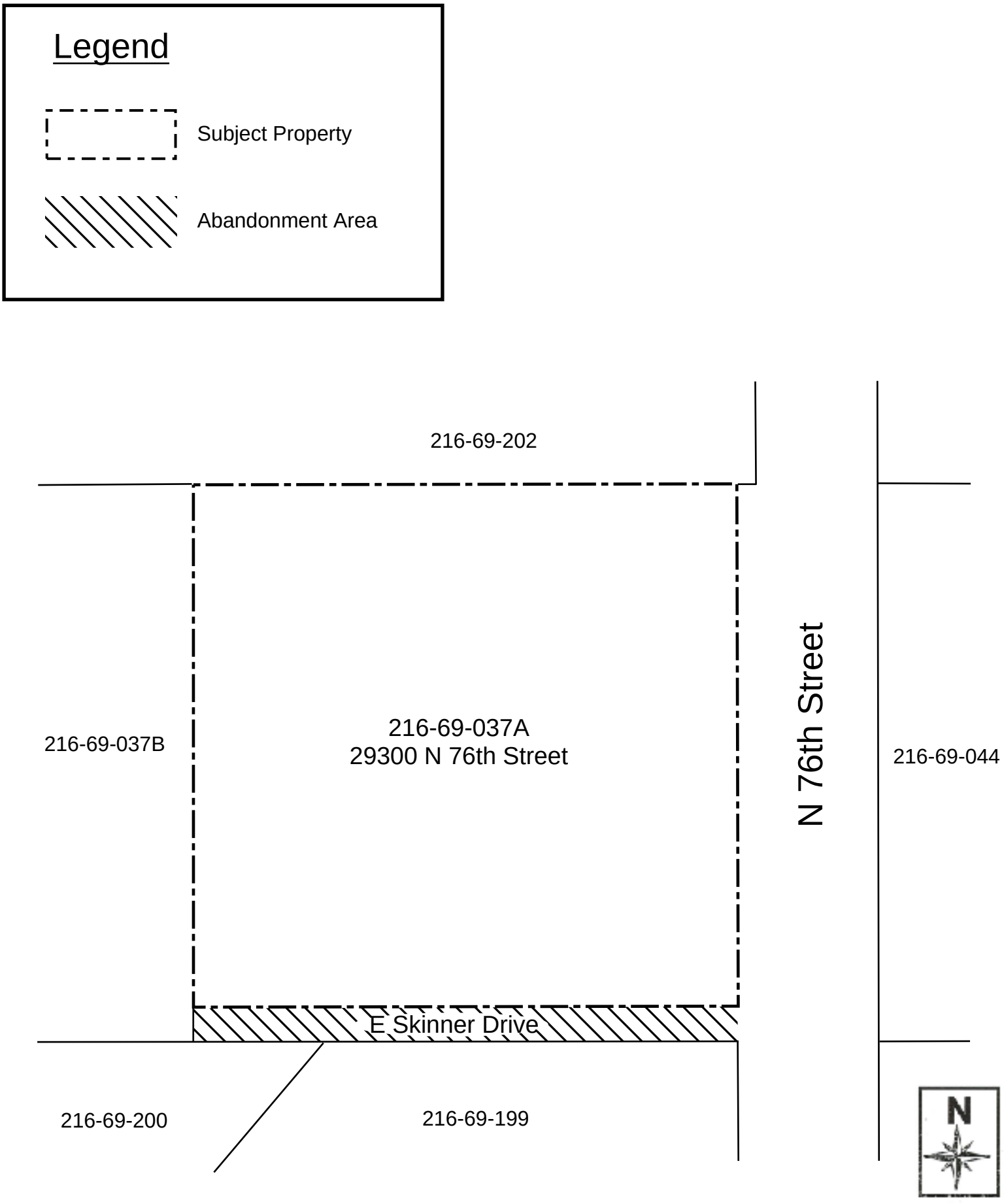

Exhibit C
Page 1 of 1



Zoning Aerial

5-AB-2025

Attachment 4

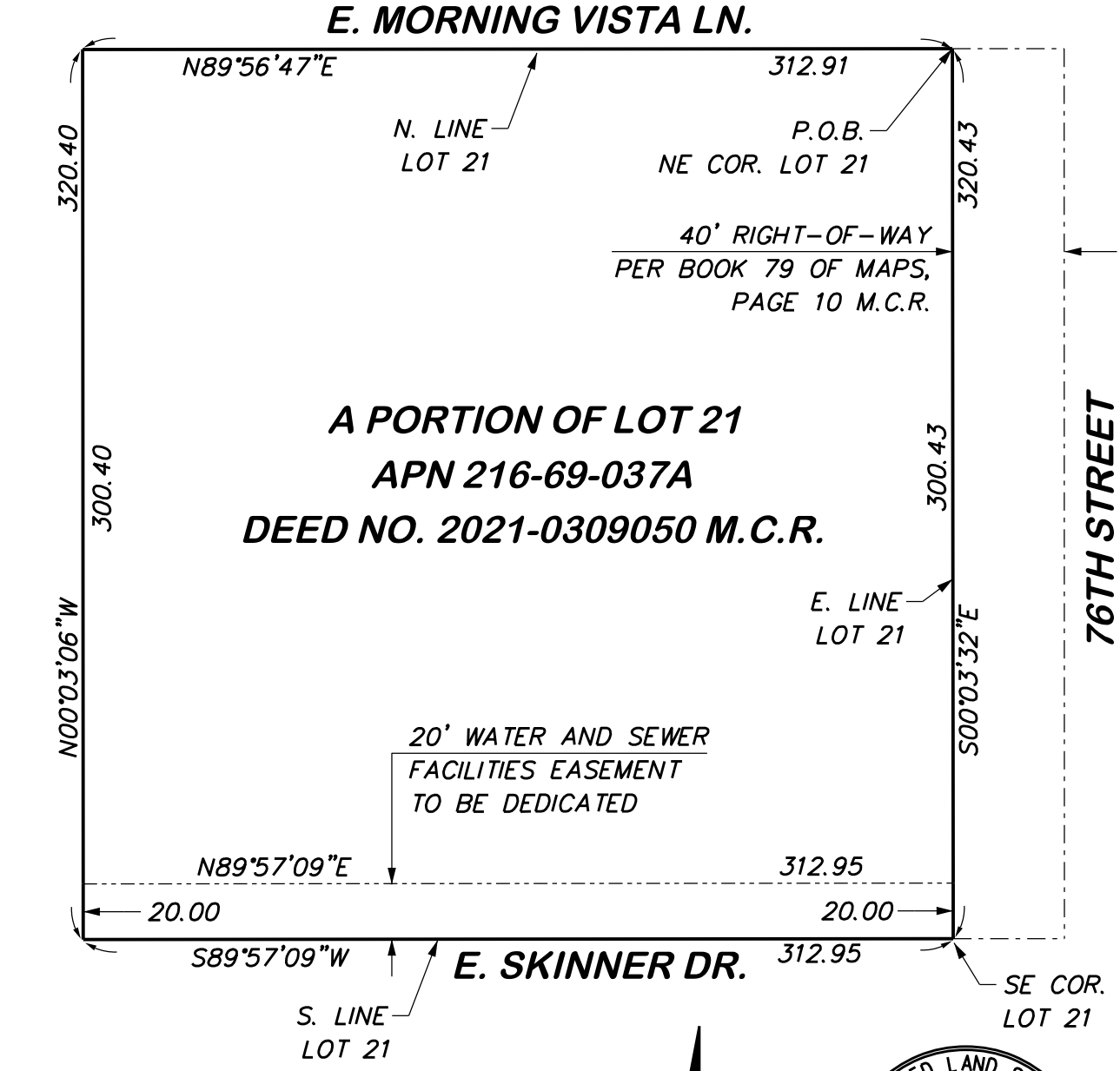

EXHIBIT "B"

UTILITY EASEMENT DEDICATION OVER A
PORTIN OF LOT 21, PINNACLE PEAK
PARADISE BOOK 79 OF MAPS, PAGE 10 M.C.R.

N

1"=60'

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
58191
STEVEN
TARANOWSKI
6/9/26
DATE SIGNED
ARIZONA, U.S.A.

EVERETTALAN
{ GROUP }

6300 East Cave Creek Road, Suite 202
Cave Creek, Arizona 85331
Phone 480.990.0545 Fax 480.994.9097
www.EverettAlanGroup.com

JOB NO.
250534

Attachment 5

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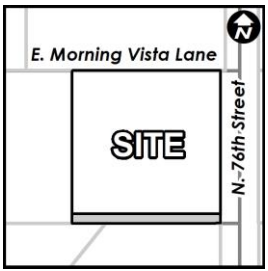
JOB NO. 250534

Postcard Date: July 1, 2025

NEW PROJECT PROPOSED



Site Location:
29300 N 76th St

Right-of-way Abandonment

Request by owner for the City of Scottsdale to abandon twenty (20) feet of Right-of-way abutting the residential property located at 29300 N 76th St with existing Single-family Residential Environmentally Sensitive Lands Foothills Overlay (R1-70 ESL FO) zoning.

Applicant Contact: Stephen Maggio, (602) 740-6229
City Contact: Jason Katz, 480-312-2542

Case Name:
Abandonment

Case Number:
5-AB-2025

5-AB-2025

Scan, snap, save, and share

For more information go to ScottsdaleAZ.gov, search "Active Cases" and use the interactive map to locate the project. To comment, email projectinput@scottsdaleaz.gov25

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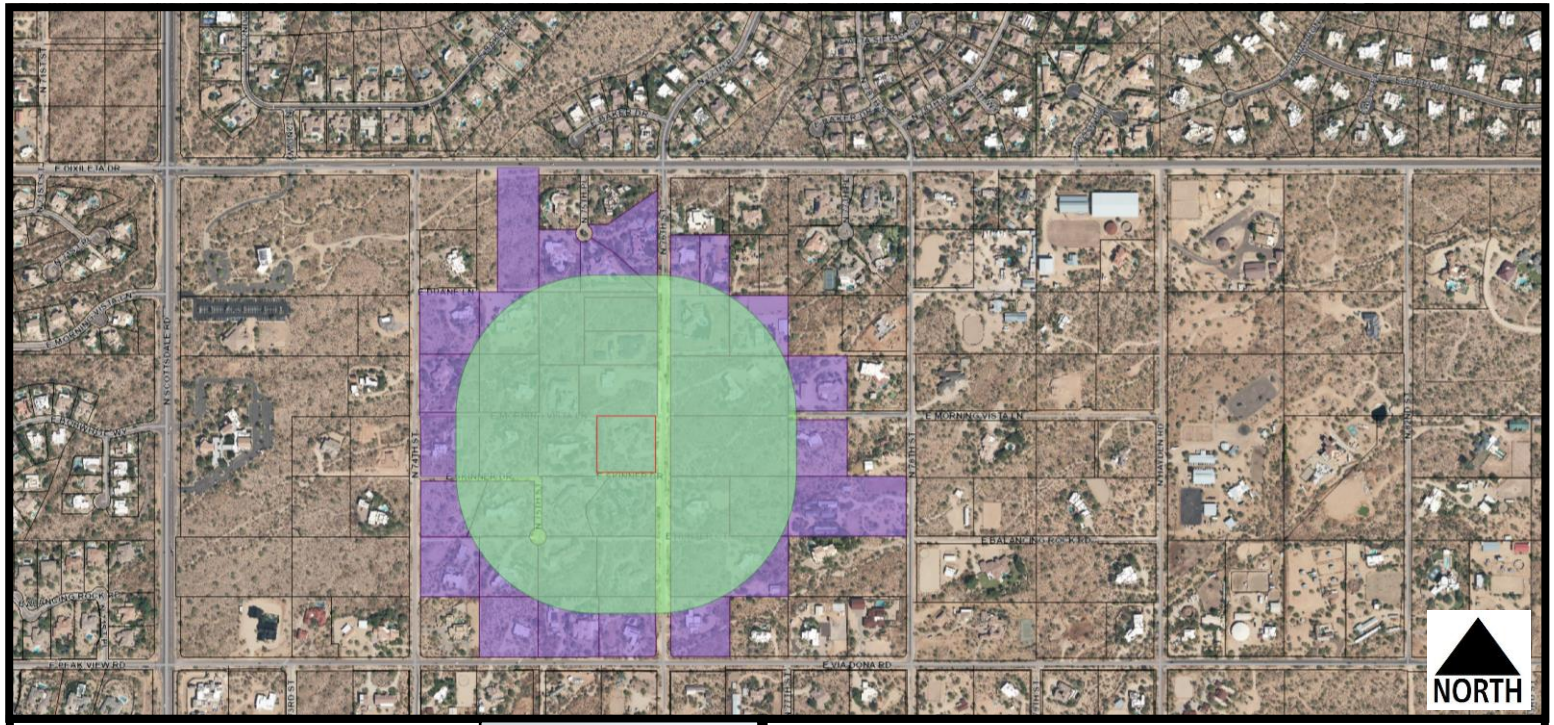
Attachment 6

Scottsdale P & Z Link - An email bulletin to keep residents and merchants informed about upcoming projects.
Subscribe at https://eservices.scottsdaleaz.gov/emailsubscriptions

City Notifications – Mailing List Selection Map

Abandonment



Labels pulled
July 1, 2025

Additional Notifications:

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

Map Legend:

Site Boundary

Properties within 750-feet

Postcards: **68**

5-AB-2025

Attachment 7