




Current Planning Services

One Civic Center
7447 E Indian School Road, Suite 105
Scottsdale, AZ 85251

MEMORANDUM

TO: Honorable Mayor and City Council Members

FROM: Brad Carr, AICP, Senior Planner

THROUGH: Tim Curtis, AICP, Current Planning Director 

DATE: 1/21/2014

SUBJECT: **Item 12: Cochise Manor Final Plan and Abandonment (30-PP-2012 and 7-AB-2012)**

Please find Resolution No. 9586 for the above referenced case. The Resolution was not included in the original report.

CITY COUNCIL REPORT



Meeting Date: January 27, 2014
 General Plan Element: Land Use
 General Plan Goal: Coordinate Planning to Balance Infrastructure

ACTION

Cochise Manor
30-PP-2012 and 7-AB-2012

Request to consider the following:

1. Approval of a final plat for a four (4) lot single-family residential subdivision of a 4.3 +/- acre parcel.
2. Adopt Resolution No. 9586 to abandon approximately 210 feet of the full 33-foot width GLO easement located on the west side of a parcel located at 13102 E. Cochise Road with Single-Family Residential, Environmentally Sensitive Lands (R1-43 ESL) zoning and to abandon approximately 562 feet of the full 33-foot width GLO easement located on the east side of a parcel located at 13102 E. Cochise Road with Single-Family Residential, Environmentally Sensitive Lands (R1-43 ESL) zoning.

Key Items for Consideration

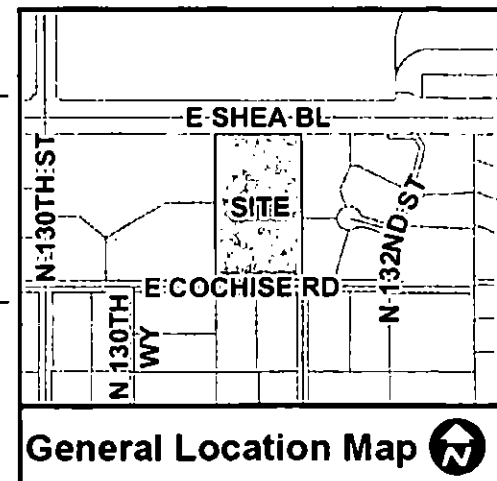
- Access not impacted by this proposed abandonment
- Conformance with the Transportation Master Plan and Local Area Infrastructure Plan
- Staff has not received any correspondence regarding the proposed abandonment
- The Development Review Board heard case 30-PP-2012 on December 20, 2012 and recommended approval with a unanimous vote of 7-0
- The Planning Commission heard case 7-AB-2012 on January 23, 2013 and recommended approval with a unanimous vote of 7-0

OWNER

Intravest Development Company
 623-521-6899

APPLICANT CONTACT

Ed Reichenberg
 602-367-0464



LOCATION

13102 E. Cochise Road

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 usually one house per one acre (or more) of land.

Shea Area Plan

As a policy document of the General Plan, the Shea Area Plan allows flexibility of land uses along Shea Boulevard, while emphasizing the importance of compatibility with surrounding land uses. This proposal is consistent with the Shea Area Plan, which emphasizes blending new development into the existing development to ensure compatibility.

Zoning

The site is zoned Single-Family Residential, Environmentally Sensitive Lands (R1-43 ESL). The R1-43 ESL zoning district allows for single-family homes, churches and schools. The R1-43 ESL district requires a 43,000 square foot minimum lot size, as well as adherence to environmental design guidelines set forth in the City of Scottsdale Environmentally Sensitive Lands Ordinance.

Context

The subject property is located east of the southeast corner of E. Shea Boulevard and N. 130th Street. The site is generally surrounded by existing single-family homes and is currently vacant, covered with natural vegetation and contains a desert wash on the southeast corner of the site. Please refer to context graphics attached.

The subject 33-foot General Land Office Patent Easements (GLO) located along the western and eastern boundaries of 13102 E. Cochise Road were dedicated in September 1953, through patent serial number 1146797.

The subject GLO roadway easements were reserved on the original patent deed to assure legal access. Currently, there are remnant roadway improvements located within a portion of the subject 33-foot General Land Office Patent Easements (GLO) along the eastern boundaries of the property.

General Land Office Patent Easements (general information)

- Within the City of Scottsdale there are General Land Office (GLO) lots or parcels of various sizes created by the Federal Small Tract Act. This act was passed in 1938 and repealed in 1976.
- Most GLO lots were patented with 33 foot (or sometimes 50 foot) roadway and public utility easements typically “as near as practicable to the exterior boundaries.”
- The city has viewed these patent roadway and utility easements as assured access at least until a local circulation plan is established.
- As GLO lots come in for development (i.e., lot splits, subdivisions or requesting building permits) staff requires city right-of-way dedications per city circulation plans. The city’s transportation

plan establishes a street system to replace the grid pattern created by the GLO easements.

- Any patent easements in excess of the current requirements to the circulation plans (including trails), roadway standards, and not required to insure access to any other lot, may be requested to be abandoned.
- In 1981, City Ordinance 1386 was adopted delegating the authority for the release of GLO easements to the Engineering Services Director.
- On March 2, 1999, the City Council repealed Ordinance 1386 and adopted Ordinance 3219 which requires the abandonment of the GLO patent roadway easements to go through the same public hearing process currently used for all rights-of-way, alleys, and roadway easements. The City Attorney's office has concluded that this process for consideration of GLO roadway abandonment satisfies legal requirements.
- On August 12, 2005, Arizona Revised Statute section 9-500.4 became effective. This section gives the local municipality the right to abandon GLO patent easements, and concurs with the city's position on abandonment of GLO patent easements.

Related Policies, References

2008 Scottsdale Transportation Master Plan

East Shea Area Local Area Infrastructure Plan (LAIP)

Shea Area Plan

Shea Boulevard Streetscape Guidelines

APPLICANTS PROPOSAL

Goal/Purpose of Request

This request is to abandon a portion of the existing 33-foot GLO easements located along the west and east sides of the subject property, consistent with the city's Transportation Master Plan and East Shea Local Area Infrastructure Plan. The proposed abandonment will accommodate a new 4-lot subdivision on the subject property with a new street cul-de-sac that will provide access to all four lots. A scenic corridor is proposed adjacent to East Shea Boulevard, which is consistent with the Shea Area Plan and the Shea Boulevard Streetscape Guidelines.

IMPACT ANALYSIS

Final Plat

The applicant is proposing amended development standards. Specifically, the applicant is seeking a reduction in minimum lot size, from 43,000 to 37,627 square feet and to reduce lot width from a minimum 150 feet to a minimum 112.5 feet. In addition, the applicant is requesting reduced side yard setbacks for lots that are adjacent to drainage tracts. The applicant is dedicating forty percent (40%) more Natural Area Open Space than is required, three tracts for drainage, and a 60-foot-wide Scenic Corridor.

Transportation/Trails

Access to the new proposed subdivision will be provided by N. 131st Street which will be extended north of E. Cochise Road. This portion of N. 131st Street will be dedicated as a cul-de-sac on the plat

to serve all four (4) lots. The existing street network has been designed to accommodate anticipated traffic that will be generated by the future subdivision. The applicant will construct a 10-foot-wide sidewalk along E. Shea Boulevard, on the north side of the subject property. This location has been coordinated with the City Trails Coordinator.

Emergency/Municipal Services and Utilities

There are no adverse impacts anticipated from the proposed subdivision to police, fire or municipal services. Fire facilities exist at N. 130th Street between E. Shea Boulevard and E. Via Linda, and emergency access will be provided on North 131st Street, a public street to be dedicated with the plat. 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 Shea Boulevard and Cochise Road.

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.

Water/Sewer

The developer is responsible for new water and sewer service infrastructure to the site, and there are no anticipated impacts.

Open space/Scenic corridors

Natural Area Open Space (NAOS) easements are proposed within the subdivision, along drainage areas through the site. The subdivision is required to have a minimum of 48,355 square feet, or 1.11 acres, of NAOS and the applicant is proposing to dedicate 68,210 square feet, or 1.56 acres, of NAOS with the plat. A 60-foot-wide scenic corridor is proposed adjacent to E. Shea Boulevard and is consistent with the Shea Area Plan and the Shea Boulevard Streetscape Guidelines.

School District Comments/Review

The Scottsdale Unified School District was notified of this application and there is no density increase to the area plan that would impact schools.

Community Involvement

The applicant noticed all property owners within 750 feet of the proposed abandonments and plat. The site was also posted notifying interested parties of the request and the city sent postcards to property owners surrounding the site in notice of the request. The applicant did not indicate any response regarding their noticing and city staff received only general inquiries regarding the requests.

Community Impact

The proposed abandonments do not restrict or remove access to any properties along E. Shea Boulevard or E. Cochise Road and provisions for public utilities are provided with the final plat. On a broader scale, the proposed abandonment prevents future access from this property directly to E. Shea Boulevard. Additional access to E. Shea Boulevard via the GLO easements would not be advisable.

The final plat is consistent in density, street alignment, and open space as previously approved in the preliminary plat. All stipulations and ordinance requirements have been addressed. Approval of this request will enable the final plat to be recorded, establishing lots, streets, and easements.

OTHER BOARD AND COMMISSIONS

Development Review

The Development Review Board heard case 30-PP-2012 on December 20, 2012 and recommended approval with a unanimous vote of 7-0.

Planning Commission

The Planning Commission heard case 7-AB-2012 on January 23, 2013 and recommended approval with a unanimous vote of 7-0.

Staff Recommendation to Planning Commission

Staff recommended that the Planning Commission make a recommendation to City Council for approval of the abandonment of a portion of the GLO easements along the west and east sides of the subject parcel located at 13102 E. Cochise Road, subject to the following:

1. The property owners construct a minimum 10-foot wide sidewalk along the property's E. Shea Boulevard frontage.
2. The property owners dedicate a minimum 60-foot wide Scenic Corridor Easement along the property's E. Shea Boulevard frontage.

OPTIONS & STAFF RECOMMENDATION

Recommended Approach:

1. Approve the final plat for a four (4) lot single-family residential subdivision of a 4.3 +/- acre parcel.
2. Adopt Resolution No. 9586 to abandon approximately 210 feet of the full 33-foot width GLO easement located on the west side of a parcel located at 13102 E. Cochise Road with Single-Family Residential, Environmentally Sensitive Lands (R1-43 ESL) zoning and to abandon approximately 562 feet of the full 33-foot width GLO easement located on the east side of a parcel located at 13102 E. Cochise Road with Single-Family Residential, Environmentally Sensitive Lands (R1-43 ESL) zoning.

RESPONSIBLE DEPARTMENTS

Planning, Neighborhood and Transportation

Current Planning Services & Traffic Engineering

STAFF CONTACT

Brad Carr, AICP Senior Planner 480-312-7713 E-mail: bcarr@ScottsdaleAZ.gov

APPROVED BY



Brad Carr, AICP, Report Author

12-19-2013

Date



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

1/13/2013

Date



Randy Grant, Administrator
Planning, Neighborhood and Transportation
480-312-2664, rgrant@scottsdaleaz.gov

1/14/14

Date

ATTACHMENTS

1. Resolution No. 9586
2. Applicant's Narrative
3. Context Aerial
- 3A. Aerial Close-Up
4. Right-of-Way Abandonment Graphic
- 4A. Right-of-Way Abandonment Graphic Close-Up
5. Local Area Infrastructure Plan (LAIP)
6. Trails Plan
7. Abandonment History Map
8. Final Plat
9. City Notification Map
10. December 20, 2012 Development Review Board minutes
11. January 23, 2013 Planning Commission minutes

RESOLUTION NO. 9586

A RESOLUTION OF THE COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, ABANDONING, SUBJECT TO CONDITIONS AND RESERVATIONS, CERTAIN INTERESTS IN A PORTION OF THE PUBLIC RIGHT-OF-WAY FOR 131ST STREET BETWEEN COCHISE DRIVE AND SHEA BOULEVARD AND FOR 131ST PLACE BETWEEN COCHISE DRIVE AND SHEA BOULEVARD

(7-AB-2012)

WHEREAS:

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

B. After notice to the public, the City of Scottsdale ("City") 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").

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

D. The Abandonment Right-of-way falls within, serves, affects or is near the parcel (the "Intravest Parcel") comprising approximately 4.3 acres at the south side of Shea Boulevard as shown on the Map and as described on **Exhibit "C"** attached hereto.

E. All or a portion of the Abandonment Right-of-way lies within the area of a General Land Office (GLO) easement created by patent reservation.

F. The owner of the Intravest Parcel has executed and acknowledged an "Agreement and Release by GLO Abandonment Parcel Owner". Such document is attached hereto as **Exhibit "D"**. Such document provides that:

1. City is releasing only its interest in the General Land Office (GLO) easement, and other persons or entities may claim that this resolution does not completely extinguish the General Land Office (GLO) easement.

2. Owner releases City from any and all damages or harm relating to any of such claims.

3. Owner warrants and represents that there are no other holders of fee title, leaseholds, liens, exclusive easements, or options affecting Owner's property. The preceding sentence does not apply to ordinary leases to individual residential rental unit tenants.

G. 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.

H. 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.

I. 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 this resolution or 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 Intravest Parcel (and all lenders, tenants, and other interest holders in such parcels) shall convey to City using City specified forms a scenic corridor easement covering the north sixty (60) feet of the Intravest Parcel.

3.2 The owner of the Intravest Parcel shall cause to be completed a ten foot (10') sidewalk upon the Shea Boulevard right-of-way along its south boundary according to City standards.

3.3 The owners of the Intravest Parcel (and all lenders, tenants, and other interest holders in such parcels) shall convey to City using City specified forms each of the real estate interests specifically described in this resolution as having been reserved in favor of city. For example, if this resolution reserves to City a water line easement over a portion of the Abandonment Right-of-way, then this paragraph requires the identified persons to rededicate such water line easement. If such interest was originally dedicated in a manner that a portion of such interest falls within such parcels but outside the boundaries of the Abandonment Right-of-way, then the new dedication required by this paragraph shall also include such additional portion of the interest.

3.4 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 first annual anniversary of this resolution, or if this resolution is not recorded prior to the end of that period, then the city clerk shall mark this resolution to indicate that this resolution is void.

PASSED AND ADOPTED by the city council of the City of Scottsdale this ____ day of _____, 20____.

CITY OF SCOTTSDALE, an Arizona municipal corporation

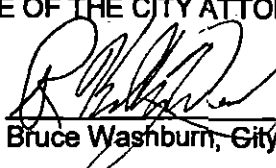
W. J. "Jim" Lane, Mayor

ATTEST:

By: _____
Carolyn Jagger, City Clerk

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY

By:  *R Kelly Ward*

Bruce Washburn, 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

Abandonment Right-of-way

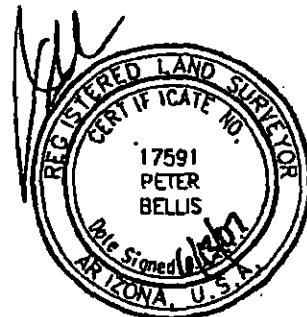
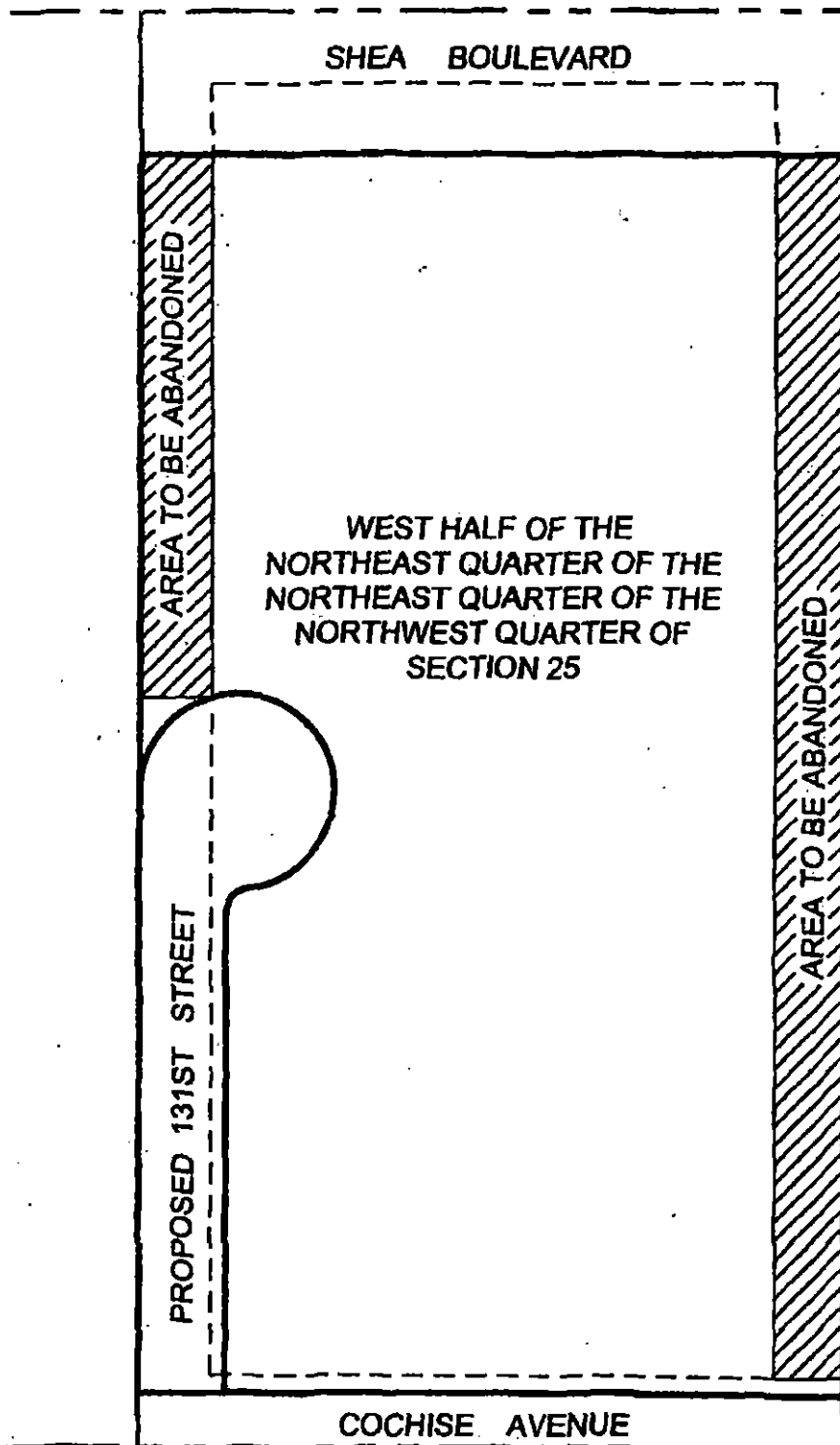
Legal Description

Those portions of GLO Lot 6, that lot being the west half of the northeast quarter of the northwest quarter of the northwest quarter of Section 25, Township 3 North, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more precisely described as follows:

The west 33 feet of the northern 315 feet of GLO Lot 6 as described above, except the north 65 feet thereof; and

The east 33 feet of GLO Lot 6 described above, except the north 65 feet and the south 25 feet thereof.

GLO ABANDONMENT FOR THE
WEST HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE
NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 3 NORTH, RANGE 5 EAST OF
THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA



PINNACLE ENGINEERING, INC.
8712 EAST VISTA BONITA DRIVE
SCOTTSALE, ARIZONA 85255
(480)585-6013

LEGAL DESCRIPTION

GLO LOT 6, THE WEST HALF OF THE NORTHEAST QUARTER
OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER
OF SECTION 25, TOWNSHIP 3 NORTH, RANGE 5 EAST OF THE
GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA
COUNTY, ARIZONA

1

**AGREEMENT AND RELEASE BY GLO ABANDONMENT PARCEL LENDER, TENANT OR
OTHER INTEREST HOLDER**

As an inducement to the City of Scottsdale to approve abandonment resolution No. _____, the undersigned lender, tenant, or holder of another interest in the land across which the general land office (GLO) easement passes ("Interest Holder") hereby makes certain acknowledgements, warranties and agreements (collectively, the "Assurances") in favor of City as follows:

1. Interest Holder acknowledges that:
 - a. Some or all of the right-of-way covered by the resolution is an easement created by a federal General Land Office (GLO) patent reservation.
 - b. The City of Scottsdale's intent by the resolution is to abandon only the City of Scottsdale's specified interests in the land.
 - c. Other persons or entities may claim that the resolution does not completely extinguish the General Land Office (GLO) easement or may claim rights for themselves or others to use the land for various purposes and/or to prevent any improvement or use of the land that is affected by the resolution.
2. Interest Holder agrees that:
 - a. Interest Holder shall be entirely at Interest Holder's own risk as to any damages, delays, loss, difficulties, injury or other harm of any nature that Interest Holder or any third party may now or hereafter suffer due to the existence or abandonment of the easement or due to the resolution or the issues recited above. Interest Holder completely, unconditionally and irrevocably releases the City of Scottsdale from any and all legal or other responsibility for any such harm.
 - b. All of the Assurances run with the land in favor of the City of Scottsdale upon the right-of-way covered by the resolution and upon the land adjoining such right-of-way in which Interest Holder holds its interest.
 - c. The City of Scottsdale would not have approved the resolution without the Assurances.
3. Interest Holder makes the Assurances on behalf of Interest Holder and Interest Holder's heirs, successors and assigns, and the Assurances are binding upon all of them.

Interest Holder: _____

by Mason Cave

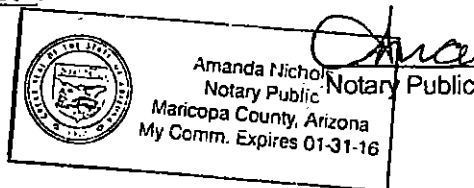
Its Manager

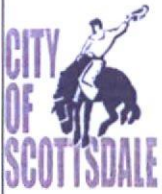
STATE OF ARIZONA)
) ss.
County of Maricopa)

Subscribed, sworn to and acknowledged before me by Mason Cave
this 8 day of October 20 12.

My Commission Expires:

01/31/16





Project Narrative

This document will be uploaded to a Case Fact Sheet on the City's web site.

Date: 10/09/2012

Project No: 331 -PA- 2012

Coordinator: Brad Carr

Case No: 7 AB 2012

Project Name: Cochise Manor GLO Abandonment

Project Location: 13102 E. Cochise Road

Property Details: ☒ Single-Family Residential ☐ Multi-Family Residential ☐ Commercial ☐ Industrial

Current Zoning: R1-43 ESL Proposed Zoning: same

Number of Buildings: n/a Parcel Size: 5 acres (gross)

Gross Floor Area/Total Units: n/a Floor Area Ration/Density: n/a

Parking Required: n/a Parking Provided: n/a

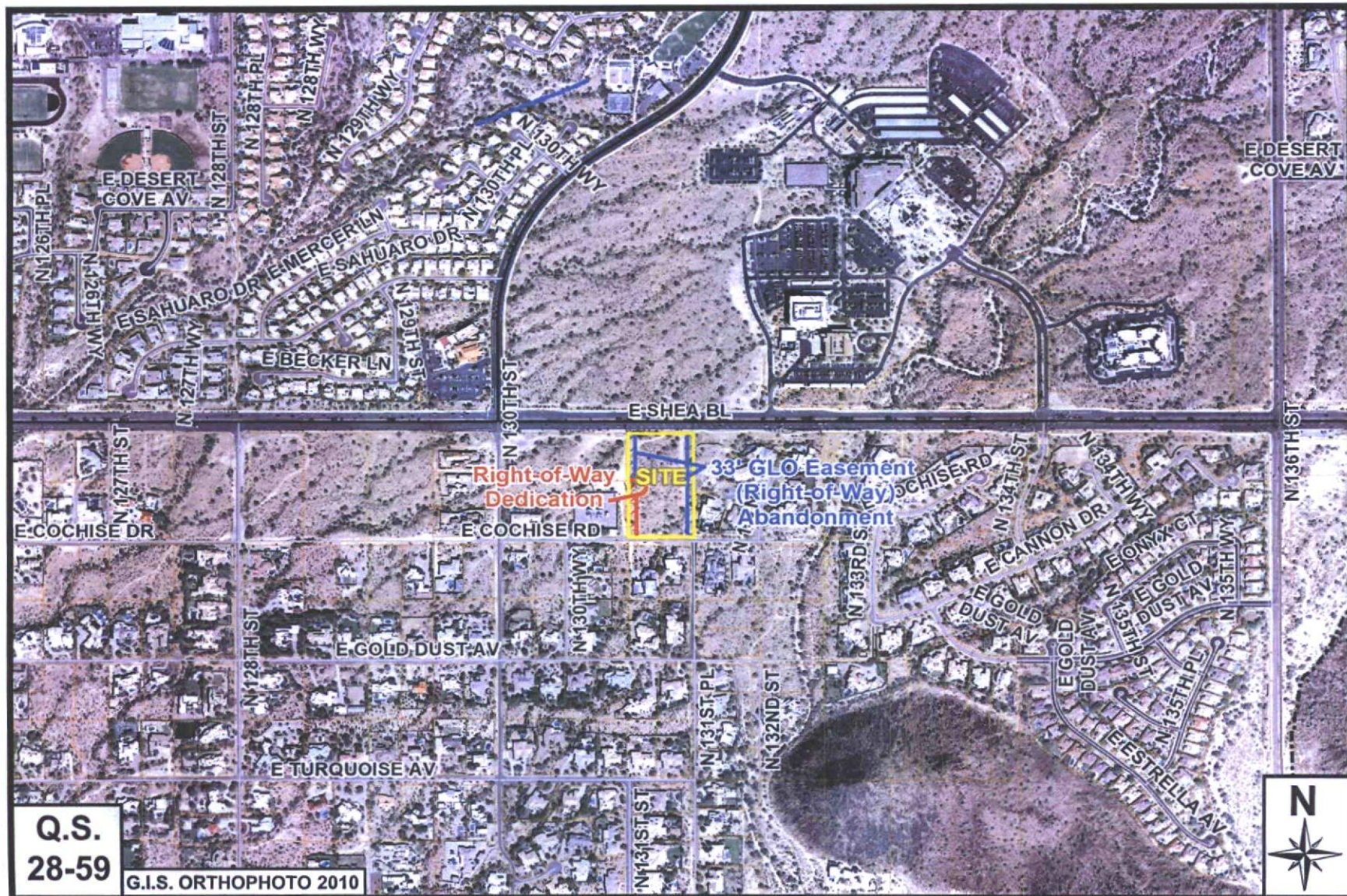
Setbacks: N - _____ E - _____ S - _____ W - _____

Description or Request:

This is a request for abandonment of a portion of an existing GLO easement on two sides (west and east) of the subject property. The GLO easement abandonment will allow for the subdivision of the property for four (4) new single-family lots.

Planning, Neighborhood & Transportation Division

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



Cochise Manor GLO Abandonment

7-AB-2012

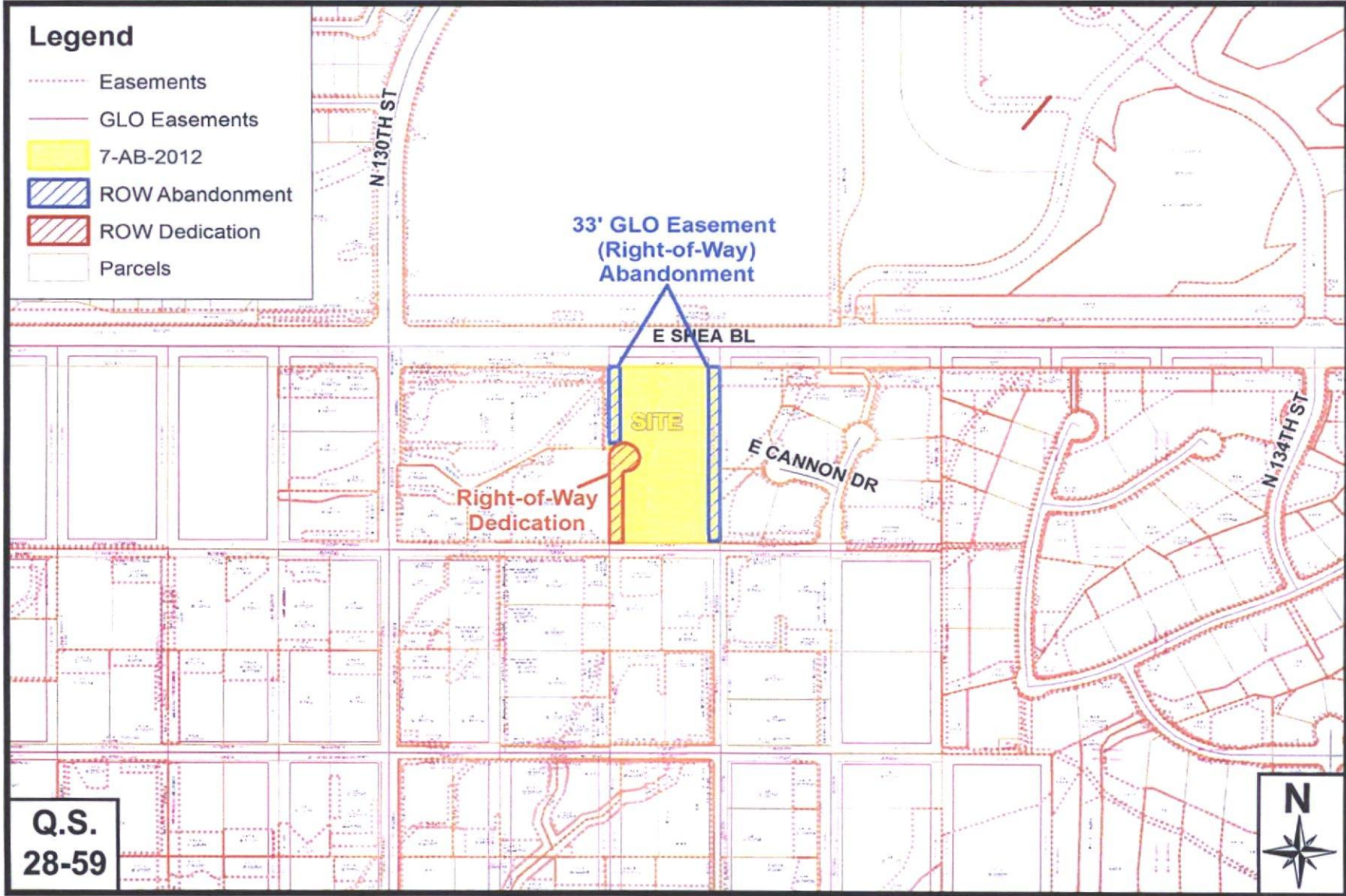
ATTACHMENT #3



Cochise Manor GLO Abandonment

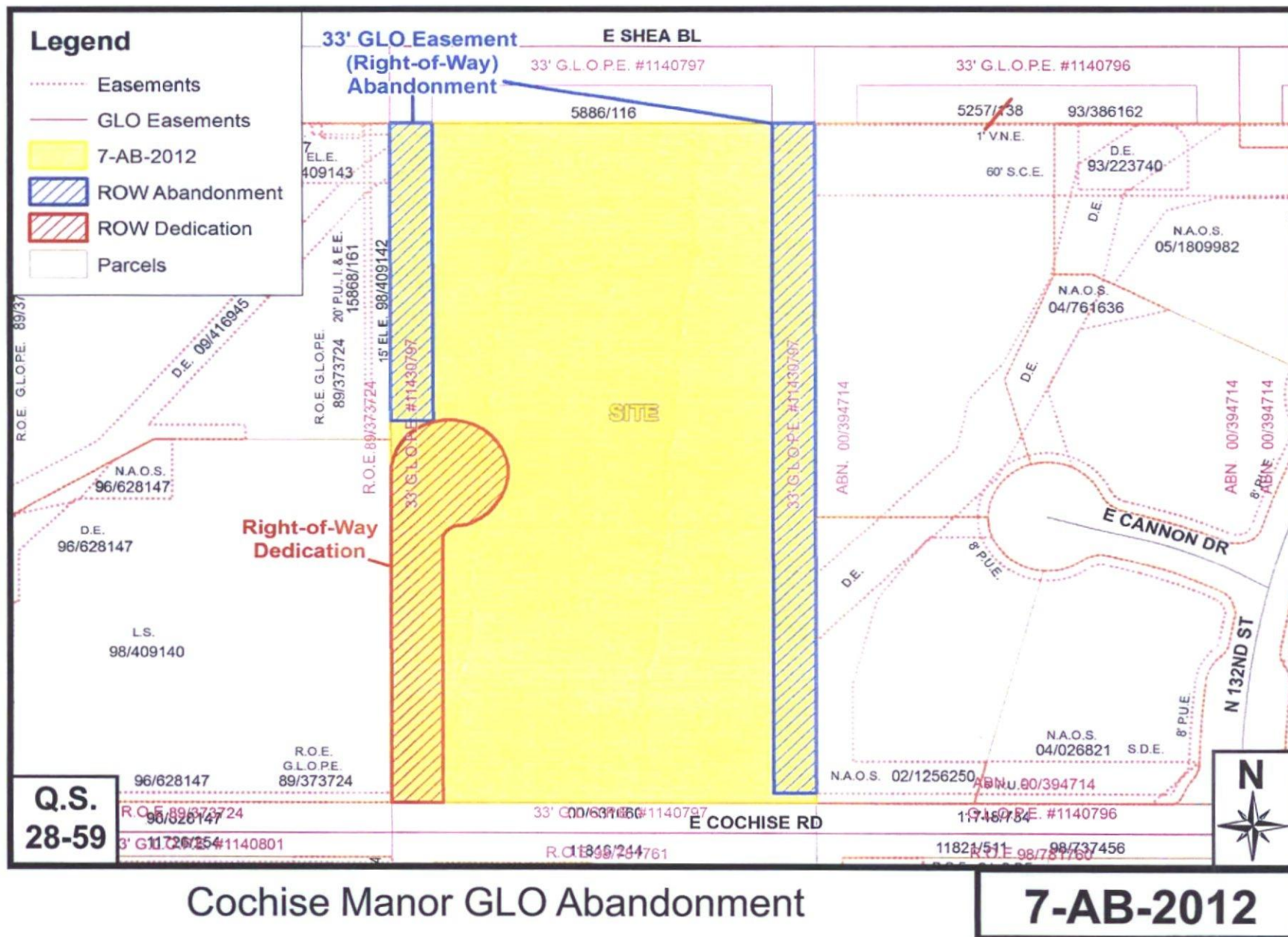
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ATTACHMENT #3A



Cochise Manor GLO Abandonment

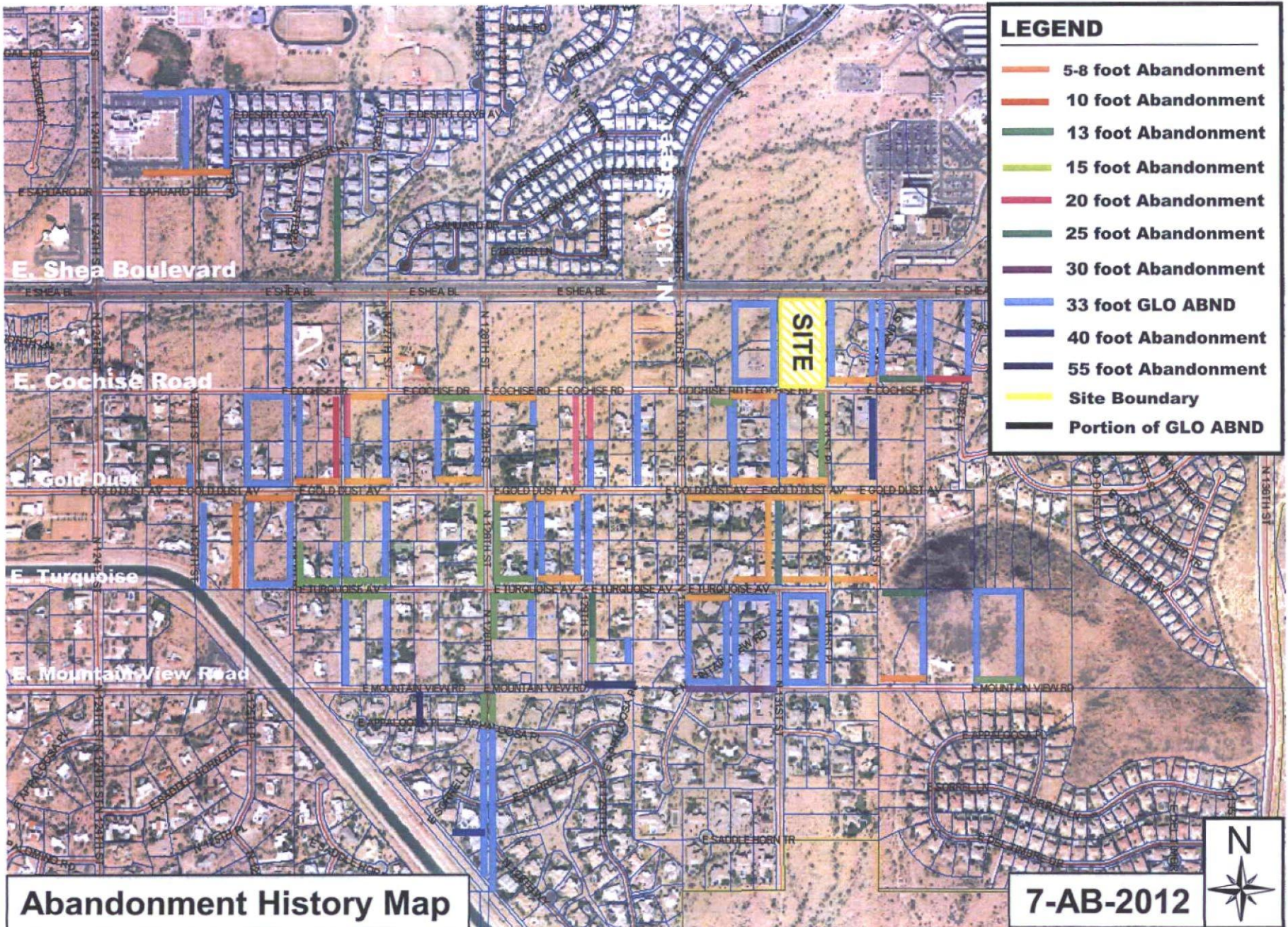
7-AB-2012





Notice: This document is provided for general information purposes only. The City of Scottsdale does not warrant its accuracy, completeness, or suitability for any particular purpose. It should not be relied upon without field verification.





FINAL PLAT FOR COCHISE MANOR
 SITUATED IN THE WEST HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER
 OF THE NORTHWEST QUARTER (GLO LOT 6) OF SECTION 25, TOWNSHIP 3 NORTH,
 RANGE 5 EAST OF THE SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA

OWNER: INTRAVEST DEVELOPMENT, LLC

DEDICATION

KNOW ALL MEN BY THESE PRESENTS: THAT INTRAVEST DEVELOPMENT, L.L.C., AN ARIZONA LIMITED LIABILITY COMPANY, AS OWNER, HAS SUBDIVIDED UNDER THE NAME "COCHISE MANOR" GLO LOT 6 OF SECTION 25, TOWNSHIP 3 NORTH, RANGE 5 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, AS SHOWN AND PLATTED HEREON, HEREBY PUBLISHES THIS SUBDIVISION PLAT FOR "COCHISE MANOR", SAID PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF THE LOTS CONSTITUTING THE SAME. EACH LOT SHALL BE KNOWN BY THE NUMBER, LETTER, OR NAME GIVEN EACH RESPECTIVELY ON SAID PLAT. THE PUBLIC STREET AND EASEMENT DEDICATIONS ARE AS DESCRIBED BELOW.

INTRAVEST DEVELOPMENT, L.L.C., AN ARIZONA LIMITED LIABILITY COMPANY, AS OWNER, DOES HEREBY DEDICATE TO THE CITY OF SCOTTSDALE, AN ARIZONA MUNICIPAL CORPORATION:

1. THE PUBLIC STREETS IN FEE AS SHOWN HEREON. MAINTENANCE OF THE PUBLIC STREETS SHALL BE THE ADJACENT PROPERTY OWNER'S RESPONSIBILITY UNTIL SUCH TIME THE STREETS ARE IMPROVED TO CITY OF SCOTTSDALE STANDARDS AND ACCEPTED BY THE CITY OF SCOTTSDALE.

2. A PERPETUAL NON-EXCLUSIVE DRAINAGE AND FLOOD CONTROL EASEMENT (DMFCE) FOR THE PURPOSES OF CONSTRUCTION, OPERATION, REPLACEMENT, AND REPAIR OF LEVES, DICES, CHANNELS, AND OTHER WORKS OF DRAINAGE OR FLOOD CONTROL, IN AND OVER A PORTION OF THE AREAS DESIGNATED AS SUCH HEREON AN EASEMENT UPON, OVER, AND ACROSS REAL PROPERTY DESCRIBED HEREON. MAINTENANCE SHALL BE THE EQUALLY SHARED RESPONSIBILITY OF ALL THE LOT OWNERS WITHIN THIS SUBDIVISION.

3. A PERPETUAL NON-EXCLUSIVE RIGHT DISTANCE EASEMENT (S.D.E.) UPON, OVER, AND ACROSS THE PARCEL OF LAND SHOWN HEREON. THE PURPOSE IS TO PRESERVE THE PROPERTY AS A TRAFFIC SAFETY VISIBILITY AREA FREE OF ANY OBSTRUCTIONS TO THE VIEW OF PERSONS LOOKING ACROSS THE PROPERTY. WITHOUT LIMITATION, GRANTOR SHALL NOT ALLOW OR SUFFER TO EXIST UPON THE PROPERTY ANY BUILDINGS, WALLS, TREES, OBSTRUCTIONS, SCREENS, OR OTHER STRUCTURES OR THINGS EXCEEDING A HEIGHT DETERMINED BY THE GRANTEE ABOVE ORIGINAL NATURAL GRADE.

4. A PERPETUAL NON-EXCLUSIVE PUBLIC UTILITY EASEMENT (P.U.E.) UPON, OVER, AND ACROSS THE PARCEL OF LAND SHOWN HEREON. THE PURPOSE OF THE EASEMENT IS FOR ELECTRICITY, WATER, WASTEWATER, TELECOMMUNICATIONS, AND ALL OTHER MANNER OF UTILITIES, AND FOR CONSTRUCTION, OPERATION, USE, MAINTENANCE, REPAIR, MODIFICATION, AND REPLACEMENT FROM TIME TO TIME OF IMPROVEMENTS RELATED THEREIN.

5. NATURAL AREA OPEN SPACE ("N.A.O.S.") EASEMENT UPON, OVER AND ACROSS THE AREAS DESIGNATED AS SUCH HEREON FOR THE PURPOSE OF PERMANENTLY PRESERVING SUCH LAND IN ITS NATURAL DESERT STATE. THE N.A.O.S. EASEMENT SHALL NOT BE USED FOR ANY PURPOSE INCONSISTENT WITH THE PRESERVATION OF SAID LAND IN ITS NATURAL STATE AND NO GRADING, GRUBBING, EXCAVATING, OR CONSTRUCTION OF ANY STRUCTURE OR DEVELOPMENT OF ANY KIND SHALL BE PERMITTED ON OR WITHIN SAID EASEMENT EXCEPT AS ALLOWED UNDER CITY OF SCOTTSDALE ORDINANCES.

6. SCENIC CORRIDOR EASEMENT (SCE) UPON, OVER, UNDER AND ACROSS THE AREAS DESIGNATED AS SUCH HEREON. THE PURPOSE OF THE EASEMENT IS TO PRECLUDE GRANTOR FROM INSTALLING ANY IMPROVEMENTS ON THE PROPERTY NOTWITHSTANDING THE PRECEDING SENTENCE. GRANTEE MAY ELECT TO ALLOW GRANTOR TO INSTALL VEGETATION, DRIVEWAYS, SIGNAGE AND UNDERGROUND PRIVATE UTILITIES UPON THE PROPERTY IN COMPLIANCE WITH APPLICABLE LAND USE LAWS AND REGULATIONS. GRANTOR SHALL MAINTAIN THE PROPERTY, INCLUDING ANY SUCH IMPROVEMENTS, IN A NEAT, SAFE AND CLEAN CONDITION.

7. A PERPETUAL VEHICLE NON ACCESS EASEMENT (V.N.A.E.) UPON, OVER, AND ACROSS THE PARCEL OF LAND SHOWN HEREON. THE PURPOSE OF THE EASEMENT IS TO PROHIBIT VEHICULAR ACCESS.

THE OWNER WARRANTS THAT THIS PLAT IS IN COMPLIANCE WITH CITY OF SCOTTSDALE'S LAND DIVISIONS ORDINANCE, AND THE DESIGN STANDARDS AND POLICE'S MANUAL SPECIFICATIONS.

OWNER WARRANTS TO THE CITY OF SCOTTSDALE THAT IT IS THE SOLE OWNER OF THE PROPERTY ON THIS PLAT, AND THAT EVERY LENDER, EASEMENT HOLDER OR OTHER PERSON HAVING ANY INTEREST IN THE PROPERTY ADVISE TO OR INCONSISTENT WITH THE DEDICATIONS, CONVEYANCES OR OTHER PROPERTY INTERESTS CREATED OR TRANSFERRED BY THIS PLAT HAS CONSENTED TO OR JOINED IN THIS PLAT, AS

EVIDENCED BY THE INSTRUMENTS WHICH ARE RECORDED IN THE MARICOPA COUNTY RECORDER'S OFFICE OR WHICH THE OWNER WILL RECORD NOT LATER THAN THE DATE ON WHICH THIS PLAT IS RECORDED.

THE PERSON EXECUTING THIS DOCUMENT ON BEHALF OF A CORPORATION, TRUST OR OTHER ORGANIZATION WARRANTS HIS OR HER AUTHORITY TO DO SO AND THAT ALL PERSONS NECESSARY TO BIND GRANTOR HAVE JOINED IN THIS DOCUMENT. THIS DOCUMENT RUNS IN FAVOR OF THE GRANTEE'S SUCCESSORS AND ASSIGNS.

DATED THIS _____ DAY OF _____, 2013.

GRANTOR: _____

FOR: _____

ACKNOWLEDGEMENT

STATE OF ARIZONA }
 COUNTY OF MARICOPA } S.S.

THIS DOCUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2013.

BY FOR AND ON BEHALF OF _____

NOTARY PUBLIC: _____

MY COMMISSION EXPIRES: _____

RATIFICATION

AS BENEFICIARY UNDER THAT CERTAIN DEED OF TRUST RECORDED IN THE COUNTY RECORDER'S OFFICE, MARICOPA COUNTY, ARIZONA, IN RECORDER'S NUMBER (MCR#) 2012443962, THE UNDERSIGNED HEREBY RATIFIES, APPROVES AND CONFIRMATION IS GIVEN TO SAID DEDICATIONS AS STATED IN THIS PLAT AS TO THE INTEREST OF THE UNDERSIGNED. THE PERSON SIGNING FOR BENEFICIARY WARRANTS AND REPRESENTS THEY HAVE POWER AND AUTHORITY TO DO SO.

BY: _____
 E.V. HANCOCK II, AS TRUSTEE OF THE E.V. HANCOCK II MONEY PURCHASE PENSION PLAN AND TRUST

TRUSTEE DATE _____

ACKNOWLEDGEMENT

STATE OF ARIZONA }
 COUNTY OF MARICOPA } S.S.

THIS DOCUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2013.

BY FOR AND ON BEHALF OF _____

NOTARY PUBLIC: _____

MY COMMISSION EXPIRES: _____



VICINITY MAP

N
 N.T.S.

LEGAL DESCRIPTION

GLO LOT 6, THE WEST HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 3 NORTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

LAND INFORMATION

APN 217-31-010
 ZONING R-4.3E SL
 OS 28-59
 LANDFORM UPPER DESERT

LOT AREAS

LOT 1 43,010 SQUARE FEET
 LOT 2 43,010 SQUARE FEET
 LOT 3 43,005 SQUARE FEET
 LOT 4 43,098 SQUARE FEET

NAQS REQUIREMENTS

PER ESO ORDINANCE

TOTAL N.A.O.S. REQUIRED= 48,355 SQ. FT.
 UNDISTURBED N.A.O.S. REQUIRED= 48,355 X 0.7 = 33,848 SQ.FT.
 TOTAL UNDISTURBED N.A.O.S. PROVIDED= 43,403 SQ.FT. (128% OF REQUIRED)
 TOTAL DISTURBED N.A.O.S. PROVIDED= 17,858 SQ. FT. (26% OF TOTAL)
 TOTAL REVEG N.A.O.S. PROVIDED= 6,950 SQ. FT. (10% OF TOTAL)
 TOTAL N.A.O.S. PROVIDED= 68,211 SQ.FT. (141% OF REQUIRED)

PER STIPULATION #2 OF 30-PP-2012

TOTAL N.A.O.S. REQUIRED= 68,210 SQ. FT.
 TOTAL N.A.O.S. PROVIDED= 68,211 SQ.FT. (100% OF REQUIRED)

PERTINENT DOCUMENTS

1. FINAL PLAT OF BOULDER WASH AS RECORDED IN MCR 542-46.
2. LOT SPLIT AS RECORDED IN MCR 2001-0249950.
3. TITLE REPORT BY STERLING TITLE AGENCY, LLC NUMBER 501-5899507 DATED NOVEMBER 11, 2013 AT 7:30 AM.

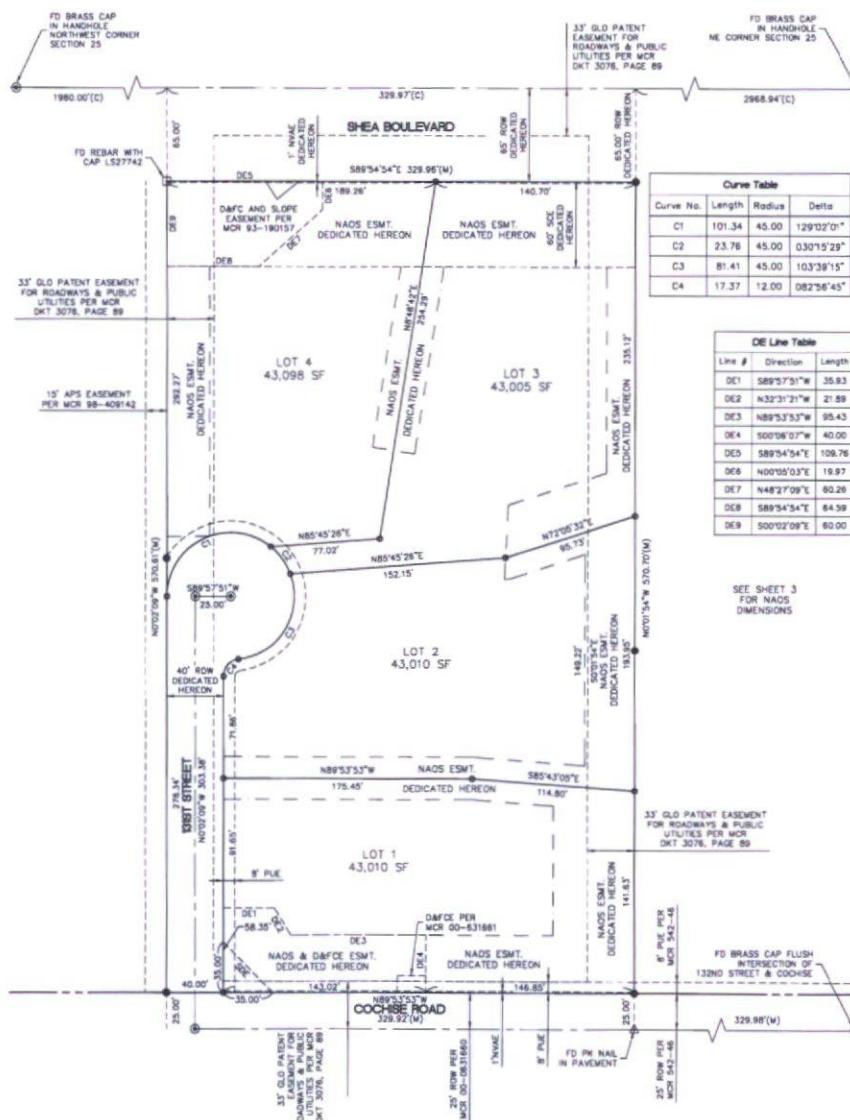
CERTIFICATION

THIS IS TO CERTIFY THAT I AM A LAND SURVEYOR REGISTERED TO PRACTICE IN ARIZONA, THAT THIS PLAT WAS MADE UNDER MY DIRECTION AND MEETS THE "MINIMUM STANDARDS FOR ARIZONA LAND BOUNDARY SURVEYS". THE SURVEY AND DIVISION OF THE SUBJECT PROPERTY DESCRIBED AND PLATTED HEREON WERE MADE DURING THE MONTH OF SEPTEMBER, 2013. THE SURVEY IS TRUE AND COMPLETE AS SHOWN AND THE MONUMENTS SHOWN ACTUALLY EXIST. THEIR POSITIONS ARE CORRECTLY SHOWN AND SAID MONUMENTS ARE SUFFICIENT TO BE RETRACED.

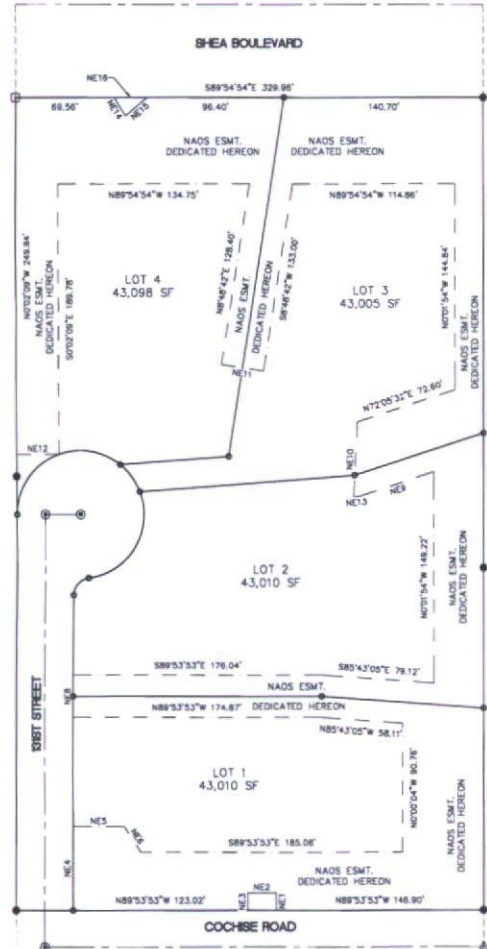
CITY OF SCOTTSDALE FINAL PLAT APPROVAL BLOCK	
APPROVED BY THE COUNCIL OF THE CITY OF SCOTTSDALE, ARIZONA THIS THE _____ DAY OF _____, 2013.	
BY _____ MAYOR	
ATTEST BY: _____ CITY CLERK	
THIS PLAT HAS BEEN REVIEWED FOR COMPLIANCE WITH THE CITY OF SCOTTSDALE'S DESIGN STANDARDS AND POLICY MANUAL SPECIFICATIONS.	
BY _____ CHIEF DEVELOPMENT OFFICER	DATE _____
THIS SUBDIVISION HAS BEEN REVIEWED FOR COMPLIANCE WITH THE DEVELOPMENT STANDARDS OF THE CITY OF SCOTTSDALE'S DEVELOPMENT REVIEW BOARD (DRB) CASE NO. 30-PP-2012, AND ALL CASE RELATED STIPULATIONS.	
BY _____ PLAT COORDINATOR	DATE _____



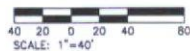
FINAL PLAT FOR COCHISE MANOR A SUBDIVISION OF GLO LOT 6 OF SECTION 25 T3N R5E					
DESIGN	DRAWN	CHECKED	DATE	FILE NAME	JOB NUMBER
PSB	PSB	PSB	2-12-13	2013.DWG	2012.35
BELLIS LAND SERVICES PLLC Land Surveying PO Box 5614 480-241-0165 Development Services Carefree, AZ 85377 pbellis1@live.com					



Line #	Direction	Length
DE1	S89°57'51"W	35.8
DE2	N32°31'21"W	21.5
DE3	N89°33'53"W	95.4
DE4	S00°06'07"W	40.0
DE5	S89°54'54"E	109.1
DE6	N00°05'03"E	19.9
DE7	N48°27'09"E	80.2
DE8	S89°54'54"E	84.3
DE9	S00°02'09"E	60.0



NAOS EASEMENT DIMENSIONS

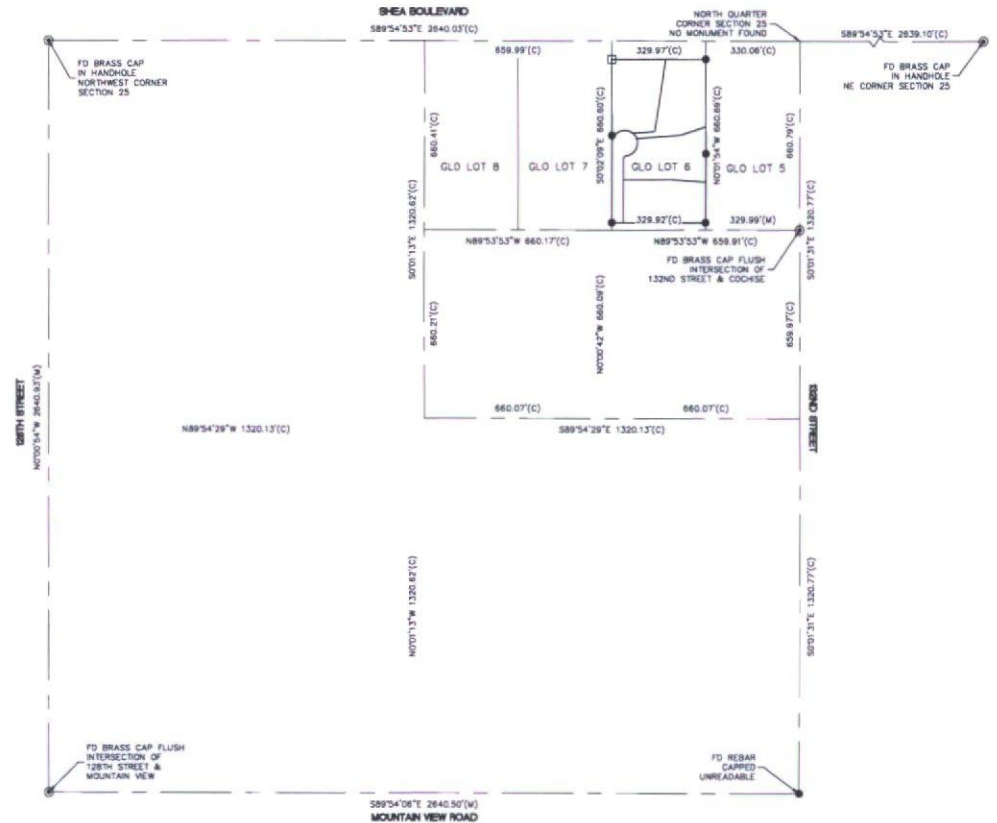
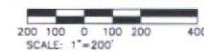


Line #	Direction	Length
NE1	N00°06'07"E	12.00
NE2	N89°53'53"W	20.00
NE3	S00°06'07"W	12.00
NE4	N00°02'09"W	58.35
NE5	N89°53'51"E	35.93
NE6	S32°31'21"E	21.89
NE8	N00°02'09"W	30.00
NE9	S72°00'32"W	55.92
NE10	N02°50'24"E	52.58
NE11	N81°11'18"W	30.00
NE12	S89°53'51"W	30.00
NE13	N85°45'28"E	3.52
NE14	N32°08'48"W	15.16
NE15	S49°57'14"W	19.90
NE16	S89°54'54"E	23.30

LEGEND

—	PROPERTY LINE
- - -	CENTER LINE
- · - · -	EASEMENT LINE
●	BRASS CAP
●	FOUND REBAR ADDED LS CAP 17591
□	FOUND REBAR WITH CAP AS NOTED
○	SET MONUMENT AS NOTED
DE	DRAINAGE EASEMENT
SDE	SIGHT DISTANCE EASEMENT
D&FCE	DRAINAGE & FLOOD CONTROL EASEMENT
PUE	PUBLIC UTILITY EASEMENT
NVAE	NON VEHICULAR ACCESS EASEMENT
ROW	RIGHT OF WAY

SECTIONAL ANALYSIS

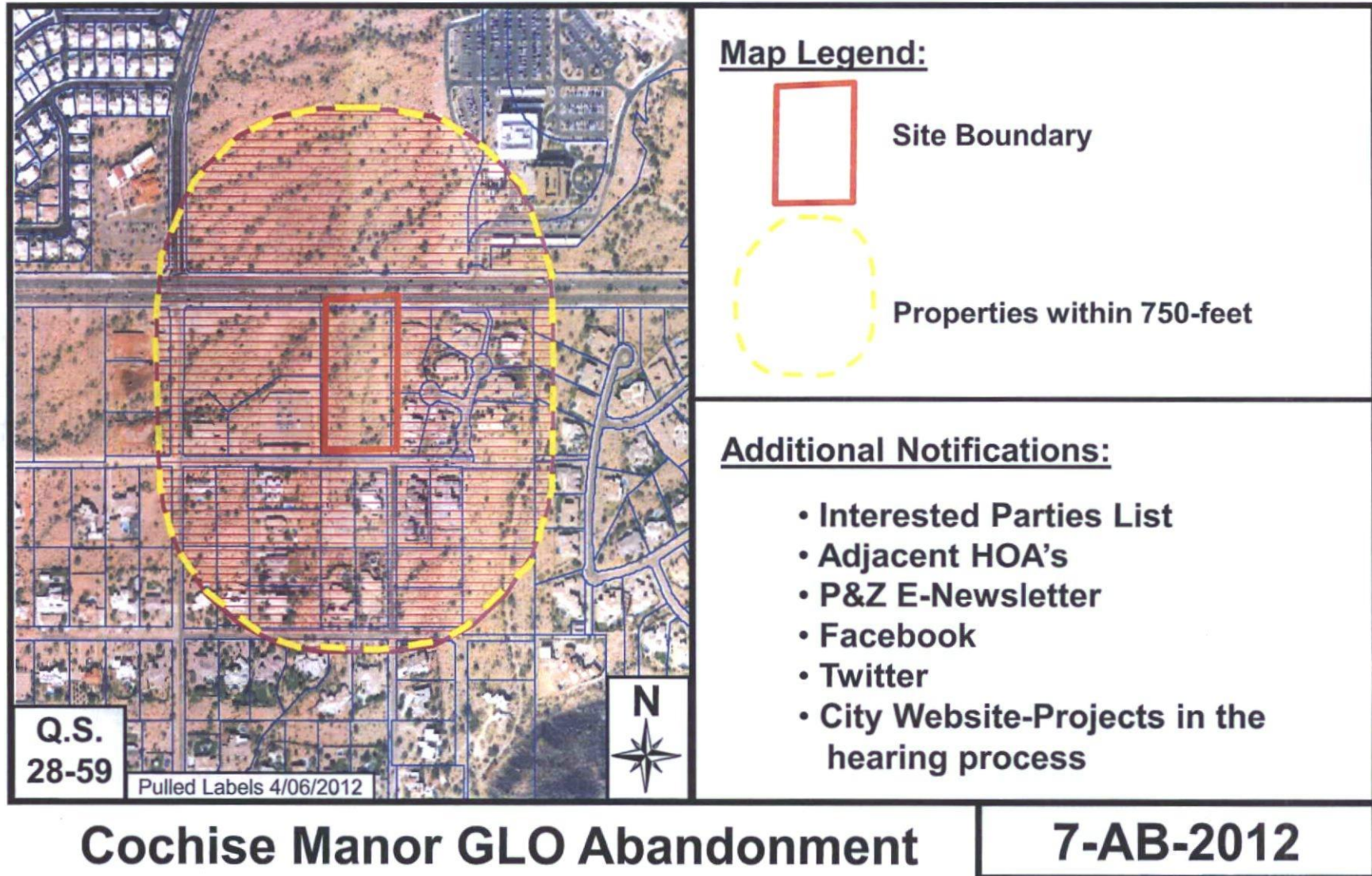


FINAL PLAT FOR COCHISE MANOR					
A SUBDIVISION OF GLO LOT 6 OF SECTION 25 T3N R9E					
DESIGN	DRAWN	CHECKED	DATE	FILE NAME	JOB NUMBER
PS	PS	PS	2-12-13	2012.297	2012.35

BELLIS LAND SERVICES PLLC
Land Surveying
PO Box 5614
480-241-0185

Development Services
Carefree, AZ 85377
pbellis1@live.com

City Notifications – Mailing List Selection Map





**SCOTTSDALE DEVELOPMENT REVIEW BOARD
KIVA-CITY HALL
3939 DRINKWATER BOULEVARD
SCOTTSDALE, ARIZONA**

Thursday, December 20, 2012

SUMMERIZED MEETING MINUTES

PRESENT:

Dennis Robbins Council Member
Michael D'Andrea, Planning Commissioner
Eric Gerster, Vice Chair
Chris Jones, Design Member
David Gulino, Development Member
Ali Fakhri, Design Member
Kevin Bollinger, Design Member

ABSENT:

All Present

STAFF:

Steve Venker
Joe Padilla
Keith Niederer
Brad Carr
Jesus Murillo
Meredith Tessier
Steve Perone

CALL TO ORDER

Councilman Robbins called the meeting of the Scottsdale Development Review Board to order at 1:05 p.m.

ROLL CALL

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

ADMINISTRATIVE REPORT

1. Identify supplemental information, if any, related to the December 20, 2012 Development Review Board agenda items, and other correspondence.

MINUTES

2. Approval of December 6, 2012 Development Review Board Meeting Minutes

VICE-CHAIR GERSTER MOVED TO APPROVE THE DECEMBER 6, 2012 DEVELOPMENT REVIEW BOARD MEETING MINUTES, SECONDED BY COMMISSIONER D'ANDREA, THE MOTION CARRIED UNANIMOUSLY WITH A VOTE OF SEVEN (7) TO ZERO (0).

CONSENT AGENDA

3. 30-PP-2012 Cochise Manor

VICE-CHAIR GERSTER MOVED TO APPROVE 30-PP-2012 SECONDED BY BOARD MEMBER GULINO THE MOTION CARRIED UNANIMOUSLY WITH A VOTE OF SEVEN (7) TO ZERO (0).

4. 48-DR-2012 Audigy Group at DC Ranch Corporate Center

VICE-CHAIR GERSTER MOVED TO APPROVE 48-DR-2012 SECONDED BY BOARD MEMBER GULINO THE MOTION CARRIED UNANIMOUSLY WITH A VOTE OF SEVEN (7) TO ZERO (0).

5. 50-DR-2012 Notre Dame Preparatory High School Phase 2a

VICE-CHAIR GERSTER MOVED TO APPROVE 50-DR-2012 SECONDED BY BOARD MEMBER GULINO THE MOTION CARRIED UNANIMOUSLY WITH A VOTE OF SEVEN (7) TO ZERO (0).

6. 56-DR-2012 Crown Castle H503

MOVED TO REGULAR; COMMISSIONER D'ANDREA MOVED TO APPROVE 56-DR-2012 SECONDED BY BOARD MEMBER JONES THE MOTION CARRIED UNANIMOUSLY WITH A VOTE OF SEVEN (7) TO ZERO (0).

Arthur Bourque provided public comment in opposition of the project.

7. 57-DR-2012 Crown Castle H511

VICE-CHAIR GERSTER MOVED TO APPROVE 57-DR-2012 SECONDED BY BOARD MEMBER GULINO THE MOTION CARRIED UNANIMOUSLY WITH A VOTE OF SEVEN (7) TO ZERO (0).

8. 58-DR-2012 Crown Castle H508

VICE-CHAIR GERSTER MOVED TO APPROVE 58-DR-2012 SECONDED BY BOARD MEMBER GULINO THE MOTION CARRIED UNANIMOUSLY WITH A VOTE OF SEVEN (7) TO ZERO (0).

9. 59-DR-2012 Crown Castle H510

VICE-CHAIR GERSTER MOVED TO APPROVE 59-DR-2012 SECONDED BY BOARD MEMBER GULINO THE MOTION CARRIED UNANIMOUSLY WITH A VOTE OF SEVEN (7) TO ZERO (0).

NON-ACTION ITEMS

10. 52-DR-2012 Design Guidelines Update

AFTER A PRESENTATION BY STAFF BOARD MEMBERS PROVIDED COMMENTS REGARDING THE UPDATE.

11. Zoning Ordinance Section 1.900 Development Review Board

AFTER A PRESENTATION BY STAFF BOARD MEMBERS PROVIDED COMMENTS REGARDING THE ZONING ORDINANCE TEXT AMENDMENT PROVISIONS.

ADJOURNMENT

With no further business to discuss, the regular session of the Development Review Board adjourned at 2:12 p.m.



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

WEDNESDAY, JANUARY 23, 2013

SUMMARIZED MEETING MINUTES

PRESENT: Michael D'Andrea, Chairman
Ed Grant, Vice-Chair
Erik Filsinger, Commissioner
David Brantner, Commissioner
Matt Cody, Commissioner
Jay Petkunas, Commissioner
Michael Edwards, Commissioner

STAFF: Tim Curtis
Sherry Scott
Brad Carr
Keith Niederer
Jesus Murillo
Erin Perreault
Adam Yaron

CALL TO ORDER

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

* Note: These are summary action minutes only. A complete copy of the meeting audio is available on the Planning Commission website at:
www.scottsdaleaz.gov/boards/PC.asp

ROLL CALL

A formal roll call was conducted confirming members present as stated above.
Vice-Chair Grant left at 5:55 p.m.

MINUTES REVIEW AND APPROVAL

1. Approval of January 9, 2013 Regular meeting Minutes including Study Session.

COMMISSIONER BRANTNER MOVED TO APPROVE THE JANUARY 9, 2013 REGULAR MEETING MINUTES, INCLUDING STUDY SESSION. SECONDED BY COMMISSIONER FILSINGER, THE MOTION CARRIED UNANIMOUSLY WITH A VOTE OF SEVEN (7) TO ZERO (0).

EXPEDITED AGENDA

2. 23-UP-2012 (Verizon PHO Sundown)

Chris Schaffner provided comments.

3. 19-UP-2012 (El Ranchero)

Jane Bertram and Juan Daniel Ramirez provided comments.

4. 7-AB-2012 (Cochise Manor GLO Abandonment)

COMMISSIONER FILSINGER MOVED TO MAKE A RECOMMENDATION TO CITY COUNCIL, FOR APPROVAL OF CASES 23-UP-2012, 19-UP-2012 AND 7-AB-2012, PER THE STAFF RECOMMENDED STIPULATIONS, AFTER FINDING THAT THE CONDITIONAL USE PERMIT CRITERIA HAVE BEEN MET; SECONDED BY COMMISSIONER PETKUNAS.

* Note: These are summary action minutes only. A complete copy of the meeting audio is available on the Planning Commission website at:
www.scottsdaleaz.gov/boards/PC.asp

REGULAR AGENDA

5. 6-GP-2012 (Alta Scottsdale)

6. 11-ZN-2012 (Alta Scottsdale)

COMMISSIONER CODY MOVED TO MAKE A RECOMMENDATION TO CITY COUNCIL FOR APPROVAL OF CASES 6-GP-2012 AND 11-ZN-2012, INCLUDING THE DEVELOPMENT PLAN, PER THE STAFF RECOMMENDED STIPULATIONS AFTER DETERMINING THAT THE PLANNED UNIT DEVELOPMENT FINDINGS HAVE BEEN MET, AND AFTER DETERMINING THAT THE PROPOSED ZONING MAP AMENDMENT IS CONSISTENT AND CONFORMS WITH THE ADOPTED GENERAL PLAN, SECONDED BY COMMISSIONER PETKUNAS. THE MOTION CARRIED UNANIMOUSLY WITH A VOTE OF SEVEN (7) TO ZERO (0).

Thomas B. Re', Eric Brown, Pat Cruse, Jack Stein provided comments.

7. 5-GP-2012 (CVS Pharmacy – Scottsdale & McDonald)

8. 10-ZN-2012 (CVS Pharmacy – Scottsdale & McDonald)

COMMISSIONER BRANTNER MOVED TO MAKE A RECOMMENDATION TO CITY COUNCIL FOR APPROVAL OF CASES 5-GP-2012 AND 10-ZN-2012 PER THE STAFF RECOMMENDED STIPULATIONS, AFTER DETERMINING THAT THE PROPOSED ZONING MAP AMENDMENT IS CONSISTENT AND CONFORMS WITH THE ADOPTED GENERAL PLAN. SECONDED BY COMMISSIONER EDWARDS. THE MOTION CARRIED UNANIMOUSLY WITH A VOTE OF FIVE (5) TO ZERO (0). CHAIR D'ANDREA RECUSED HIMSELF.

Terry O'Neill, Leo Bauman, Patricia Ramsey, Andrew McLaren, Anthony Lanzo, Lanny Van Eman, Kay Pinckard-Hansen, Natalie Licciardi, Gary Meyers provided comments.

Lisa Marshall, Thomas Lucas, Robert McShane, Caryn McShane, Michael Marshall, Gary Shapiro, Catherine Robertson provided written comments.

ADJOURNMENT

With no further business to discuss, the regular session of the Planning Commission adjourned at 6:45 p.m.

* Note: These are summary action minutes only. A complete copy of the meeting audio is available on the Planning Commission website at:
www.scottsdaleaz.gov/boards/PC.asp