

**SCOTTSDALE CITY COUNCIL
GENERAL PLAN AMENDMENT MEETING MINUTES
MONDAY, DECEMBER 4, 2017**



**CITY HALL KIVA
3939 N. DRINKWATER BOULEVARD
SCOTTSDALE, AZ 85251**

CALL TO ORDER

Mayor W.J. "Jim" Lane called to order a General Plan Amendment Meeting of the Scottsdale City Council at 5:15 P.M. on Monday, December 4, 2017, in the City Hall Kiva.

ROLL CALL

Present: Mayor W.J. "Jim" Lane; Vice Mayor Virginia Korte; and Councilmembers Suzanne Klapp, Kathleen S. Littlefield, Linda Milhaven, Guy Phillips, and David N. Smith

Also Present: City Manager Jim Thompson, City Attorney Bruce Washburn, City Treasurer Jeff Nichols, City Auditor Sharron Walker, and City Clerk Carolyn Jagger

PLEDGE OF ALLEGIANCE – Cub Scout Pack 45

INVOCATION – Pastor David Joynt, Valley Presbyterian Church

MAYOR'S REPORT

Mayor Lane announced that the City's Economic Development Department received two Golden Prospector awards at the Arizona Association for Economic Development Fall Forum for the marketing brochure "Advancing the Strategy, Targeting the Talent" and the Broker Appreciation event.

Mayor Lane reported that the Council would be participating in a pancake breakfast on Saturday, December 9, 2017, to aid the Scottsdale Historical Society in raising funds for the Little Red School House.

NOTE: MINUTES OF CITY COUNCIL MEETINGS AND WORK STUDY SESSIONS ARE PREPARED IN ACCORDANCE WITH THE PROVISIONS OF ARIZONA REVISED STATUTES. THESE MINUTES ARE INTENDED TO BE AN ACCURATE REFLECTION OF ACTION TAKEN AND DIRECTION GIVEN BY THE CITY COUNCIL AND ARE NOT VERBATIM TRANSCRIPTS. DIGITAL RECORDINGS AND CLOSED CAPTION TRANSCRIPTS OF SCOTTSDALE CITY COUNCIL MEETINGS ARE AVAILABLE ONLINE AND ARE ON FILE IN THE CITY CLERK'S OFFICE.

PRESENTATION/INFORMATION UPDATES – None

PUBLIC COMMENT – None

ADDED ITEMS

A1. Added Items

Consent Item No. 2A was added to the agenda on November 30, 2017.

Request: Vote to accept the agenda as presented or continue the added item(s) to the next scheduled Council meeting, which is December 5, 2017.

MOTION AND VOTE – ADDED ITEMS

Vice Mayor Korte made a motion to accept the agenda as presented. Councilwoman Klapp seconded the motion, which carried 7/0.

MINUTES

Request: Approve the Regular Meeting Minutes of November 13, 2017, and Work Study Session Minutes of November 13, 2017.

MOTION AND VOTE – MINUTES

Vice Mayor Korte made a motion to approve the Regular Meeting Minutes of November 13, 2017, and Work Study Session Minutes of November 13, 2017. Councilwoman Littlefield seconded the motion, which carried 7/0.

CONSENT AGENDA

1. Small Wireless Facility Fees

Request: Adopt **Resolution No. 10945** establishing a new fee schedule for small wireless facilities in the City's rights-of-way, effective February 1, 2018.

Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov

2. Audit Committee Recommendation for the McDowell Sonoran Preserve Commission Sunset Review

Request: Adopt **Resolution No. 10983** accepting the Audit Committee's recommendation and authorizing the continuation of the McDowell Sonoran Preserve Commission.

Staff Contact(s): Sharron Walker, City Auditor, 480-312-7867, swalker@scottsdaleaz.gov

2A. Ambulance Services Contract

(Moved to the Regular Agenda, see Page 3.)

MOTION AND VOTE – CONSENT AGENDA

Councilwoman Klapp made a motion to approve Consent Agenda Items 1 and 2, absent Item 2A, which was moved to the Regular Agenda. Councilman Phillips seconded the motion, which carried 7/0.

REGULAR AGENDA

2A. Ambulance Services Contract

Request: Adopt **Resolution No. 10951** authorizing Contract No. 2017-163-COS with Maricopa Ambulance, LLC, for emergency ambulance services.

Staff Contact(s): Tom Shannon, Fire Chief, 480-312-1821, tshannon@scottsdaleaz.gov

Fire Chief Tom Shannon gave a presentation on the ambulances services contract.

Mayor Lane opened public testimony.

The following spoke in opposition to the contract:

- John Valentine, PMT Ambulance
- Gregory Empey, ICEP Local 170
- Matthew Garn, ICEP Local 170

The following spoke in support of the contract:

- Bryan Gibson, Maricopa Ambulance

Mayor Lane closed public testimony.

MOTION AND VOTE – ITEM 2A

Vice Mayor Korte made a motion to adopt Resolution No. 10951. Councilwoman Littlefield seconded the motion, which carried 7/0.

3. **Siena Estates General Plan Amendment and Rezoning (1-GP-2017 and 10-ZN-2017)** **Requests:**

1. Adopt **Resolution No. 10939** approving a Major General Plan Amendment to the City of Scottsdale 2001 General Plan to change the land use designation from Rural Neighborhoods to Suburban Neighborhoods on a 3.8±-acre site.
2. Adopt **Ordinance No. 4322** approving a zoning district map amendment from Single-Family Residential District (R1-43) zoning to Single-Family Residential District, Planned Residential District (R1-18/PRD) zoning, with a development plan and amended development standards, for a 7-lot subdivision on a 3.8±-acre site.
3. Adopt **Resolution No. 10940** declaring the document entitled "Siena Estates Development Plan" to be a public record.

Location: 5814 N. Cattletrack Road; and 5811 and 5805 N. Sundown Drive

Presenter(s): Sara Javoronok, Project Coordination Liaison; and Jesus Murillo, Sr. Planner

Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov

Senior Planners Taylor Reynolds and Jesus Murillo gave PowerPoint presentations (attached) on the Siena Estates general plan amendment and rezoning requests.

Applicant Representative Carl Bloom gave a PowerPoint presentation (attached) on the Siena Estates general plan amendment and rezoning requests.

MOTION NO. 1 AND VOTE – ITEM 3

Councilman Phillips made a motion to adopt Resolution No. 10939. Councilwoman Klapp seconded the motion, which carried 7/0.

MOTION NO. 2 AND VOTE – ITEM 3

Vice Mayor Korte made a motion to adopt Ordinance No. 4322. Councilwoman Klapp seconded the motion, which carried 7/0.

MOTION NO. 3 AND VOTE – ITEM 3

Vice Mayor Korte made a motion to adopt Resolution No. 10940. Councilwoman Klapp seconded the motion, which carried 7/0.

4. 7676 E. Pinnacle Peak General Plan Amendment and Rezoning (3-GP-2017 and 11-ZN-2017)

Requests:

1. Adopt **Resolution No. 10941** approving a Major General Plan Amendment to the City of Scottsdale 2001 General Plan to change the land use designation from Office to Suburban Neighborhoods on a 19.7±-acre site.
2. Adopt **Ordinance No. 4323** approving a zoning district map amendment from Service Residential, Environmentally Sensitive Lands (S-R ESL) zoning to Single-Family Residential, Planned Residential District, Environmentally Sensitive Lands (R1-10 PRD ESL) zoning, with a development plan and amended development standards, on a 19.7±-acre site.
3. Adopt **Resolution No. 10942** declaring the document entitled "7676 E. Pinnacle Peak Development Plan" to be a public record.

Location: 7676 E. Pinnacle Peak Road (includes parcels 212-04-001B, 212-04-001C, 212-04-001D, and 212-04-001E)

Presenter(s): Taylor Reynolds, Sr. Planner; and Jesus Murillo, Sr. Planner

Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov

Senior Planners Taylor Reynolds and Jesus Murillo gave PowerPoint presentations (attached) on the 7676 E. Pinnacle Peak general plan amendment and rezoning requests.

Applicant Representative Nick Wood gave a PowerPoint presentation (attached) on the 7676 E. Pinnacle Peak general plan amendment and rezoning requests.

Mayor Lane opened public testimony.

Ed Toschik, Scottsdale resident, requested additional stipulations.

Mayor Lane closed public testimony.

MOTION NO. 1 AND VOTE – ITEM 4

Councilwoman Littlefield made a motion to adopt Resolution No. 10941 approving a Major General Plan Amendment to the City of Scottsdale 2001 General Plan to change the land use designation from Office to Suburban Neighborhoods on a 19.7±-acre site. Councilwoman Milhaven seconded the motion, which carried 7/0.

MOTION NO. 2 AND VOTE – ITEM 4

Vice Mayor Korte made a motion to adopt Ordinance No. 4323. Councilwoman Littlefield seconded the motion, which carried 7/0.

MOTION NO. 3 AND VOTE – ITEM 4

Councilman Phillips made a motion to adopt Resolution No. 10942. Councilwoman Littlefield seconded the motion, which carried 7/0.

5. Bell Group Self Storage General Plan Amendment and Rezoning (4-GP-2017 and 9-ZN-2017)

Requests:

1. Adopt **Resolution No. 10943** approving a Major General Plan Amendment to the City of Scottsdale 2001 General Plan to change the land use designation from Rural Neighborhoods to Commercial on 2.8± acres of a 4.6±-acre site.
2. Adopt **Ordinance No. 4324** approving a zoning district map amendment from Service Residential/Planned Community District (S-R/PCD) zoning to Neighborhood Commercial (C-1) zoning on a 4.6± acre site.

Location: E. Shea Boulevard and N. 116th Street (southeast corner)

Presenter(s): Sara Javoronok, Project Coordination Liaison; and Bryan Cluff, Sr. Planner

Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov

Senior Planners Taylor Reynolds and Bryan Cluff gave PowerPoint presentations (attached) on the Bell Group Self Storage general plan amendment and rezoning requests.

Applicant Jordan Rose gave a PowerPoint presentation (attached) on the Bell Group Self Storage general plan amendment and rezoning requests.

Mayor Lane opened public testimony.

The following spoke in opposition to the Bell Group Self Storage general plan amendment and rezoning requests:

- Patty Badenoch, Scottsdale resident
- Quentin Smith, Scottsdale resident PowerPoint presentation (attached)
- Zuhdi, Jasser, Scottsdale resident
- Roby Sparks, Scottsdale resident
- Nick Belson, Scottsdale resident
- Richard Frisch, Scottsdale resident
- Vickie Falen, Scottsdale resident
- David Richards, Scottsdale resident

- Frank Magarelli, Scottsdale resident
- Loran Marshall, Realty Executives
- Lori Jacques, Scottsdale resident

The following spoke in support of the Bell Group Self Storage general plan amendment and rezoning requests:

- Ross Smith, Scottsdale resident
- Gary Jestadt, Scottsdale resident
- Troy Jarvis, Scottsdale resident
- Carol Mixon Krendl, Tucson resident
- Jim Elson, Scottsdale resident
- Mike Wilson, Mirage Crossing Condo Association

Mike Leary, Scottsdale resident, gave a history of the General Plan amendment process.

Jamie Blakeman, U2 Design, provided traffic report information.

Mayor Lane closed public testimony.

MOTION NO. 1 AND VOTE – ITEM 5

Councilman Smith made a motion to adopt Resolution No. 10943. Vice Mayor Korte seconded the motion, which carried 6/1, with Councilwoman Littlefield dissenting.

MOTION NO. 2 AND VOTE – ITEM 5

Councilman Smith made a motion to adopt Ordinance No. 4324. Councilwoman Klapp seconded the motion, which carried 6/1, with Councilwoman Littlefield dissenting.

PUBLIC COMMENT – None

MAYOR AND COUNCIL ITEMS – None

ADJOURNMENT

The City Council General Plan Amendment Meeting adjourned at 8:15 P.M.

SUBMITTED BY:

**Carolyn Jagger
City Clerk**

Officially approved by the City Council on _____

CERTIFICATE

I hereby certify that the foregoing Minutes are a true and correct copy of the Minutes of the General Plan Amendment Meeting of the City Council of Scottsdale, Arizona held on the 4th day of December 2017.

I further certify that the meeting was duly called and held, and that a quorum was present.

DATED this 8th day of January 2018.

Carolyn Jagger, City Clerk

Item 3

**2017 Major General Plan
Amendment Overview**

City Council
12/4/2017

Presentation Overview

- Major General Plan Amendment Criteria and Process
- 2017 Major Amendment Requests
- Major General Plan Amendment Timeline

Major Amendment Criteria

An amendment to Scottsdale's General Plan is defined as a major amendment if it meets any one of the following criteria:

1. Change in Land Use Category
2. Area of Change
3. Character Area Criteria
4. Water/ Wastewater Infrastructure Criteria

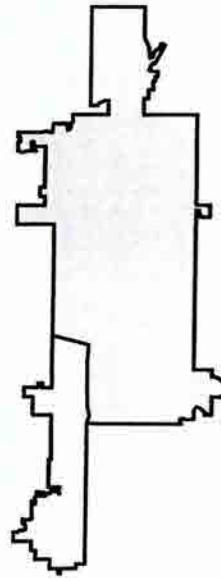
1. Change in Land Use Category

1. Change in Land Use Category
 A change in the land use category on the land use plan that changes the land use character from one type to another as delineated in the following table:

To:	From:	Group A	Group B	Group C	Group D	Group E
	Land Use Plan Category					
Group A	Rural Neighborhoods Natural Open Space		Yes	Yes	Yes	Yes
Group B	Suburban Neighborhoods Developed Open Space Cultural Institutional or Public Use			Yes	Yes	Yes
Group C	Urban Neighborhoods Resort/Tourism	Yes				Yes
Group D	Neighborhood Commercial Major Office Minor Employment	Yes	Yes			Yes
Group E	Commercial Office Employment Mixed Use Regional Use Overlay	Yes	Yes			

2. Area of Change

- 15 or More Acres
- 10 or More Acres

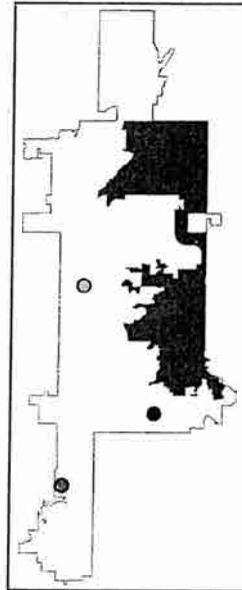


Major General Plan Amendment Process

- Heard at City Council same year as submitted
 - Submittal deadline: May 19, 2017
 - City Council hearing: December 4, 2017
- Requires additional, remote hearing of Planning Commission for public input.
- Requires 2/3 majority vote of City Council.

2017 Major General Plan Amendments – 3 Private Requests

- 1-GP-2017, Siena Estates
- 3-GP-2017, 7676 E Pinnacle Peak
- 4-GP-2017, Bell Group Self Storage



Amendment Timeline

- | | |
|--|---|
| September 14th: | City Hosted Open House
Cocopah Middle School, 5-7 pm |
| October 4th: | Remote Planning Commission Hearing
Cocopah Middle School, 5 pm |
| October 25th: | Planning Commission Recommendation Hearing
Kiva, 5 pm |
| December 4th – 5th: | City Council General Plan Amendment
Adoption Hearing, Kiva, 5 pm |

Siena Estates

1-GP-2017 & 10-ZN-2017

City Council

12/4/2017

City Staff: Taylor Reynolds | Jesus Murillo

Siena Estates

- Request by owner for a major General Plan Amendment to change the land use designation from Rural Neighborhoods to Suburban Neighborhoods on a +/- 3.8-acre site located at 5814 N. Cattletrack Road, 5811 and 5805 N. Sundown Drive.
- Companion zoning case
10-ZN-2017

1-GP-2017

Siena Estates



1-GP-2017

Context Aerial

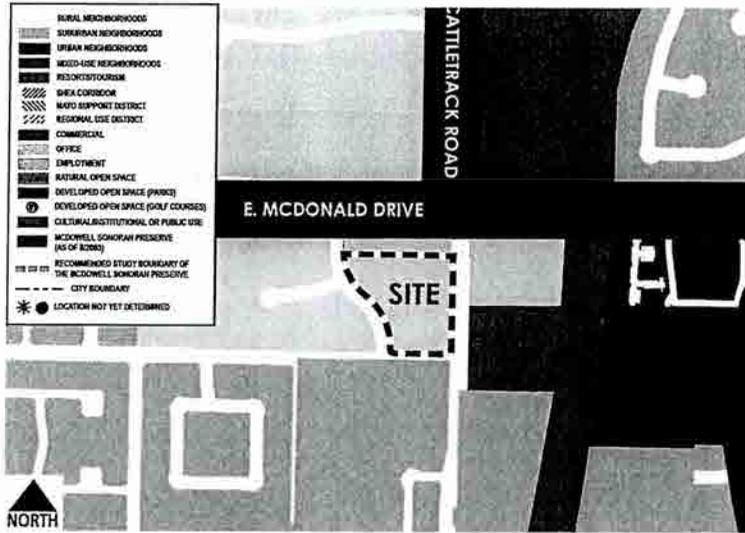
Siena Estates



1-GP-2017

Detail Aerial

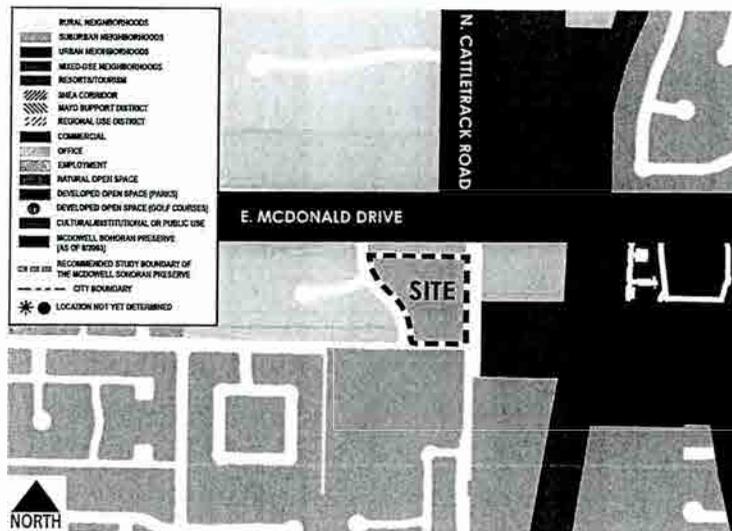
Siena Estates



1-GP-2017

Existing General Plan Land Use

Siena Estates



1-GP-2017

Proposed General Plan Land Use

Siena Estates

Criteria #1, Change in Land Use

J. Change in Land Use Category
 A change in the land use category on the land use plan that changes the land use character from one type to another as delineated in the following table

	To:	Group A	Group B	Group C	Group D	Group E
From:	Land Use Plan Category					
Group A	Single Neighborhood Single Open Space		Yes	Yes	Yes	Yes
Group B	Suburban Neighborhood Developed Open Space Cultural Institutional or Public Use			Yes	Yes	Yes
Group C	Urban Neighborhood Essential/Transition	Yes				Yes
Group D	Neighborhood Commercial Minor Office Minor Employment	Yes	Yes			Yes
Group E	Commercial Office Employment Mixed Use Regional Use Outlot	Yes	Yes			

Siena Estates

Key Considerations

- General Plan amendment request for the change in land use
- Proposing development of seven single family residential lots
- Similar lot sizes and densities to other more recently developed subdivisions in the area
- Previous redevelopment from residential to office of four lots in the original subdivision
- Request is in keeping with the projected increase of this residential development type in this area of the community

1-GP-2017

Siena Estates

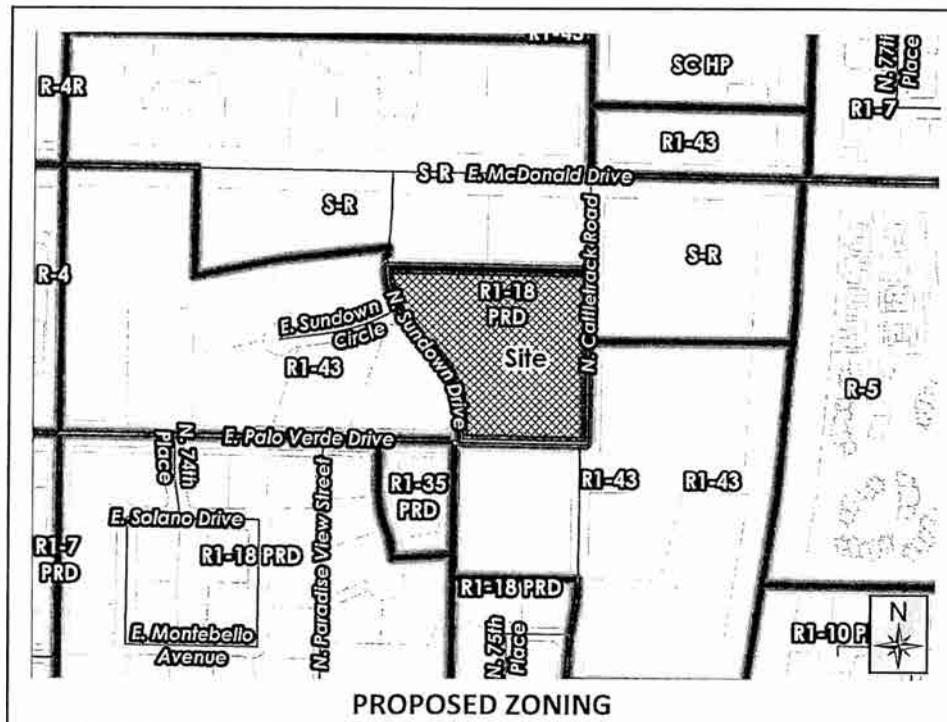
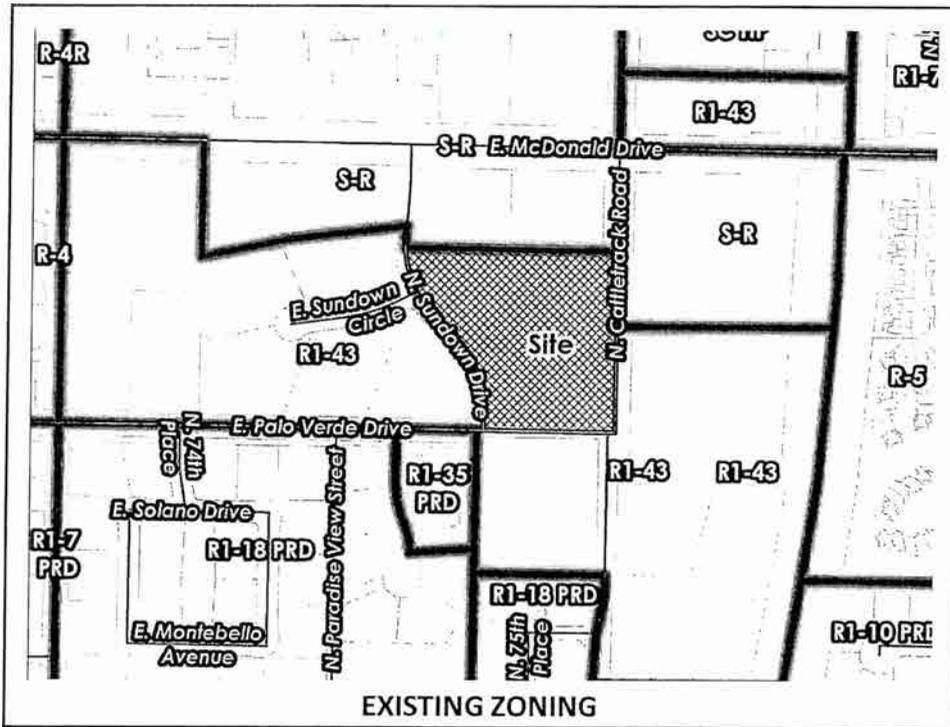
Community involvement

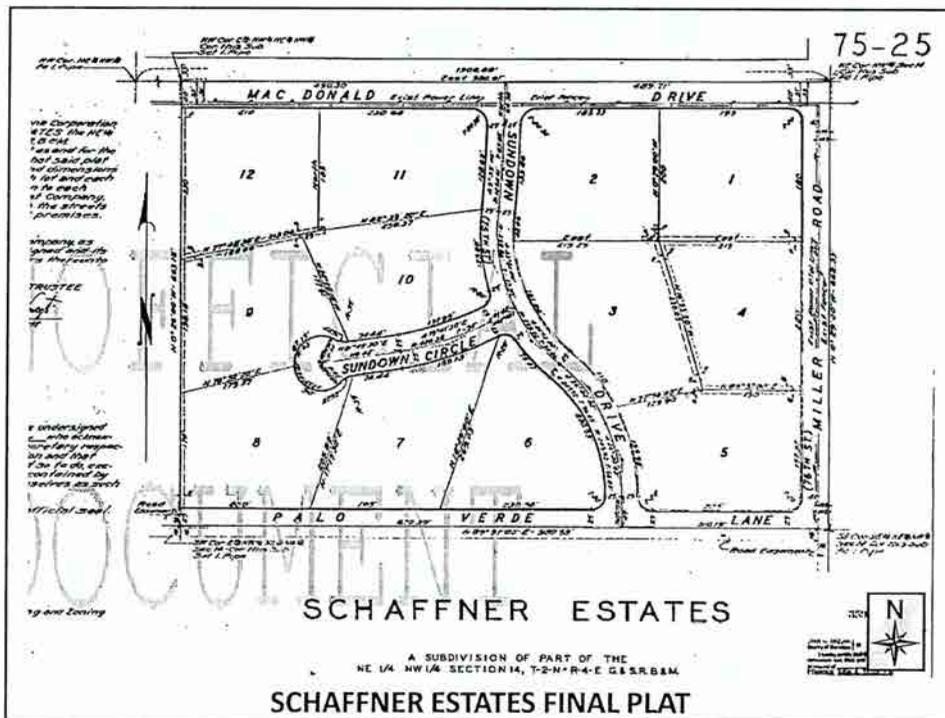
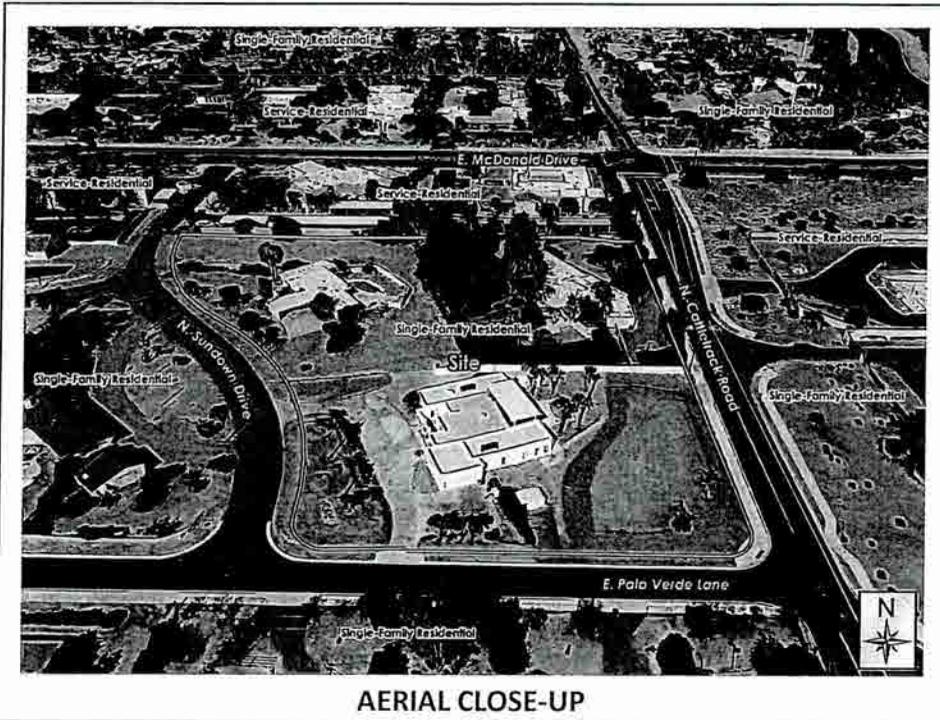
- Applicant Open House for proposed major General Plan amendment held on December 15, 2016
- City Hosted Open House held on September 14
 - One attendee specifically for this major General Plan amendment with general questions
- Remote hearing with one resident expressing concerns regarding increased density in the neighborhood
- Planning Commission Recommended approval
- Correspondence included with staff report

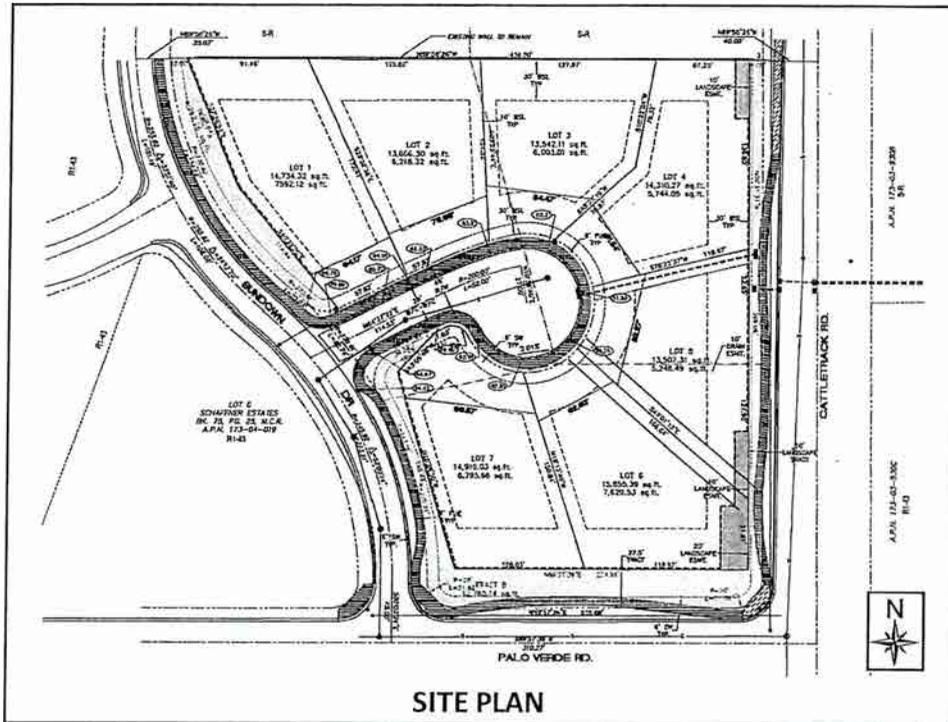
1-GP-2017



CONTEXT AERIAL

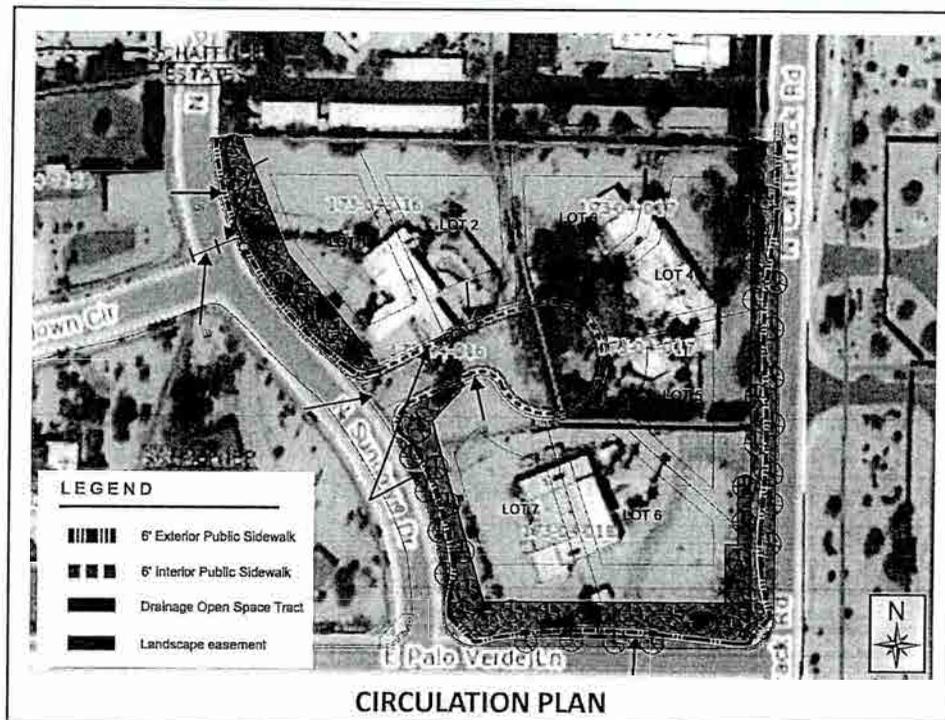
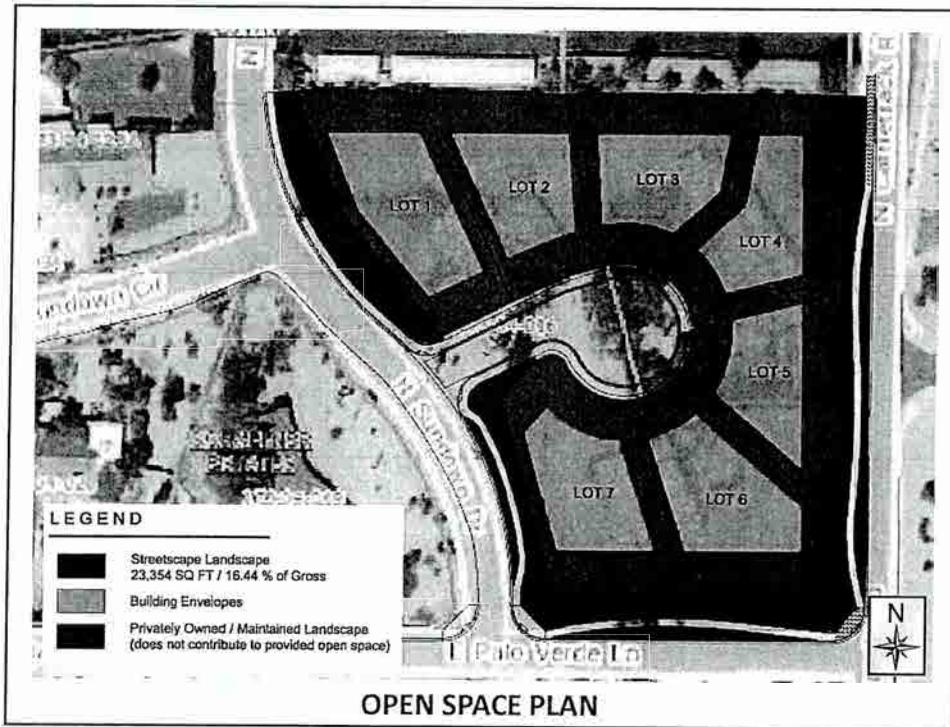


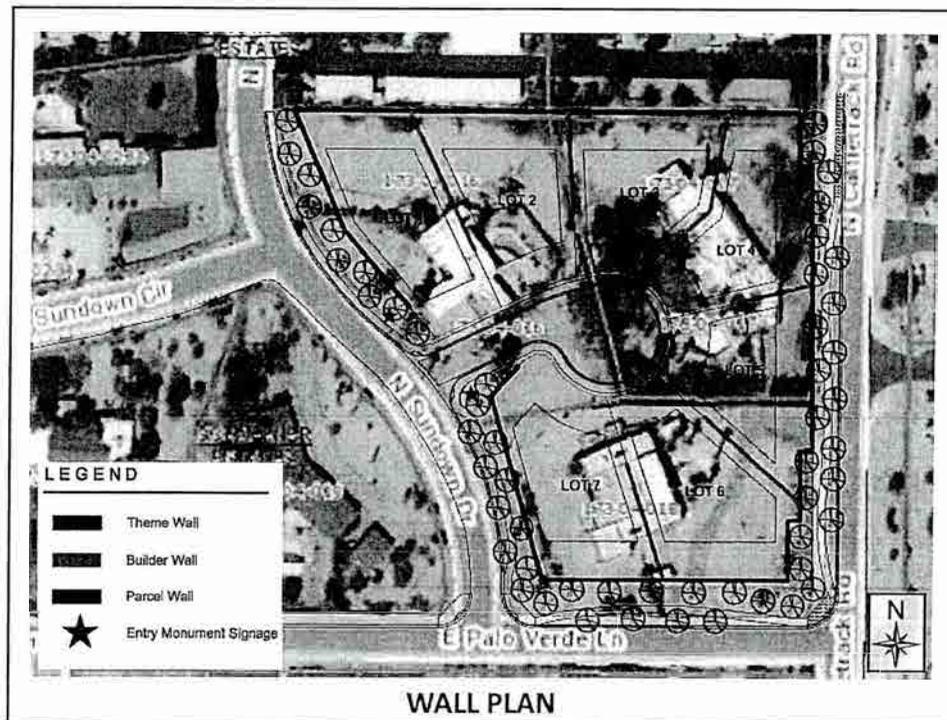
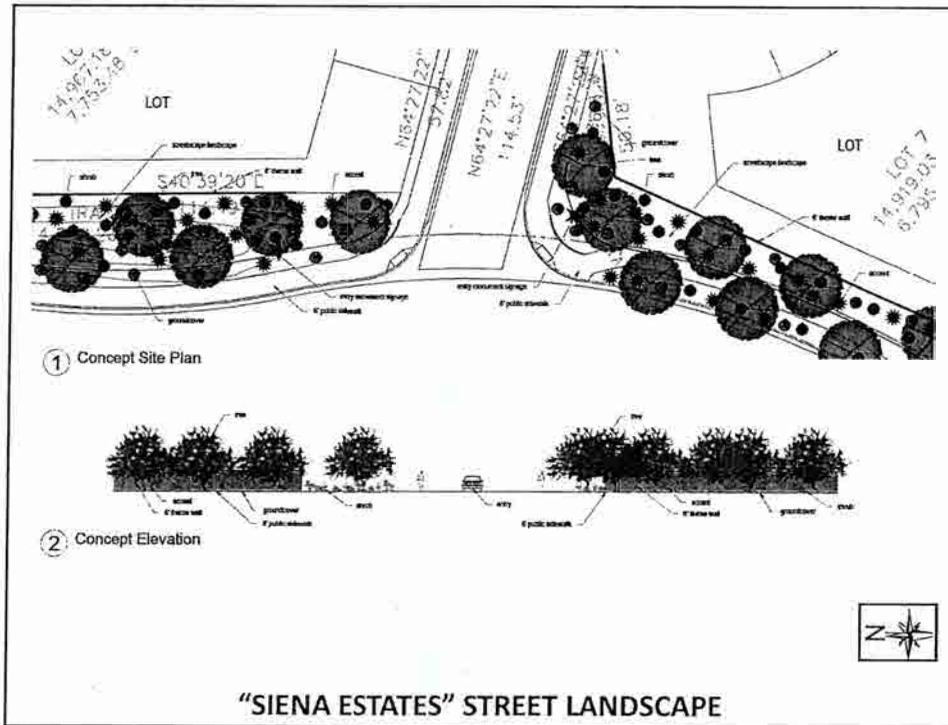




Case Fact Sheet

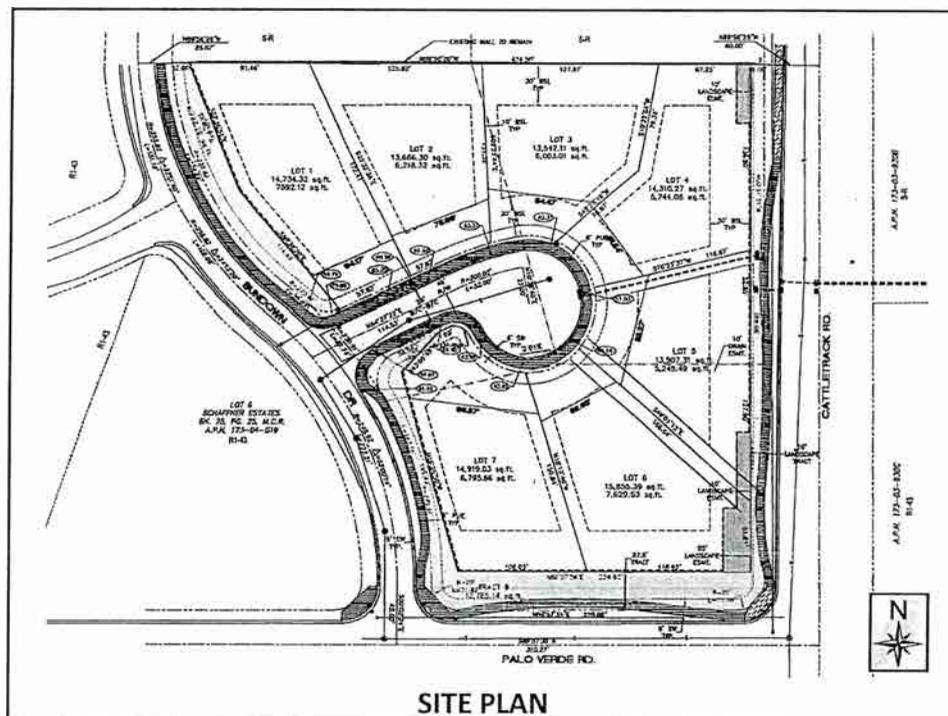
- Existing Use: Single-family Subdivision (3 Lots)
- Proposed Use: Single-family Subdivision (7 Lots)
- Parcel Size: 3.8 acres (gross lot area)
2.9 acres (net lot area)
- Building Height Allowed: 30 feet
- Building Height Proposed: 30 feet (single-story)
- Open Space Required: Not Applicable
- Open Space Provided: 23,350 square feet
- Density Allowed (R1-43): 3 lots (0.85 du/ac)
- Density Allowed (R1-18): 7 lots (1.90 du/ac)
- Density Proposed (R1-18/PRD): 7 lots (1.90 du/ac)



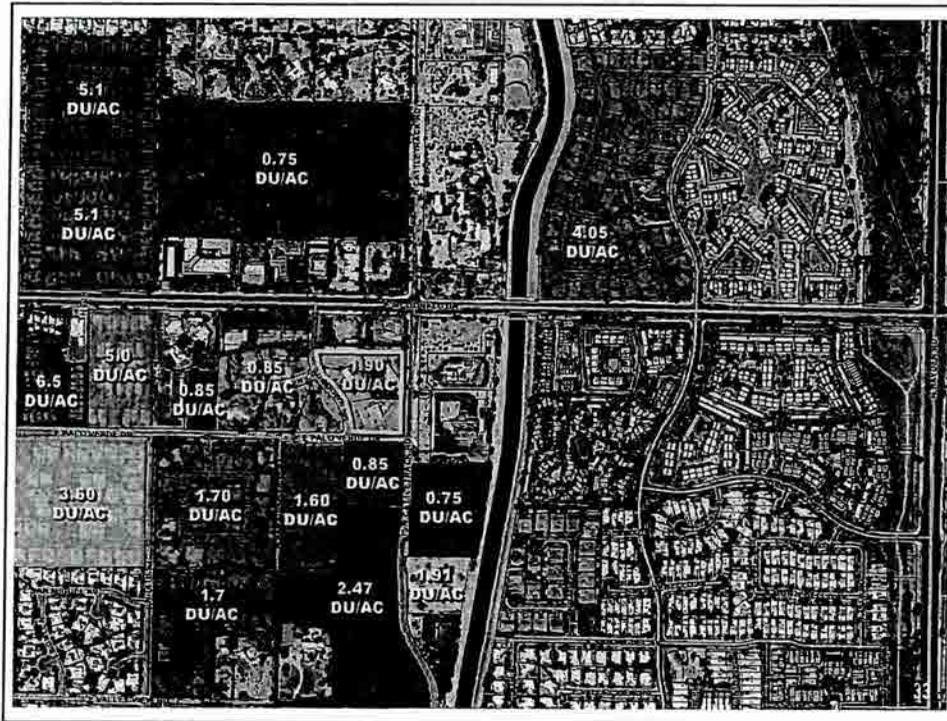


Zoning Key Considerations

- Planning Commission heard this case at the October 25, 2017 major General Plan amendment hearing, the Planning Commission recommended approval with a vote of 6-0
- Planned Residential Development District (PRD) Findings and Criteria
- Request for amended development standards
- Three existing single-family properties located on subject property to be replaced with a 7-lot subdivision
- Proposal providing an additional 23,350 square-feet of Tract Open Space
- Public comment concerns with four-sided architecture and increases in density
- N. Cattletrack Road improvements to compliment project further south on N. Cattletrack Road



SITE PLAN



Siena Estates

Contacts

City contacts:

Sara Javoronok, 480-312-7918
sjavoronok@scottsdaleaz.gov
Jesus Murillo, 480-312-7849
jmurillo@scottsdaleaz.gov

Applicant contact:

Stephen Adams, 480-244-2557
sadams@adamscraigacq.com

1-GP-2017/10-ZN-2017

Siena Estates



1-GP-2017 Detail Aerial – Office/S-R

Contacts

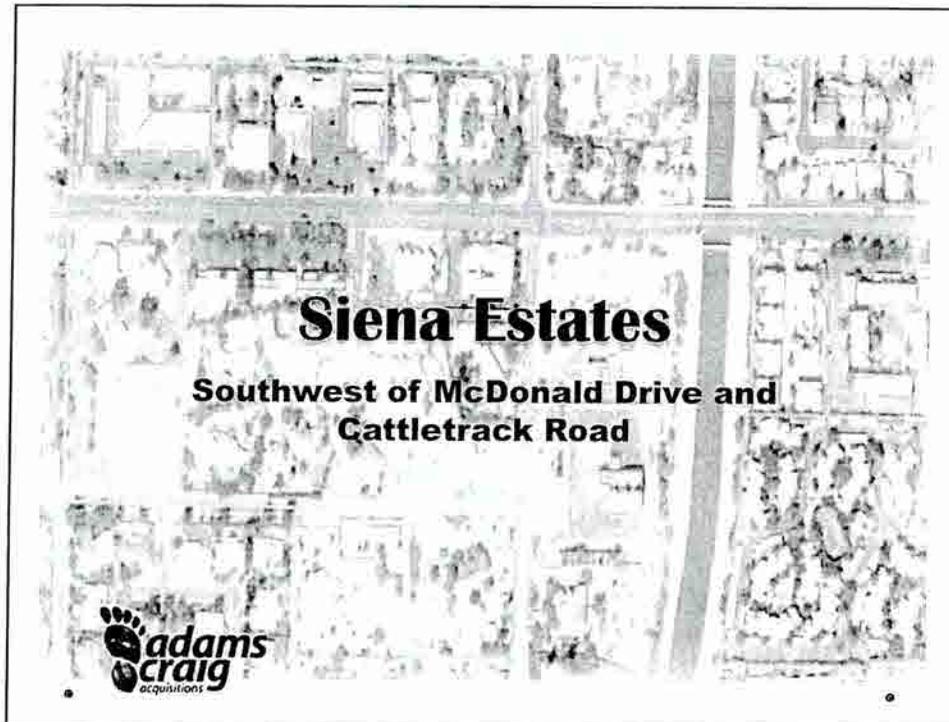
City contacts:

Sara Javoronok, 480-312-7918
sjavoronok@scottsdaleaz.gov

Taylor Reynolds, 480-312-7924
treynolds@scottsdaleaz.gov

Applicant contacts:

- 1-GP-2017 Stephen Adams, 480-244-2557
- 3-GP-2017 Nick Wood, 602-382-6269
- 4-GP-2017 Jordan Rose, 480-505-3939



Siena Estates

- Stephen Adam, owner of Adams Craig, is a resident of the neighborhood and has been for the past 10 years. Lived in Prado Village, on Jackrabbit and now building a new home in Schaffner Estates.
- Maintaining the beauty and character of the neighborhood is a priority for Adams Craig and a key component of the Siena Estates plan.
 - Stephen Adams or a company representative personally reached out to or met with neighbors who had interest or comments in the planning of Siena Estates.
 - Adams Craig desires to build a community that increases neighborhood pride and home values.
 - The lots in Siena Estates were laid out in many iterations with the final plan mirroring the cul-de-sac of Schaffner Estates to create continuity.
 - Architectural restrictions within Siena Estates will emphasize pleasing curb appeal on all four sides of the home's exterior to ensure that Siena Estates feels like an extension to Schaffner Estates and the surrounding communities.
 - To maintain the open feel of the area, planned desert landscape tracts with some meandering sidewalks border the community along the surrounding streets.
 - All homes within Siena Estates will be restricted to single level residences.
 - Design and construction principles will be guided by Adams Craig's expertise in green and sustainable building.



Siena Estates

- Stephen Adam, owner of Adams Craig, is a resident of the neighborhood and has been for the past 10 years. Lived in Prado Village, on Jackrabbit and now building a new home in Schaffner Estates.
- Design principles, values and priorities are selected to maintain the beauty and character of the neighborhood.
 - Personal communication with interested neighbors.
 - This development will infuse pride and value into the area.
 - Last layout iteration mirrors the existing community cul-de-sac.
 - Four sided architecture to blend project homes into the area.
 - Open landscape and meandering sidewalks used on perimeter.
 - Single level voluntary restriction.
 - Green and sustainable design and construction enforced.



Siena Estates

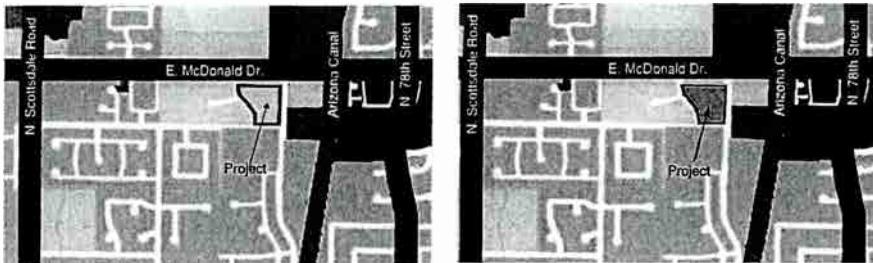
- Development by Adams Craig Acquisitions
- 7 lots created from 3 lots (3.8 acres) within Schaffner Estates at SWC of McDonald Drive and Cattletrack Road (Density from 0.8 du/ac to 1.8 du/ac)
- Southern Scottsdale Character Area
- General Plan Amendment (1-GP-2017) to take property from Rural to Suburban uses (Group A to Group B).
- Zoning Case (10-ZN-17) to take property from R1-43 to R1-18 PRD.



Siena Estates Vicinity



General Plan Map



• Current

Land Use Legend

 Rural Neighborhoods	 Commercial
 Suburban Neighborhoods	 Office
 Urban Neighborhoods	 Employment
 Mixed Use Neighborhoods	 Natural Open Space
 Access/Utilities	 Developed Open Space (Park)
 Mass Commerce	 Developed Open Space (Ball Courts)
 Major Support District	 Cultural/Institutional or Public Use
 Regional Use District	
 ECDowell Senior Precinct	
 Recommended Study Boundary of the McDonald Senior Precinct	
 City Boundary	 Location not yet determined

Proposed



Surrounding Zoning

- R1-18
- R1-43
- Project Area
- S-R



Layout Progression



DEVELOPMENT STANDARDS

STANDARD	R1-43	R1-18	AMENDED R1-18
Lot Size (sf)	43,000	18,000	13,500 ¹
Lot Width (ft)	150	120	60 ²
Front Setback (ft)	40	35	30 ³
Rear Setback (ft)	35	30	30
Side Setback (ft)	20	10	10
Height (ft)	30	30	30

- 1- Equal to administrative reduction (25%).
- 2- To accommodate layout that works for the odd shaped lot.
- 3- To allow for larger rear yards on the homes, within (25%) reduction.



Proposed Land Plan

PROJECT DATA

EXISTING ZONING: R1-43
 PROPOSED ZONING: R1-18 FRD
 EXISTING GP: R20K
 PROPOSED GP: SUBURBAN
 CROPS AREA: 3.50 AC
 SOILS: 1.81 DRAINIC
 PARCEL AREA: 2.59 AC
 PREP. ROW AREA: 0.33 AC
 NET AREA: 2.79 AC
 TRACT AREA: 0.35 AC
 OPEN SPACE: 17,655 SF
 NET OPEN SPACE %: 14.3%

NOTE:
 -GROSS AREA IS CALCULATED AS THE AREA TO THE CL OF THE ADJACENT SIDEWALKS (ZONING BOUNDARIES)
 -PARCEL AREA IS THE TOTAL OF LOTS 3-5

LEGEND

- Swescape Landscape
27,472 SQ FT / 15.82 % of Gross
- Building Envelopes
- Privately Owned / Maintained Landscape
(does not contribute to provided open space)
Landscape Easement
Area: 187 SQ FT

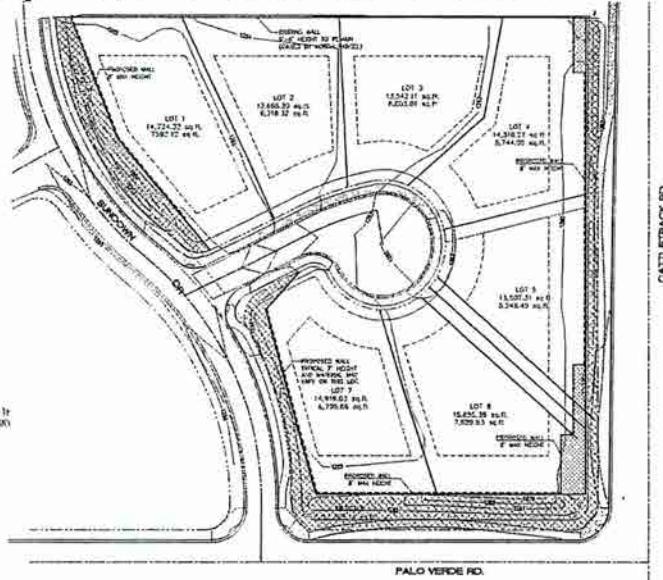


Proposed Land Plan

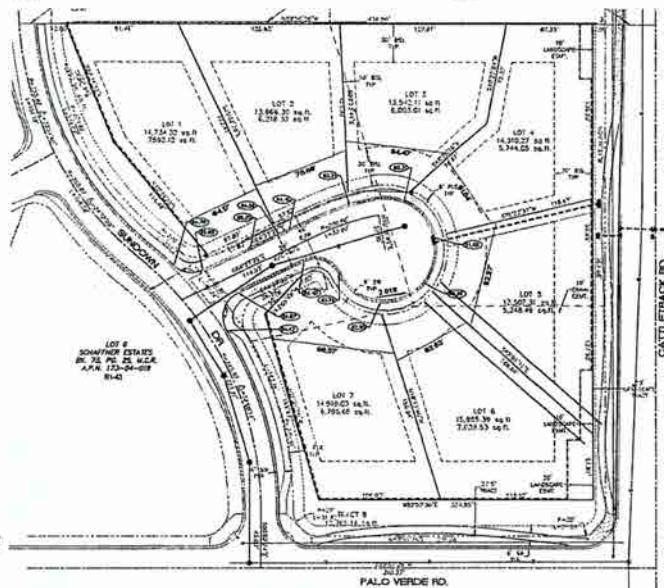
PROJECT DATA

EXISTING ZONING: R1-43
 PROPOSED ZONING: R1-18 FPD
 EXISTING CP: RURAL
 PROPOSED CP: RESIDENTIAL
 GROSS AREA: 3.03 AC
 DENSITY: 1.84 DU/AC
 PARCEL AREA: 2.69 AC
 PROP. ROW AREA: 0.329 AC
 NET AREA: 2.70 AC
 TRACT AREA: 0.39 AC
 OPEN SPACE: 17,065 SF
 NET OPEN SPACE %: 14.5%

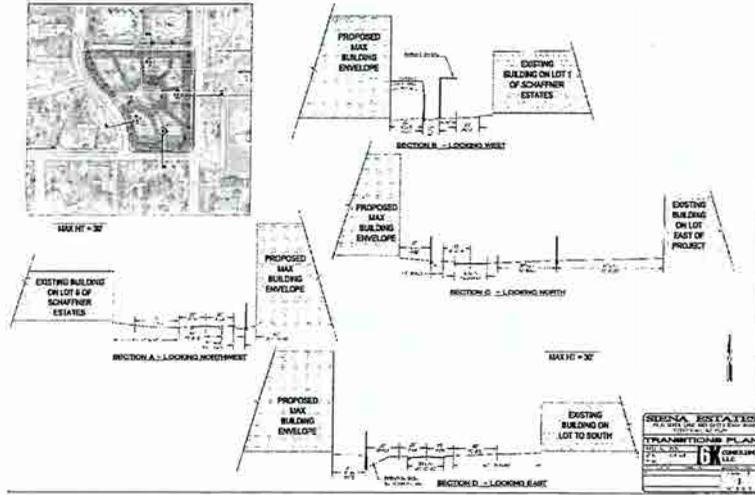
NOTE:
 -GROSS AREA IS CALCULATED AS THE AREA TO THE CL OF THE ADJACENT STREETS (LEADING BOUNDARY)
 -PARCEL AREA IS THE TOTAL OF LOTS 3-5.



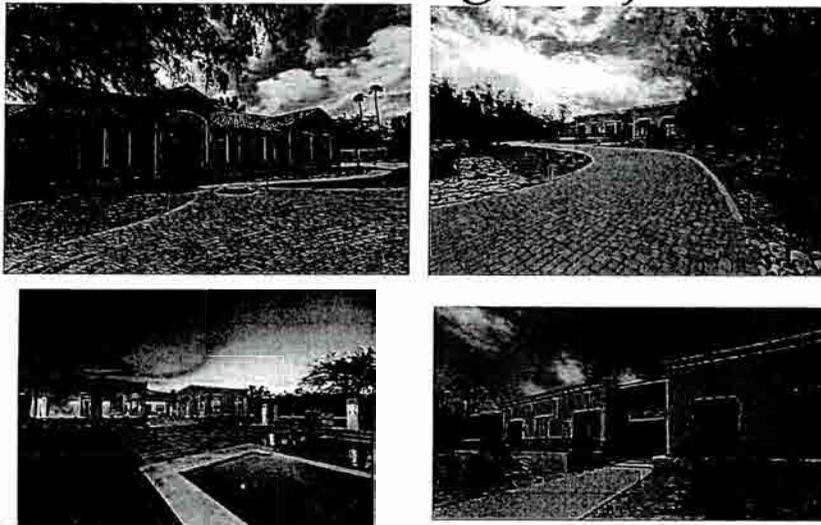
Proposed Grading Plan



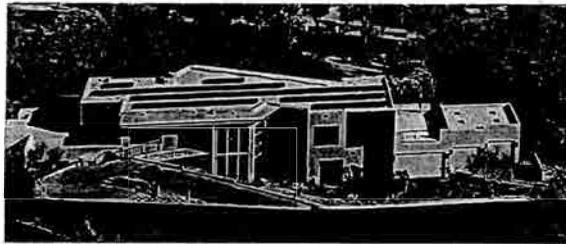
Transitions Plan



Adams Craig Projects



Adams Craig Projects



Thank You!
Please approve both the
GP and Zoning cases for
Siena Estates



Item 4

7676 E Pinnacle Peak

3-GP-2017 & 11-ZN-2017

City Council

12/4/2017

Coordinators: Taylor Reynolds | Jesus Murillo

7676 E Pinnacle Peak



3-GP-2017

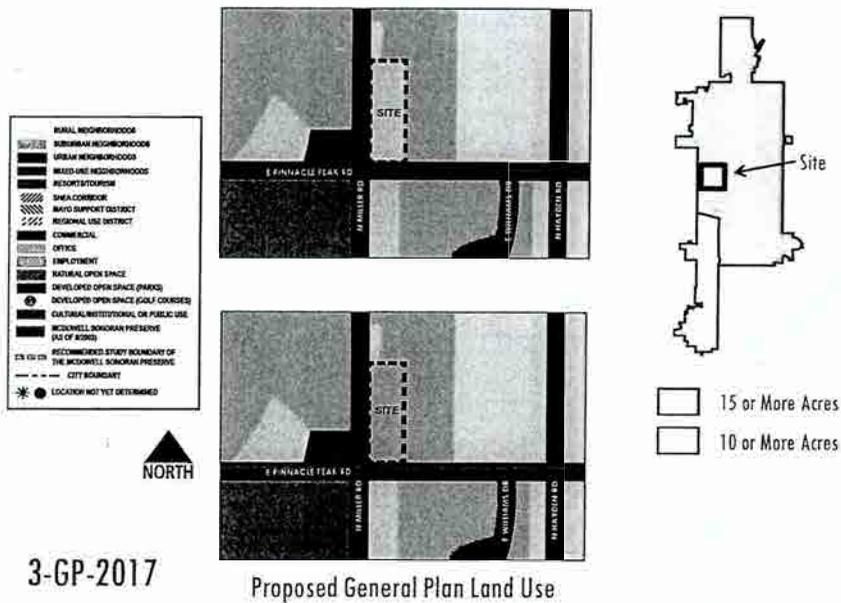
Context Aerial

Applicant's Request

- Request for a major General Plan amendment to the City of Scottsdale General Plan 2001 to change the land use designation from Office to Suburban Neighborhoods on a 19.7 +/- acre site located at 7676 E. Pinnacle Peak Road.
- Companion Zoning Case
11-ZN-2017

3-GP-2017

7676 E Pinnacle Peak

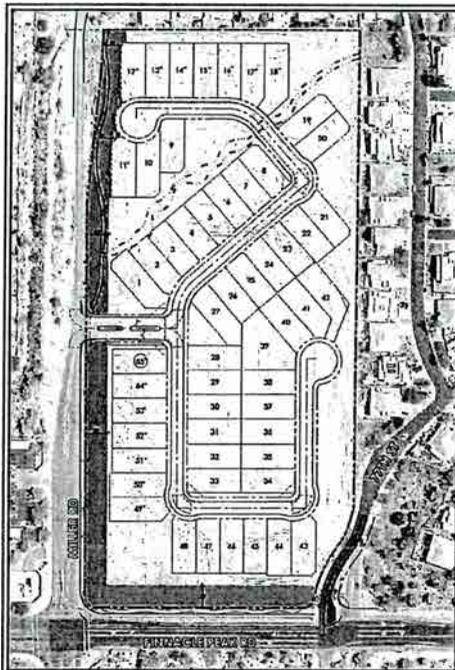


7676 E Pinnacle Peak

Key Considerations

- Proposed development of 55 single-family units
- Proposed density and site plan meet the description of Suburban Neighborhoods
- Request is in keeping with the projected increase of this residential development-type in this area of the community
- Implementation of Desert Scenic Roadway

3-GP-2017



Suburban Neighborhoods

- 2.8 du/acre
- Clustering of lots to protect wash

Desert Scenic Roadway

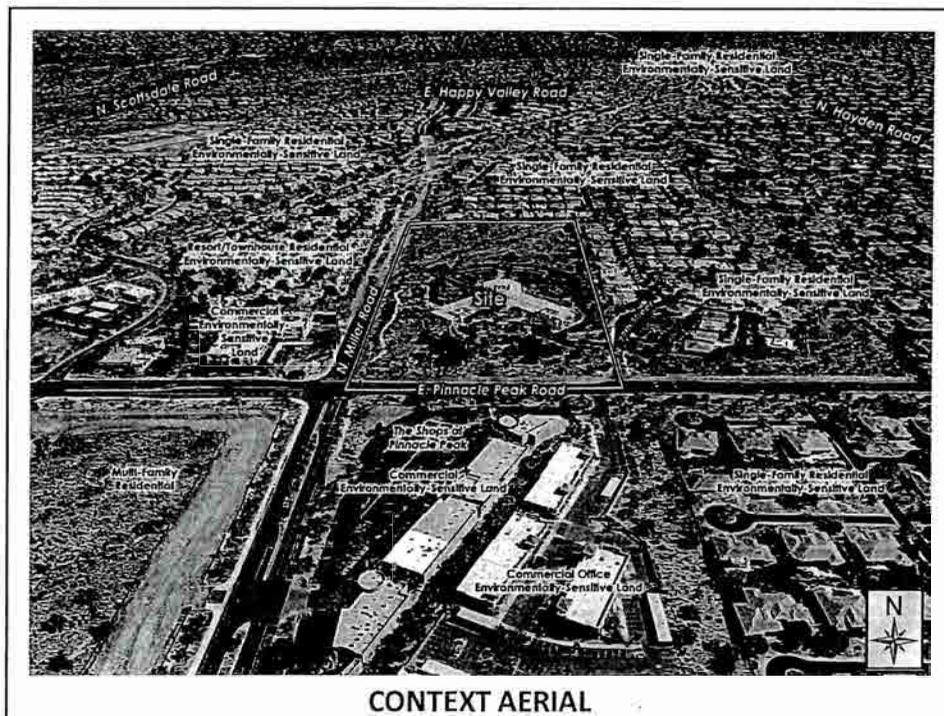
- Based on context — no technical standard
- Similar widths to context area
 - 40' Miller Rd
 - 50' Pinnacle Peak Rd

7676 E Pinnacle Peak

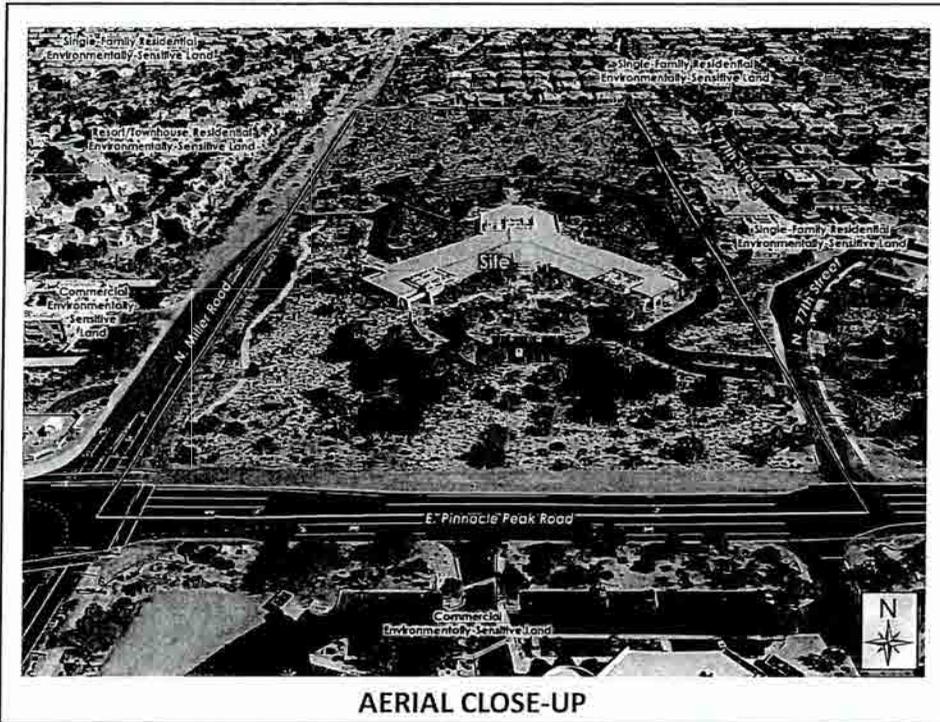
Community involvement

- Applicant held 2 Open House events — June 7 & September 13
- City Hosted Open House — September 14
- PC Remote/Recommendation Hearings — October 4 & 25
- Resident correspondence received

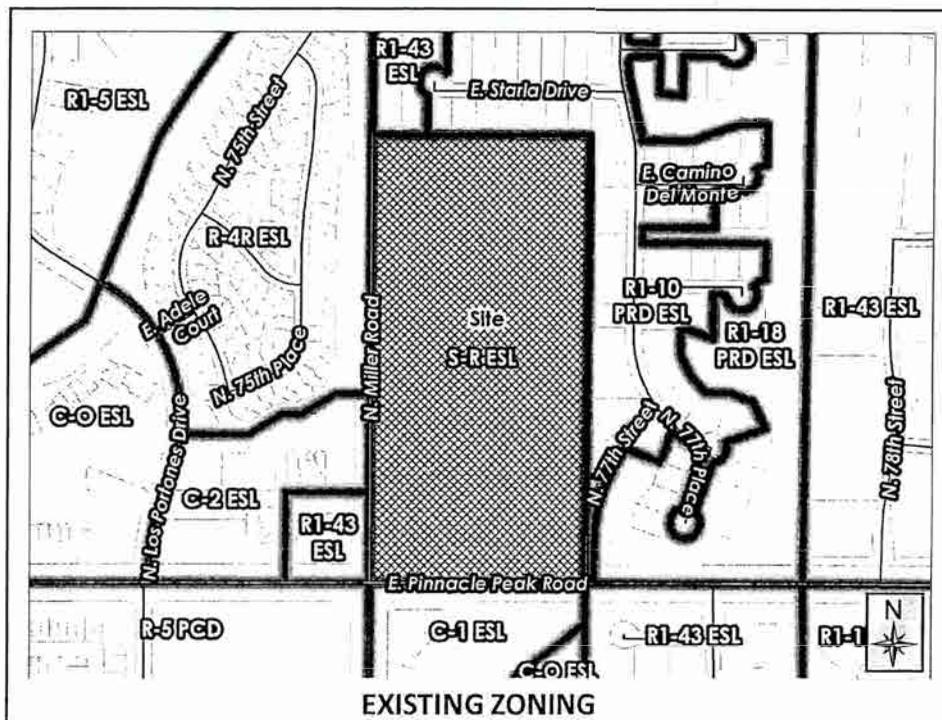
3-GP-2017



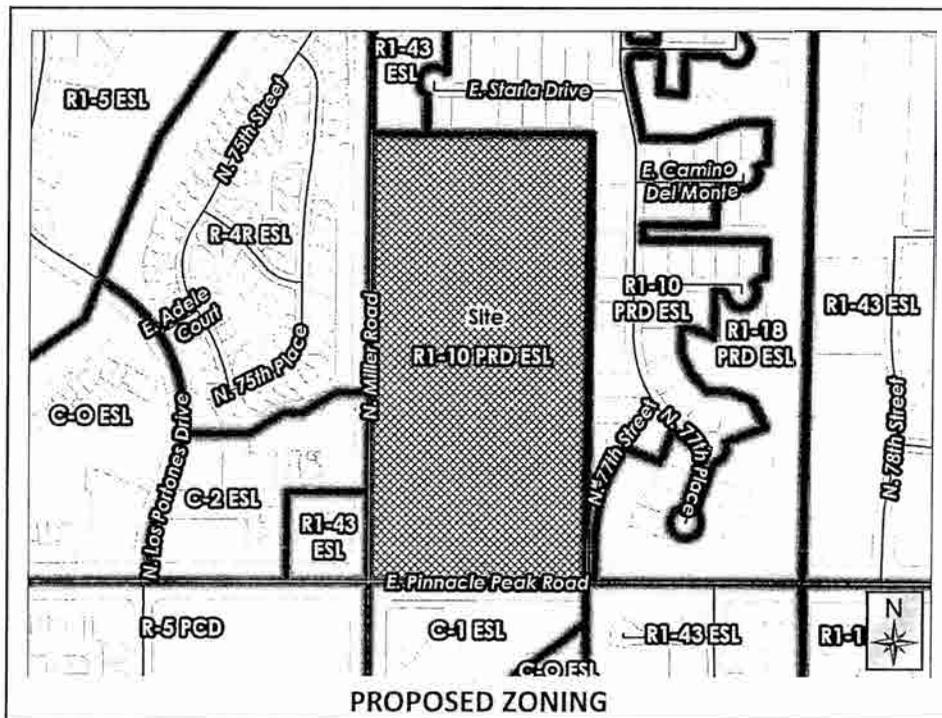
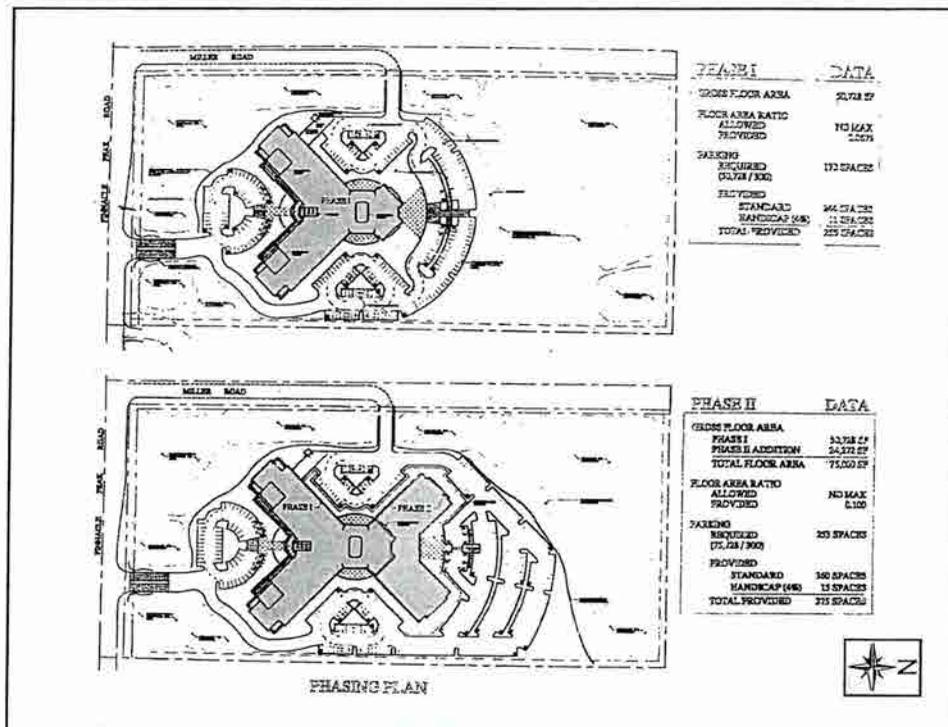
CONTEXT AERIAL



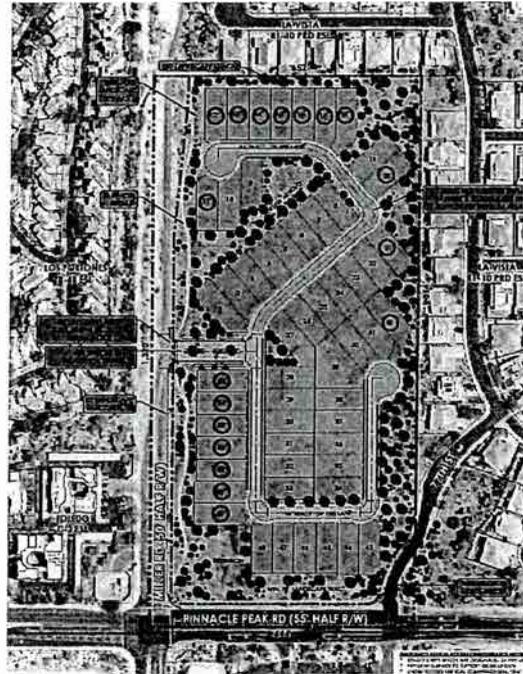
AERIAL CLOSE-UP



EXISTING ZONING



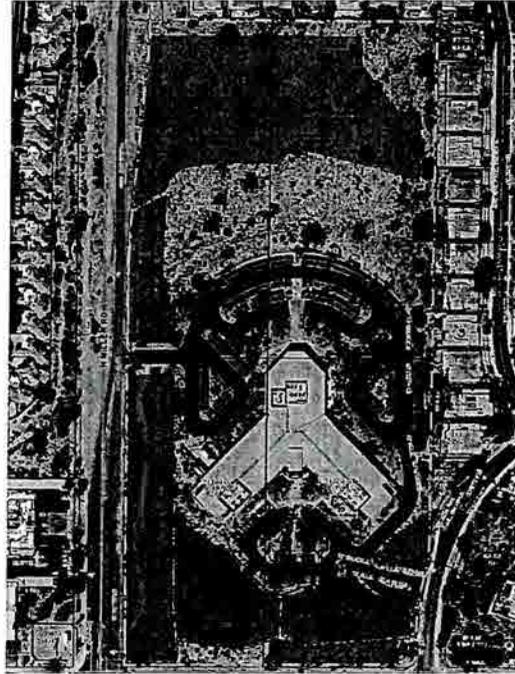
Site Plan



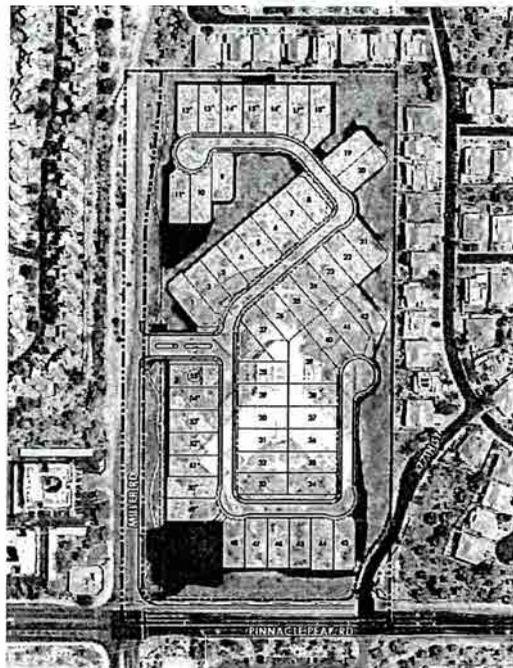
Case Fact Sheet

•Existing Use:	Office
•Proposed Use:	Residential Subdivision (55-lots)
•Parcel Size:	19.7 acres (gross lot area) 17.0 acres (net lot area)
•Bldg. Height Allowed (S-R):	18 feet (S-R/ESL)
•Bldg. Height Allowed (ESL):	24 feet (R1-10/ESL)
•Building Height Proposed:	24 feet
•Open Space Required (ESL):	4.3 acres NAOS
•Open Space Provided:	4.8 acres NAOS
•Density Allowed (S-R):	236 units (12 du/ac)
•Density Allowed (ESL):	61 units (3.12 du/ac – R1-10)
•Density Proposed (R1-10):	55 units (2.8 du/ac – R1-10/PRD)

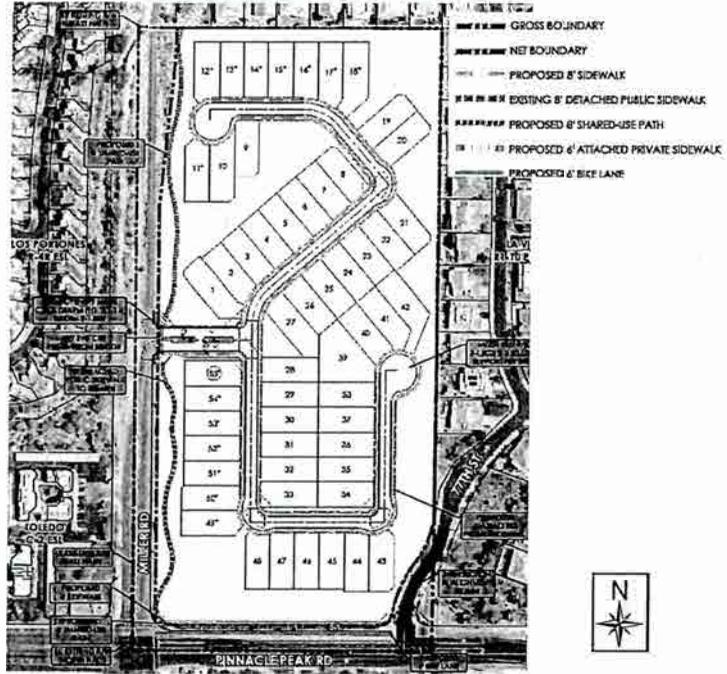
Existing
NAOS



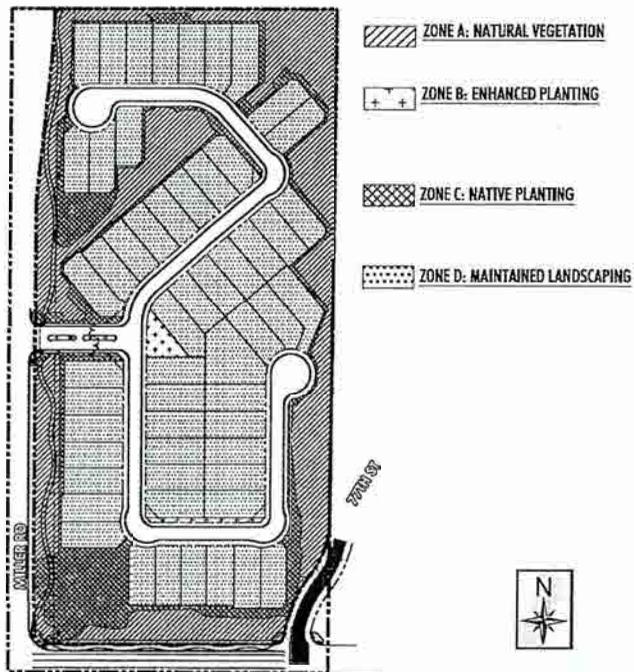
Proposed
NAOS



Circulation Plan



Landscape Plan



	Standard S-R/ESL	Approved S-R/ESL	Proposed Standard R1-10/ESL	Proposed R1-10/ESL/PRD
Zoning	S-R/ESL (19.7 acres gross)	S-R/ESL (19.7 acres gross)	R1-10/ESL (19.7 acres gross)	R1-10/ESL/PRD (19.7 acres gross)
Density	12.0 du/ac	N/A	3.12 du/ac	2.8 du/ac
	236 Units	N/A	61 Units	55 Units
NAOS	6.12 Acres (Density Based)	4.08 Acres (Non-density Based)	4.3 Acres	4.8 Acres
Building Height	18 feet	18 feet	24 feet	24 feet

Zoning Key Considerations

- Planned Residential Development District (PRD) Findings and Criteria
- The proposal includes Desert Scenic Roadway dedications along both E. Pinnacle Peak and N. Miller Roads
- Environmentally Sensitive Lands Overlay
- Request for amended development standards
- Proposal providing an additional 0.5 acre of Natural Area Open Space

Planning Commission

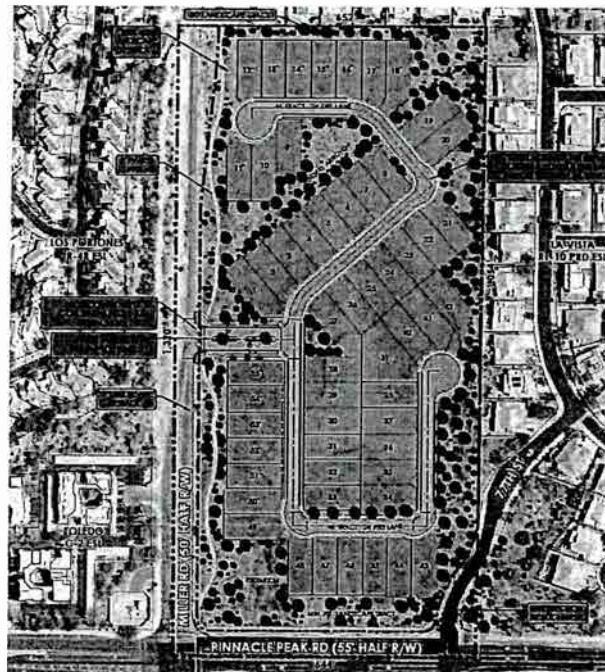
- Planning Commission heard this case at the October 25, 2017 major General Plan hearing, and recommended approval with a vote of 5-0, with amendments to the stipulations:

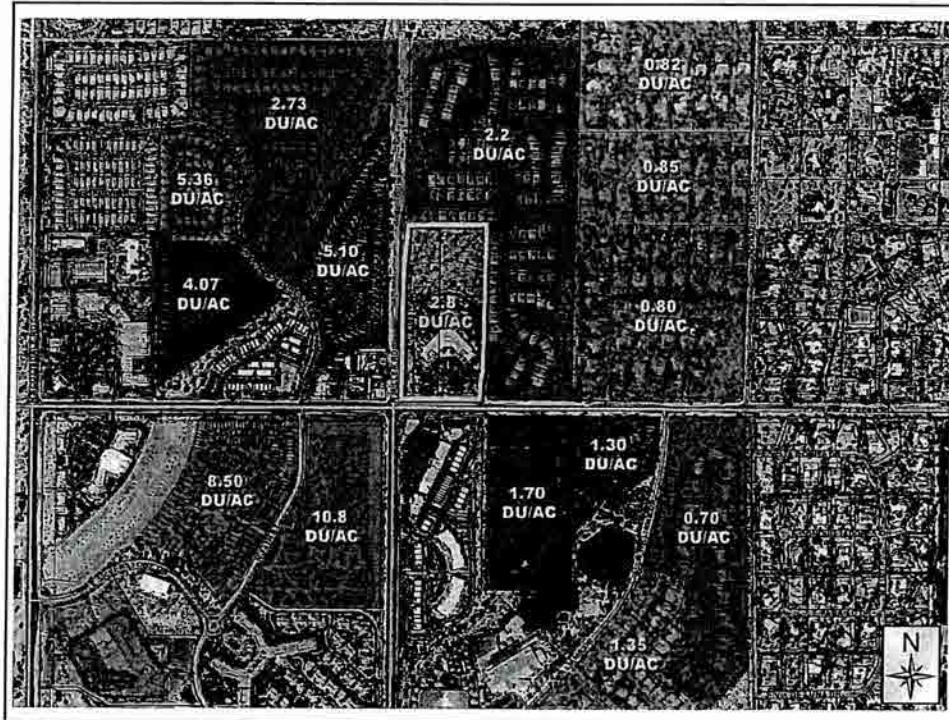
Amended development standards:

There shall be a front yard having a depth of not less that thirty (30) feet. fifteen (15) feet. **thirteen (13) feet**, and thirty (30) feet. eighteen (18) feet **nineteen (19) feet** to face of garage.

Proposed lots 11, 12, 13, 14, 15, 16, 17, 18, **20, 21, 42**, 49, 50, 51, 52, 53, 54, and 55 are limited to a **1-story design** (2nd-story prohibited).

Site Plan





7676 E Pinnacle Peak

3-GP-2017 & 11-ZN-2017

Coordinators: Taylor Reynolds | Jesus Murillo

480-312-7924 | 480-312-7849

Applicant: Nick Wood

602-382-6269

Snell & Wilmer

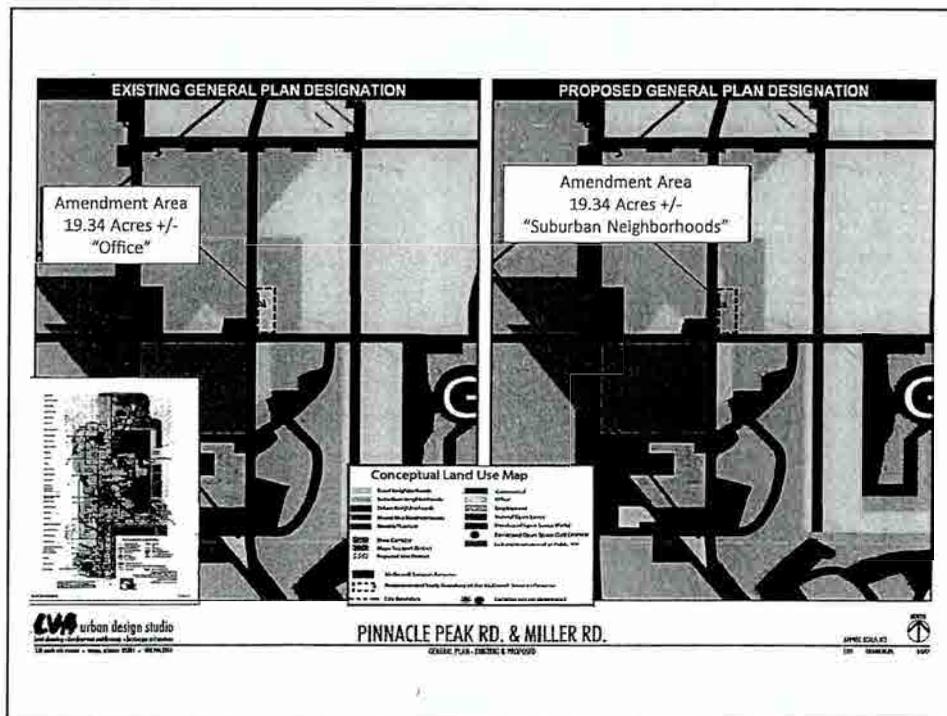
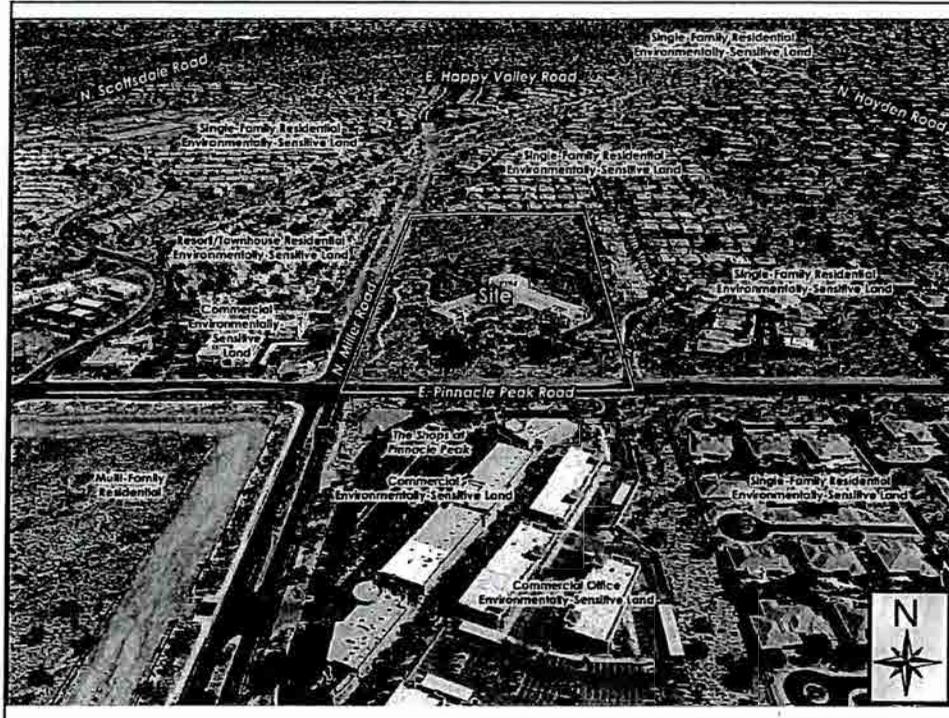
7676 East Pinnacle Peak
Minor GPA Case No. 3-GP-2017
Rezoning Case No. 11-ZN-2017

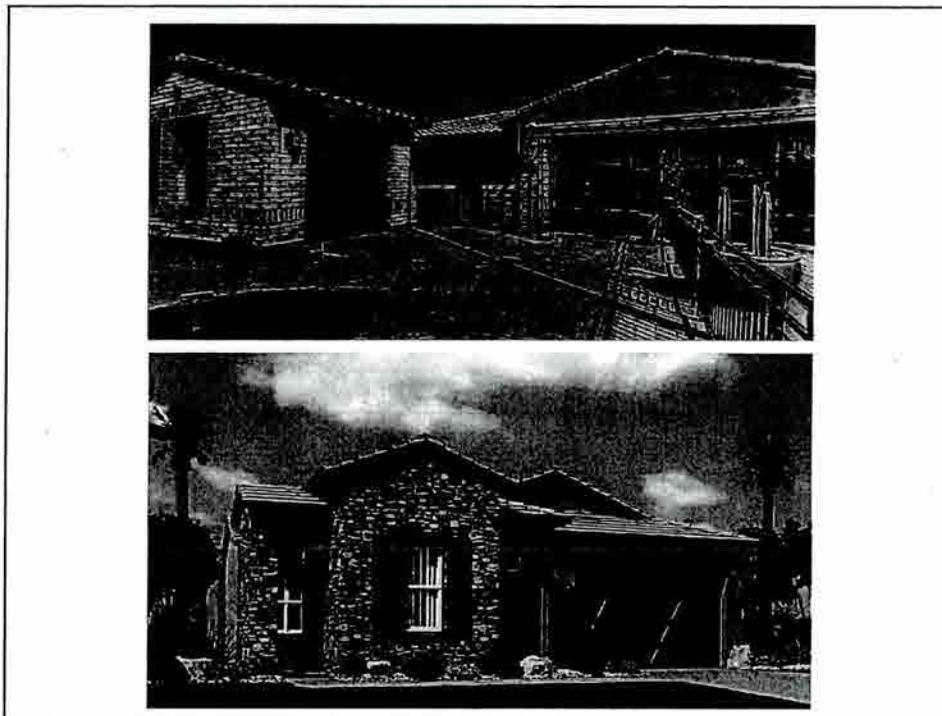
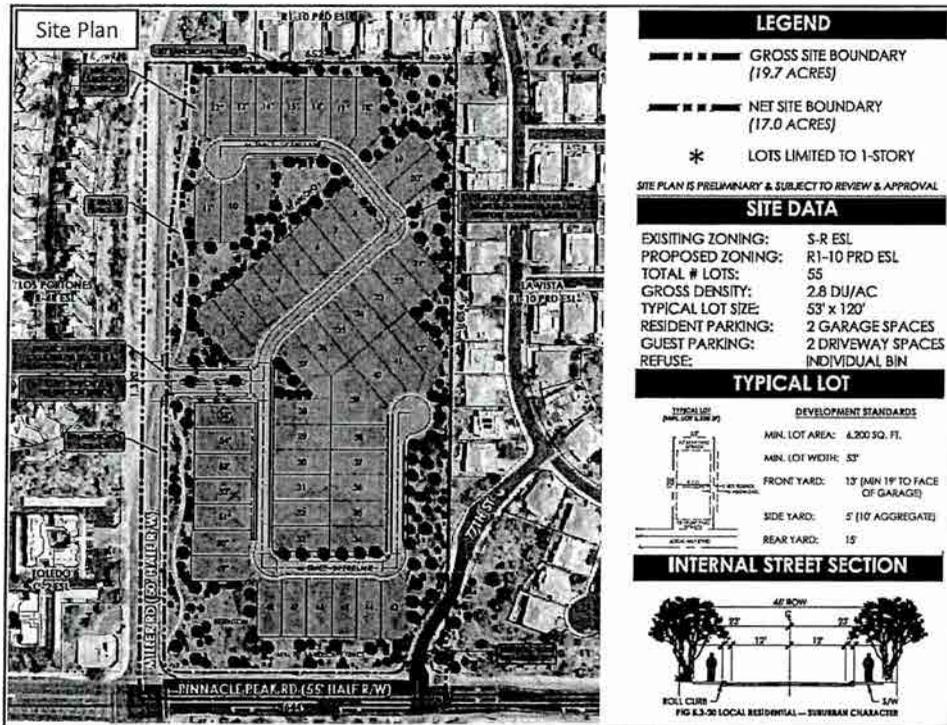
A Major General Plan Amendment Request
& R1-10 ESL PRD Rezoning Request

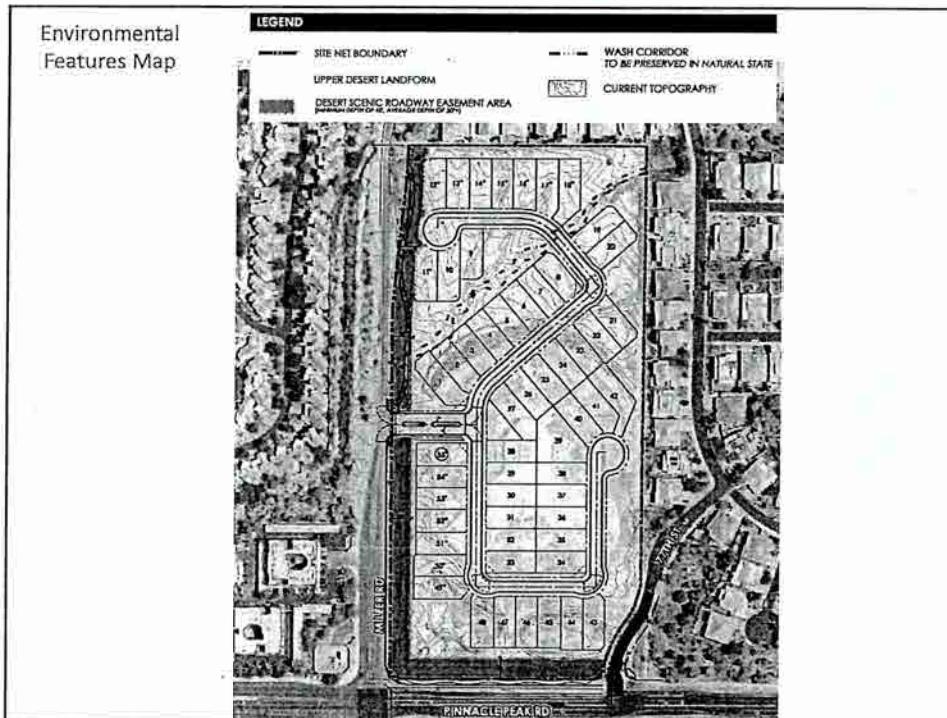
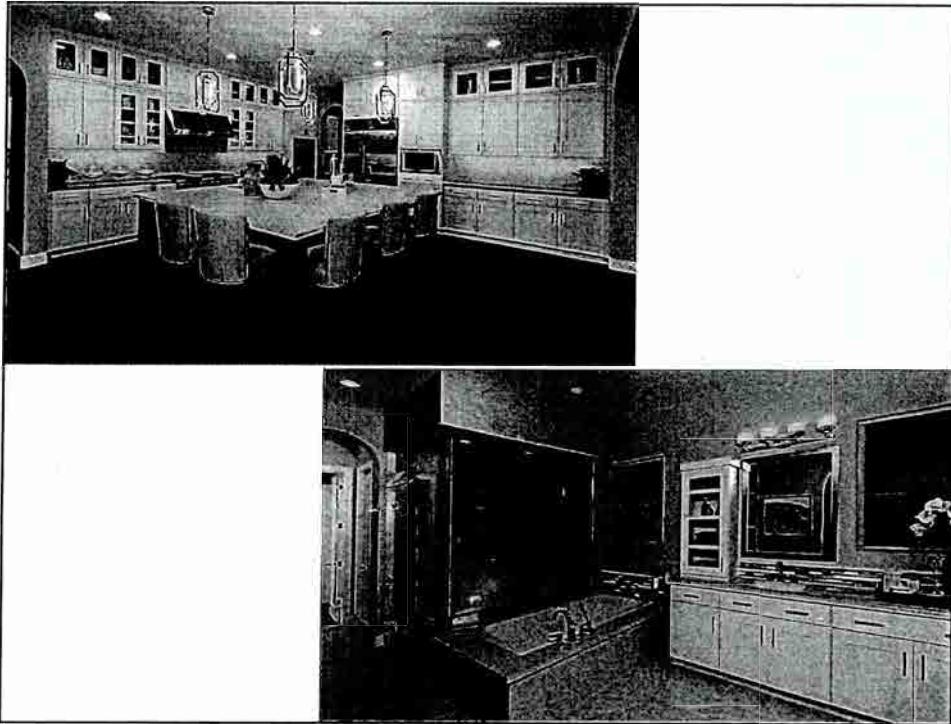
City Council Hearing | December 4, 2017

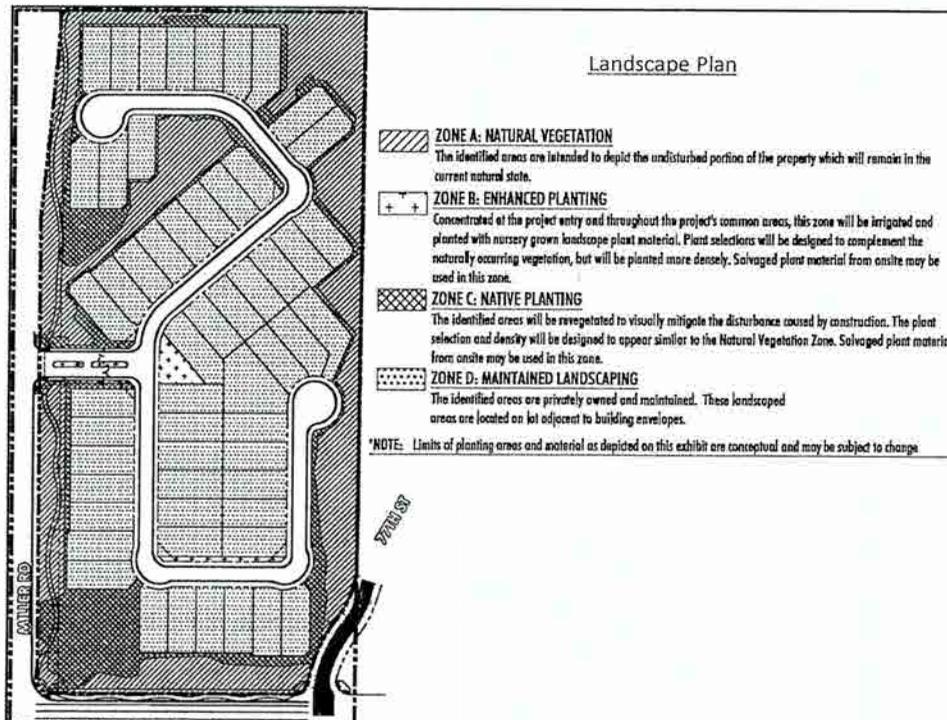
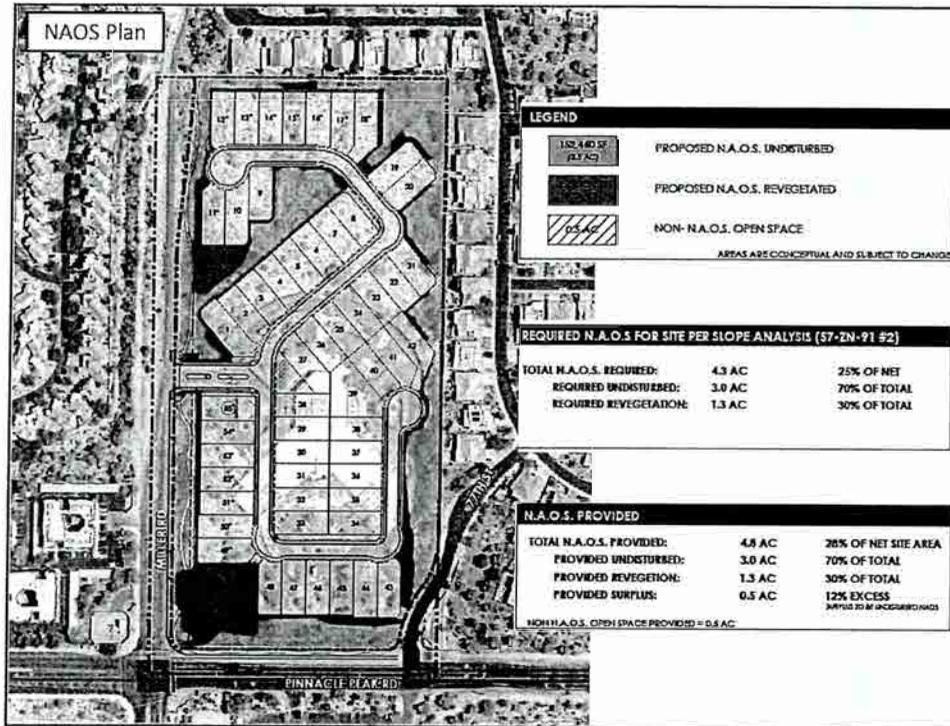
© 2017 Snell & Wilmer

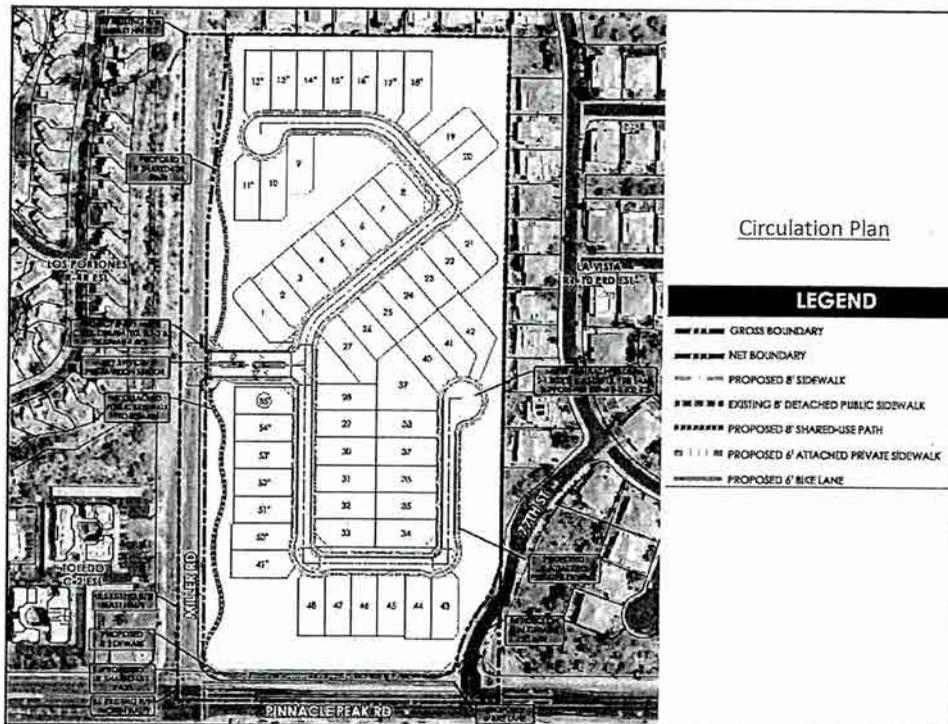
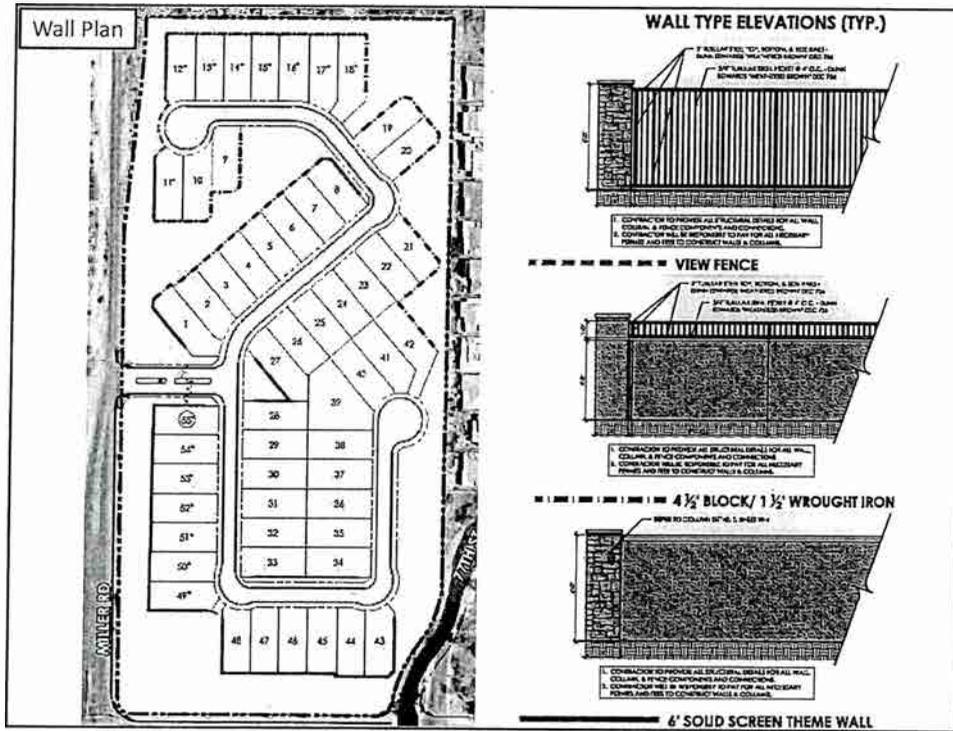




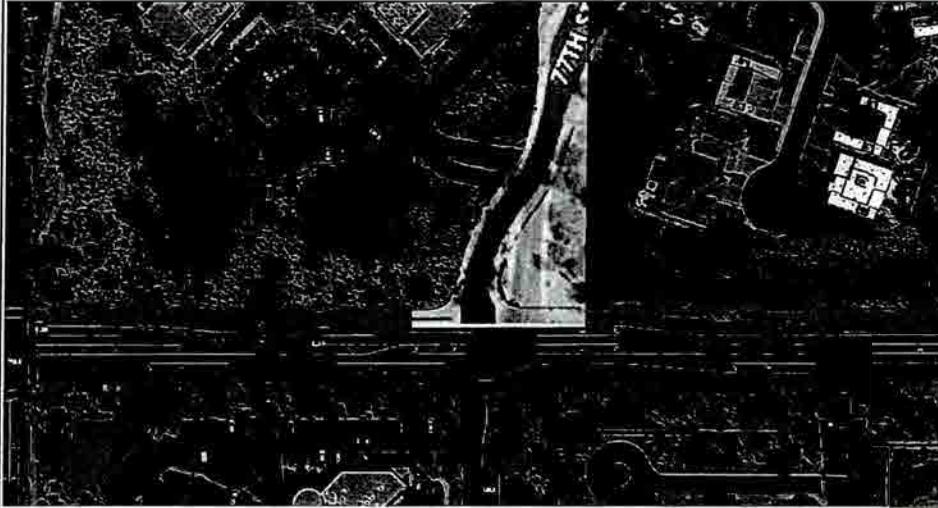








77th Street Re-Alignment



Snell & Wilmer

7676 East Pinnacle Peak
Minor GPA Case No. 3-GP-2017
Rezoning Case No. 11-ZN-2017

A Major General Plan Amendment Request
& R1-10 ESL PRD Rezoning Request

City Council Hearing | December 4, 2017

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Item 5

**Bell Group
Self Storage**

4-GP-2017 & 9-ZN-2017

City Council
December 4, 2017

City Staff: Taylor Reynolds
Bryan Cluff

Bell Group Self Storage

- Request by owner for a major General Plan Amendment to the City of Scottsdale General Plan 2001 to change the land use designation from Rural Neighborhoods to Commercial on +/- 2.8-acres of a +/- 4.6-acre site, and
- A Zoning District Map Amendment from Service Residential/Planned Community District (S-R/PCD) zoning to Neighborhood Commercial (C-1) zoning on a 4.6-acre site, located at the southeast corner of Shea Blvd. and 116th St.

4-GP-2017 & 9-ZN-2017

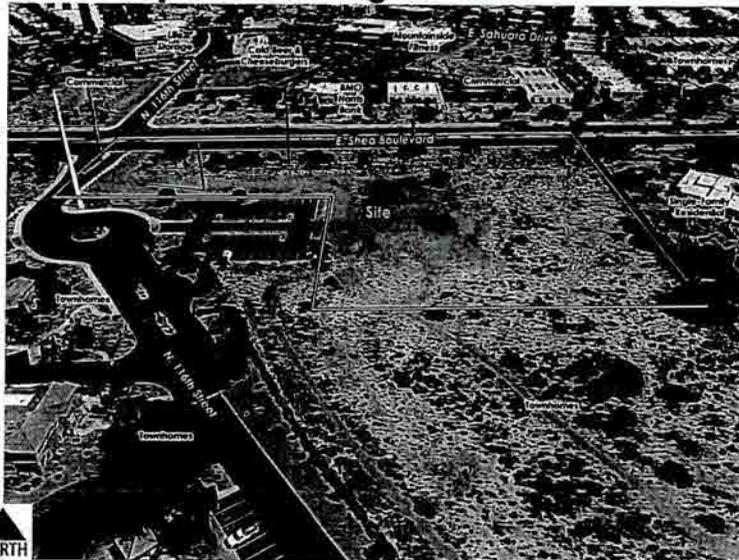
Request

Bell Group Self Storage



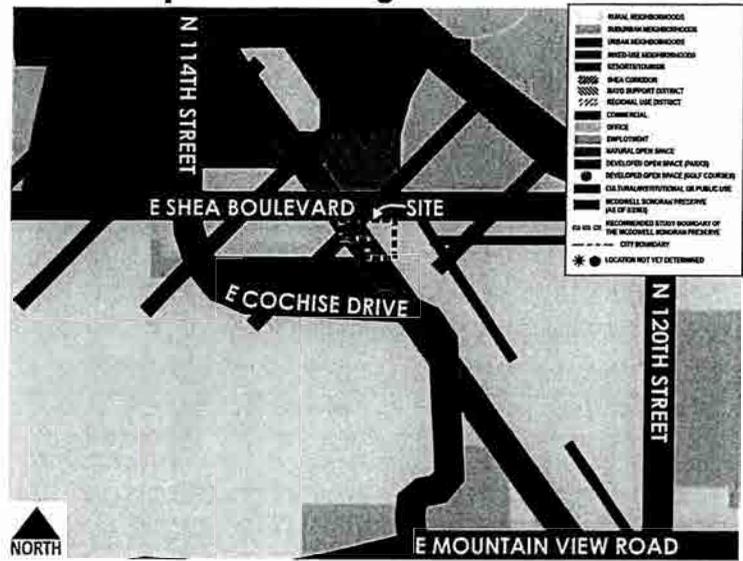
4-GP-2017 & 9-ZN-2017 Context Aerial

Bell Group Self Storage



4-GP-2017 & 9-ZN-2017 Detail Aerial

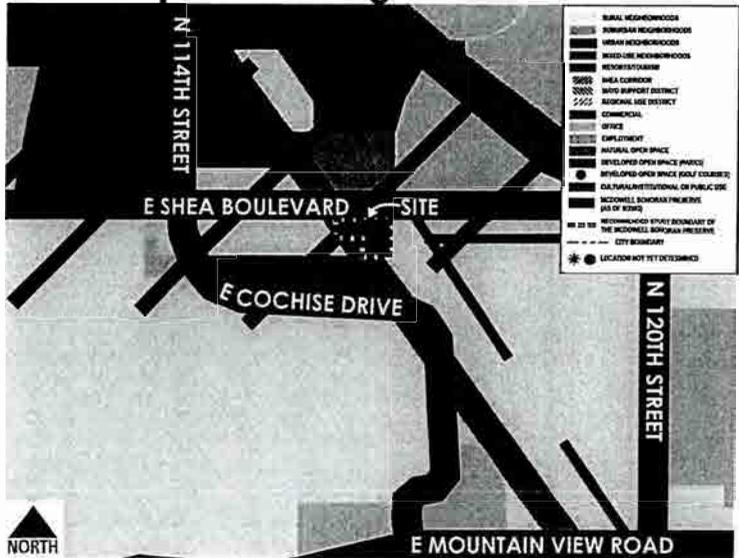
Bell Group Self Storage



4-GP-2017

Existing General Plan Land Use

Bell Group Self Storage



4-GP-2017

Proposed General Plan Land Use

Bell Group Self Storage

J. Change in Land Use Category
 A change in the land use category on the land use plan that changes the land use character from one type to another as delineated in the following table

Criteria #1, Change in Land Use

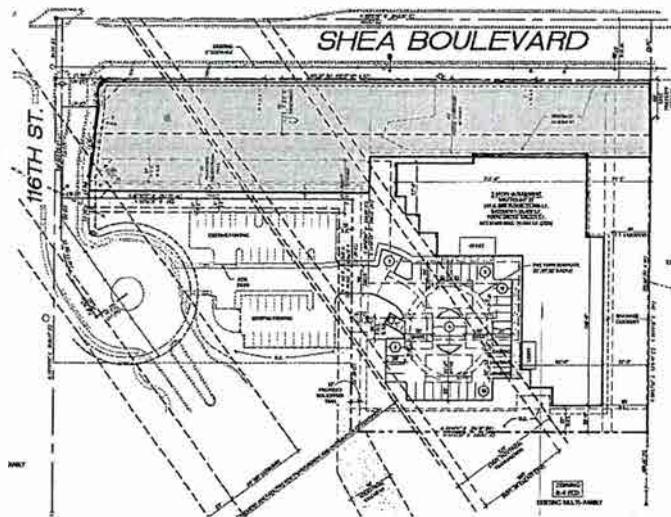
Yes	Group A	Group B	Group C	Group D	Group E
From:	Land Use Plan Category				
Group A	Rural Neighborhoods Natural Open Space	Yes	Yes	Yes	Yes
Group B	Suburban Neighborhoods Developed Open Space Cultural/Institutional or Public Use		Yes	Yes	Yes
Group C	Urban Neighborhoods Resort/Tourism	Yes			Yes
Group D	Neighborhood Commercial Minor Office Minor Employment	Yes	Yes		Yes
Group E	Commercial Office Employment Mixed Use Regional Use Overlay	Yes	Yes		

Bell Group Self Storage

Key Considerations – General Plan

- Major General Plan amendment required due to change in land use classification from Rural Neighborhoods to Commercial; the portion of the subject site located within the power line corridor easements will retain the Cultural/Institutional or Public Use designation
- Requested change in land use category falls within 2013 Citywide Land Use Assumptions Report projections for Commercial
- A substantial amount of the site will be preserved as open space

Bell Group Self Storage



- Scenic Corridor
- Average of 100'
 - Minimum of 80'

4-GP-2017

Site Plan

Bell Group Self Storage

Community Involvement

- Notified the nearby property owners and adjacent Homeowners Associations of application submittal
- Applicant Open House for proposed major General Plan amendment held on June 7
- Applicant Open House for proposed rezoning Open House held on June 29
- City Hosted Open House held on September 14
 - No attendees specifically for this major General Plan amendment
- Correspondence included with staff report

4-GP-2017 & 9-ZN-2017

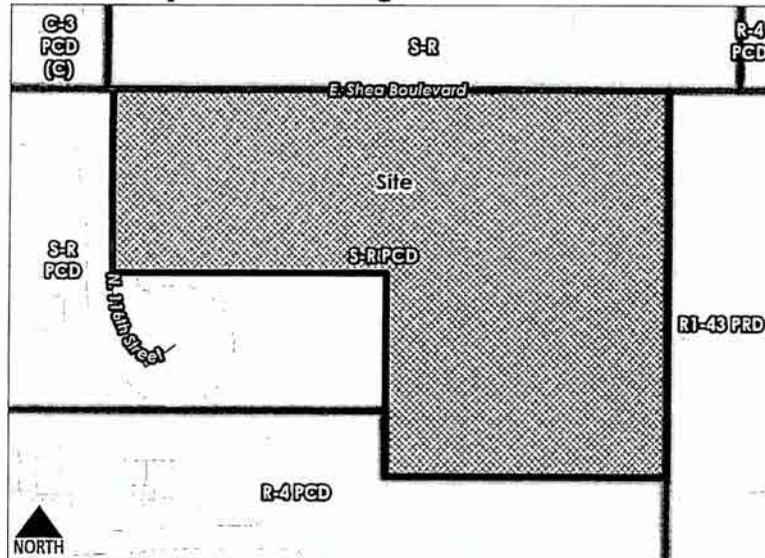
Bell Group Self Storage

- A Zoning District Map Amendment from Service Residential/Planned Community District (S-R/PCD) zoning to Neighborhood Commercial (C-1) zoning on a 4.6-acre site, located at the southeast corner of Shea Blvd. and 116th St.

9-ZN-2017

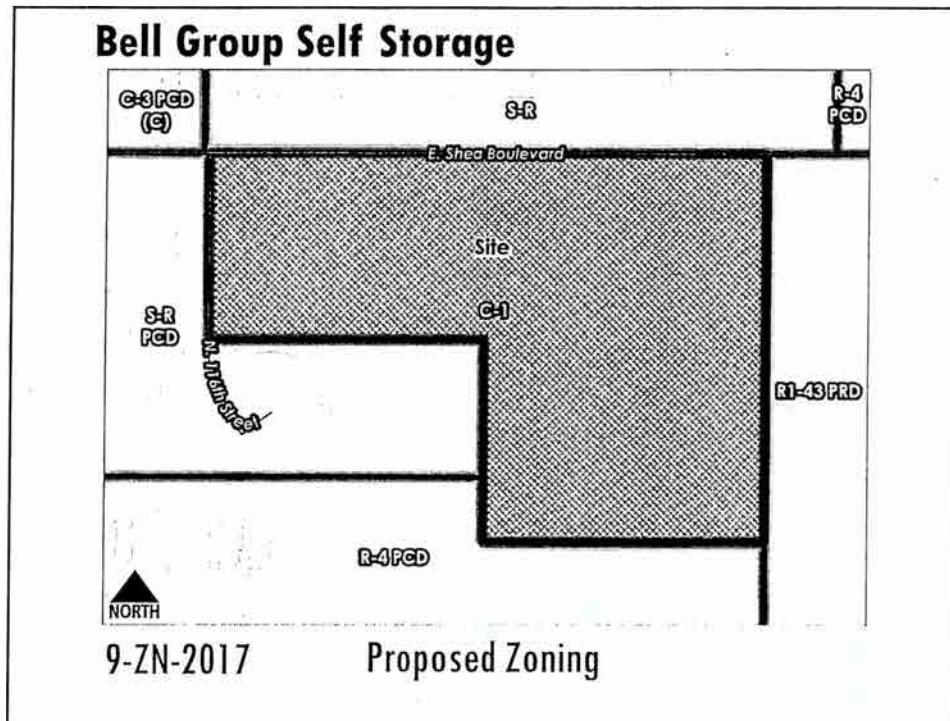
Request - Zoning

Bell Group Self Storage



9-ZN-2017

Existing Zoning

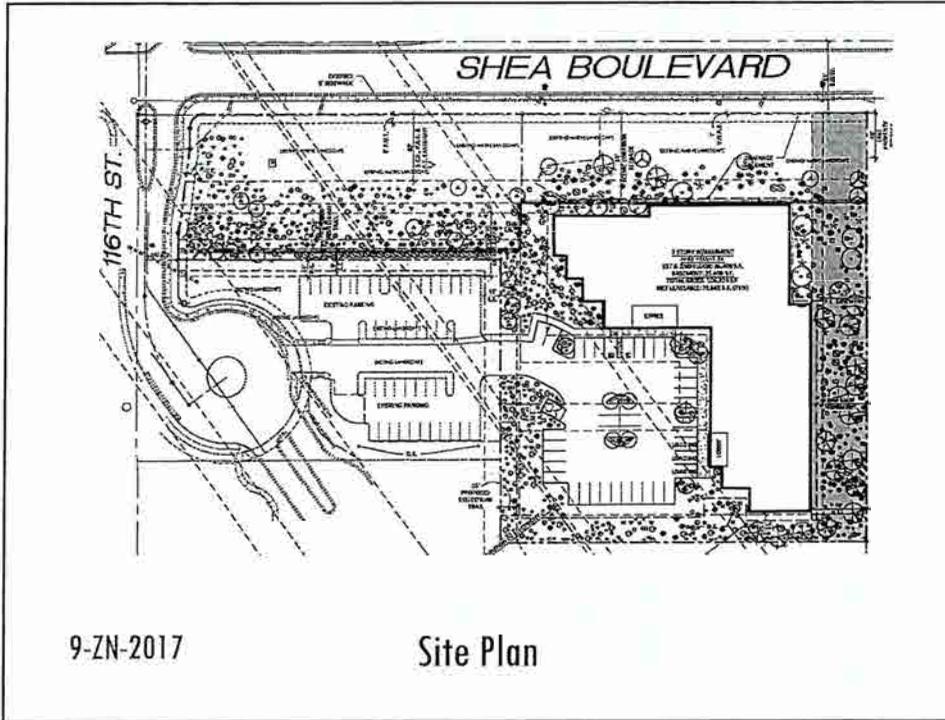


Zoning History

- 1990 – The subject site was zoned S-R PCD as a part of the Security Mortgage PCD. The PCD covered approximately 382 acres north and south of Shea, between 108th & 116th Streets.
- Most recent approvals included two office buildings with limited floor area (10,000 SF each).
- Applicants proposal includes removal from the existing PCD.
 - No longer needed by property owner
 - Majority of PCD has developed
 - Not anticipated to impact remainder of PCD

9-ZN-2017

Background



Bell Group Self Storage

Development Standards Comparison

Standard	S-R	C-1
FAR	N/A	0.80
Building Height	18 feet	36 feet*
Open Space	24%	14.8%***
Setbacks (from single-family)	N/A**	50 feet

* Applicant has agreed to restrict height to 18 feet.
 ** 40' setback required per zoning stip.
 *** Proposal includes 64.5% open space

9-ZN-2017

Development Standards

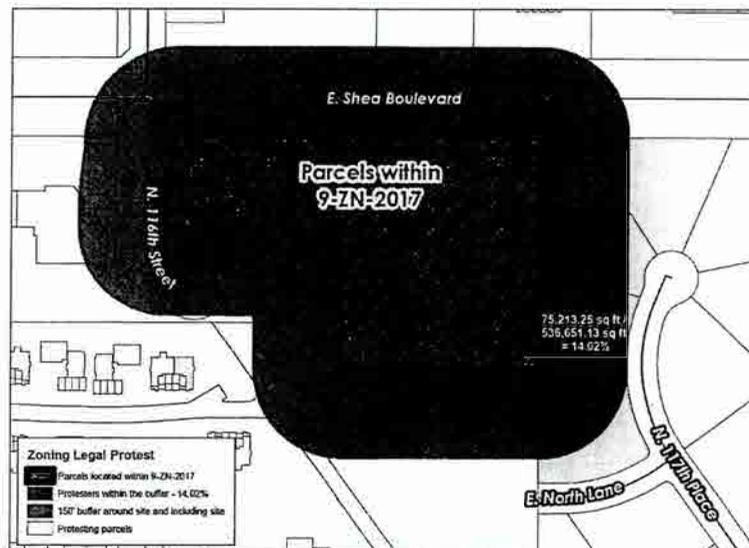
Bell Group Self Storage

Key Considerations -Zoning

- Applicant has agreed to a max of 18' in height, inclusive of all mechanical equipment and rooftop appurtenances
- Other commercial land uses allowed within the C-1 district
- Applicant has agreed to deed restrict land use to storage
- Legal Protest submitted by adjacent property owners

9-ZN-2017

Key Considerations



Legal Protest

Bell Group Self Storage

Planning Commission Recommendation

- Planning Commission heard this case at the October 25, 2017 major General Plan hearing, and continued the case to the November 8 meeting with a vote of 5-1
 - Work with neighbors to address concerns
 - Provide view studies and line of sight exhibits
- At the November 8 Planning Commission hearing, the Commission recommended approval of the case with a vote of 4-3

4-GP-2017 & 9-ZN-2017

Bell Group Self Storage

Contacts

City contacts: Sara Javoronok, 480-312-7918
sjavoronok@scottsdaleaz.gov
Bryan Cluff, 480-312-2258
bcluff@scottsdaleaz.gov

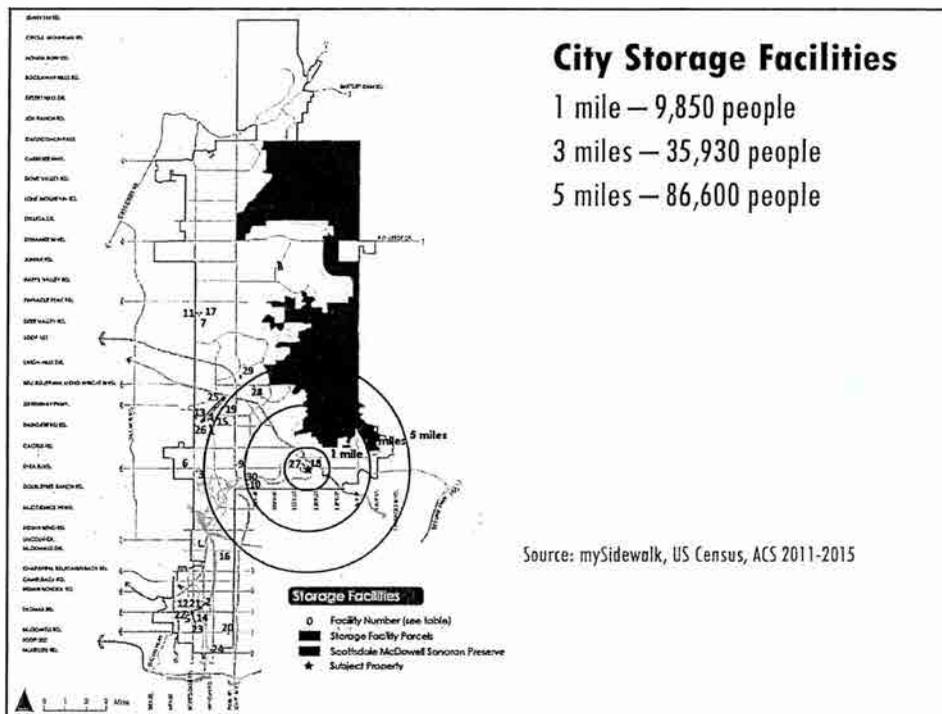
Applicant contacts: Jordan Rose, 480-505-3939
Jennifer Hall
jhall@roselawgroup.com

Bell Group Self Storage

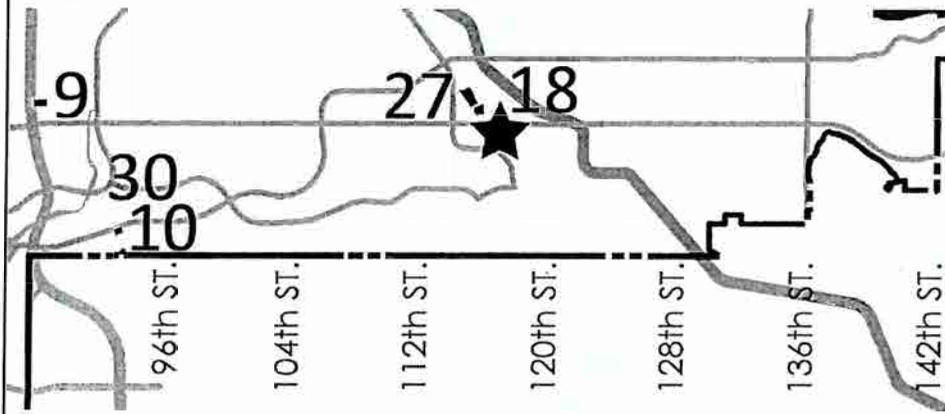
4-GP-2017 & 9-ZN-2017

City Council
December 4, 2017

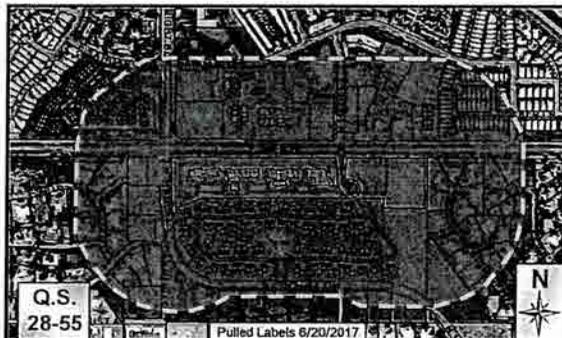
Coordinators: Bryan Cluff
Sara Javoronok



Nearby Storage Facilities



- #27 Cube Smart – 89,200 sq. ft. – 750 units – 96% occupied
- Approved addition of 55,000 sq. ft. for a total of 127,564 sq. ft.
- #18 Life Storage – 106,700 sq. ft. – 600+ units



Map Legend:

- Site Boundary
- - - Properties within 750-feet
- 542 Postcards

Additional Notifications:

- Interested Parties List
- Adjacent HOAs
- P&Z E-Newsletter
- Facebook
- Twitter
- Nextdoor.com
- City Website-Projects in the hearing process

Bell Group Self Storage

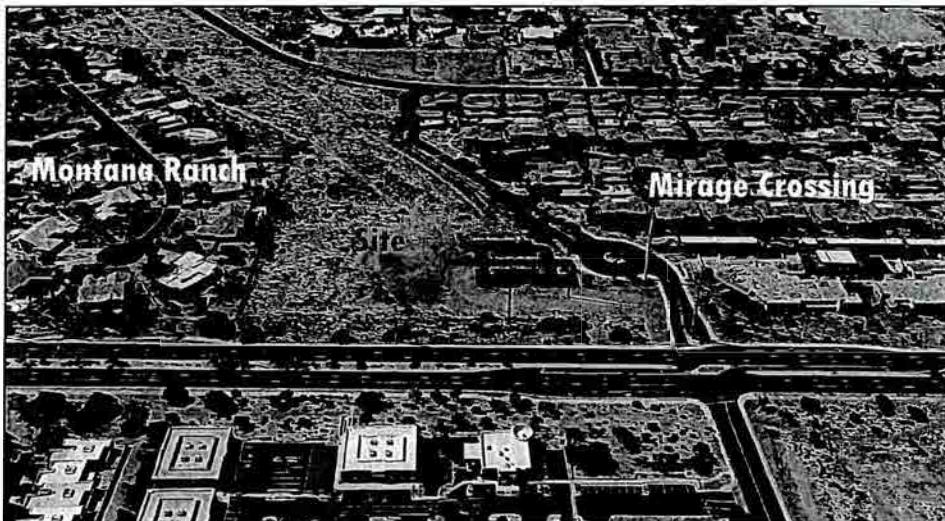
4-GP-2017 & 9-ZN-2017

City notifications

Shea Sidewalk

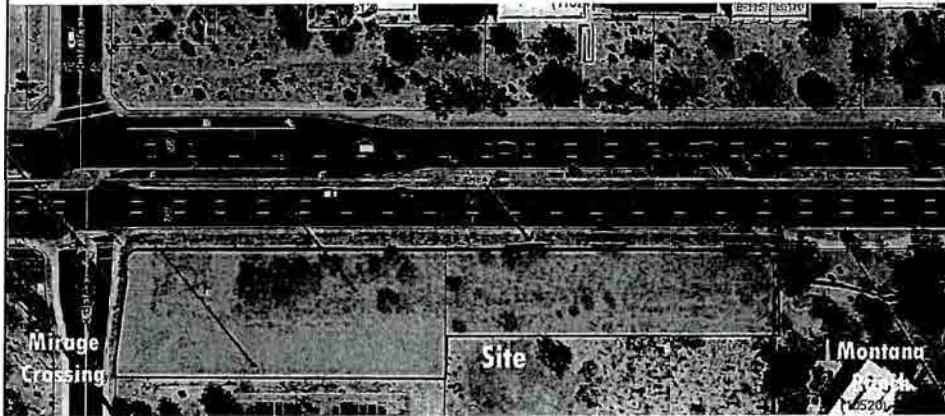


Design Standards & Policies Manual Section 5-3.100.
Transportation Master Plan Chapter 7, Section B.



Existing Conditions - Sidewalk

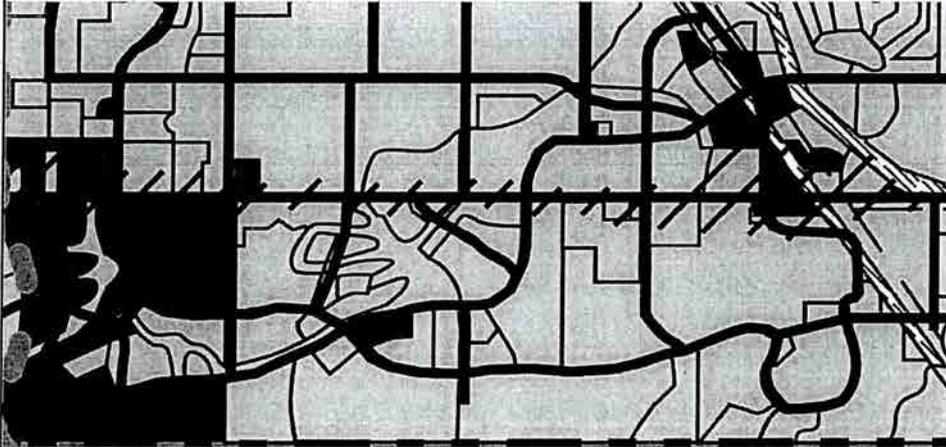
Existing Conditions - Sidewalk



S-R Properties and General Plan Land Use Designation

- Most S-R properties have an Office land use designation
- There are twenty properties with another land use designation:
 - Suburban — 10 properties
 - Urban — 7 properties
 - Cultural/Institutional or Public Use — 1 property
 - Rural Neighborhoods — 1 property
 - Urban and Cultural/Institutional or Public Use — 1 property

Surrounding Land Uses - Simplified

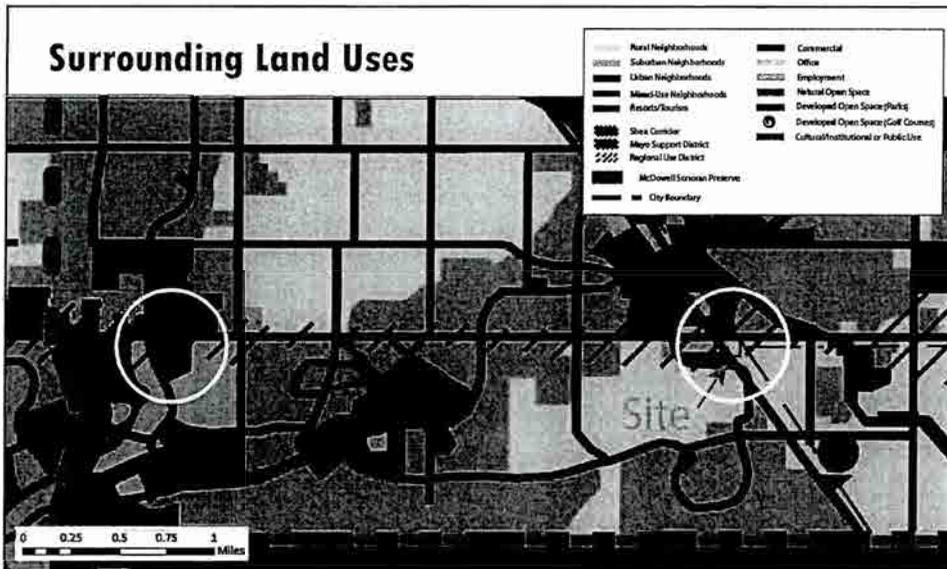


96th St.

104th St.

110th St.

Surrounding Land Uses



96th St.

104th St.

110th St.

10501 N 116th St

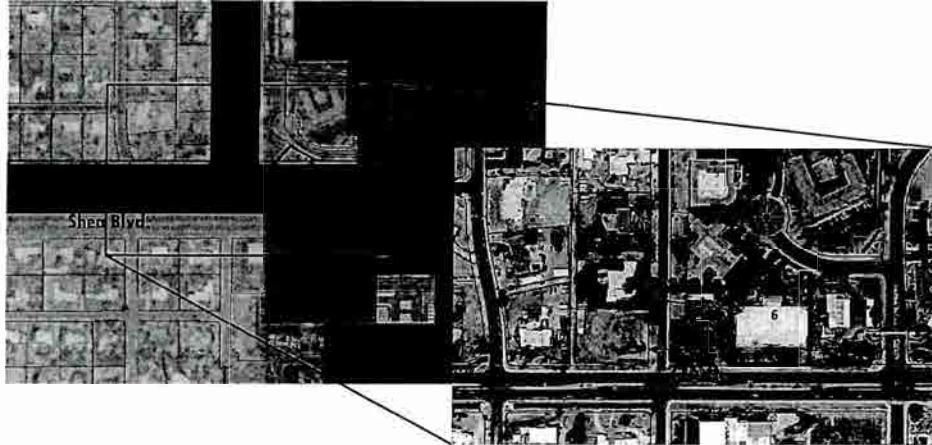
Code Enforcement

- Six code enforcement visits in the past three years
 - 4/3/2015 – Sign removal (no contact)
 - 4/16/2015 – Notice for overgrown vegetation
 - 5/5/2016 – Inspection for zoning violation for antenna
 - 11/17/2016 – Notice for overgrown vegetation
 - 9/19/2017 – Notice for antenna
 - 10/4/2017 – Notice for antenna, debris, and overgrown vegetation

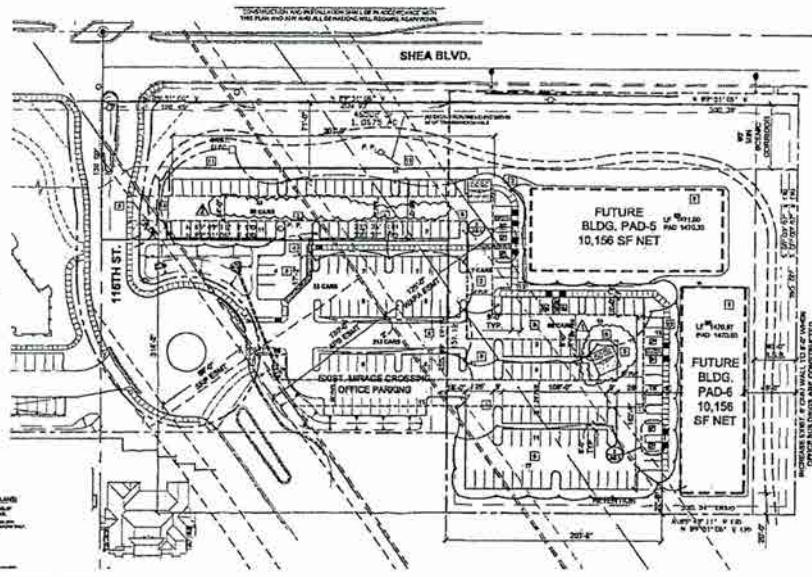
Storage Facilities Adjacent to Rural Neighborhoods

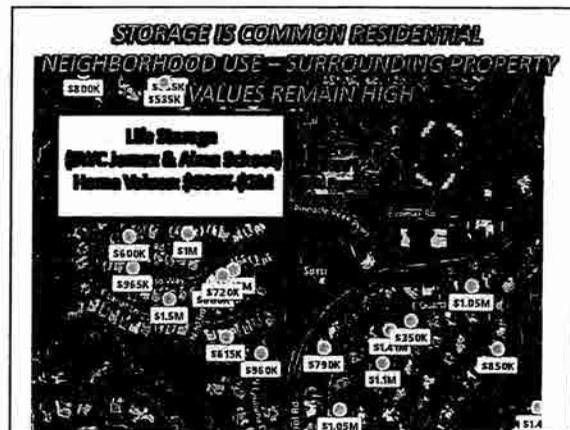
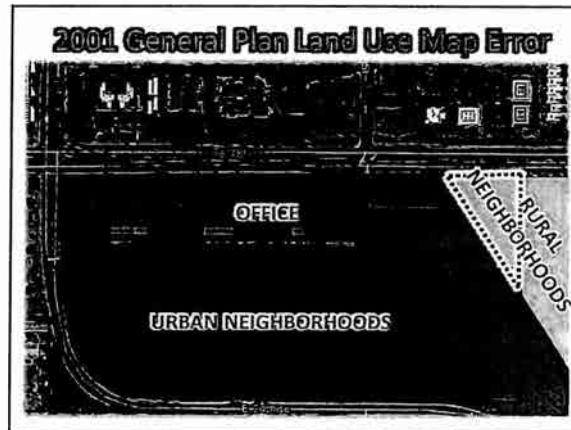
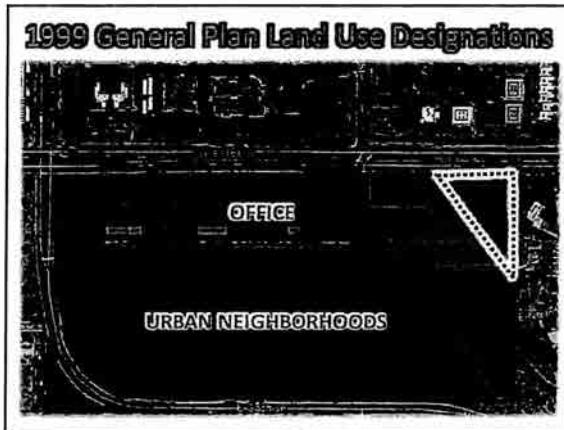
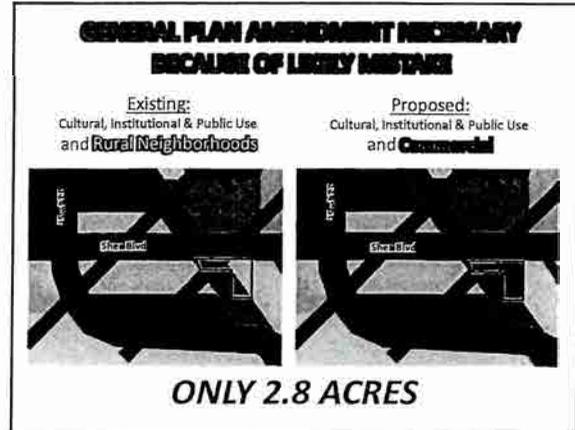
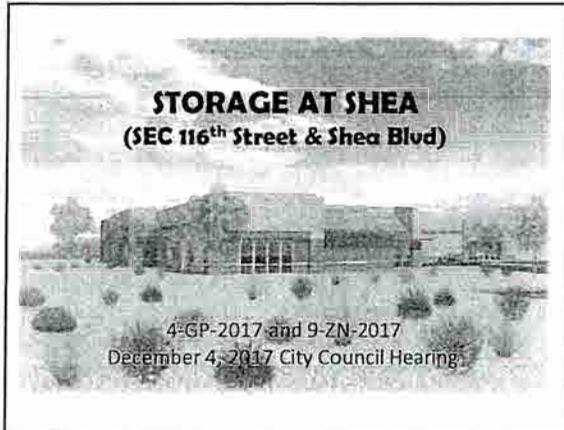


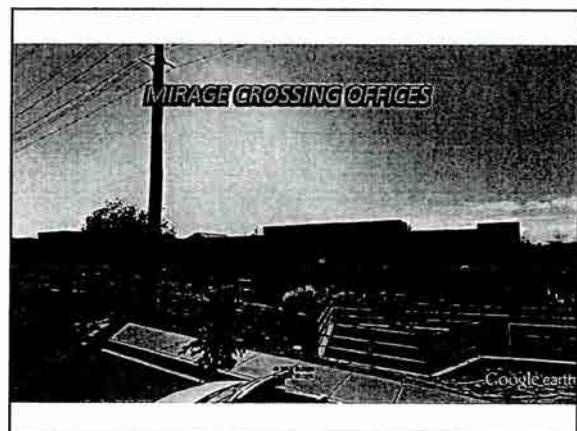
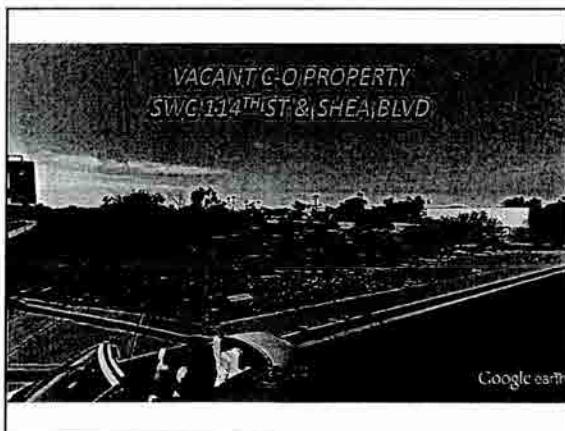
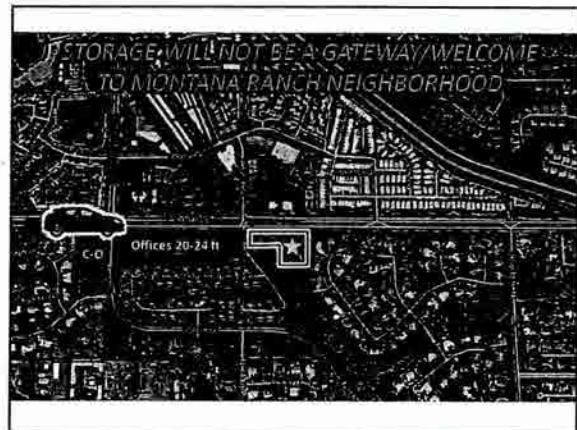
Storage Facilities Adjacent to Rural Neighborhoods

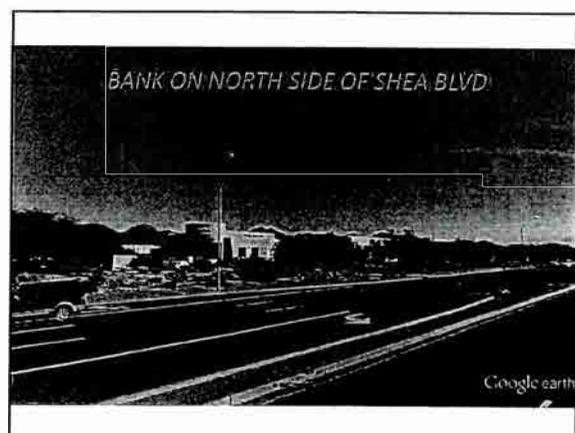
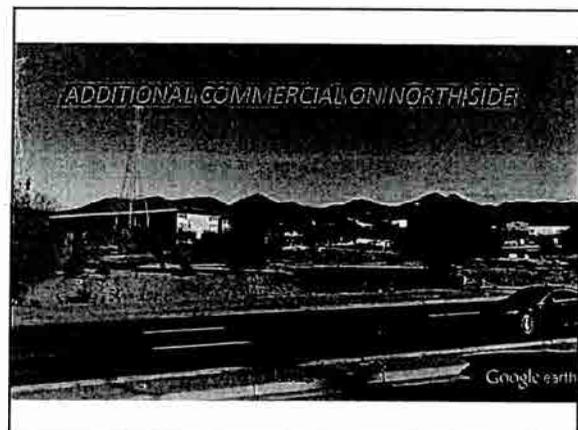
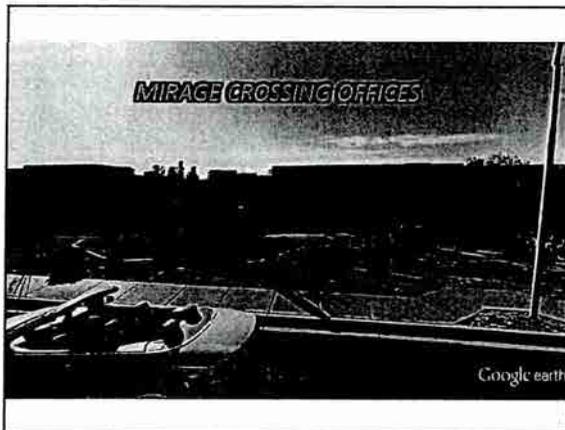
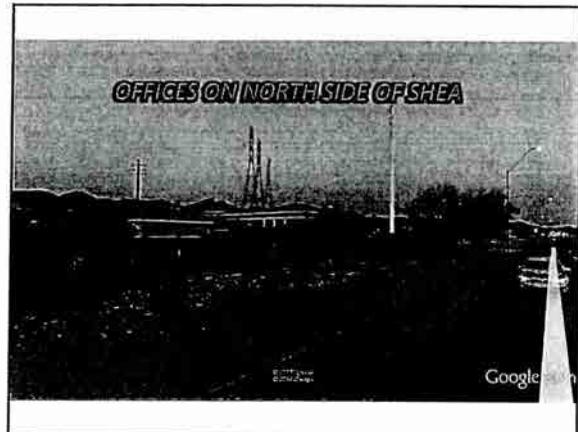
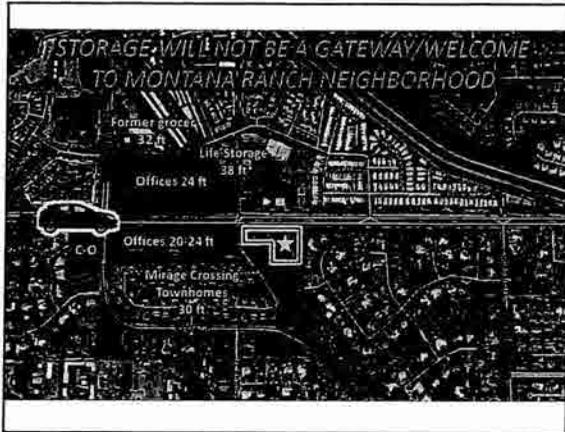


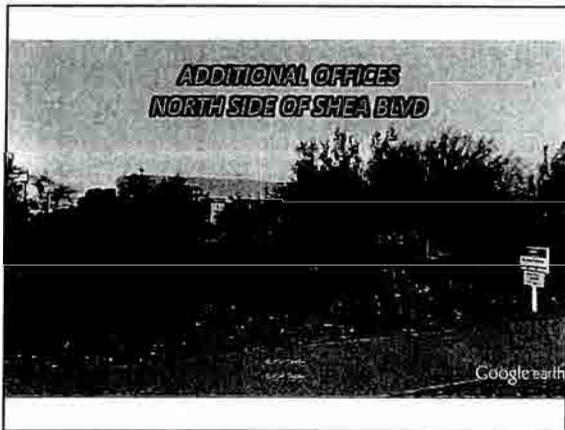
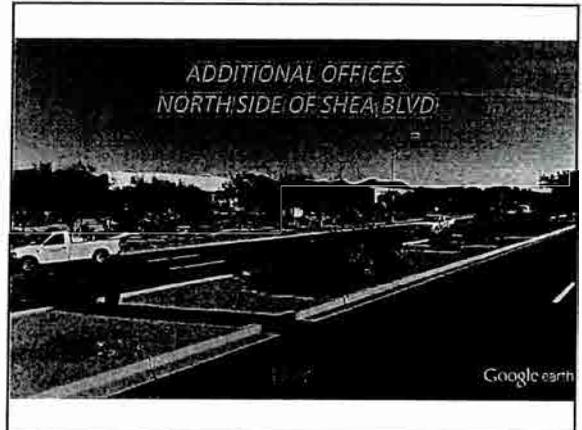
Last site plan approval (2006)

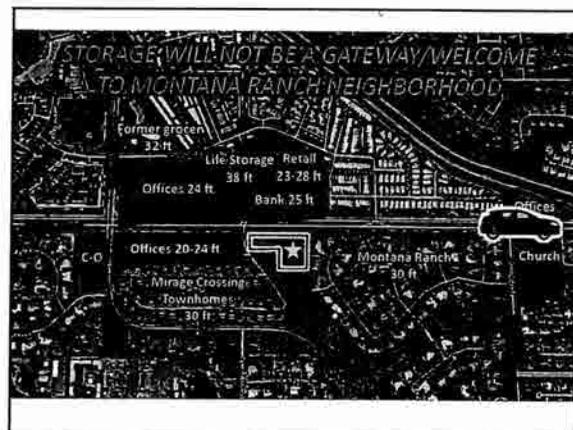
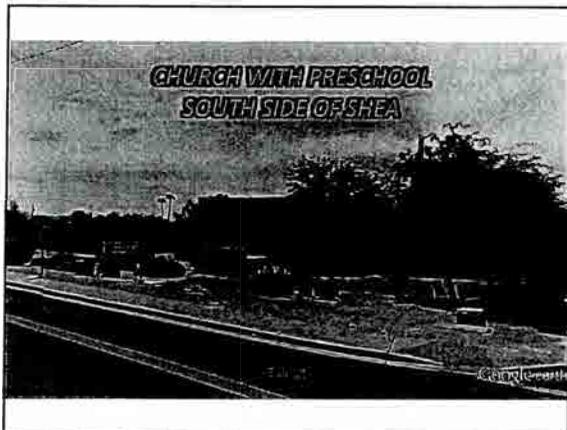
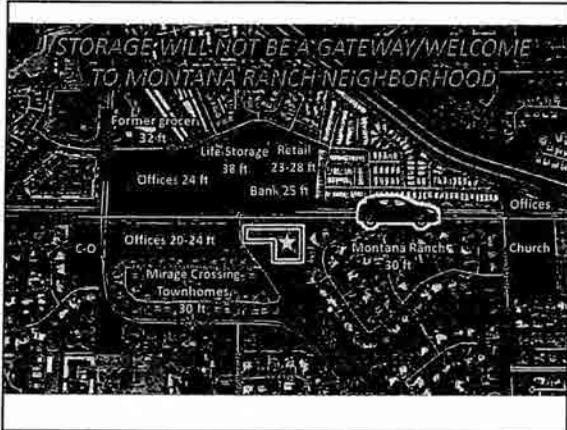












Nearby neighbors in support

Garry Jestadt
Property owner - Arizona
Culinary School building

Nearby neighbors in support

Mirage Crossing Office Condominium Association

Compatible with 2 adjacent neighbors and less traffic than current zoning

Snea Blvd

120 ft

95 ft

Allen

Mazarelli

Under current zoning, site could be developed far more intensely

OFFICES

Under current zoning, site could be developed far more intensely

CHARTER SCHOOL - 685 Students

Proposed Self Storage: 128 trips

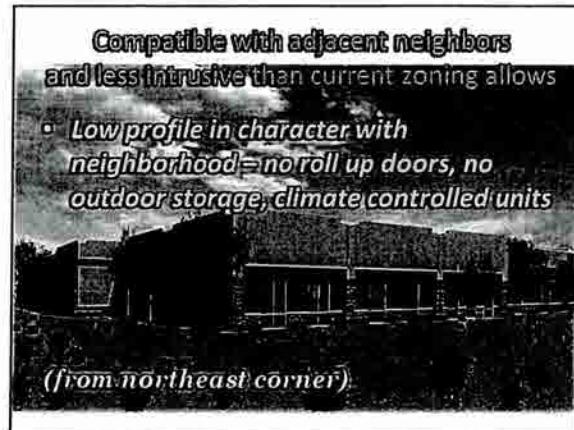
1,196% MORE

600% MORE

470% MORE

Proposed Storage Facility is more sensitive to nearby neighbors.

Use	Proposed Storage	Planned Offices
Height	18 ft	18 ft with NO LIMIT height allowance for architectural embellishments and mechanical equipment
Setback	50 ft from wall	40 ft from wall
Privacy	No windows looking into backyards	2 story building with windows looking into backyards
Lighting	No lighting to east or south (except emergency only)	Exterior lighting and interior office lighting protruding into backyards
Traffic/Noise	Few employees 128 trips per day	Many employees 910 trips per day
Business Hours	5AM-10PM restricted key card access only; 9AM-6PM office hours	24 hour access for employees



Met on site and offered to construct building with exact same standard as an office in S-R that is currently permitted.

Office use will generate traffic

- Offer to apply for Variance to allow the radio tower that is currently illegal to remain on the property;
- Offer to construct a platform for the neighbor who testified about sunset views;
- Offer to deed restrict the use to only allow for a storage facility in favor of two abutting neighbors (so that legally no other C-1 uses are permitted UNLESS both neighbors agree to change the use)

Any modification or change to the site plan or use will go back through the public hearing process as stipulated below:

Stipulation #1)
CONFORMANCE TO CONCEPTUAL SITE PLAN.
 Development shall conform with the conceptual site plan by RKA Architects, Inc., and with the city staff date of 8/28/17, attached as Exhibit A to Attachment 2. Any proposed significant change to the conceptual site plan, as determined by the Zoning Administrator, shall be subject to additional action and public hearings before the Planning Commission and City Council.

Proposed Height Stipulation:

2) **BUILDING HEIGHT LIMITATIONS.** No building on the site shall exceed EIGHTEEN (18) feet in height, measured as provided in the applicable Section of the Zoning Ordinance. Architectural embellishments shall not exceed thirty (30) feet in height for no more than 25% of the building

***Proposed Hours of Operation
Stipulation:***

**9AM-6PM with on-site manager
5AM-10PM key card access only**



Storage also compatible with this neighborhood



Storage also compatible with this neighborhood



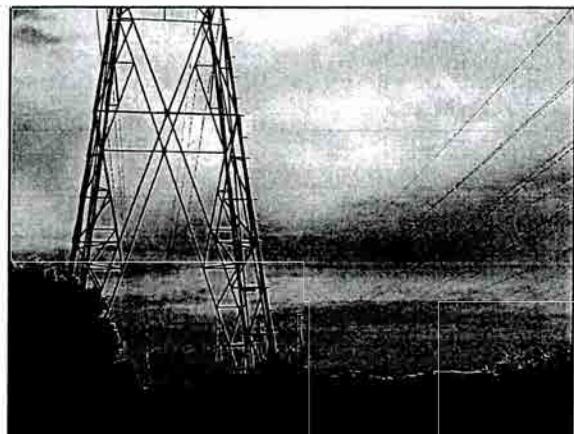
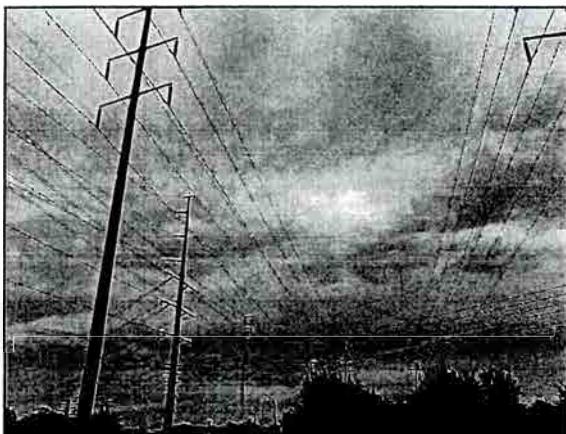
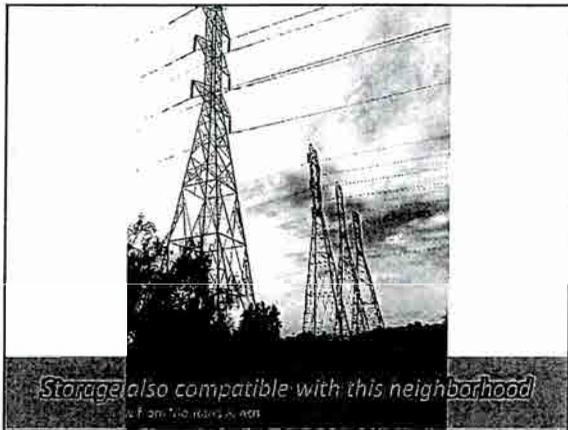
Storage also compatible with this neighborhood

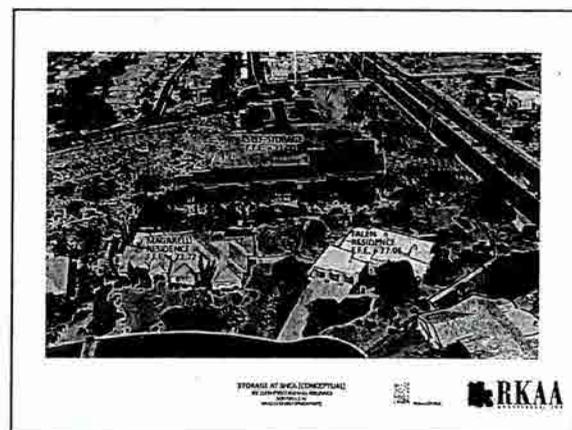
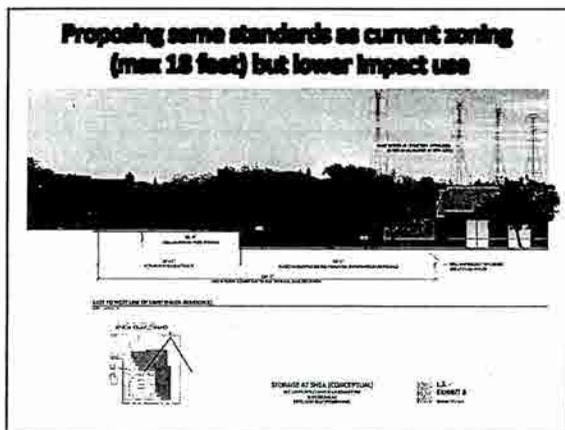
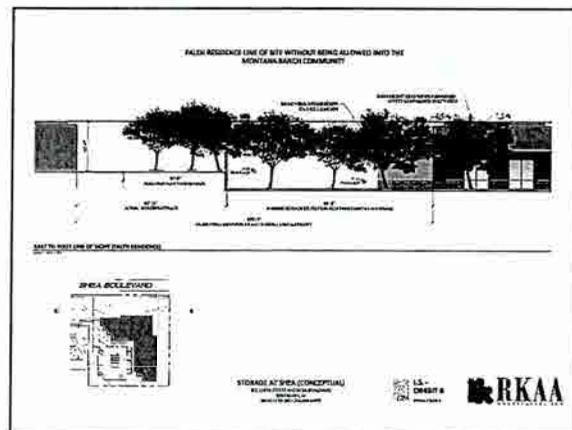
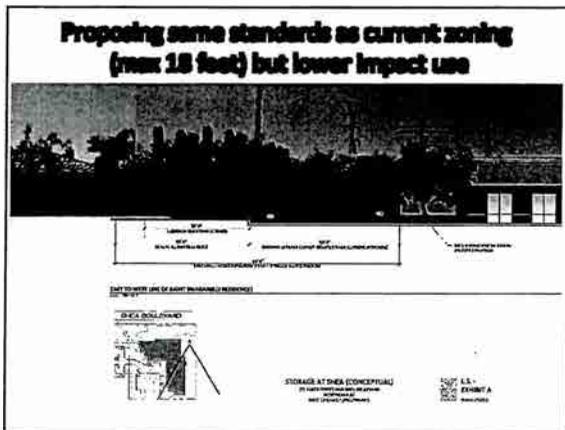
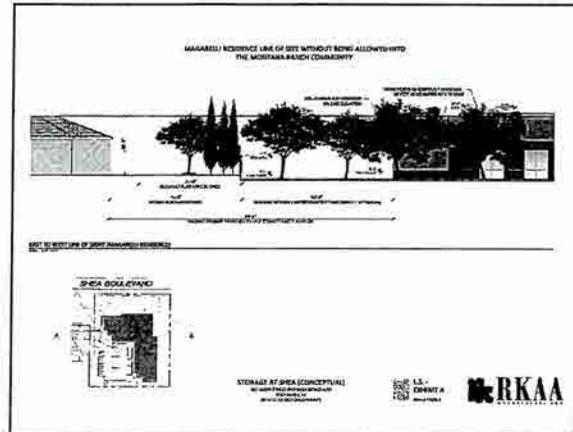


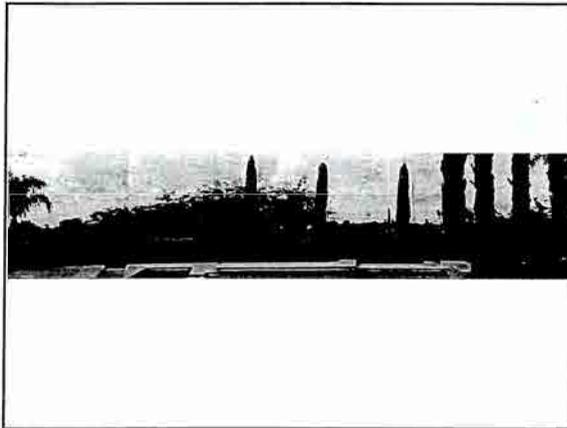
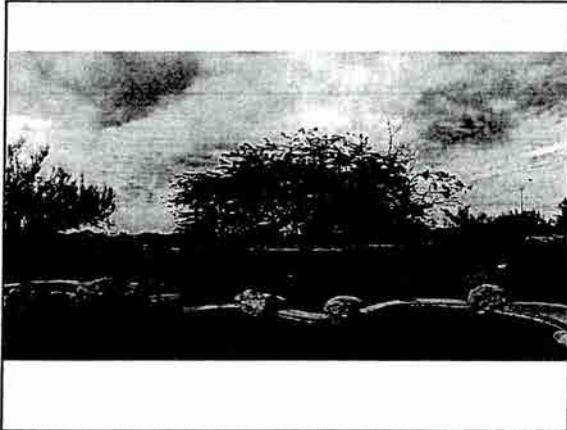
Storage also compatible with this neighborhood



Storage also compatible with this neighborhood







Site was zoned for commercial with a hotel/resort in 1990
GP designation was "Resort/Resort and MAJOR Office"

- 1999 rezoned to S-R to allow office buildings with GPA to "Minor Office"
- 2000 Nearby neighbors opposed offices during DRB

SCOTTSDALE DEVELOPMENT REVIEW BOARD
 2009 N. GREENWATER BOULEVARD
 SCOTTSDALE, AZ 85260
NOVEMBER 17, 2008

AGENDA:
 1. George Palka, Chairman
 2. Lisa Thompson, Vice Chairman
 3. The Duke
 4. Janet Carter
 5. Mark Rubin
 6. E. J. Shoups
 7. Raymond Baker

STAFF:
 The Duke
 Erin Jones
 11111111111111111111
 Jerry Bradley
 Alan Ward
 Tom Staf
 Bill Condit
 Kim Wrenick

CALL TO ORDER
 The regular meeting of the Scottsdale Development Review Board commenced at 7:00 pm.

ROLL CALL
 A roll call and roll call number record is maintained.

MINUTES APPROVAL
 October 15, 2008

MR. BRON MADE A MOTION TO APPROVE MINUTES. SECOND BY MR. ELBRACHT.

THE MOTION PASSED BY A VOICE OF SEVEN.

EXHIBITS:

MR. CHADWELL HANSEN MADE A MOTION TO CONTINUE CASE 08-22-3000 TO THE THURSDAY, NOVEMBER 13, 2008 AT 2:00 P.M. SECOND BY MR. ELBRACHT.

THE MOTION PASSED BY A VOICE OF SEVEN (7) TO 0800 (0).

18 79-08-2008 SHEA 116
 3000 GREENWATER BOULEVARD
 SCOTTSDALE, AZ 85260
 SHEA CONCEPTUAL
 ARCHITECTS

MR. CHADWELL HANSEN presented this request as per the project master plan. Staff is recommending a continuation to allow the applicant to work with the neighbors.

REGINA CAVELLY, 4141 N. 47th Street, The O. Phoenix, AZ, Cowley Architects, stated that there have been significant changes to the site plan. To review all the changes to the site plan. He further stated that on page 3 of the application that the 12 units have a waiting list to be more residential floor. He would like the more residential floor waiting list to be more residential floor.

(COUNCILMAN ARACKEY OPENED PUBLIC TESTIMONY)

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(COUNCILMAN ARACKEY OPENED PUBLIC TESTIMONY)

MR. ELBRACHT stated when this matter back he wants to make sure that it is very clear where the height was being requested from. He would like to see some more sections and more grading plans.

MR. ELBRACHT MOVED TO CONTINUE CASE 79-08-3000 TO DECEMBER 7, 2008. SECOND BY MR. BURNS.

SCOTSDALE DEVELOPMENT REVIEW
 NPA - CITY HALL
 2017 NOVEMBER 17, 2017

TO: Tom Sherman, Chairman
 Mark Demmons, Vice Chairman
 The Deans
 E.L. Corbin
 Mark Jordan
 Raymond Pater

FROM: J.R. Edwards

RE: Tom Corbin
 Gary Niles
 Michael Lindstrand
 Amy Stobley
 Alan Ward
 Kim Warrick
 Dale Wood
 Bill Vandenberg
 Kim Warrick

RE: TO ORDER
 Jordan Rose called the regular meeting of the
 and he ends at 1:00 pm.

RECALL
 Based on all additional members present at meeting

MINUTES APPROVAL
 November 7, 2017

VICE CHAIRMAN HANNAH MARIE A. R
 NOVEMBER 7, 2017

The wall design would be submitted and approved by the adjacent Homeowners Association.

The landscaping along the east property line would be within grade trees or other trees type that would be approved by the adjacent Homeowners Association.

Details:

ADJACENT SILVERMAN OPINED PUBLIC TESTIMONY

CHECKED BACK AGAIN

ADJACENT SILVERMAN CLOSED PUBLIC TESTIMONY

ADJACENT SILVERMAN OPINED PUBLIC TESTIMONY

ADJACENT SILVERMAN CLOSED PUBLIC TESTIMONY

MR. CANTLEY addressed concerns regarding the signage.

MR. WOOD stated that he would file to be an actual landscaping along the north side.

MR. BURNS MADE A MOTION TO APPROVE CASH P.D.#11300 WITH THE ADDED EXPLANATION:

PROVIDE A HIGH CENTERED, PROGRAM THAT WOULD BE SUBMITTED AND APPROVED BY THE ADJACENT HOMEOWNERS ASSOCIATION.

THE WALL DESIGN WOULD BE SUBMITTED AND APPROVED BY THE ADJACENT HOMEOWNERS ASSOCIATION.

THE LANDSCAPING ALONG THE EAST PROPERTY LINE WOULD BE WITHIN GRADE TREES OR OTHER TREES THAT WOULD BE SUBMITTED AND APPROVED BY THE ADJACENT HOMEOWNERS ASSOCIATION.

AFTER P&Z VOTE, AND MANY EMAILS FROM ME REQUESTING A MEETING, THEY ALLOWED A MEETING, MET ON NOVEMBER 14TH

From: Jordan Rose
 Sent: Thursday, November 16, 2017 6:27 PM
 To: 'Frank & Marlene Maguire' <frank@maguire.com>
 Cc: Rebecca French <rebecca@rebecca.com>; Jordan Hill <jordan@rebecca.com>
 Subject: Bill Storage; Potential Deed Restriction

As promised, enclosed is a draft deed restriction for your review and comment. We are happy to talk to you about it more or to your lawyer or real estate consultant. An L&L met too. Also, please get back to us in a timely fashion so we can meet with the architect to discuss the structure. Again, they will make themselves available at any time. Finally, you indicated you would send me over the copy of the value estimate so we can understand the concerns. When you have a chance, please send us a memo that can be helpful to our conversation. Thanks again, Jordan.

Jordan R. Rose
 7144 E Sartson Drive, Suite 200
 Scottsdale Arizona 85251
 Direct: 482.528.3973
 Fax: 482.528.3975
 Mobile: 602.369.4882

frank@maguire.com
 rebecca@rebecca.com
 jordan@rebecca.com

RE: Jordan Rose
 Winner "Best places to work in Arizona"

The information contained in this message is privileged and confidential. It is intended only to be read by the individual or entity named above or their designee. If the reader of this message is not the intended recipient, you are notified that any disclosure of this message, in any form is strictly prohibited. If you have received this

CHECKED BACK 4 DAYS LATER:

From: Jordan Rose
 Sent: Monday, November 20, 2017 3:02 PM
 To: 'Frank & Marlene Maguire' <frank@maguire.com>
 Cc: Rebecca French <rebecca@rebecca.com>; Jordan Hill <jordan@rebecca.com>
 Subject: RE: Bill Storage; Potential Deed Restriction

I wanted to check in again with you as we discussed last, besides that you would be providing us a copy of the lawyer's opinion stating your land values would be negatively affected and getting us some time that our architect can come over and discuss objections that would be to your liking. In addition, I want to get your feedback on the deed restriction to answer any questions. Thanks again, Jordan.

Jordan R. Rose
 7144 E Sartson Drive, Suite 200
 Scottsdale Arizona 85251
 Direct: 482.528.3973
 Fax: 482.528.3975
 Mobile: 602.369.4882

frank@maguire.com
 rebecca@rebecca.com
 jordan@rebecca.com

RE: Jordan Rose
 Winner "Best places to work in Arizona"

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CHECKED BACK AGAIN

On Nov 27, 2017, at 2:14 PM, Jordan Rose <jordan@rebecca.com> wrote:

Happy Thanksgiving! I wanted to check back with you as you had indicated a few weeks ago that you would (1) get me some time for our architect to sit with you for consultations, (2) provide us a copy of the lawyer's opinion of value and (3) get us feedback on the deed restriction we sent last week's ago. Let us know and thank! Jordan.

Jordan R. Rose
 7144 E Sartson Drive, Suite 200
 Scottsdale Arizona 85251
 Direct: 482.528.3988
 Fax: 482.528.3975
 Mobile: 602.369.4882

RE: Jordan Rose
 Winner "Best places to work in Arizona"

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CHECKED BACK ONE MORE TIME...

On Nov 30, 2017, at 8:27 PM, Jordan Rose <jordan@rebecca.com> wrote:

At risk of becoming a pest (I think this is now the 7th email I have sent you in the last few weeks without any response so sorry... I am assuming that you are not going to provide us with your study by the lawyer. But you indicated you would a few weeks ago. I also assume that you do not want our architect to come over and work with you on acceptable objections. Finally, I presume you do not have any response to us on the deed restriction document I sent you. If any of these things are in accurate please please just respond to me as we are really trying to be helpful here... Thanks again.

Jordan R. Rose
 Rose Law Group pc
 7144 E Sartson Drive, Suite 200
 Scottsdale, Arizona 85251
 Direct: 482.528.3918
 Fax: 482.528.3975
 Mobile: 602.369.4822

RE: Jordan Rose
 Winner "Best places to work in Arizona"

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LAST MINUTE RESPONSE BUT WE WILL CHANGE TRAVEL PLANS AND BE THERE..

On Nov 30, 2017, at 8:43 PM, O T <ot@rebecca.com> wrote:

Hi,
 I have lost track of the number of emails I have personally sent on this issue. I must tell you that our Boss has been shaken and broken the last couple of weeks with hospitalizations and serious medical issues. I am not a person that makes excuses to you most likely can tell. My work ethic and pride in my family, my home, my neighborhood is impeccable. With that said, I apologize if you think I was simply putting you off. I wasn't.

To get the most out of our time and to collaborate in a positive way, we request a meeting with 2 people: You, George H. Bell, Sr and the head Architect. We are available for Friday afternoon, Saturday or Sunday afternoon.

Thank,
 Victor Fahn

IMMEDIATE RESPONSE PROVIDED

From: Jordan Rose
 Sent: Thursday, November 30, 2017 9:08 PM
 To: O T <ot@rebecca.com>
 Cc: Frank & Marlene Maguire <frank@maguire.com>
 Subject: RE: Bill Storage; Potential Deed Restriction

We can meet at 3 pm on Friday, let me know if that can work and thank

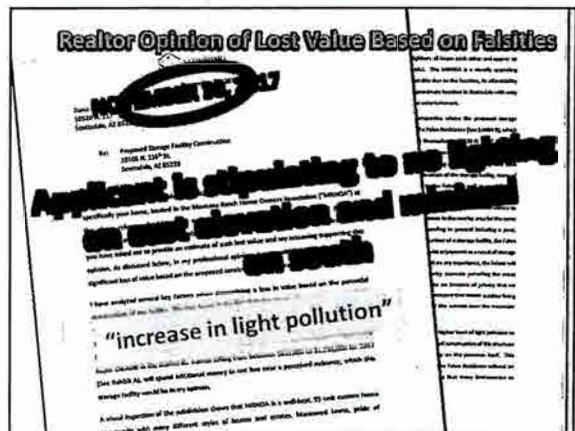
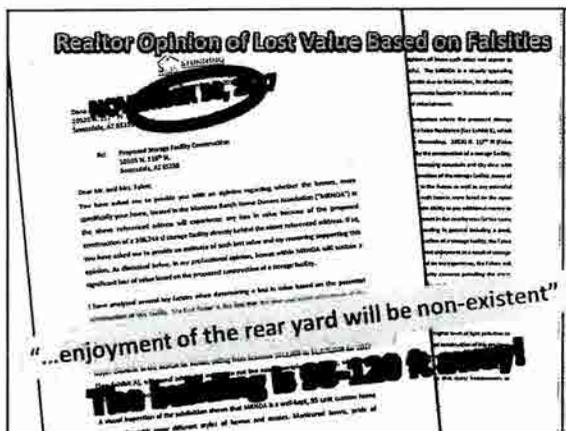
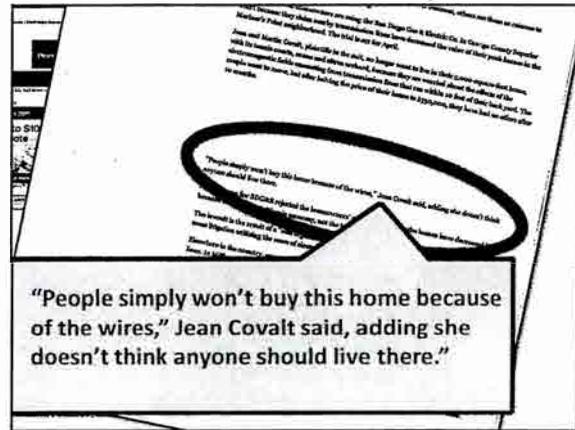
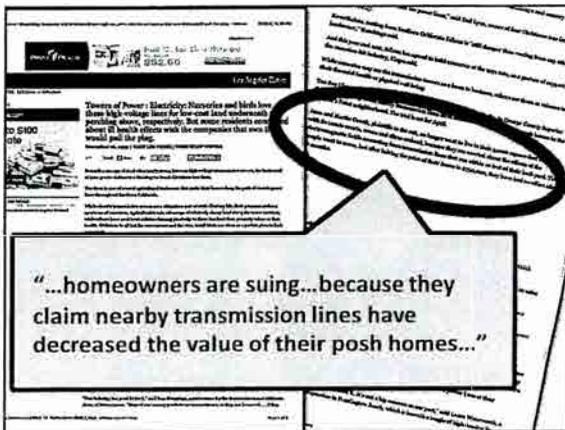
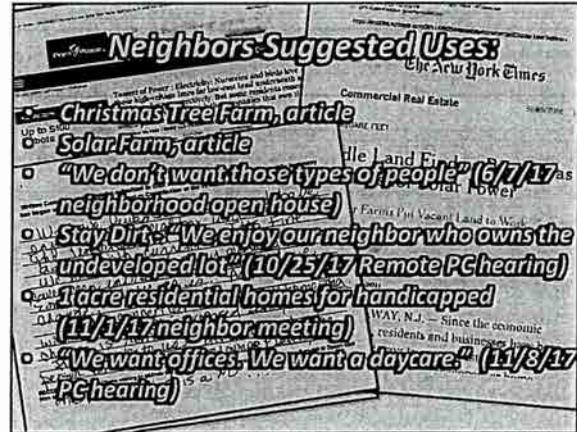
Jordan R. Rose
 Rose Law Group pc
 7144 E Sartson Drive, Suite 200
 Scottsdale, Arizona 85251
 Direct: 482.528.3918

NO RESPONSE AT ALL - SIMILAR TO 48 HOURS PRIOR TO P&Z WHERE THEY LAST MINUTE ALLOW ARCHITECT TO COME TO THEIR HOME FOR THE LINE OF SITE PHOTOS

From: Jordan Rose
 Sent: Friday, December 01, 2017 9:42 AM
 To: D [redacted]
 Cc: Frank & Marlene Magers [redacted]
 Subject: RE: Soil Storage Potential Deed Restriction

As we haven't heard back from you I assume I didn't show up work.
 Can a phone call with the people you represent before all that time with better?
 Please do send me the email by your attorney that you indicated you would send when we met on November 13th as I am sure that will be helpful for our discussion. In addition, please let me know if you have any questions or comments on the deed restriction.
 Thanks again Jordan.

Jordan R. Rose
 ROSE LAW GROUP,
 LAW IN CALIFORNIA
 7244 E Station Drive, Suite 300
 Scottsdale Arizona 85251
 Office: 481.325.9938
 Fax: 481.325.8162
 Mobile: 602.308.4982
 jrose@roselaw.com
 jrose@roselaw.com
 www.roselaw.com



Realtor Opinion of Lost Value Based on Falsities

Dear Mr. and Mrs. Falen,
I have analyzed recent transactions of this building as well as the market for the property and have concluded that the value of the property is significantly lower than the price paid for the same property.

"elevated at a height that gives a bird's eye view into the Falen Residence"

No windows along the front side of this building and no people

Currently allowed for office, storage and parking lot with

Future parking and going in city

Another key factor that needs to be considered when valuing this property is the fact that the Falen Residence is elevated at a height that gives a bird's eye view into the Falen Residence. This is a significant security risk and safety threat to the residents and possessions of the residence.

As noted above, one of the main purposes for this opinion is to provide an opinion for loss that is based on the information provided, a loss for value for the Falen Residence would be roughly \$2,125,000. This figure takes into account the fact that the other that they currently have of the property and the fact that the Falen Residence is elevated at a height that gives a bird's eye view into the Falen Residence.

I have analyzed recent transactions of this building as well as the market for the property and have concluded that the value of the property is significantly lower than the price paid for the same property. This price does not include intangible benefits such as short sales, bank owned properties, trustee sales or non-AES sales (i.e., discount homes). As such, the average sales price shows traditional home sales and references as per with the traditional home sales and references. If the mountain view from the rear yard, the privacy of the neighbor behind the property and the other aforementioned factors such as safety, security, ease of parking are no longer relevant then it is reasonable to estimate that the value for the home will fall in the range of \$195,000 - \$425,000.

Realtor Opinion of Lost Value Based on Falsities

Dear Mr. and Mrs. Falen,
I have analyzed recent transactions of this building as well as the market for the property and have concluded that the value of the property is significantly lower than the price paid for the same property.

"block walls, fluorescent lights and lurking patrons"

Currently allowed for office, storage and parking lot with

Future parking and going in city

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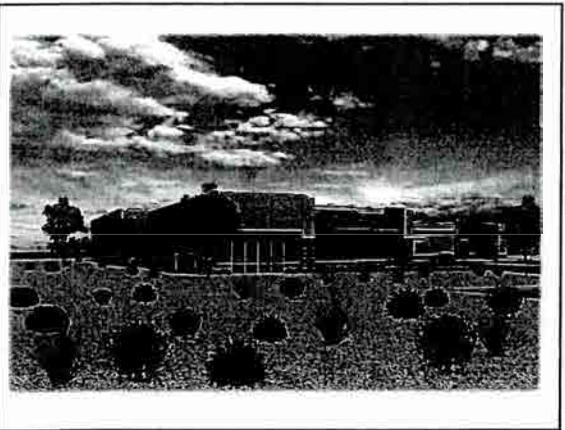
Proposed building is lower than what is shown in the

"with mountain views being a main feature for enjoyment of current homeowner"

Another key factor that needs to be considered when valuing this property is the fact that the Falen Residence is elevated at a height that gives a bird's eye view into the Falen Residence. This is a significant security risk and safety threat to the residents and possessions of the residence.

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Montana Ranch Homeowners

Opposition Presentation
to
Bell Group Self Storage

Cases 4-GP-2017 & 9-ZN-2017

Presented To
Scottsdale City Council

December 4, 2017

Due to the vagueness of the status of the Legal Protest statute, with this presentation the homeowners of Montana Ranch are not waiving any rights they may have to file a legal protest in the future.



*"Business development is important for
Scottsdale, but safeguarding the interests of
our citizens must always come first..."*

The Key Question for City Council Consideration

Does it make sense for the City to
amend the general plan
and
trade millions in potential **home value losses** for 95 families
for approximately \$30,000/year in net new tax revenue
for a development project that is **unnecessary,**
does not enhance the community
and
materially benefits ONLY the developer?

Important Relevant City Governance Definitions

General Characterization of a City's General Plan:

The document considered by many to be **the Constitution** for land-use decisions at the local level.

Arizona Statute re: qualifying amendments:

A proposal that results in a **substantial alteration** of the municipality's land use mixture or balance.

Public Interest:

Welfare of the general public (**in contrast to the selfish interest of a person, group, or firm**) in which the whole society has a stake and which **warrants** recognition, promotion, and protection **by the government** and its agencies.

Scottsdale General Plan and Amendments

Criteria for a Major Amendment to the General Plan
(City Council approved 2/6/01 and revised to reflect the land use designations of the updated Conceptual Land Use Map)

Scottsdale's Mission: In guiding the formation of the major amendment criteria, it is important to consider the major mission elements of the city, these being –

- a. Preserve Scottsdale's unique southwestern character;
- b. Plan for and manage growth in harmony with the natural desert surroundings;
- c. Promote the livability of the community;
- d. Enhance and protect neighborhoods; and,
- e. Ensure and sustain the quality of life for all residents and visitors.

Proposed changes to the land use element of the city's General Plan that compromise the spirit and intent of these mission statements will qualify for consideration as a major amendment to the General Plan.

Scottsdale's Land Use Element: It is important that as proposals are considered in regard to the following criteria that the values and structure of the land use element be used as a guide. These values are an important part of the city's land use plan:

- a. Land uses should respect the natural and man-made environment;
- b. Land uses should provide for an unsurpassed quality of life for both its citizens and visitors;
- c. Land uses should contribute to the unique identity that is Scottsdale;
- d. Land uses should contribute to the building of community unity and cohesiveness;
- e. Land uses should work in concert with transportation systems in order to promote choice and reduce negative impacts upon the lifestyle of citizens and the quality of the environment;
- f. Land uses should be balanced in order to allow for the community to provide adequate live, work and play opportunities; and;
- g. Land uses should provide opportunities for the design of uses to fit and respect the character, scale and quality of uses that exist in the community.

Scottsdale General Plan and Amendments

Based on the definitions and guidelines just reviewed, we believe:

- The Bell proposal **does not enhance** our neighborhood.
- The Bell proposal **does not fit and respect** the character of land use that **currently exists** in the community.
- The Bell proposal **does not warrant** being classified as a **substantial alteration** to the General Plan.

So, what makes the Bell proposal necessary, urgent or special?

Key Elements of the Bell Argument for Approval

- The surrounding area needs additional self-storage capacity – **Not true**
- The only feasible development of the parcel in question is a self-storage facility – **Not true**
- There will be a neutral to positive impact on home values – **Not true**
- Many "concessions" have been given to the homeowners with regard to building design/operation and view-enhancement assistance for immediately adjacent homes.

Homeowners Argument

- Since 2001, there have been **60** amendments to the **voter-approved** General Plan.
- Of those amendment requests submitted **15** have been approved.
- Of those approved amendments **none** have been a zoning conversion from Rural Neighborhood to Commercial.
- Currently, there is **no C-1 zoning on the south of Shea** between 96th and 136th Street
- The Planning Commission's 4-3 vote indicates that the Bell proposal is at best questionable.

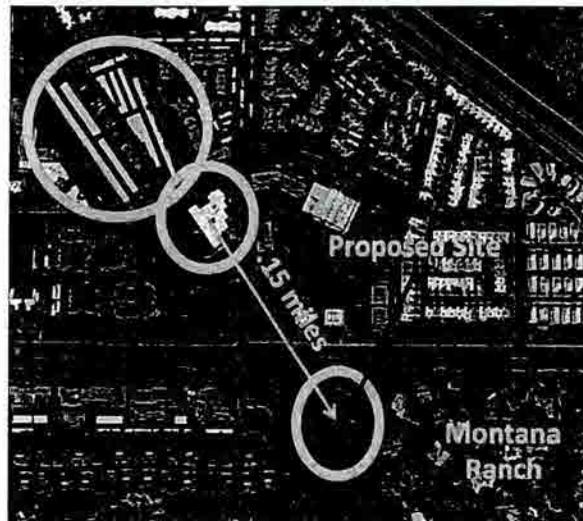
Homeowner Argument

- Additional self storage capacity is not necessary in the service area:



Homeowner Argument

- Additional self storage capacity is not necessary in our immediate community:



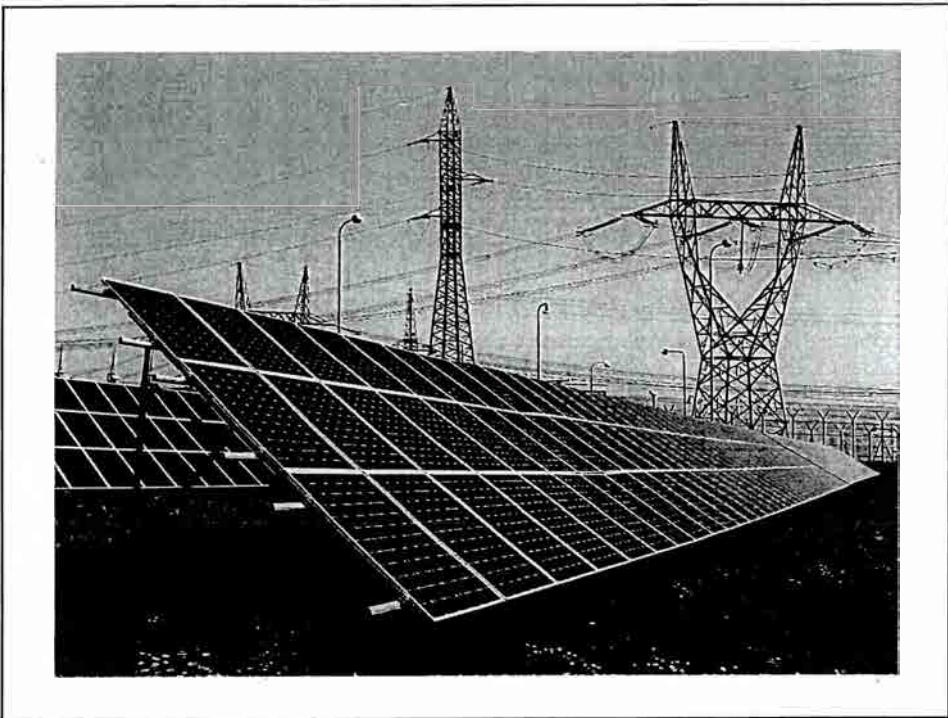
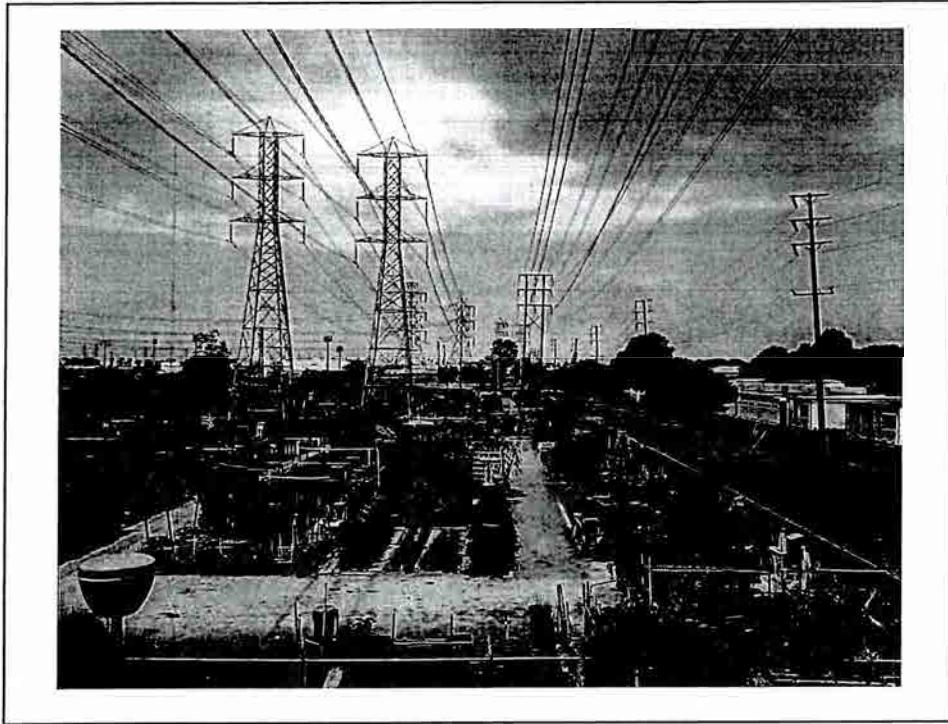
Homeowners Argument

- Existing service area capacity is sufficient.
- Existing service area capacity profile (without the Bell project):
 - U.S. urban storage square feet per capita: 6.82 (Bell Group's number)
 - ❖ Arizona storage square feet per capita: 6.19 (Bell Group's number)
 - Storage facility customer attraction radius: 3-5 miles
 - Total estimated existing storage units within 5+/- mile radius: 4,315
 - Average space rented: 100 sq.ft. (10'x10')
 - Total estimated existing storage square footage: 431,500 sq.ft.
 - Approximate population within 5-mile service area radius: 50,000+/-
 - Existing storage square footage per capita (vs. national average): 8.63
 - Existing self storage per capita over national average: 26%
 - ❖ Existing self storage capacity over Arizona average: 39%

NOTE: About 13% of all self storage renters say they will rent for less than 3 months; 18% for 3-6 months; 18% for 7-12 months; 22% for 1-2 years; and 30% for more than 2 years

Homeowner's Argument

- Alternative development opportunities:
 - Developing real estate under power lines presents unique challenges.
 - Scottsdale is not the only city that has had to deal with land use under power lines.
 - Around the world, there are 3 prevalent alternative, under-power-line land uses:
 - ❖ Farming
 - ❖ Nurseries
 - ❖ Solar farms
 - All of which have:
 - ❖ An unobtrusive height profile substantially lower than the proposed Bell building
 - ❖ Very low to no retail traffic compared to what the Bell project would generate
 - ❖ A neutral to positive impact on home values
 - ❖ A positive impact on the neighborhood

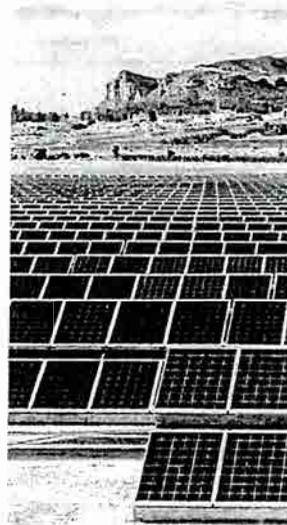


City of Scottsdale General Plan Preservation and Environmental Planning Element Excerpt

Scottsdale's future is dependent upon a sustainable approach to planning that includes consideration of environmental opportunities and challenges at the earliest stages and throughout the planning process. Unique opportunities in our region, such as the abundance of solar energy, have been underutilized. At the same time, the issue of finite resources, such as water supply and the shrinking area of native desert and mountain environment, has only recently received the attention it deserves.

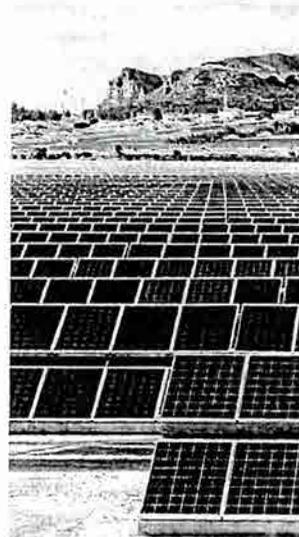
Future challenges will require innovative environmental solutions:

- Developing a built environment that is sustainable and in harmony with the natural environment.
- Redeveloping, restoring, and revitalizing existing neighborhoods, infrastructure, retail commercial and residential areas in the city in ways that are environmentally sustainable.
- Implementing the acquisition of land for the McDowell Sonoran Preserve.
- Preserve and improve the quality of the air we breathe.
- Providing an ensured, safe, and assured supply of water far into the future.
- Developing affordable and sustainable energy supplies without polluting our air, water and land. (Perhaps capitalizing on solar energy)
- Sustaining economic vitality without congesting roads and polluting the air.
- Balancing preservation of land, including urban open spaces, with provision of appropriate recreational opportunities.



Potential Solar Farm Alternative Profile

- For the parcel in question (+- 4.6 acres):
 - Design: Fixed-tilt, ground mounted
 - No moving parts, emissions or waste
 - **Power generation capacity: 1 MW**
 - **1-MW can power 164 homes**
 - Project cost: \$2-2.5 million
 - Federal tax credit: 30%
 - AZ tax credit: 10% (\$25K max)
 - Power generation buyer: APS
 - Average net margin: 30%
 - "Retail" traffic: Zero
 - **Max height: 8-10 feet**



Homeowner's Argument

- "Taking of Value":
 - Relevant law:
2006 Proposition 207 – the "Private Property Rights Protection Act"
 - The Act provides that if the existing **rights** to use, divide, sell or possess private real property **are reduced** by any **land use law** enacted after the date the property is transferred to the owner and such action **reduces the fair market value of the property** the owner is entitled to just compensation.

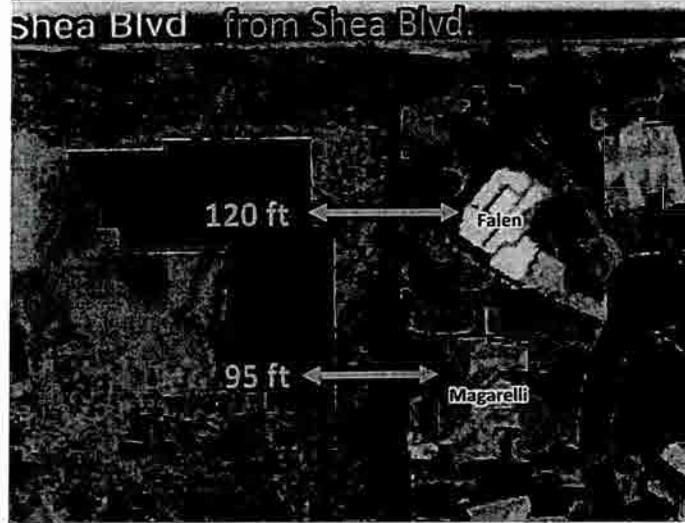
Homeowner's Argument

- "Taking of Value":
 - The assertion by the Bell Group that its facility will have neutral to positive impact on home values is ludicrous and unsupported by any credible source
 - Multiple white papers, experience, and expert testimony confirm that the range of home value loss would be expected as follows:
 - ❖ For homes immediately adjacent: Between 12%-15%
 - ❖ For homes in the community but not immediately adjacent: 5%-10% depending on proximity to the facility
 - Extrapolating those estimates, the aggregate **home value loss** for the 95 homes in Montana Ranch is estimated to be more than **\$4 million** if the Bell project is approved

Homeowner's Argument

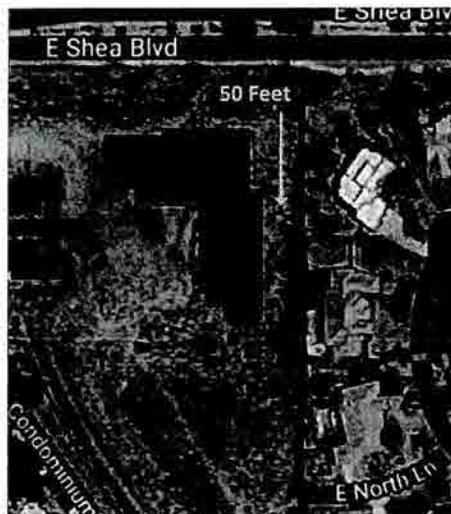
- View obstruction – Misleading developer representation:

Bell Group Submitted Rendering



Homeowner's Argument

- View obstruction – Accurate representation:



Homeowner's Argument

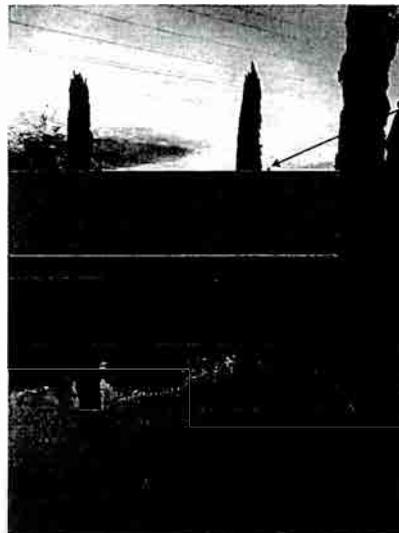
- View obstruction:



Reference point

Homeowner's Argument

View obstruction:



18 Feet

Homeowner's Argument

- Crime increase/Impact on homeowner safety:
 - There is documented evidence that certain elements of crime are directly associated with self-storage facilities:
 - Terrorism
 - Drugs
 - Theft
 - Having a facility a mere 50 feet from the backyards of some homes and with a blind spot created between eastern wall of the proposed facility and the western wall of some of the homes is a substantial safety concern

Homeowner Argument

- "Concessions" to homeowners:
 - Height restrictions and view enhancements have been offered, but with loopholes
 - Re-zoning to C-1 opens Pandora's Box
 - **Building height maximum could increase to 36 feet**
 - Types of buildings allowed expands with varying levels of retail traffic
 - Although the Bell Group has offered certain deed restrictions for immediately adjacent homes, those restrictions could easily be waived by new owners of those homes in the future
 - Specifically, the owner of the self-storage facility or the other surrounding land could buy the immediately adjacent homes and change the deed

Homeowner's Argument

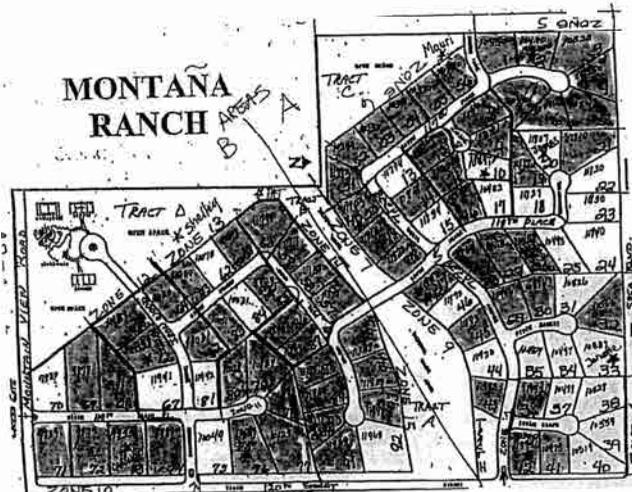
- If the Legal Protest statute was still in place (in its original form), our community would have the requisite number of signatures (which equals **73%** of the community's homeowners) to submit such a protest.

Petition to Oppose 4-GP-2107 and 9-ZN-2017

Petition summary and background		We are Montañá Ranch Home Owners in Opposition to the City of Scottsdale Major General Plan Amendment 4-GP-2107 and the Re-Zoning Code 9-ZN-2017		
Petitor Name	Signature	Address	Comment	Date
Karen Friedman	[Signature]	1198 E. Gold Dust Ave.	Bought with occupation of existing home/transect estate	10-11-17
Guth Switzer	[Signature]	1715 E. Gold Dust Ave.		10-11-17
Victoria Espinoza	[Signature]	10530 N. 117th Place	zoned for residential and agricultural	10-16-17
Walter Tapella	[Signature]	10480 N. 117th Place	Property of 1000 sq ft. built in 1970s. This is not a residential lot. It is a farm lot.	10-16-17
Ardaya Lindeman	[Signature]	1152 N. 117th Place	Real estate agent. This is not a residential lot. It is a farm lot.	10-16-17
Lynn Hubbard	[Signature]	1177 E. 117th Place	zoned for residential and agricultural	10-17-17
Sharon Smith	[Signature]	10504 N. 117th Pl.	Keep residential.	10-20-17
Dave Davis	[Signature]	1198 E. Gold Dust Ave.	Buy long as it.	10-20-17
Sharon Cohen	[Signature]	10461 N. 117th Pl.	Aggravated zoning	10-20-17
Allyssa Hadden	[Signature]	11533 N. 117th Pl.	Aggravated zoning	10/20/17
Bill Williams	[Signature]	11529 E. Gold Dust Ave.		10/20/17
Brenda John	[Signature]	11321 E. Ironwood Dr.	Keep zoning the same	10/20/17
M. Zolt Jarrow	[Signature]	11701 E. Gold Dust Ave.	Do not change zoning	10/20/17

Homeowner's Argument

- Signature coverage within the community:



Value Equation Estimates for the Concerned Parties

- Bell Group:
 - Estimated annual gross revenue: \$2 million
 - Estimated annual net margin: \$400,000-\$500,000
 - Opportunity to flip business to a self-storage REIT at a premium
- Montana Ranch Homeowners:
 - Estimated \$4,000,000+ in collective home value loss
 - Increased home and personal safety concerns
- City of Scottsdale estimated annual net new tax revenue: \$25-\$30,000

Closing

- This parcel has been undeveloped for as long as any of us can remember.
- There is **no known imminent reason** to find a development solution on an expedited basis.
- The **need** for another self-storage facility in the neighborhood **is not compelling**.
- There are potentially other more rational development alternatives that the land owner could consider that do not have the same negative impacts as the Bell project does to the neighborhood and Montana Ranch.

Closing

- The value equation of the Bell project for the general area, Montana Ranch and the City **should not qualify by any measure as a substantial reason** to amend the General Plan.
- The Bell project puts Montana homeowners at an **unnecessary and material financial risk**.
- The **only party** in this debate **that materially benefits** if the amendment to the General Plan is approved is the Bell Group.
- Approval of the Bell project **is not in the overall public's best interest**.

Closing

- We believe that there is nothing that makes the Bell proposal necessary, urgent, special nor an enhancement to the community.
- The interests of the affected neighborhood and the adjacent homeowners far outweigh the interests of the Bell Group.



The
Bell
Group

Homeowners Request

- The homeowners that surround the parcel in question respectfully request that Mayor Lane and the other City Council members exercise the wisdom and leadership necessary to **preserve the character of Scottsdale** that Herb Drinkwater created and demonstrate their commitment to **continuing to put citizens first** by:
 - Not approving the Bell Group's request to amend the General Plan and re-zone the parcel to C-1 based on the homeowners opposition argument.
 - Encouraging the land owner to work directly with a committee of the homeowners to find a development solution for the parcel that is mutually beneficial and can conform to the existing zoning.