

**TOWN OF PARADISE VALLEY
ZONING TEXT AMENDMENT APPLICATION
REVISED**

Submittal Date: September 26, 2016; Revised June 23, 2017

Applicant Name: Doug Jorden

Applicant Address: 5080 North 40th Street, Suite 245

City Phoenix State AZ Zip 85018

Phone: (480) 505-3909 Contact Name: Doug Jorden

Fax: (480) 505-3901

E-mail Address: djorden@jhjlawyers.com

Description of Text Amendment (attach separate sheet if necessary): See attached.



APPLICANT SIGNATURE

SUBMITTAL REQUIREMENTS: PLEASE PLACE A ✓ OR N/A (NOT APPLICABLE)

 X Narrative Description of Proposed Zoning Text Amendment [8 copies at submittal,
20 copies for each meeting]

 X Application Fee: \$6,245

 Other _____

CLUSTER PLAN TEXT AMENDMENT

Section 912. Cluster Plan Adjacent to Major Arterial Streets and Floodways:

The provisions of this Section 912 shall apply only to parcels of eight (8) acres or more that meet the following criteria: (1) the parcel is adjacent to a major arterial roadway with average daily traffic greater than 35,000 vehicles per day, (2) the parcel is adjacent to the Indian Bend Wash, and (3) the parcel is not adjacent to an R-43 district.

For parcels that meet the criteria of the preceding paragraph, and notwithstanding any other provision in this Ordinance to the contrary, the following shall apply: (1) the minimum lot size shall be 12,000 square feet, (2) the maximum number of stories shall be one, (3) the minimum lot frontage shall be 100 feet, (4) side yard setbacks with street frontage and front yard setbacks for primary buildings shall be 20 feet, (5) rear yard setbacks for primary buildings shall be 25 feet, (6) side yard setbacks with no street frontage for primary buildings shall be 7 feet, (7) the maximum Floor Area Ratio shall not exceed 50%, (8) rear yard setbacks (with or without street frontage) for accessory buildings and structures and pools shall be 10 feet, (9) side yard setbacks (with or without street frontage) for accessory buildings and structures and pools shall be 7 feet, (10) front yard setbacks for garage structures that do not have a garage door facing the street shall be 10 feet, provided that for all square footage of any such garage between the 10 foot and 20 foot front yard setback there shall be at least an equal amount of square footage behind the 20 foot setback that shall not be enclosed, and (11) the height of structures shall be measured as the vertical distance from the Regulatory Flood Elevation adjacent to the parcels, as defined in Section 5-11-1 of the Town Code. All other regulations in this Ordinance shall apply.

APPENDIX "F"
TOWN OF PARADISE VALLEY
APPLICATION TO REZONE FROM R-43/TO R-43 CP
REVISED SUP

PARCEL NO.: 174 - 36 - 002X
174 - 36 - 188A (Partial)
(County Tax Assessor Number)

DATE: September 26, 2016
Revised June 23, 2017

NAME OF PROJECT: The Villas at Cheney Estates

LOCATION OF PROPERTY: Northwest corner of the Northern Avenue alignment and Scottsdale Road

LOT: _____ **SUBDIVISION:** _____

APPLICANT: Doug Jorden

NAME

5080 North 40th Street, Suite 245, Phoenix, AZ 85018
ADDRESS

(480) 505-3909
PHONE #

ENGINEER/OTHER: Fred Fleet

NAME

4550 North 12th Street, Phoenix, AZ 85014
ADDRESS

(602) 285-4768
PHONE #

ARCHITECT: N/A

NAME

ADDRESS

PHONE #

OWNER(S): Town Triangle, LLC, c/o Jarret Jarvis - 5436 East Lafayette Boulevard, Phoenix, AZ 85018
Folkman Properties, L.L.C. - 2422 East Palo Verde Drive, Phoenix, AZ 85016

PRINTED NAME(S) - ADDRESS(ES)

See authorization letters.

SIGNATURE(S)

SIGNATURE OF REPRESENTATIVE

APPLICATION TO REZONE FROM R-43/ TO R-43 CP
SUP

BRIEF DESCRIPTION OF PROPOSED DEVELOPMENT: See Preliminary Plat Application

REASONS FOR REQUESTING REZONING FROM R-43/ TO R-43 CP (ATTACH ALL
SUP
DOCUMENTS): See Preliminary Plat Application

NAME(S), ADDRESS(ES), AND TELEPHONE NUMBER(S) OF OWNER(S) OF AFFECTED
PROPERTY:

<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE</u>
Town Triangle, LLC c/o Jarrett Jarvis	5436 East Lafayette Boulevard Phoenix, AZ 85018	
Folkman Properties, L.L.C.	2422 East Palo Verde Drive Phoenix, AZ 85016	

REZONE FROM R-43/ TO R-43 CP APPLICATION INFORMATION
SUP

NOTE: IT IS SUGGESTED THAT ALL OWNERS/DEVELOPERS MEET WITH PROPERTY OWNERS WITHIN A 1000 FOOT RADIUS OF THE SUBJECT PROPERTY BEFORE SUBMITTING AN APPLICATION. AN APPLICATION IS NOT COMPLETE UNTIL ALL REQUIRED INFORMATION IS SUBMITTED IN AN APPROVED FORM. NO APPLICATION WILL BE REVIEWED UNTIL COMPLETE. NO AGENDA DATE WILL BE SET UNTIL THE COMPLETED APPLICATION HAS BEEN REVIEWED AND ACCEPTED BY STAFF.

APPLICATION FEE: SEE FEE SCHEDULE

INITIAL BELOW

_____ PRE APPLICATION CONFERENCE WITH STAFF DATE: July 13, 2016

_____ APPLICATION SUBMITTED ON: September 26, 2016; Revised June 23, 2017

_____ APPLICATION FEE IN THE AMOUNT OF \$ 4,120.00 DATE: 9/26/16

_____ RECEIPT NUMBER _____ RECEIVED BY: _____

June 6, 2017

LEGAL DESCRIPTION FOR
VILLAS AT CHENEY ESTATES

That part of the Southeast Quarter of Section 34, Township 3 North, Range 4 East of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

Commencing at the Brass Cap in hand hole marking the Southeast Corner of said Section 34, from which the Brass Cap in hand hole marking the East Quarter Corner of said Section 34 bears North 00°00'00" East, a distance of 2,640.81 feet;

Thence North 00°00'00" East, along the East line of the Southeast Quarter of said Section 34, a distance of 40.00 feet to a point on a line which is parallel with and 40.00 feet Northerly, as measured at right angles, from the South line of the Southeast Quarter of said Section 34;

Thence North 89°45'30" West, along said parallel line, a distance of 77.05 feet to the True Point of Beginning;

Thence continuing North 89°45'30" West, a distance of 784.84 feet;

Thence North 37°11'31" East, a distance of 1,318.29 feet to a point on a line which is parallel with and 65.00 feet Westerly, as measured at right angles, from the East line of the Southeast Quarter of said Section 34;

Thence South 00°00'00" East, along said parallel line, a distance of 1,041.48 feet to the beginning of a tangent curve of 12.00 foot radius, concave Northwesterly;

Thence Southwesterly, along said curve, through a central angle of 90°14'30", a distance of 18.90 feet to the True Point of Beginning.

Containing 419,740 Square Feet or 9.636 Acres, more or less.



Expires: 3/31/20

EAST 1/4 CORNER
SECTION 34
TOWNSHIP 3 NORTH
RANGE 4 EAST

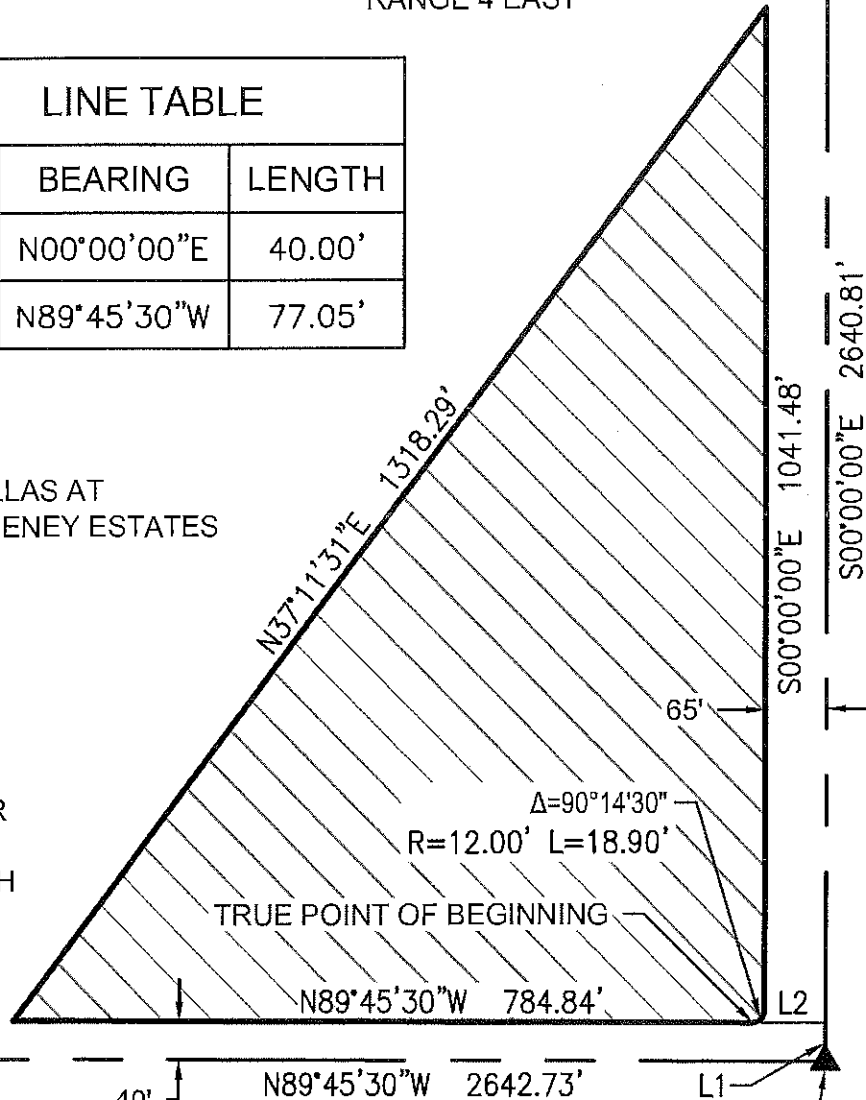
LINE TABLE		
NO.	BEARING	LENGTH
L1	N00°00'00"E	40.00'
L2	N89°45'30"W	77.05'



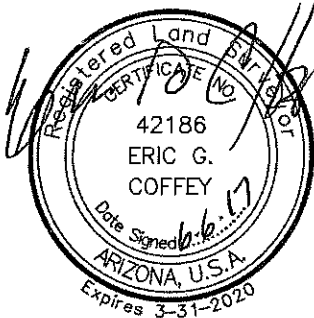
= VILLAS AT
CHENEY ESTATES

SCOTTSDALE ROAD

SOUTH 1/4 CORNER
SECTION 34
TOWNSHIP 3 NORTH
RANGE 4 EAST



NORTHERN AVENUE (ALIGNMENT)



POINT OF COMMENCEMENT
SOUTHEAST CORNER
SECTION 34
TOWNSHIP 3 NORTH
RANGE 4 EAST

SCALE 1" = 200'

EXHIBIT

4550 North 12th Street
Phoenix, Arizona 85014
Phone 602-264-6831
<http://www.cvlci.com>

VILLAS AT CHENEY ESTATES



1 OF 1

TOWN OF PARADISE VALLEY
APPLICATION FOR PRELIMINARY PLAT
REVISED

PLEASE MARK THE APPROPRIATE BOX FOR APPLICATION.

PARCEL NO.: 174 - 36 - 002X
174 - 36 - 188A (Partial) **DATE:** September 26, 2016
(County Tax Assessor Number) Revised June 23, 2017

NAME OF SUBDIVISION: The Villas at Cheney Estates

ADDRESS OR LOCATION OF PROPERTY: Northwest corner of the Northern Avenue
alignment and Scottsdale Road

OWNER(S): Town Triangle, LLC, c/o Jarrett Jarvis - 5436 East Lafayette Boulevard, Phoenix, AZ 85018
Folkman Properties, L.L.C. - 2422 East Palo Verde Drive, Phoenix, AZ 85016
NAME(S) ADDRESS(ES)

AUTHORIZED AGENT: Doug Jorden

NAME

5080 North 40th Street, Suite 245, Phoenix, AZ 85018

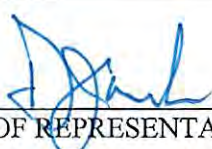
ADDRESS

(480) 505-3909

PHONE #

(480) 505-3901

FAX #


SIGNATURE OF REPRESENTATIVE

APPLICATION FOR PRELIMINARY PLAT

(REQUIRED)

PLEASE PROVIDE A NARRATIVE DESCRIPTION OF THE PROPOSAL. YOU MAY USE A SEPARATE 8 ½" BY 11" SHEET IF NECESSARY.

See attached narrative.

PLAN STATISTICS (REQUIRED)

TOTAL AREA	9.6 acres
NUMBER OF LOTS	8 lots

CONCURRENT APPLICATIONS, IF ANY:

GUARD GATES	☒ YES	☐ NO
PRIVATE ROADS	☒ YES	☐ NO
ROADWAY VACATION	☐ YES	☒ NO

*****FOR OFFICE USE ONLY*****

PRE APPLICATION CONFERENCE WITH STAFF DATE:	
APPLICATION SUBMITTED ON:	
APPLICATION FEE IN THE AMOUNT OF \$	DATE:
RECEIPT NUMBER	RECEIVED BY:
APPLICATION FILE NUMBER	

PRELIMINARY PLAT APPLICATION INFORMATION

NOTE: IT IS SUGGESTED THAT ALL OWNERS/DEVELOPERS MEET WITH PROPERTY OWNERS WITHIN A 1000 FOOT RADIUS OF THE SUBJECT PROPERTY BEFORE SUBMITTING AN APPLICATION. AN APPLICATION IS NOT COMPLETE UNTIL ALL REQUIRED INFORMATION IS SUBMITTED IN AN APPROVED FORM. NO APPLICATION WILL BE REVIEWED UNTIL COMPLETE. NO AGENDA DATE WILL BE SET UNTIL THE COMPLETED APPLICATION HAS BEEN REVIEWED AND ACCEPTED BY STAFF.

APPLICATION FEE: SEE FEE SCHEDULE

INITIAL BELOW

_____ **(REQUIRED)** PRE APPLICATION CONFERENCE WITH STAFF DATE: July 13, 2016

_____ APPLICATION SUBMITTED ON: September 26, 2016; Revised June 23, 2017

_____ APPLICATION FEE IN THE AMOUNT OF \$ 3,765.00 DATE: 9/26/16

_____ RECEIPT NUMBER _____ RECEIVED BY: _____

**THE VILLAS AT CHENEY ESTATES PROJECT NARRATIVE
TEXT AMENDMENT, REZONING, SPECIAL USE PERMIT FOR GUARD GATE,
CONDITIONAL USE PERMIT FOR PRIVATE ROAD, SUBDIVISION SIGN,
AND PRELIMINARY PLAT**

INTRODUCTION

Geoffrey Edmunds and Rod Cullum are preparing to purchase an approximately 9.6-acre parcel for the purpose of developing a residential project. The parcel is currently owned by Town Triangle, LLC and Folkman Properties, LLC, and is located at the northwest corner of the alignment of Northern Avenue and Scottsdale Road, adjacent to Camelback Country Club Golf Course and across the Indian Bend Wash from Cheney Estates.

During the last few years there have been a number of proposals for non-residential uses and churches. One developer worked on the project for over a year to revise the zoning for a multi-story Continuing Care Retirement Community – that effort was not successful. Several of the prior potential buyers have been attempting to build large commercial projects that are not the best use of the property. Schools and sober homes can also be permitted as a matter of state and federal law.

Geoffrey Edmunds lives on the north side of Cheney Estates and is one of the closest neighbors to this long-vacant parcel. Mr. Edmunds has watched the various proposals come and go over the years—none of these proposed uses were appropriate for this property. So, Mr. Edmunds decided to move forward with a project that fits the site and has the full support of The Cheney Estates Homeowner’s Association. As proposed it is far less dense than the homes directly across Scottsdale Road, in Scottsdale. Mr. Edmunds has a long history in the Town and the City of Scottsdale and has a reputation as a quality and conscientious homebuilder. Likewise, Mr. Cullum is a long-time Town resident and top-tier homebuilder.

An 8-lot, single-story residential subdivision is proposed on this 9.6 acre parcel, for an overall density of less than one lot per acre. There will be no access to any Town street; access will be limited to Scottsdale Road. That’s what makes this site unique. There are no one-acre lots adjacent to The Villas at Cheney Estates. A single-story residential solution for the property has a number of benefits to the Town of Paradise Valley and the immediate neighborhood.

1. Less impact on Cheney Estates and Camelback Country Club – the closest neighbors.
2. Better for the Camelback Golf Course to have single-family residential along the golf course.
3. Residents in the Town of Paradise Valley are looking to downsize their lifestyle. Some residents want a smaller home on a smaller lot with less maintenance. This project will meet that demand.
4. The project may provide common amenities (e.g. ramada, spa, barbeque, etc.) for the use of all residents, eliminating the need for residents to maintain separate amenities.
5. Traffic from a residential community will be less than a commercial use.
6. The homes will be restricted to single story with a maximum height of 24 feet.
7. It forever eliminates less desirable uses, which the Town has little to no ability to impede as a matter of state and federal law.

The proposed zoning is R-43 Cluster Plan; there will be 8 lots on 9.6 acres. Because of the proximity to Scottsdale Road and the Indian Bend Wash, and the use of the Cluster Plan zoning regulations, this proposal will not set a precedent for future zoning in the Town.

1. All of the land adjacent to this parcel of land is either Golf Course or Open Space (the Indian Bend Wash).
2. Changing the zoning in an area of developed one acre lots is quite different than rezoning an isolated, undeveloped parcel which abuts Scottsdale Road. For example, the lots in the area from Scottsdale Road west along Doubletree Road toward Invergordon Road are previously platted, 165-foot wide, one-acre lots abutting and utilizing several other Town roadways.
3. This parcel is unique since it does not use any street in the Town of Paradise Valley. The entrance and exit will be from Scottsdale Road. Therefore, the parcel will be very little burden to the Town. Fire will be paid by the residents. Sewer will be paid by the residents. The Town will provide police. The streets are private and will not require any maintenance from the Town.
4. There are not any one acre lots adjacent to this parcel.
5. Cheney Estates is the closest development to the site and the homes in Cheney Estates are built on less than one acre lots.
6. The golf course lots of Camelback Country Club were platted as one acre lots and gave an easement back to the golf course for approximately a half acre. Therefore, the golf lots are built on less than one acre useable lots. The proposed R-43 Cluster Plan will do essentially the same thing, except that the area in the golf course will be owned by the project's homeowners association.
7. The homes to the east of the parcel in Scottsdale are very dense and probably built at four or five units per acre.
8. The triangular shape of the parcel and the fixed location of the entry and exit on Scottsdale Road make it difficult to develop.
9. This parcel is different from other parcels in the Town since it has not been previously platted.

Six distinct applications will be required:

1. A text amendment to Paradise Valley Zoning Ordinance to allow the Town's Cluster Plan District to be applied to the site (Text Amendment).
2. A rezoning to establish R-43 Cluster Plan zoning (Rezoning).
3. A special use permit to allow guard gates at the entrance to the development (SUP).
4. A conditional use permit for a private road to serve the project (CUP).
5. A preliminary plat to create the 8-lot subdivision (Preliminary Plat).
6. A subdivision sign to identify the project (Sign Application).

These applications will be processed simultaneously.

TEXT AMENDMENT

The proposed text amendment to Article IX will allow the Town's Cluster Plan District to be applied to the project.

REZONING

The proposal includes an application to rezone the property from R-43 to R-43 Cluster Plan to accommodate the development of the proposed 8-lot subdivision.

SPECIAL USE PERMIT/CONDITIONAL USE PERMIT

Since the only access to The Villas at Cheney Estates will be from busy Scottsdale Road, access-control gates and a private road are appropriate. After turning off of Scottsdale Road, a cul-de-sac meeting all Town criteria will provide a safe location from which vehicles can access the lots to the north and south of the cul-de-sac. The location of the gate meets the criteria set forth in the Town's Special Use Permit Guidelines and the City of Scottsdale's requirement that the call box be 75 feet from the back of curb on Scottsdale Road. Walls around the cul-de-sac connecting to the gates are important to lessen the noise impact from Scottsdale Road.

SIGN APPLICATION

The subdivision signs will not be free-standing, but will be located on the entry walls to identify the project for traffic northbound and southbound on Scottsdale Road.

PRELIMINARY PLAT

The preliminary plat contemplates an 8-lot single story, detached residential community. Developing the site with single-family homes will finally provide a solution for this long-vacant property. Single-story homes built on this parcel will enhance the area and provide an attractive community from the Camelback Golf Course and for those driving on Scottsdale Road.

TOWN TRIANGLE, LLC
5436 EAST LAFAYETTE BOULEVARD
PHOENIX, AZ 85018

June 23, 2017

Doug Jorden
Jorden Hiser & Joy, P.L.C.
5080 North 40th Street, Suite 245
Phoenix, AZ 85018

Re: Maricopa County Assessor's Parcel No. 174-36-002X, located at the northwest corner of Northern Avenue and Scottsdale Road, Paradise Valley, Arizona (the "Property")

Dear Mr. Jorden:

The purpose of this letter is to authorize you and your firm to file and process applications with the Town of Paradise Valley for a text amendment, rezoning to R-43 CP, special use permit for a guardgate, conditional use permit for a private road, subdivision signage, and preliminary plat for the Property.

TOWN TRIANGLE, LLC

By: Alice Jarvis Sardine
Name: Alice Jarvis Sardine
Title: Manager

FOLKMAN PROPERTIES, L.L.C.
2422 EAST PALO VERDE DRIVE
PHOENIX, AZ 85016

June 23, 2017

Doug Jorden
Jorden Hiser & Joy, P.L.C.
5080 North 40th Street, Suite 245
Phoenix, AZ 85018

Re: Maricopa County Assessor's Parcel No. 174-36-188A (Partial), located at the northwest corner of Northern Avenue and Scottsdale Road, Paradise Valley, Arizona (the "Property")

Dear Mr. Jorden:

The purpose of this letter is to authorize you and your firm to file and process applications with the Town of Paradise Valley for a text amendment, rezoning to R-43 CP, special use permit for a guardgate, conditional use permit for a private road, subdivision signage, and preliminary plat for the Property. We recognize that the Property will remain subject to a Special Use Permit granted by the Town of Paradise Valley and a lease with Camelback Properties Inn, Inc. and/or MS Resort Owner, LLC, and/or other Marriott-related entities.

FOLKMAN PROPERTIES, L.L.C.

By: 

Name: Brad Folkman

Title: Officer

**BERNEIL WATER COMPANY
P. O. BOX 219
TEMPE, ARIZONA 85280**

**PHONE 480-966-5804
FAX 480-967-7857**

August 19, 2016

Villas at Camelback Country Club

The Berneil Water Company will provide water to the proposed eight lot subdivision which is in the water companies CC&N. This agreement is predicated upon the company obtaining an assured water supply certificate.

A handwritten signature in black ink, appearing to read 'Brad Folkman', written over a horizontal line.

Brad Folkman
President



P.O. Box 53933
Phoenix, AZ 85072

8/17/2016

Mr. Fred Fleet
COE & VAN LOO Consultants Inc
4550 North 12th Street
Phoenix, AZ 85014

Re: NWC of Scottsdale Rd and Northern Avenue

Dear Mr. Fleet,

The above referenced project is located in Arizona Public Service Company's electric service area. The Company extends its lines in accordance with the "Conditions Governing Extensions of Electric Distribution Lines and Services," Schedule 3, and the "Terms and Conditions for the Sale of Electric Service," Schedule 1, on file with the Arizona Corporation Commission at the time we begin installation of the electric facilities.

Application for the Company's electric service often involves construction of new facilities for various distances and costs depending upon customer's location, load size and load characteristics. With such variations, it is necessary to establish conditions under which Arizona Public Service will extend its facilities.

The enclosed policy governs the extension of overhead and underground electric facilities to customers whose requirements are deemed by Arizona Public Service to be usual and reasonable in nature.

Please give me a call at 602-493-4468 so that we may set up an appointment to discuss the details necessary for your project.

Sincerely,

Heather Legg
Customer Project Manager
Customer Construction East



SOUTHWEST GAS CORPORATION

August 17, 2016

Mr. Fred Fleet
COE & VAN LOO CONSULTANTS, INC.
4550 North 12th Street
Phoenix, AZ 85014

RE: Natural Gas Service to Parcel 174-36-002X:

Dear Mr. Fleet,

Thank you for your inquiry regarding gas availability for the above referenced project. Southwest Gas has natural gas facilities available to serve this project and can be extended to serve your project in accordance with our Rule Six as filed with the Arizona Corporation Commission

Without reviewing the preliminary engineering plans on the project we cannot determine what fees would be required.

Southwest Gas is very interested in serving this project with the preferred fuel ***natural gas***, and I look forward to working with you as the project progresses.

If you should have any questions or require additional information, please contact me at 602/763-5122, or email me at crista.longobardo@swgas.com.

Sincerely,

Crista Longobardo
Energy Analyst
Energy Solutions Department
Central Arizona Division



CenturyLink™

CenturyLink Engineering
135 W. Orion St. 1st Floor
Tempe, AZ 85283
BICS@Centurylink.com

August 8, 2016
Mr. Fred Fleet
COE & VAN LOO CONSULTANTS, INC.
4550 North 12th Street
Phoenix, Arizona 85014

RE: Jarvis Parcel

Mr. Fleet:

The above mentioned project is located in a parcel of land located in Section 34, Township 3N and Range 4E in Maricopa County.

In response to your "Service Availability" request for the above mentioned development located at the northwest corner of Scottsdale Road and Northern Avenue, Paradise Valley, AZ, this letter is to acknowledge that this subject property is within CenturyLink serving territory.

The tariff Rates and Regulations prescribed for service for this area are on file with your State Utilities Commission, and may be examined at your local CenturyLink Business Office.

Sincerely,

Roni Jean Grant-Sloan
CenturyLink Supervisor Construction/Engineering Permits/Joint Use/Developer Administration
135 W Orion Street, 1st Floor
Tempe, AZ 85283
480/768-4294 (Office)
480/748-1352 (Cell)



1550 W Deer Valley Rd
Phoenix, AZ 85027

August 24th, 2016

Mr. Fred Fleet
COE & VAN LOO CONSULTANTS, INC.
4550 North 12th Street
Phoenix, AZ 85014

RE: Jarvis Parcel

This letter is to confirm that Cox Communications is a licensed telecommunications provider for the above area. Service to a development with public streets and public utility easements, meeting the density requirement as stipulated in the license with the County, will be provided at no cost to the developer. Should the project not meet the density requirement, a capital contribution program is available.

For private communities (whether gated or not), our standard easement agreement will be required. Otherwise the same procedures apply. The developer also has the option of providing service to the community at a reduced rate under the bulk discount program. If you're interested, please contact me for additional information on the program.

Upon receipt of the appropriate trench maps and placement time lines, Cox Communications will place its facilities in the joint utility trenches. For the preliminary information and/or the service area map, please call our Cox Traffic Management Center at 623-328-3554.

Sincerely,

Jessica Baxley

Jessica Baxley
Account Executive
Cox Communications
New Business Development
(623) 328-2022

Drainage Study / CLOMR Report
PV Triangle Parcel
NWC Scottsdale Road and Northern Avenue (alignment)
Paradise Valley, Maricopa County, Arizona
FEMA Case #17-09-0673R

Prepared for:
Geoffrey Edmunds & Associates
7070 East Foothill Drive
Paradise Valley, AZ 85253

For submittal to:
Town of Paradise Valley
City of Scottsdale
FEMA

Prepared by:
Erie & Associates, Inc.
3120 North 24th Street
Phoenix, Arizona 85016



EA #2136.04

November 22, 2016
Revised: April 25, 2017



Drainage Narrative

This 9.636 acre parcel is to be developed in such a manner that it will be free from inundation from the west, the south and the east and protected by masonry walls on the west, south and east as well as the regrading of the Indian Bend wash thru the CLOMR/LOMR process.

The development will be responsible for retaining that quantity of water generated using the pre vs: post formula as set forth in the Town of Paradise Valley "Storm Drain Design Manual" (1987 Edition) or the "First Flush Volume" whichever is greater. Emergency outfall will be to the Indian Bend Wash.

**"PRELIMINARY
NOT FOR
CONSTRUCTION
OR
RECORDING"**

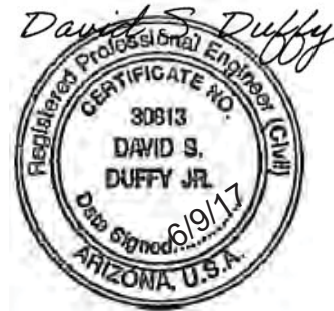
CVL
Coe & Van Loo
Consultants, Inc.

Phone: 602.264.6831 • E-mail: cvl@cvlci.com



October 27, 2016

Fred Fleet
COE & VAN LOO CONSULTANTS, INC.
4550 N. 12th Street
Phoenix, AZ 85014



Expires 12/31/2017

RE: The Villas at Cheney Estates Trip Generation Statement – Paradise Valley, Arizona

Dear Mr. Fleet,

CivTech is pleased to provide this trip generation statement for The Villas at Cheney Estates development located on the northwest corner of Scottsdale Road and Northern Avenue alignment in Paradise Valley, Arizona. The approximately 9.6 acre site is proposed to consist of eight (8) dwelling units. The purpose of this trip generation statement is to document the amount of trips the development is anticipated to generate, the proposed access conditions of the site, the volume of peak hour turning movements that are expected to occur and the sight distance requirements for the corner clearance.

EXISTING CONDITIONS

The site encompasses approximately 9.6 acres and is located on the northwest corner of Scottsdale Road and Northern Avenue. The site is a previously graded, undeveloped dirt lot. Scottsdale Road forms the eastern boundary of the site. The northwest boundary of the site is adjacent to the Camelback Golf Club. The Northern Avenue alignment passes along the southern border of the site without plans for extension; a public works station as well as a drainage facility blocks its potential intersection with Scottsdale Road indicating no future plans to construct and intersection at the alignment. The Cheney Estates residential subdivision is located to the south of the Northern Avenue alignment and the Santo Thomas residential subdivisions are located to the east of Scottsdale Road. A driveway ramp is already constructed to Scottsdale Road to provide access to the site.

PROPOSED DEVELOPMENT AND TRIP GENERATION

The development is proposed to consist of eight (8) single family dwelling units. A site plan is included as **Exhibit A** within the **Attachments**.

Generated trips were estimated for the proposed development utilizing the data given in the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 9th Edition and the methodology discussed in the ITE *Trip Generation Handbook*, 3rd Edition. The ITE *Trip Generation Manual* contains data collected by various transportation professionals for a wide range of different land uses. The data are summarized in the report and average rates and equations have been established that correlate the relationship between an independent variable that describes the development size and generated trips for each categorized land use. The report provides information for daily and peak hour trips.

Table 1 summarizes trip generation for the proposed development. This information is also presented in the **Attachments**.

Table 1 – Trip Generation Summary

Land Use	ITE Code	Size		Weekday Generated Trips						
				Daily	AM Peak Hour			PM Peak Hour		
		Quantity	Units	Total	Enter	Exit	Total	Enter	Exit	Total
Houses	210	8	DU	76	2	4	6	5	3	8

The development is expected to generate approximately 76 daily trips during a typical weekday, of which 6 trips are anticipated during the AM peak hour and 8 trips during the PM peak hour.

ACCESS CONDITIONS

Geometry

Access conditions are depicted in **Exhibit B** within the **Attachments**. Scottsdale Road, which provides access to the site, is classified by the City of Scottsdale as a suburban major arterial and is considered a major arterial by the Town of Paradise Valley. Scottsdale Road has a posted speed limit of 45 miles per hour and provides three (3) general lanes and one (1) bike lane in each direction, separated by a raised center median adjacent to the site.

Public access to the site is proposed at the existing driveway ramp to Scottsdale Road. At the driveway, Scottsdale Road's center median is configured to allow left turns in and left turns out with a refuge area for 2-stage left turns. Thus the existing configuration provides full access. A secondary driveway for emergency access is proposed east of the planned cul-de-sac. The existing driveway will provide sufficient access to the site and access to the Northern Avenue alignment is not required or desired.

Turning Movements

A simple north/south distribution is assumed for trips generated by the site such that 60 percent of trips are projected to enter/exit the site traveling to/from the south and the remaining 40 percent to/from the north. This distribution is applied to the trip generation of the site to project turning movements at the driveway. The results are summarized in **Table 2** and depicted in **Exhibit B** within the **Attachments**.

Table 2 – Projected Turning Movements

Time Period	NB Left	SB Right	EB Left	EB right
Daily	23	15	15	23
AM Peak Hour	1	1	2	2
PM Peak Hour	3	2	1	2

The site is expected to generate approximately 3 or fewer vehicle trips in any turning movement in or out of the site during any 1-hour period. The ± 135 feet of existing storage for the northbound left turn lane is expected to be sufficient for the future queuing demand of the movement. A right turn deceleration lane is not required per the Town's criteria but is required by the City of Scottsdale as Scottsdale Road is classified as a major arterial. As the development is expected to generate very few trips during the peak hours and the driveway was already constructed and

exists without a right turn lane, the developer proposes to maintain the existing driveway conditions and not construct a new southbound right turn lane.

The driveway will provide approximately 75 feet from the edge of pavement of Scottsdale Road to the keypad to the gate. This provides sufficient space for 2-3 vehicles without queuing in front of the sidewalk or street. Given that the development consist of only 8 dwelling units and the expected peak ingress volume of 5 vehicles per hour, the provided storage on site is sufficient for typical ingress operation. The CC&Rs will limit these 8 lots to one trash hauler and one landscape maintenance company so that there will not be multiple trash trucks/landscape truck with their trailers backed up at the gate.

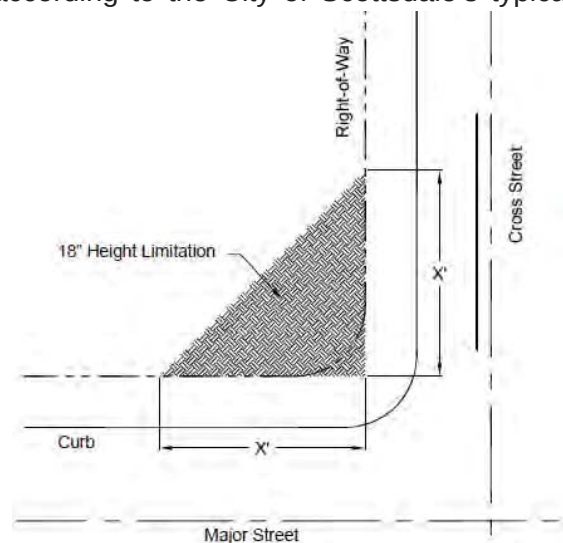
Intersection Corner Clearance

Intersection Corner Clearance triangles, often called by other names, is a triangle at intersections that is designated to remain clear of obstructing vegetation and bulky physical objects. The purpose may include providing additional visibility of pedestrians, reserving area for potential signal equipment, and partial sight visibility for approaching vehicles. A corner clearance is not a replacement for measurement of sight distance, discussed in a later section.

Per the Town of Paradise Valley's Municipal Code Section 8-1-13, updated in 2002, a sight triangle should measure 50 feet along each side of the property boundaries. Per Section 8-1-13.F, the triangle is "...eligible for modification by the Town Engineer if one or both of the intersection streets are controlled by stop signs or traffic signals..." The town code does not provide alternative sight triangle dimensions for stop-controlled intersections, and the existing wall is also beneficial to serve as a sound and privacy barrier between individual residencies and Scottsdale Road. This study considers criteria from the City of Phoenix and the City of Scottsdale.

CivTech is aware that Paradise Valley had used City of Phoenix guidelines for corner clearances at driveways. Phoenix corner clearances at driveways is measured similarly at right-of-way boundaries with the major road dimension at 20 feet and the dimension along the driveway at 10 feet.

The City of Scottsdale also has established corner clearance requirements, which would require a triangle measured 25 feet along the right-of-way limits for intersections with arterial roads. Since the driveway intersects Scottsdale Road which is controlled by the City of Scottsdale, it is recommended that corner clearance be provided according to the City of Scottsdale's typical requirements. As the driveway to the site is private and does not provide right-of-way, however, it is recommended that the east-west segment of the corner clearance triangle be designated along the curb return of the driveway which the plat indicates is 25 feet from the centerline of the driveway. Note that Scottsdale's local residential roadway segment provides 24 feet of right-of-way from the centerline. A depiction of the required corner clearance is shown to the right.

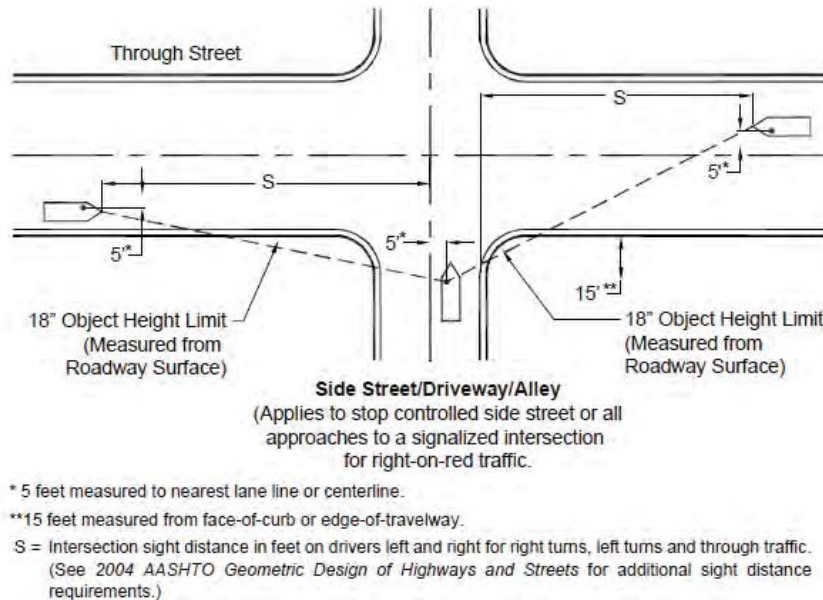


Source: City of Scottsdale Design Standards & Policies Manual, Section 5-3

Sight Distance

Adequate sight distance must be provided at intersections. A sight triangle at a stop controlled intersection is the area encompassed by the line of sight from a stopped vehicle on the minor roadway to the approaching vehicle on the major roadway; there must be sufficient unobstructed sight distance along both approaches of a street or driveway intersection and across their included corners to allow operators of vehicles to see each other in time to prevent a collision. There must also be sufficient sight distance along the major street to allow a driver intending to turn left into the site to see a vehicle approaching in the opposite direction.

Per City of Scottsdale guidelines, standard methodology described by the American Association of State Highway Transportation Officials (AASHTO) is used for intersections and driveways. AASHTO presents the vertex of sight triangles along the driveway to be 14.5 feet back from the face-of-curb (Scottsdale rounds to 15 feet). The existing wall is approximately 15 feet back from the face-of-curb, so the sight distance triangles for minor street vehicles would be contained on the street side of the wall if it remains. A depiction of the required sight distance measurements is shown to the below and the lengths along the street per AASHTO methodology are summarized in **Table 3**.



Source: City of Scottsdale Design Standards & Policies Manual, Section 5-3

Table 3 – Projected Turning Movements

Site Access	To Left from Driveway (ft)	To Right from Driveway (ft)	Ahead on Major Road (ft)
Site Access (55 mph design speed on Scottsdale Road)	680	780	575

It is recommended to designate sight distance triangles according to the distances in **Table 3**.

CONCLUSIONS

From the above it can be concluded that;

- Northern Avenue is not planned and is not proposed to be extended from east of the site to Scottsdale Road. A public works station as well as a drainage facility blocks its potential intersection with Scottsdale Road indicating no future plans to construct and intersection at the alignment. The existing driveway to the parcel will provide sufficient access to the site and access to the Northern Avenue alignment is not required or desired.
- The development is expected to generate approximately 76 daily trips during a typical weekday, of which 6 trips are anticipated during the AM peak hour and 8 trips during the PM peak hour.
- The site is expected to generate approximately 3 or fewer vehicle trips in any turning movement in or out of the site during any 1-hour period.
- The ± 135 feet of existing storage for the northbound left turn lane is expected to be sufficient for the future queuing demand of the movement.
- A right turn deceleration lane is not required per the town's criteria but is required by the City of Scottsdale as Scottsdale Road is classified as a major arterial. As the development is expected to generate very few trips during the peak hours, the developer proposes to maintain the existing driveway conditions and not construct a new southbound right turn lane.
- The City of Scottsdale also has established corner clearance requirements, which would require a triangle measured 25 feet along the right-of-way limits for intersections with arterial roads. Since the driveway intersects Scottsdale Road which is controlled by the City of Scottsdale, it is recommended that corner clearance be provided according to the City of Scottsdale's typical requirements.
 - o As the driveway to the site is private and does not provide right-of-way, however, it is recommended that the east-west segment of the corner clearance triangle be designated along the curb return of the driveway which the plat indicates is 25 feet from the centerline of the driveway. Note that Scottsdale's local residential roadway segment provides 24 feet of right-of-way from the centerline.
- It is recommended to designate sight distance triangles according to the distances in **Table 3**.

Thank you for your consideration of this assessment. Should you have any comments or questions or wish to discuss this information further, please contact me at (480) 659-4250.

Sincerely,

CivTech


David Duffy, P.E.

Attachments:

Exhibit A: Site Plan

Exhibit B: Roadway Conditions and Driveway Traffic Volumes

Trip Generation Calculations

Sight Distance Analysis

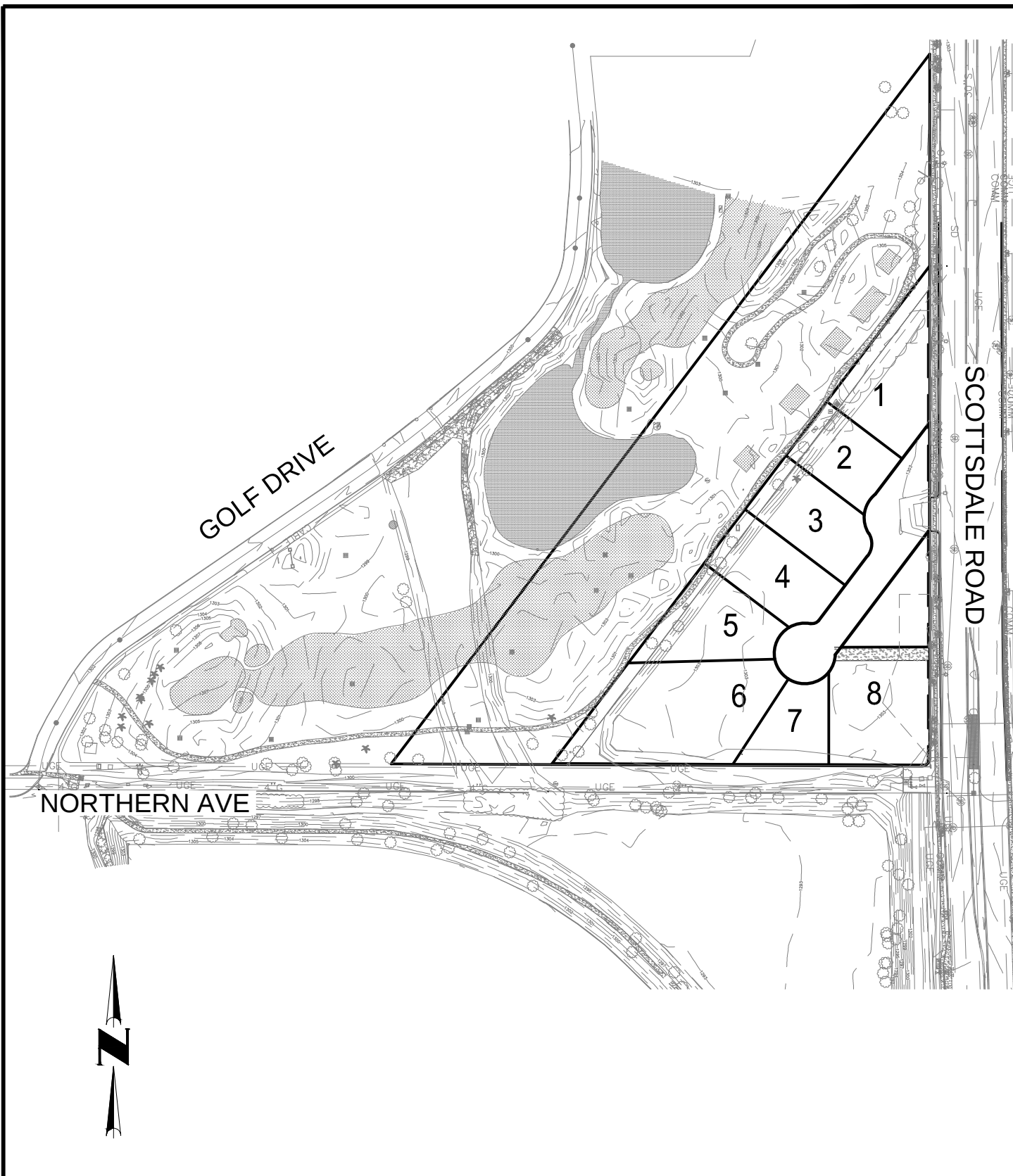
1.0 INTRODUCTION

1.1 General Description

The Villas at Cheney Estates is a proposed 9.636 acre planned Development located in Paradise Valley, Arizona. A total of 8 residential dwelling units (DU) are planned. This report addresses the water distribution system and fire protection for the proposed development. Berneil Water Company will provide water service to the development. The proposed water distribution system will be owned and operated by the Berneil Water Company. City of Scottsdale design requirements and guidelines in the City of Scottsdale's *Design Standards & Policies Manual*, 2010 were used as supplemental material to determine water demands for the development.

1.2 Project Location

The Villas at Cheney Estates is located in Section 34 of Township 4 North, Range 4 East of the Gila and Salt River Base and Meridian. It is bordered by Scottsdale Road to the east, Northern Avenue to the south, and Cheney Estates Golf Course to the northwest. See Figure 1.



SCALE 1" = 200'

FIGURE 1

4550 North 12th Street
Phoenix, Arizona 85014
Phone 602-264-6831
<http://www.cvlci.com>

SITE MAP

THE VILLAS AT CHENEY ESTATES



1.01.0288101

2.0 WATER SYSTEM DESIGN CRITERIA

The following criteria will be used in developing the water report.

2.1 Design Criteria

This water report is based on criteria from the Town of Paradise Valley and City of Scottsdale's *Design Standards & Policies Manual*, dated January, 2010. The following criteria were used in developing this plan:

- o Demand factors
 - Single family residential demand factor = 485.6 gpd/DU
 - Maximum day factor = 2 x Average Day Demand
 - Peak hour factor = 3.5 x Average Day Demand
- o Pressure requirements
 - Minimum
 - 20 psi at the meter
 - Maximum = 120 psi
- o Velocity
 - Maximum
 - 5 fps for maximum day demand
 - 7 fps for peak hour demand
 - 10 fps for maximum day demand plus fire flow
- o Unit friction headloss
 - Maximum = 10ft/1,000 ft of distribution lines
- o Hazen-Williams Coefficient = 130
- o Fire Flows = 1,500 gpm

3.0 EXISTING INFRASTRUCTURE

3.1 Existing Waterlines

There are no existing waterlines within the proposed development. Adjacent existing waterlines include an existing 6" waterline in Golf Drive. This existing 6" waterline continues north in Golf Drive to the Camelback Country Club Estates 3 Development and east in Northern Avenue to 68th Street where it heads north to serve the Camelback Country Club Estates Development.

See Appendix A for a map of the existing Berneil Water Company system.

3.2 Berneil Water System Fire Protection

The Berneil Water Company has entered into an agreement with the City of Scottsdale to provide emergency water service during times when the Berneil Water System is inoperative or during fire emergencies. See Appendix B for a copy of the Agreement. The emergency interconnection is located at 9000 N. Scottsdale Road and consists of a 4-inch water meter, a PR/PSV control valve, a backflow device and associated 6-inch interconnecting pipe. See Appendix C for a copy of the O + M Instructions for operating this emergency interconnection.

3.3 Water Quality

Appendix G contains a copy of the 2015 Annual Water Quality Report. No violations were reported.

4.0 PROPOSED INFRASTRUCTURE

4.1 Water Demands

The water demands for The Villas at Cheney Estates may be seen below in Table 1.

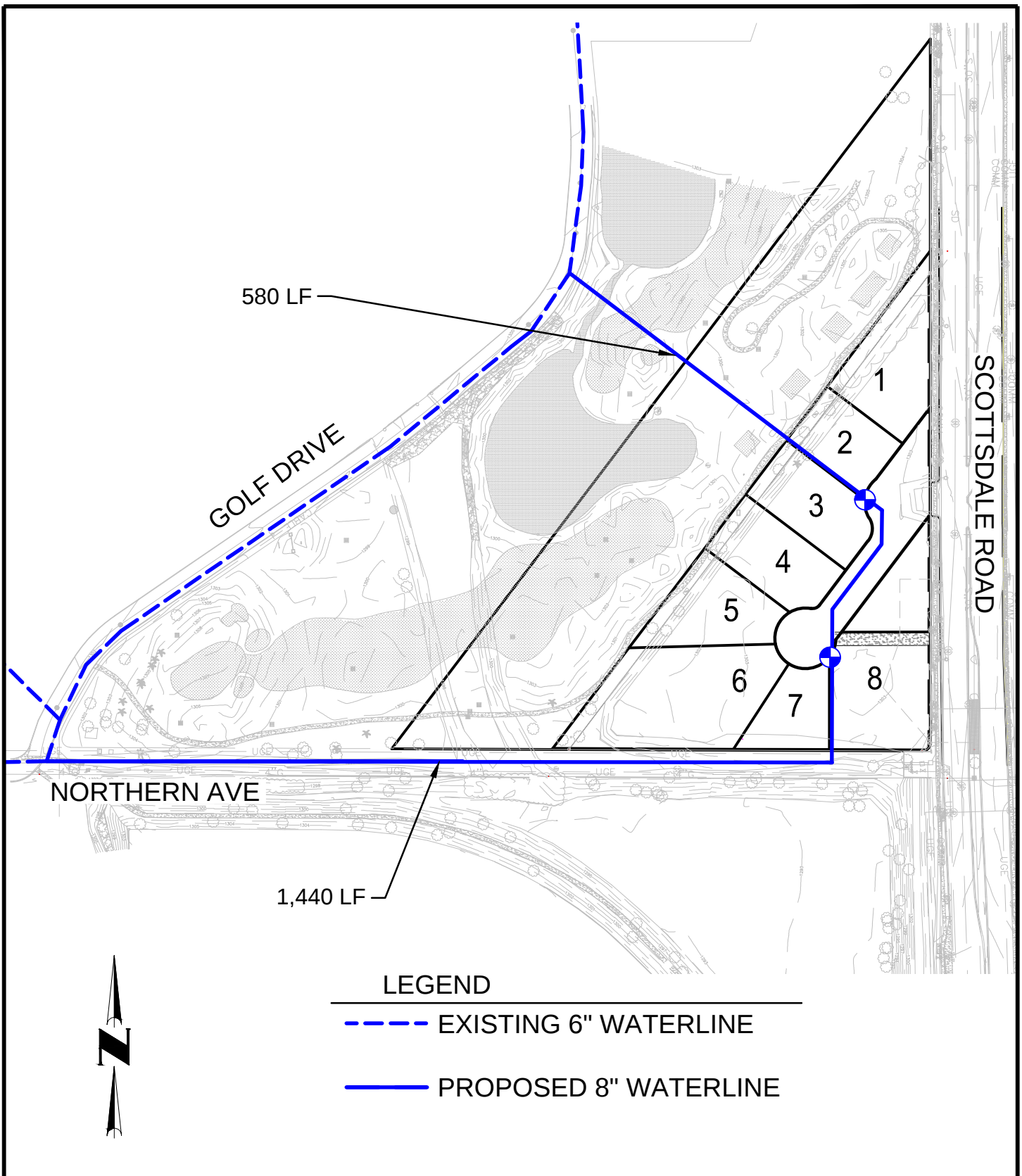
Table 1 – The Villas at Cheney Estates Water Demands

Number of DU	Unit Factor (gpd/unit)	ADD (gpd)	MDF	MDD (gpd)	PHF	PHD (gpd)
8	485.6	3,884.8	2	7,769.6	3.5	13,596.8

Fire flow demands of 1,500 gpm will be modeled.

4.2 Proposed On-Site Infrastructure

A distribution system of 8" waterlines was designed to provide water to The Villas at Cheney Estates. This design may be seen in Figure 2. The proposed design includes two connections to the existing Berneil Water Company System. The first connection will take place approximately 1,700 ft north of Northern Avenue in Gold Drive. This connection includes approximately 580 LF of waterline extension. Second connection will take place at the intersection of Golf Drive and Northern Avenue. This connection includes approximately 1,440 LF of waterline connection.



SCALE 1" = 200'

FIGURE 2

4550 North 12th Street
Phoenix, Arizona 85014
Phone 602-264-6831
<http://www.cvlci.com>

WATER SYSTEM LAYOUT

THE VILLAS AT CHENEY ESTATES



1.01.0288101

5.0 WATER SYSTEM MODELING

5.1 Network Analysis Domestic Demands

The network analysis for the proposed development's distribution system was completed using WaterCAD V8i. A model was created and modified as necessary to demonstrate that the existing and proposed water infrastructure meets the water system design criteria. All networks were analyzed for average day, maximum day and peak hour demand conditions. The existing conditions were determined by a fire flow test completed on October 10th, 2016. Results from this fire flow test may be seen in Appendix D.

The pipes were sized based on pressure requirements for average day, maximum day, and peak hour as described in Section 2.0.

Input parameters of the water distribution system modeling include:

- o Pipe Diameters (inches)
- o Elevations of Nodes/Junctions (feet)
- o System Water Demands (gpm)
- o Hazen-Williams, C=130

Output parameters include but are not limited to:

- o Velocities (fps)
- o Pressure (psi)
- o Head Loss (feet)
- o Flow Rates (gpm)

5.2 Modeling Results Domestic Demands

The detailed results of the WaterCAD analysis for the domestic demands are presented in Appendix E. Table 2 summarizes the results. We note that the system modeled did not include the emerging connection to the Scottsdale Water System.

Table 2 – Water Model Results Summary for Domestic Demands

Scenario	Flow (gpm)	Pressure (psi)				Maximum Velocity (fps)	Pipe ID
		Minimum	Node	Maximum	Node		
Average Day	2.70	68	J-19	79	J-7	0.03	P-22
Maximum Day	5.40	68	J-19	79	J-7	0.06	P-22
Peak Hour	9.44	68	J-19	79	J-7	0.411	P-22

5.3 Network Analysis Fire Flows

The network analysis was performed as described in subsection 5.1 above with the following modifications

- o The water system was expanded to include the emergency water connection with the City of Scottsdale located at 9000 N. Scottsdale Road. It was assumed to be delivering water to the Berneil Water Company system.
- o The system conditions were determined by a fire flow test performed on October 10th, 2016 with the emergency interconnection OPEN. See Appendix D for results.

5.4 Modeling Results Fire Flows

The detailed results of the Water CAD analysis for the fire flow scenario are shown in Appendix E. Table 3 summarizes the results.

Table 3 – Water Model Results Summary for Fire Flow Demands

Nodes	Flow (gpm)	Pressure (psi)				Maximum Velocity (fps)	Pipe ID
		Minimum	Node	Maximum	Node		
J-5	1,500	20	J-5	58	J-26	10.55	P-25
J-6	1,500	21	J-5	58	J-26	10.62	P-25

The nodes identified correspond to the proposed fire hydrant locations within the new development.

6.0 SUMMARY

This Water Service Impact Study presents the proposed water system design, and an overview of existing infrastructure surrounding the project site. The following summarizes CVL's findings of the proposed water system to serve The Villas at Cheney Estates.

- o The water system will be owned and operated by Berneil Water Company.
- o A Water Quality Report for the Berneil Water System may be found in Appendix G of this report.
- o Distribution lines for The Villas at Cheney Estates will consist of 8" waterlines. Distribution mains are sized to accommodate all demand requirements.
- o Pressures at the property line within the proposed development are approximately 78 psi for all domestic demand scenarios which exceeds the Town of Paradise Valley's minimum requirement of 20 psi.
- o Fire flows of 1,500 gpm at Node J-5 and Node J-6 result in pressures above 20 psi and meet Town of Paradise Valley standards.

TOWN OF PARADISE VALLEY
APPLICATION FOR CONDITIONAL USE PERMIT
FOR A PRIVATE ROADWAY
REVISED

PARCEL NO.: 174 - 36 - 002X
174 - 36 - 188A (Partial)
(County Tax Assessor Number)

DATE: September 26, 2016
Revised June 23, 2017

NAME OF SUBDIVISION OR PARCEL: The Villas at Cheney Estates

ADDRESS OR LOCATION OF PROPERTY: Northwest corner of the Northern Avenue alignment
and Scottsdale Road

OWNER(S): Town Triangle, LLC, c/o Jarrett Jarvis - 5436 East Lafayette Boulevard, Phoenix, AZ 85018
Folkman Properties, L.L.C. - 2422 East Palo Verde Drive, Phoenix, AZ 85016
NAME(S) ADDRESS(ES)

See authorization letters.

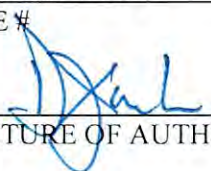
SIGNATURE(S) OF OWNER(S)

AUTHORIZED AGENT: Doug Jorden
NAME

5080 North 40th Street, Suite 245, Phoenix, AZ 85018
ADDRESS

(480) 505-3909
PHONE #

(480) 505-3901
FAX #


SIGNATURE OF AUTHORIZED AGENT

**APPLICATION FOR SPECIAL USE PERMIT
FOR A PRIVATE ROADWAY**

(REQUIRED)

REASON FOR REQUESTING USE PERMIT (ATTACH EXTRA SHEET IF NECESSARY): _____

See Preliminary Plat Application

PLAN STATISTICS

ACRES

RESIDENTIAL AREA	_____	_____
NET AREA	_____	_____
STREETS	_____	_____
GROSS AREA	_____	9.6 ac
NUMBER OF RESIDENTIAL LOTS	_____	8
ZONING	_____	R-43 CP

ADDITIONAL INFORMATION:

GUARD GATES	<u> X </u> YES	<u> </u> NO
ROADWAY ABANDONMENT	<u> </u> YES	<u> X </u> NO
REZONING	<u> X </u> YES	<u> </u> NO
HILLSIDE	<u> </u> YES	<u> X </u> NO

IF YES, SEE ADDITIONAL APPLICATIONS.

CUP AND AMENDMENTS APPLICATION INFORMATION

NOTE: IT IS SUGGESTED THAT ALL OWNERS/DEVELOPERS MEET WITH PROPERTY OWNERS WITHIN A 1000 FOOT RADIUS OF THE SUBJECT PROPERTY BEFORE SUBMITTING AN APPLICATION. AN APPLICATION IS NOT COMPLETE UNTIL ALL REQUIRED INFORMATION IS SUBMITTED IN AN APPROVED FORM. NO APPLICATION WILL BE REVIEWED UNTIL COMPLETE. NO AGENDA DATE WILL BE SET UNTIL THE COMPLETED APPLICATION HAS BEEN REVIEWED AND ACCEPTED BY STAFF.

APPLICATION FEE: SEE FEE SCHEDULE

INITIAL BELOW

(REQUIRED)

_____ PRE APPLICATION CONFERENCE WITH STAFF DATE: July 13, 2016

_____ APPLICATION SUBMITTED ON: September 26, 2016; Revised June 23, 2017

_____ APPLICATION FEE IN THE AMOUNT OF \$ 2,360.00 DATE: 9/26/16

_____ RECEIPT NUMBER _____ RECEIVED BY: _____

LEGAL DESCRIPTION

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 34, T3N, R4E, OF THE GILA AND SALT RIVER BASIN AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 34,
THENCE; DUE NORTH ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER A
DISTANCE OF 387.62 FEET;

THENCE; DUE WEST A DISTANCE OF 65.00 FEET TO A POINT OF THE WESTERLY
RIGHT-OF-WAY OF SCOTTSDALE ROAD AND THE TRUE POINT-OF-BEGINNING OF
THIS DESCRIPTION.

THENCE; CONTINUING DUE WEST A DISTANCE OF 1.99 FEET;
THENCE; SOUTH 37-04-36 EAST 229.03 FEET TO A POINT-OF-TANGENCY OF A
CIRCULAR CURVE WHICH HAS A CENTRAL ANGLE OF 278-40-40 AND A RADIUS OF
45.00 FEET;

THENCE; SOUTHWESTERLY AND NORTHEASTERY ALONG THE ARC OF SAID
CURVE A DISTANCE OF 218.87 FEET TO A POINT-OF-TANGENCY OF A CIRCULAR
CURVE WHICH HAS A CENTRAL ANGLE OF 63-59-08 AND A RADIUS OF 12.00 FEET;

THENCE; NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF
13.40 FEET, TO A POINT-OF-TANGENCY;

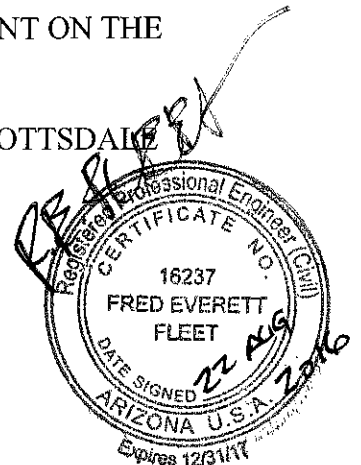
THENCE; NORTH 37-04-36 EAST A DISTANCE OF 119.85 FEET TO A POINT-OF-
TANGENCY OF A CIRCULAR CURVE WHICH HAS A CENTRAL ANGLE OF 68-09-16
AND A RADIUS OF 30.00 FEET;

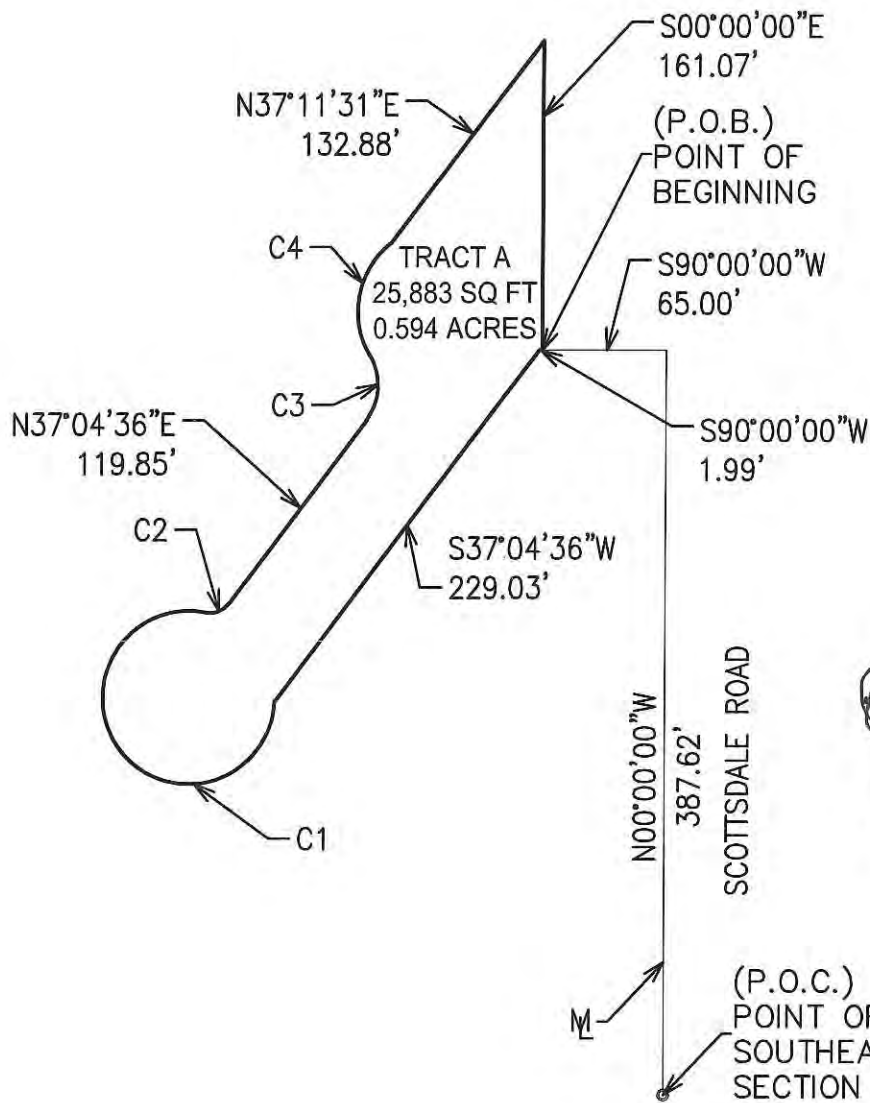
THENCE; NORTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF
35.69 FEET TO A POINT OF REVERSE CURVATURE WITH A CIRCULAR CURVE
WHICH HAS A CENTRAL ANGLE OF 82-00-14 AND A RADIUS OF 45.00 FEET;

THENCE, NORTHERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 64.41
FEET TO A POINT-OF-TANGENCY;

THENCE; NORTH 37-11-31 EAST A DISTANCE OF 132.85 FEET TO A POINT ON THE
WESTERLY RIGHT-OF-WAY OF SCOTTSDALE ROAD;

THENCE; DUE SOUTH ALONG THE WESTERLY RIGHT-OF-WAY OF SCOTTSDALE
ROAD A DISTANCE OF 161.07 FEET TO THE POINT-OF-BEGINNING.





CURVE TABLE

NO.	ARC	RADIUS	DELTA	TANGENT	CHORD	CHORD-BEARING
C1	218.87	45.00	278°40'40"	-38.65	58.64	S38°16'35"E
C2	13.40	12.00	063°59'08"	7.50	12.72	N69°04'10"E
C3	35.69	30.00	068°09'16"	20.29	33.62	N02°59'58"E
C4	64.41	45.00	082°00'14"	39.12	59.05	S09°55'28"W



SCALE 1" = 100'

EXHIBIT

4550 North 12th Street
Phoenix, Arizona 85014
Phone 602-264-6831
<http://www.cvlci.com>

THE VILLAS AT CAMELBACK
COUNTRY CLUB

PRIVATE DRIVE



1 OF 1

When recorded mail to:

Town of Paradise Valley
Town Attorney
6401 E. Lincoln
Paradise Valley, AZ 85253

**GRANT OF ACCESS EASEMENT OVER PRIVATE ROADWAY
AND PRIVATE ROADWAY MAINTENANCE AGREEMENT**

This Grant of Access Easement over Private Roadway and Private Roadway Maintenance Agreement (“Agreement”) is made and entered into as of this ____ day of _____, 2017, by and between GEOFFREY H. EDMUNDS & ASSOCIATES, INC., an Arizona corporation (“Grantor”), and the TOWN OF PARADISE VALLEY, an Arizona municipal corporation (“Town”).

1. Grantor is the fee simple owner of that certain real property located in the Town of Paradise Valley, County of Maricopa, State of Arizona, as described on Exhibit A and located at the northwest corner of Northern Avenue and Scottsdale Road (the “Property”).
2. Grantor grants to Town non-exclusive access easement rights in, over and across that certain real property described on Exhibit B (the “Private Roadway”) and Town has accepted same by its approval of Exhibit B and the acceptance of the access easement and this Agreement (as evidenced by the execution of this Agreement by the Mayor of the Town). For purposes of this Agreement, “Property Owner” shall mean the fee simple owner(s) of residential lots within the Property and “Easement Owner” shall mean the fee simple owner(s) of the Private Roadway.
3. Notwithstanding anything to the contrary in this Agreement, Easement Owner may continue to use the Private Roadway for any and all lawful purposes so long as such uses do not materially and adversely interfere with the access granted in this Agreement. Town acknowledges and agrees that the use of the Private Roadway for uses consistent with Town-approved plats, plans, and ordinances do not materially or adversely interfere with the access granted in this Agreement. Easement Owner may design, construct, maintain, and operate a private right-of-way, gates, guardhouses, utilities, curbs, lighting, landscaping, and other improvements, equipment, and facilities (the “Facilities”) as permitted by Town-approved plats, plans, and ordinances, as such documents may be amended, modified, supplemented, or replaced from time to time (collectively, the “Plans”), and in compliance with all applicable ordinances, codes, rules, and regulations (“Applicable Law”). Easement Owner may locate, relocate, modify, remove, and replace the Facilities from time to time so long as the remaining Facilities satisfy the Plans and Applicable Law.

4. Easement Owner, for itself and its successors and assigns, covenants with Town that at all times after the date of this Agreement, Easement Owner, at its own cost and expense, will keep or cause the upkeep of the Private Roadway and Facilities in a clean, proper, and workmanlike manner, and in compliance with Applicable Law. Upon assignment by Grantor of its right, title, or interest in and to the Private Roadway, Grantor's successors and assigns shall be bound by the obligations in this Paragraph 4 and Grantor shall be relieved of its obligations in this Paragraph 4 with respect to the Private Roadway.

5. If for any reason Easement Owner does not fulfill its duty to clean and maintain the Private Roadway as required by Paragraph 4 and such failure continues for sixty (60) days after written notice thereof from Town to Easement Owner (except in the case of imminent danger where only reasonable prior notice is required), Town shall have the right of self-help, in addition to powers and enforcement authorized by the Town of Paradise Valley Town Code and Arizona state law, and in connection with such rights, shall have the right to enter the Private Roadway to clean or to maintain, and to be compensated by Easement Owner for Town's actual out-of-pocket costs and expenses of the cleaning and maintenance as required by this Agreement and Applicable Law (the "Costs"). Notwithstanding the foregoing, so long as Easement Owner has commenced to cure the failure within sixty (60) days after written notice thereof from Town and thereafter diligently prosecutes such cure to completion, Town shall not exercise any of its rights or remedies in this Paragraph 5 (except in the case of imminent danger).

6. If Easement Owner does not compensate Town for the Costs as contemplated in Paragraph 5 within thirty (30) days after written demand from Town to Easement Owner, the Property Owner(s) shall each be liable to Town for the Costs on a pro rata basis, as follows. Each Property Owner shall be liable for only the share of the Costs calculated by dividing the Costs by the number of residential lots within the Property. If those amounts are not paid within thirty (30) days after written demand for payment of the Costs from Town to Easement Owner, the Property Owner(s), and their lenders (as evidenced by a deed of trust or mortgage recorded in the Official Records of Maricopa County, each a "Lender"), then ten (10) business days after a second written demand in the same form and to the same parties, Town may record a Notice of Claim of Lien against the residential lots within the Property for which the lots' allocated Costs have not been paid (in each case, in an amount not to exceed the balance of unpaid Costs allocated on a per lot basis as described above) to secure the payment of such amounts, a copy of which will be sent to Easement Owner. Each written demand shall reference this Agreement and the Town's right to lien. Notwithstanding anything to the contrary in this Agreement, Easement Owner or any Lender may, but shall not be obligated to, satisfy payment obligations arising under this Agreement on behalf of any Property Owner(s).

7. After delivery of notice as required by Paragraphs 5 and 6 and passage of applicable cure periods, Town shall have the right, at its option, to enforce collection of any amounts owed to the Town under Paragraph 5 above in any manner allowed by law, including, without limitation, bringing an action against any Property Owner(s) to pay such amounts owed by those Property Owner(s) (as provided in Paragraph 6) or bringing an action to foreclose its lien filed pursuant to

Paragraph 6 against the Property owned by such Property Owner(s) in the manner provided by law for the foreclosure of a realty mortgage. The Town shall have the power to bid at any foreclosure sale and to purchase the Property so sold.

8. This Agreement shall be in addition to any other Applicable Laws relating to easements and the subject matter herein. This Agreement is binding upon and inures to the benefit of the parties hereto and their respective successors, assigns, affiliates, agents, and tenants. This Agreement and other rights and obligations created, granted, and conveyed hereby shall run with the land as a burden upon the Property and the Private Roadway.

9. Grantor warrants that (i) it is the fee simple owner of the Private Roadway and the Property, (ii) it has full right, power and authority to grant the easement set forth herein and to execute this Agreement, and (iii) the execution hereof by Grantor does not conflict with or constitute a default under any agreement to which Grantor is a party or by which Grantor is bound.

10. This Agreement cannot be terminated, released, amended, or modified without the express prior written consent of Town. This Agreement shall terminate only upon mutual written agreement between the parties. This Agreement shall be governed by and construed in accordance with the laws of the State of Arizona. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original and all of which combined shall constitute one and the same instrument.

11. All notices and other communications required or permitted to be given under this Agreement shall be in writing and shall be given by personal delivery, by overnight courier, or by deposit in the U.S. mail, registered or certified, return receipt requested, postage prepaid, correctly addressed to the intended recipient at its address as shown in the property ownership records of the Maricopa County, Arizona Assessor.

12. Except as otherwise expressly provided herein, the provisions of this Agreement are not intended to and do not constitute a dedication for public use. There rights created are private and for the benefit only of the parties hereto and their successors and assigns.

IN WITNESS WHEREOF, Grantor and Town have executed this Agreement as of the date first above written.

GRANTOR:

GEOFFREY H. EDMUNDS & ASSOCIATES, INC.,
an Arizona corporation

By: _____
Geoffrey H. Edmunds, President

STATE OF ARIZONA)
) ss
COUNTY OF MARICOPA)

The foregoing instrument was acknowledged before me this _____ day of _____, 2017, by Geoffrey H. Edmunds, the President of Geoffrey H. Edmunds & Associates, Inc., an Arizona corporation, on behalf thereof.

Notary Public

My Commission Expires: _____

TOWN:

TOWN OF PARADISE VALLEY

By: _____
Michael Collins, Mayor

ATTEST:

Duncan Miller, Town Clerk

APPROVED AS TO FORM:

Andrew Miller, Town Attorney

TOWN OF PARADISE VALLEY
APPLICATION FOR SPECIAL USE PERMIT OR AMENDMENT TO SPECIAL USE
PERMIT FOR GUARD GATE, GUARDHOUSE, OBSERVATION BOOTH, PRIVATE
ROAD REVISED

174 - 36 - 002X
PARCEL NO.: 174 - 36 - 188A (Partial) **DATE:** September 26, 2016
(County Tax Assessor Number) Revised June 23, 2017

NAME OF PROJECT: The Villas at Cheney Estates

LOCATION OF PROPERTY: Northwest corner of the Northern Avenue alignment and Scottsdale Road

LEGAL DESCRIPTION OF PROPERTY: See Rezoning Application

APPLICANT: Doug Jorden
NAME

5080 North 40th Street, Suite 245, Phoenix, AZ 85018 (480) 505-3909
ADDRESS PHONE #

ENGINEER/OTHER: Fred Fleet
NAME

4550 North 12th Street, Phoenix, AZ 85014 (602) 285-4768
ADDRESS PHONE #

ARCHITECT: N/A
NAME

()
ADDRESS PHONE #

REPRESENTATIVE: Doug Jorden
PRINTED NAME SIGNATURE

5080 North 40th Street, Suite 245, Phoenix, AZ 85018
ADDRESS

(480) 505-3909 (480) 505-3901
PHONE # FAX #


SIGNATURE OF REPRESENTATIVE

**APPLICATION FOR SPECIAL USE PERMIT OR SPECIAL USE PERMIT
AMENDMENT FOR GUARD GATE, GUARDHOUSE, OBSERVATION
BOOTH, PRIVATE ROAD**

(REQUIRED)

PLEASE PROVIDE A NARRATIVE/DESCRIPTION OF THE PROPOSAL (ATTACH EXTRA SHEET IF NECESSARY):

See Preliminary Plat Application

**HOMEOWNER'S ASSOCIATION (PARTNERSHIPS, ALL PARTNERS CORPORATION,
ALL OFFICERS)**

PRESIDENT NAME N/A

ADDRESS _____ PHONE NUMBER _____

ROADWAY ABANDONMENT

YES

 X
NO

(IF YES, SEE ADDITIONAL APPLICATIONS)

SPECIAL USE PERMIT APPLICATION INFORMATION
GUARD GATE, GUARDHOUSE, OBSERVATION BOOTH, PRIVATE ROAD

AN APPLICATION IS NOT COMPLETE UNTIL ALL REQUIRED INFORMATION IS SUBMITTED IN AN APPROVED FORM. NO APPLICATION WILL BE REVIEWED UNTIL COMPLETE. NO AGENDA DATE WILL BE SET UNTIL THE COMPLETED APPLICATION HAS BEEN REVIEWED AND ACCEPTED BY STAFF.

THE CITIZEN REVIEW PROCESS MUST BE PERFORMED IN ACCORDANCE WITH ARTICLE 2-5-2.F OF THE TOWN CODE. THE CITIZEN REVIEW SESSION SHALL TAKE PLACE AFTER THE SUP/MAJOR AMENDMENT/INTERMEDIATE AMENDMENT APPLICATION IS FILED WITH THE TOWN OF PARADISE VALLEY.

APPLICATION FEE: SEE FEE SCHEDULE

INITIAL BELOW

_____PRE APPLICATION CONFERENCE WITH STAFF DATE: July 13, 2016

_____APPLICATION SUBMITTED ON: September 26, 2016; Revised June 23, 2017

_____APPLICATION FEE IN THE AMOUNT OF \$ 2,760.00 _____ DATE: 9/26/16

_____RECEIPT NUMBER _____ RECEIVED BY: _____

APPLICATION CLASSIFICATION

_____X_____NEW SUP

_____MAJOR SUP AMENDMENT

_____INTERMEDIATE SUP AMENDMENT

_____MANAGERIAL SUP AMENDMENT

Application Fee: \$835.00

Application Date: April 28, 2017; Revised June 23, 2017

Date Fee Paid: _____

Receipt No.: _____

Received by: _____

Initials

**TOWN OF PARADISE VALLEY
BUILDING DEPARTMENT
SUBDIVISION SIGN APPLICATION
REVISED**

Applicant: Doug Jorden

Applicant's Mailing Address: 5080 North 40th Street, Suite 245, Phoenix, AZ 85018

Phone number for contact: (480) 505-3909

Location of proposed sign (Cross Streets): Northwest corner of the alignment of Northern Avenue and Scottsdale Road

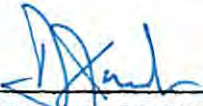
Subdivision Name: The Villas at Cheney Estates

Size of Sign: See Special Use Permit Application

Construction materials: TBD

Color of sign: TBD

Proposed lighting (watts): See Special Use Permit Application



PLEASE SIGN

Please provide 1 set of submittals along with this application:

1. Description of how the proposed sign(s) will be mounted; ON WALL - SEE ATTACHED PLAN
2. Site plan showing street names, any proposed lighting, and location of sign(s) to be installed; and;
3. Elevation of sign(s) with dimensions and total square foot.
4. Vicinity map showing street names.

Once fee(s) are paid, and all submittals are approved by the Planning Department, the item will be put on the next available Town Council Agenda for final approval.
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