

# MARICOPA ASSOCIATION OF GOVERNMENTS

## INFORMATION SUMMARY... for your review

**DATE:**

March 22, 2011

**SUBJECT:**

ADOT Red Letter Process

**SUMMARY:**

The Regional Council approved the Red Letter Process in 1996 to provide early notification of potential development in planned freeway alignments. Development activities include actions on plans, zoning, and permits. Key elements of the process include:

*Notifications:*

- ADOT will periodically forward Red Letter notifications to MAG.
- Notifications will be placed on the consent agenda for information and discussion at the Transportation Review Committee, Management Committee, and Regional Council meetings.
- If a member wishes to take action on a notification, the item can be removed from the consent agenda for further discussion. The item could then be placed on the agenda of a subsequent meeting for action.

*Advance acquisitions:*

- ADOT is authorized to proceed with advance right-of-way acquisitions up to \$2 million per year in funded corridors.
- Any change in the budgets for advance right-of-way acquisitions constitutes a material cost change as well as a change in freeway priorities and therefore, would have to be reviewed by MAG and would require Regional Council action.
- With the passage of Proposition 400 on November 2, 2004, the Regional Transportation Plan (RTP) includes funding for right-of-way acquisition as part of the funding for individual highway projects. This funding is spread over the four phases of the Plan. Funding for advance acquisitions may be made available on a case-by-case basis.

For information, the ADOT Advance Acquisition policy allows the expenditure of funds to obtain right-of-way where needed to address hardship cases (residential only), forestall development (typical Red Letter case), respond to advantageous offers or, with remaining funds, acquire properties in the construction sequence for which right-of-way acquisition has not already been funded.

In addition to forestalling development within freeway corridors, ADOT, under the Red Letter Process, works with developers on projects adjacent to or close to existing and proposed routes that may have a potential impact on drainage, noise mitigation, and/or access. For this purpose, ADOT needs to be informed of all zoning and development activity within one-half mile of any existing and planned facility. Without ADOT input on development plans adjacent to or near existing and planned facilities, there is a potential for increased costs to the local jurisdiction, the region and/or ADOT.

ADOT has forwarded a list of notifications from July 1, 2010, to December 31, 2010. Of the 97 notices received, seven had an impact to the State Highway System.

**PUBLIC INPUT:**

None.

**PROS & CONS:**

PROS: Notification can lead to action to forestall development activity in freeway corridors and help minimize costs as well as ensure eventual completion of the facility.

CONS: By utilizing funds for advance purchase of right-of-way, these funds are not available for other uses such as design and construction.

**TECHNICAL & POLICY IMPLICATIONS:**

TECHNICAL: Unless precluded early in the process, development within freeway alignments will result in increased right-of-way costs in the future.

POLICY: With the passage of Proposition 400 on November 2, 2004, the RTP includes funding for right-of-way acquisition as part of the funding for individual highway projects. This funding is spread over the four phases of the Plan. Funding for advance acquisitions may be made available on a case-by-case basis.

**ACTION NEEDED:**

Information and discussion.

**PRIOR COMMITTEE ACTIONS:**

Management Committee: This item was on the March 9, 2011, agenda for information and discussion.

MEMBERS ATTENDING

- |  |  |
|--|--|
| Carl Swenson, Peoria, Chair  | Bill Hernandez, Guadalupe                                    |
| Charlie Meyer, Tempe, Vice Chair                                       | Sonny Culbreth for Darryl Crossman,<br>Litchfield Park       |
| # George Hoffman, Apache Junction                                      | Miranda Culver for Christopher Brady, Mesa                   |
| Charlie McClendon, Avondale  | Jim Bacon, Paradise Valley                                   |
| Stephen Cleveland, Buckeye   | Karen Peters for David Cavazos, Phoenix                      |
| Gary Neiss, Carefree   | # John Kross, Queen Creek                                    |
| Wayne Anderson for Usama Abujbarah,<br>Cave Creek                      | * Bryan Meyers, Salt River Pima-Maricopa<br>Indian Community |
| Patrice Kraus for Rich Dlugas, Chandler                                | David Richert, Scottsdale                                    |
| # Spencer Isom, El Mirage  | Michael Celaya for Mark Coronado, Surprise                   |
| Alfonso Rodriguez for Phil Dorchester,<br>Fort McDowell Yavapai Nation | Reyes Medrano, Tolleson                                      |
| Rick Davis, Fountain Hills   | # Gary Edwards, Wickenburg                                   |
| Rick Buss, Gila Bend   | Lloyce Robinson, Youngtown                                   |
| * David White, Gila River Indian Community                             | Steve Hull for John Halikowski, ADOT                         |
| Collin DeWitt, Gilbert   | Kenny Harris for David Smith, Maricopa Co.                   |
| Jamsheed Mehta for Ed Beasley, Glendale                                | Paul Hodgins for David Boggs,<br>Valley Metro/RPTA           |
| Romina Khananisho for John Fischbach,<br>Goodyear                      |  |

\* Those members neither present nor represented by proxy.

# Participated by telephone conference call. + Participated by videoconference call.

Transportation Review Committee: This item was on the February 24, 2011, agenda for information and discussion.

MEMBERS ATTENDING

- |                                      |   |
|--------------------------------------|---|
| Peoria: David Moody                  | # El Mirage: Lance Calvert                          |
| ADOT: Steve Hull                     | * Fountain Hills: Randy Harrel                      |
| * Avondale: David Fitzhugh           | * Gila Bend: Eric Fitzer                            |
| Buckeye: Scott Lowe                  | * Gila River: Sreedevi Samudrala for Doug<br>Torres |
| Chandler: RJ Zeder for Patrice Kraus |   |

- \* Gilbert: Tami Ryall
- Glendale: Terry Johnson
- \* Goodyear: Cato Esquivel
- Guadalupe: Gino Turrubiarres
- # Litchfield Park: Paul Ward for Woody Scoutten
- Maricopa County: John Hauskins
- Mesa: Mike James for Scott Butler
- Paradise Valley: Bill Mead
- Phoenix: Rick Naimark

- Queen Creek: Tom Condit
- RPTA: Bob Antilla for Bryan Jungwirth
- Scottsdale: Dave Meinhart
- Surprise: Bob Beckley
- Tempe: Robert Yabes for Chris Salomone
- Valley Metro Rail: John Farry
- \* Wickenburg: Rick Austin
- Youngtown: Grant Anderson for Lloyce Robinson

EX-OFFICIO MEMBERS ATTENDING

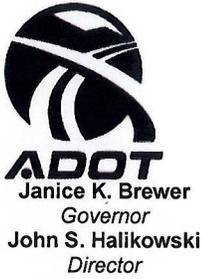
- \* Street Committee: Dan Cook, City of Chandler
- \* ITS Committee: Nicolaas Swart, Maricopa County

- Bicycle/Pedestrian Committee: Katherine Coles, City of Phoenix
- \* Transportation Safety Committee: Julian Dresang, City of Tempe

- \* Members neither present nor represented by proxy.
- + Attended by Videoconference
- # Attended by Audioconference

**CONTACT PERSON:**

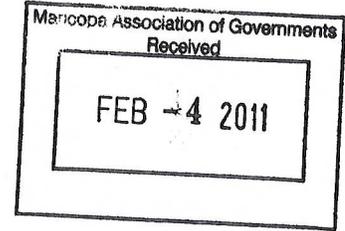
Eric Anderson, MAG, (602) 254-6300, or John Eckhardt III, ADOT, (602) 712-7900.



**Arizona Department of Transportation**  
**Intermodal Transportation Division**  
 206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Floyd Roehrich Jr.  
*State Engineer*

February 1, 2011



Mr. Dennis Smith  
 Executive Director  
 Maricopa Association of Governments  
 302 North First Avenue, Suite 300  
 Phoenix, Arizona 85003

Re: Red Letter Report - Notices from July 1, 2010 to December 31, 2010

Dear Mr. Smith:

The Red Letter process is notification by local Public Agencies to ADOT of potential development plans within a quarter mile of established or proposed project corridors. Receipt of early notification in the planning and design process helps to reduce costs, saving money for both ADOT and tax payers. This update is provided for information on the number of notices received within the stated period of time.

Below is the list of "Red Letter" notices received by the ADOT Right of Way Project Management Section from the period of January 1, 2010 to June 30, 2010. During this period, our office received notices from Local Municipalities as well as various Developers, Architects, Engineers and Attorneys.

<u>LOCAL MUNICIPALITIES</u>	<u>NOTICES RECEIVED</u>	<u>IMPACT RESPONSES</u>
Arizona State Land Dept.	10	00
City of Avondale	05	01
Town of Buckeye	02	00
City of Chandler	01	00
Town of Gilbert	08	00
City of Glendale	00	00
City of Goodyear	20	03
Maricopa County	05	00
City of Mesa	02	01
City of Peoria	05	00
City of Phoenix	20	01
City of Surprise	16	00
City of Tempe	00	00
Other	<u>03</u>	<u>01</u>
<b>Total Received</b>	<b>97</b>	<b>07</b>

**MARICOPA ASSOCIATION OF GOVERNMENTS REPORT OF IMPACT RESPONSES**

**ARIZONA STATE LAND DEPARTMENT: No impact responses sent.**

**CITY OF AVONDALE:**

**August 17, 2010 – Culver’s Restaurant – Site Plan**

**The proposed project will have an impact to City of Avondale’s street improvement project located at Avondale Blvd. and I-10. ADOT reserves the right to review and comment on all development plans. Project Coordinator for this project is Reggie Rector.**

**TOWN OF BUCKEYE: No impact responses sent.**

**CITY OF CHANDLER: No impact responses sent.**

**TOWN OF GILBERT: No impact responses sent.**

**CITY OF GLENDALE: No impact responses sent.**

**CITY OF GOODYEAR:**

**July 2, 2010 – New Galvanizing Processing Plant – Site Plan**

**This proposed site plan may impact our proposed SR 801 highway facility. ADOT reserves the right to review and comment on all development plans. Project Coordinator for this project is Nan Wilcox.**

**August 27, 2010 – Estrella Mountain Ranch – Preliminary Plat**

**This proposed project may be within the planned corridor of SR801. ADOT reserves the right to review and comment on all development plans. Project Coordinator for this project is Nan Wilcox.**

**December 29, 2010 – Wireless Facility – Site Plan**

**As long as there is no encroachment on ADOT R/W the proposed plan would not impact the highway facilities in the area. ADOT reserves the right to review and comment on all development plans. Project Coordinator for this project is Pete Eno.**

**MARICOPA COUNTY: No impact responses sent.**

**CITY OF MESA:**

**August 17, 2010 – Zoning Change – NWC Crismon and the US 60**

**The proposed project has a potential impact to the US60. ADOT reserves the right to review and comment on all development plans. Project Coordinator for this project is Reggie Rector.**

**CITY OF PEORIA: No impact responses sent.**

**CITY OF PHOENIX:**

**December 3, 2010 – Subdivision – Site Plan**

**This proposed site plan may impact our proposed I-10 reliever. ADOT reserves the right to review and comment on all development plans. Project Coordinator for this project is Nan Wilcox.**

**CITY OF SURPRISE: No impact responses sent.**

**CITY OF TEMPE: No impact responses sent.**

**OTHER:**

**Beus Gilbert, PLLC**

**July 2, 2010 – Zoning Change/Site Plan Amendment – SEC of Val Vista Dr. and Pecos Rd.**

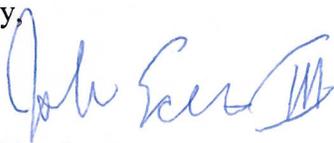
**The Zoning and Site Plan Amendment may impact the Santan Freeway, 202L. ADOT reserves the right to review and comment on all development plans. Project Coordinator for this project is Nan Wilcox.**

The Arizona Department of Transportation expends several resources to research future developments and plans adjacent to the state highway system, to ensure ADOT's Right of Way is not adversely impacted or jeopardized. Other notices received typically include road access, zoning changes, outdoor advertising, and annexations.

The Department appreciates the cooperation of the Maricopa Association of Government's members and looks forward to your continued support as we maintain and strive to improve all lines of communication.

Please feel free to contact my office should you have any questions. I can be reached at (602) 712-7900, or by email at [JEckhardt@azdot.gov](mailto:JEckhardt@azdot.gov).

Sincerely,



John Eckhardt III, Manager  
Right of Way Project Management

cc: John S. Halikowski, Director, ADOT  
Sabra Mousavi, Chief Right of Way Agent