



STAFF APPROVAL LETTER

41-DR-2007#3

The 4020 Building Master Sign Program Amendment

STEP 1

STAFF APPROVAL NOTIFICATION

This letter is notification that your request has been conceptually approved by Current Planning Services staff.

Additional review and permits may be required. Refer to Final Plan Review Submittal Requirements below.

This approval expires one (1) year from date of approval if a permit has not been issued, or if no permit is required, work for which approval has been granted has not been completed.

PROJECT INFORMATION

LOCATION: 4020 N Scottsdale Rd
PARCEL: 130-12-024
Q.S.: 16-44
CODE VIOLATION #:

APPLICANT: Clark Lynch
COMPANY: Precise Signs Inc
ADDRESS: 3914 W Maricopa Rd Phoenix, AZ 85009
PHONE: 480-704-0567

Request: To amend the 4020 Building Master Sign Program to allow non-contiguous tenant wall signage on the north elevation of the building, and to modify the tenant wall & shingle sign design standards.

STIPULATIONS

1. All signage shall be in conformance with the 4020 Building Master Sign Program Amendment (41-DR-2007#3) prepared and submitted by Precise Signs with a city staff approval date of October 4, 2010.
2. The two (2) sign bands on the tower element on the building's north elevation are reserved for Suites 101 and 103 only. Suite 102 does not have enough sum total sign area for it to install an additional sign on the tower element of the building's north elevation.
3. The Tower and Primary Signs shall require halo-illuminated individual reverse pan channel letters (for the primary business name) to be attached to a backer panel that properly shields a 2" deep rear raceway from view. The 2" deep rear raceway shall be shielded from view to the fullest extent as allowed in this master sign program.
4. Logos and modifiers on the Tower and Primary Signs may be allowed face illumination if approved by the landlord and the City of Scottsdale.
5. All Under Canopy Signs shall be located in a location under the canopy, perpendicular to the adjacent street where it does not interfere or block pedestrian traffic on the public walkway below the sign.
6. Any changes to the 4020 Building Master Sign Program shall require Development Review Board or staff approval.
7. All signs shall require separate review, approval and permits.

Related Cases: 41-DR-2007#3, 41-DR-2007#2, 41-DR-2007, 6-BA-2007, 110-DR-2005#2, 110-DR-2005

SIGNATURE: _____

Andrew Chi
Associate Planner

DATE APPROVED: October 4, 2010

STEP 2

FINAL PLAN REVIEW SUBMITTAL REQUIREMENTS

Submit one copy of this approval letter with all sign permit applications for tenants within the 4020 Building.

**POLICY OF THE CITY OF SCOTTSDALE
ON APPEALS OF DEDICATIONS, EXACTIONS, OR ZONING REGULATIONS**

RIGHTS OF PROPERTY OWNER

In addition to other rights granted to you by the U.S. and Arizona Constitution, federal and state law and city ordinances or regulations, you are hereby notified of your right to appeal the following City actions relating to your property:

- 1) Any dedication or exaction which is required of you by an administrative agency or official of the city as a condition of granting approval of your request to use, improve or develop your real property. This appeal right does not apply to a dedication or exaction required as part of a city legislative act (for example a zoning ordinance) where an administrative agency or official has no discretion to determine the dedication or exaction.
- 2) The adoption or amendment of a zoning regulation that creates a taking of property in violation of Arizona and federal court decisions.

APPEAL PROCEDURE

The appeal must be in writing and specify the City action appealed and the date final action was taken, and it must be filed with or mailed to the hearing officer designated by the city within 30 days after the final action is taken. Address the appeal as follows:

Hearing Officer, C/O City Clerk

3939 Drinkwater Blvd.
Scottsdale, AZ 85251

- ❖ No fee will be charged for filing
- ❖ The City Attorney's Office will review the appeal for compliance with the above requirements, and will notify you if your appeal does not comply.
- ❖ Eligible appeals will be forwarded to the hearing officer, and a hearing will be scheduled within 30 days of receipt by the hearing officer of your request. Ten days notice will be given to you of the date, time and place of the hearing unless you indicate that less notice is acceptable to you.
- ❖ The city will submit a takings impact report to the hearing officer.
- ❖ In an appeal from a dedication or exaction, the City will bear the burden of proving that the dedication or exaction to be imposed on your property bears an essential nexus between the requirement and a legitimate governmental interest and that the proposed dedication or exaction is roughly proportional to the impact of the use, improvement or development you proposed.
- ❖ In an appeal from the adoption or amendment of a zoning regulation, the City will bear the burden of proving that any dedication or exaction requirement in the zoning regulation is roughly proportional to the impact of the proposed use, improvement, or development, and that the zoning regulation does not create a taking of property in violation of Arizona and federal court cases.
- ❖ The hearing officer must render his decision within five working days after the appeal is heard.
- ❖ The hearing officer can modify or delete a dedication or exaction or, in the case of an appeal from a zoning regulation, transmit a recommendation to the City Council.
- ❖ If you are dissatisfied with the decision of the hearing officer, you may file a complaint for a trial de novo with the Superior Court within 30 days of the hearing officer's decision.

If you have questions about this appeal process, you may contact:

City Manager's Office
3939 Drinkwater Blvd.
Scottsdale, AZ 85251
(480) 312-2422

City Attorney's Office
3939 Drinkwater Blvd.
Scottsdale, AZ 85251
(480) 312-2405

Please be aware that City staff cannot give you legal advice. You may wish, but are not required, to hire an attorney to represent you in an appeal.

SIGNATURE: _____