

mailed to applicant 0-16-10

Project Pre Application Number 351-PA-10



# Conditional Use Permit Application Checklist

At your pre-application meeting, your project coordinator will identify which items are required for submittal. Please note that ALL items checked will be required at the time of formal submittal.

## PART I -- GENERAL REQUIREMENTS

Req'd Rec'd Description of Documents Required for Complete Application.  
**No application will be accepted without all items marked below.**

1. Completed Application Checklist (*this form*)

2. Application Fee -- \$ 580 (subject to change every July) *UP Fee*  
\$ 21 (subject to change every July) *Records Packet*

3. Completed Application Form (*form provided*)

4. Proposition 207 information handout (sample agreement provided)

5. Authorization (from property owner(s) if property owner did not sign the application form)

- List owners of property and/or list of principal of Limited Liability Company (LLC) controlling property
- Affidavit of Authority to Act for Property Owner

6. Project Narrative (*form provided*) Describe criteria in Sect. 1.400 and any additional criteria  
Add additional criteria :  Bar  Live Entertainment  Other

7. Current Title Report (requirements form provided)

- 8-1/2" x 11" – 1 copy
- Include legal description and complete Schedule A and Schedule B.

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### Conditional Use Permit Application Checklist

**8. Provide a Combined Context Aerial and Context Site Plan**

Aerial shall not be more than 1 year old and shall include and overlay of the site plan showing lot lines, tracts, easements, street locations/names and surrounding zoning for a radius from the site of:

- 350 feet radius from site
- Other: \_\_\_\_\_
- 24" x 36" - **FOLDED**- 2 color copies
- 11" x 17" - 1 color copy (quality suitable for reproduction)

Show the proposed site plan in relation to surrounding development including the following:

- Building footprints and other site improvements such as drives, parking areas, site walls (indicate height of buildings and site walls);
- Label surrounding zoning and land uses;
- Streets including sidewalks, and any surrounding driveways or intersections;
- Show bike paths and trails; and
- Development plans approved by the Development Review Board during the past year that have not been constructed. (Approved plans are available at the Scottsdale Records Division at 7447 E. Indian School Road, Suite 105).

**9. Existing Conditions Photo Exhibit: Mounted Or Printed On 8-1/2"X11" Paper** (Printed digital photos are OK)

- Photos mounted on cardboard, foam board, particleboard, poster board or other material will not be accepted.
- See attached Existing Conditions Photo Exhibit graphic showing required photograph locations and numbers.
- Provide 1 color original set and 12 color copy sets - 8-1/2" x 11"

**11. Assessor's Map** (obtain from Records Department) identifying parcel(s); project location is to be **clearly marked**:

- 8-1/2" x 11" – 2 copies

**12. Location Map**

Provide a map, drawn to scale, showing the location of the site in relation to arterial & intersecting streets and indicating the zoning of the site and adjacent properties.

- 8-1/2" x 11" - 1 copy (quality suitable for reproduction - sample attached)

**13. Neighborhood Involvement Requirements** – (form provided)

**14. Community Input Certification**-(form provided)

**15. School District Notification**: map attached

**16. Policy for Appeal of Required Dedications or Exactions** (form provided)

FORM GIVEN @ SUBMITAL

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- 17. Archaeological Resources** (*information sheets provided*)
- Certificate of No Effect / Approval Application Form (*provided*)
  - Archaeology Survey and Report - **3** copies
  - Archaeology 'Records Check' Report Only - **3** copies
  - Copies of Previous Archeological Research - **1** copy
  - Maps(s)/Narrative for any archaeological resources within a Master Planned Development or larger project - **1** copy

- 17. Historic Property** (*existing or potential historic property*)  
Narrative describing proposal to preserve the historic character or compliance with property's existing Historic Preservation Plan

- 18. Completed Airport Vicinity Development Checklist**  
Your property is located within the vicinity of the Scottsdale Municipal Airport (within 20,000 foot radius of the runway; information packet provided)

- 19. Site Posting Requirements and Affidavit** (*decal provided*)

- 20. Purchase Agreement** for "In Lieu Parking Credits" (*form provided*)  
Completed form to be submitted prior to DRB hearing

### PART II -- REQUIRED PLANS & RELATED DATA

*All Graphics And Plans Shall Be To Scale And Dimensioned.*

- 1. Site Plan** (Include all existing or approved site plan data. Use an engineer's scale not less than 1" = 40')
- 24" x 36" - **11** copies, **FOLDED**
  - 11" x 17" - **1** copy (quality suitable for reproduction)
  - Digital -1 copy (See Digital Submittal Plan Requirements)

- 2. Project Data Sheet** (*form provided*)

- 3. Site Plan Worksheet** including calculations (*sample provided*)
- 24" x 36" - **1** copies, **FOLDED**

- 4. Floor Plans:** (Use an architect's scale not less than 1/8" = 1'. The floor plan data shall be used to determine parking requirements & kitchen area as a percentage of total square footage).
- ✓ • 24" x 36" - **1** copies, **FOLDED**
  - ✓ • 11" x 17" - **1** copy
  - Digital - **1** copy (See Digital Submittal Plan Requirements)

- 5. Floor Plan Worksheet:** (including calculations)
- 24" x 36" - **1** copies, **FOLDED**

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- 6. Elevations:**
  - 24" x 36" - 1 color copy **FOLDED**
  - 11" x 17" - 1 color copy
  - Digital- 1 copy (See Digital Submittal Plan Requirements)
- 7. Conceptual Landscaping Plan:**
  - 24" x 36" - 1 color copy **FOLDED**
  - 11" x 17" - 1 color copy
- 8. Corporate Image Features**
- 9. Lighting Details And Cut Sheets:**
  - 24" x 36" - 1 copy **FOLDED**
- 10. Photometric Analysis with horizontal foot-candle diagram**
  - 24" x 36" - 1 copy **FOLDED**
- 11. Lighting Site Plan, include landscape lighting, building lighting and all other lighting**
  - 24" x 36" - 1 copy **FOLDED**
- 12. Parking Analysis**
- 13. Parking Master Plan:**
  - 3 copies (required for reduction of ordinance requirements)
- 14. \_\_\_\_\_ Transportation Impact & Mitigation Analysis (TIMA):** Contact the TIMA Coordinator, \_\_\_\_\_ at \_\_\_\_\_, for TIMA requirements.  

Name Phone

At time of submittal, provide letter from the TIMA coordinator.

\_\_\_\_\_ **Trip Generation Analysis- 3 copies**

\_\_\_\_\_ **Traffic Impact Study- 3 copies**

\_\_\_\_\_ **Traffic Evaluation- 3 copies (for Bars, Live Entertainment)**
- 15. Drainage Report:** See Sec. 2-202 of the City's Design Standards & Policies Manual for specific submittal and content requirements. The report shall be bound (3 ring, GBC or coil wire, no staples) with card stock front and back covers, and must include all required exhibits, full color aerial/topo maps and preliminary grading and drainage plans. Full size plans/maps shall be folded and contained in pockets.
  - Demonstrate compliance with Army Corp. of Engineers 404 compliance
  - Demonstrate compliance with National Pollutant Discharge Elimination Systems (NPDES)
  - 8-1/2" x 11" - 2 copies of the Drainage Report including full size plans/maps in pockets
  - Digital- 1 copy (See Digital Submittal Plan Requirements)

Planning Systems will not process project applications until the Drainage Report contains sufficient information in detail, scale and clarity for review.

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16. ESL Addendum, Slope Analysis, NAOS Plan, Site Plan with Superimposed Topographic Map  
• 2 copies each (forms provided)

17. Security, Maintenance & Operations Plan (For Bars and Live Entertainment)

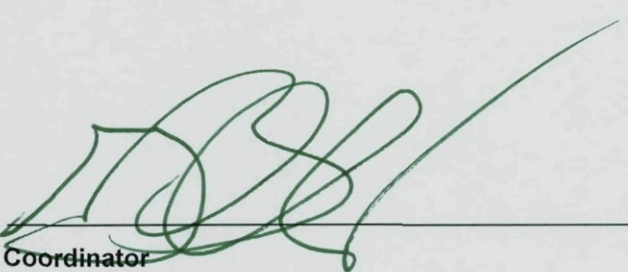
18. Operations Plan

Other \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

20. Submit items pursuant to the Submittal Instructions provided.

21. An appointment must be scheduled to submit this application. To schedule your submittal meeting, please call Current Planning at 312-7000.

**NOTES:**

  
\_\_\_\_\_  
Coordinator

6-16-10  
\_\_\_\_\_  
Date

This application needs a:  New Project Number \_\_\_\_\_ -PA- \_\_\_\_\_ or  Old Project Number: \_\_\_\_\_ -PA- \_\_\_\_\_

**Planning, Neighborhood & Transportation Division**

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



# Project Application

Project Number: \_\_\_\_\_ - PA - \_\_\_\_\_ Case Number: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ Date: \_\_\_\_\_

Staff Signature required PRIOR to submittal

*This Document Constitutes A Public Disclosure Under ARS Section 39-121, Inspection of Public Records*

### Applicant to Complete Section Below

- Case Type:**
- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Abandonment (AB)                | <input type="checkbox"/> Master Plan Map (MP)     | <input type="checkbox"/> Rezoning (ZN)       |
| <input type="checkbox"/> Changes to a Recorded Plat (PC) | <input type="checkbox"/> Master Sign Program (MS) | <input type="checkbox"/> Text Amendment (TA) |
| <input type="checkbox"/> Change to Existing Lots (PC)    | <input type="checkbox"/> Minor Subdivision (MD)   | <input type="checkbox"/> Use Permit (UP)     |
| <input type="checkbox"/> Development Review (DR)         | <input type="checkbox"/> Preliminary Plat (PP)    | <input type="checkbox"/> Variance (BA)       |
| <input type="checkbox"/> General Plan Amendment (GP)     | <input type="checkbox"/> Other: _____             |  |

Project Name: \_\_\_\_\_

Project Address: \_\_\_\_\_

Current Zoning District: \_\_\_\_\_ Parcel Number(s): \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ Quarter Section: \_\_\_\_\_ - \_\_\_\_\_

Request: \_\_\_\_\_

*The property owner shall designate an agent for the project. This person (the applicant) shall attend pre-application conferences and public hearings, will receive the agenda, recommendations, and case reports, and will communicate all case information to other parties as required. All contact for this project will be made through the applicant listed below.*

**Owner:** \_\_\_\_\_  
 Company \_\_\_\_\_  
 Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
 E-mail: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 \_\_\_\_\_

**Developer:** \_\_\_\_\_  
 Company \_\_\_\_\_  
 Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
 E-mail: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 \_\_\_\_\_

**Architect:** \_\_\_\_\_  
 Company \_\_\_\_\_  
 Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
 E-mail: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 \_\_\_\_\_

**Engineer:** \_\_\_\_\_  
 Company \_\_\_\_\_  
 Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
 E-mail: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 \_\_\_\_\_

**Applicant Contact:** \_\_\_\_\_ Phone: \_\_\_\_\_  
 Applicant E-mail: \_\_\_\_\_ Fax: \_\_\_\_\_  
 Applicant Address: \_\_\_\_\_

\_\_\_\_\_  
Owner Signature

\_\_\_\_\_  
Applicant Signature

#### OFFICIAL USE ONLY

Staff Signature: \_\_\_\_\_ E-mail: \_\_\_\_\_@ScottsdaleAZ.gov 480-312-\_\_\_\_\_

This application needs a:  New Project Number or  Old Project Number: \_\_\_\_\_ Date: \_\_\_\_\_

### Planning & Development Services Department

7447 E. Indian School Road, Suite 100, Scottsdale, AZ 85251 ♦ Phone: 480-312-7000 ♦ Fax: 480-312-7088



# Project Narrative

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

Date: \_\_\_\_\_

Project No.: \_\_\_\_\_ - PA - \_\_\_\_\_

Coordinator: \_\_\_\_\_

Case No.: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

Project Name: \_\_\_\_\_

**Project Location:** \_\_\_\_\_

## Property Details:

Single-Family Residential     Multi-Family Residential     Commercial     Industrial

Current Zoning: \_\_\_\_\_ Proposed Zoning: \_\_\_\_\_

Number of Buildings: \_\_\_\_\_ Parcel Size: \_\_\_\_\_

Gross Floor Area/Total Units: \_\_\_\_\_ Floor Area Ratio/Density: \_\_\_\_\_

Parking Required: \_\_\_\_\_ Parking Provided: \_\_\_\_\_

Setbacks:    N - \_\_\_\_\_    S - \_\_\_\_\_    E - \_\_\_\_\_    W - \_\_\_\_\_

## Description of Request:

### Planning and Development Services Department

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**THIS FLYER IS FOR INFORMATIONAL PURPOSES ONLY AND NOT INTENDED  
AS LEGAL ADVICE.**

**Re: *Proposition 207 - Private Property Rights Protection Act*  
(A.R.S. § 12-1131 to § 12-1138)**

Under Proposition 207, the Private Property Rights Protection Act (A.R.S. § 12-1131, et. seq.), a property owner is permitted to make a claim for just compensation if the value of the owner's property is reduced by the city's enactment of a land-use law to the property. A land-use law is defined as a law or regulation that regulates the use or division of land, such as municipal zoning laws, or regulates accepted farming or forestry practices.

For example, a property owner may file a claim against a city if the owner's existing rights to use, sell, divide, or possess the property is diminished in value by enactment or applicability of land-use laws to their property, even though the owner made the request or application to the city.

Under Proposition 207, the city may request a waiver of a property owner's potential Proposition 207 claim for any of the numerous land-use actions within the city's jurisdiction, such as rezoning property, platting, abandonments, annexations, change of use, requesting a use permit, or approval of development plans or site plans. The waiver is specific to the action requested.

By signing the waiver, a property owner acknowledges that a Prop.207 claim may exist but that the property owner voluntarily relinquishes the right to any claims that the city's land-use laws, applicable to the owner's property, reduce the property's value.

Not all land-use laws that are applied to an owner's property will raise a Prop.207 compensation requirement. The following seven (7) types of land-use laws are exempt from the application of Prop.207:

1. Laws or regulations that limit or prohibit the use or division of real property enacted for the protection of the public's health and safety, including rules and regulations relating to fire and building codes, health and sanitation, transportation, traffic control, solid or hazardous waste, and pollution control.
2. Laws or regulations that limit or prohibit the use or division of real property and laws historically recognized as "public nuisance" laws.
3. Laws or regulations that are required by the Federal government.

4. Laws or regulations that limit or prohibit the use or division of property for the purpose of housing sex-offenders, selling illegal drugs, liquor control, or pornography, obscenity, or any other adult-oriented businesses.
5. Laws or regulations that establish locations for utility facilities.
6. Laws or regulations that do not directly regulate an owner's land.
7. Laws or regulations that were enacted before the effective date of Prop. 207 (December 7, 2006).

A complete version of Proposition 207 is available at your local law library, at Title 12, Chapter 8, Article 2.1 of the Arizona Revised Statutes.

**If The Waiver Is Not Executed**

If an owner elects not to sign a waiver, he/she will execute a Refusal to Sign Waiver Form and return the form to city staff. For legislative actions such as re-zonings or general plan amendments, information regarding whether a waiver has been executed will be included in the staff report for the case and the owner's case and application will move through the city's process.

**Questions Regarding the Waiver**

If you have specific questions on the interpretation of Proposition 207 and/or execution of a waiver, you may consult with privately retained counsel. City staff, including the City Attorney's office, are prohibited from giving legal advice to private parties.

City of Scottsdale Case No. \_\_\_\_\_

**REFUSAL TO SIGN WAIVER  
OF RIGHT TO MAKE A CLAIM UNDER PROPOSITION 207**

I, \_\_\_\_\_, the undersigned, being the fee title Owner of  
the property, (Parcel No.) \_\_\_\_\_ located at  
\_\_\_\_\_ in Scottsdale,  
Maricopa County, Arizona hereby acknowledges receipt of a "Waiver of Right to Make  
a Claim under Proposition 207" and, upon review and consideration, decline to sign  
said waiver.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

By: \_\_\_\_\_  
(Printed Name of Owner)

Owner: \_\_\_\_\_  
(Signature of Owner)

**WHEN RECORDED RETURN TO:**

CITY OF SCOTTSDALE  
ONE STOP SHOP/RECORDS  
( )

7447 East Indian School Road, Suite 100  
Scottsdale, AZ 85251

City of Scottsdale Case No. \_\_\_\_\_

**WAIVER OF RIGHT TO MAKE A CLAIM UNDER PROPOSITION 207**  
(A.R.S. § 12-1131 et. seq.)

The undersigned is the fee title Owner of property, (*Parcel No.*) \_\_\_\_\_  
located at \_\_\_\_\_ Scottsdale, Maricopa  
County, Arizona, that is the subject of a request by owner for a:

- Use permit       Abandonment       Land division       Development Review
- Other \_\_\_\_\_

By signing this document, the undersigned Owner agrees and consents to all of the conditions and/or stipulations imposed by the Scottsdale Planning Commission, Development Review Board, city staff, or the City Council in conjunction with Owner's request for application of the city's land use laws to the Owner's property.

Owner waives any right to compensation for diminution in value that may be asserted now or in the future under Proposition 207, the Private Property Rights Protection Act (A.R.S. § 12-1131, et.seq.), based upon Owner's request in case no. \_\_\_\_\_.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_.

Owner: \_\_\_\_\_  
(Type Name)

By : \_\_\_\_\_  
(Signature of Owner)

STATE OF ARIZONA    )  
  ) ss.  
County of Maricopa    )

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_ by

\_\_\_\_\_

Notary Public

My Commission Expires:

\_\_\_\_\_

Pre-application No.: \_\_\_\_\_  
Project Name: \_\_\_\_\_

**AFFIDAVIT OF AUTHORITY TO ACT FOR PROPERTY OWNER**

1. This affidavit concerns the following parcel of land:

- a. Street Address: \_\_\_\_\_
- b. County Tax Assessor's Parcel Number \_\_\_\_\_
- c. General Location \_\_\_\_\_
- d. Parcel Size: \_\_\_\_\_
- e. Legal Description: \_\_\_\_\_

(If the land is a platted lot, then write the lot number, subdivision, name, and the plat's recording number and date. Otherwise, write "see attached legal description" and attach a legal description.)

2. I am the owner of the land or I am the duly and lawfully appointed agent of the owner of the land and have authority from the owner to sign this affidavit on the owner's behalf. If the land has more than one owner, then I am the agent for all of the owners, and the word "owner" in this affidavit refers to all of them.

3. I have authority from the owner to act for the owner before the City of Scottsdale with regard to any and all reviews, zoning map amendments, general plan amendments, development variances, abandonments, plats, lot splits, lot ties, use permits, building permits and other land use regulatory or related matters of every description involving the land, or involving adjacent or nearby lands in which the owner has (or may acquire) an interest and all applications, dedications, payments, assurances, decisions, agreements, legal documents, commitments, waivers and other matters relating to any of them.

4. The City of Scottsdale is authorized to rely on my authority as described in this affidavit until three work days after the day the owner delivers to the general manager of the Scottsdale Planning and Development Services Department a written statement revoking my authority.

5. I will immediately deliver to the general manager of the City of Scottsdale Planning and Development Services Department written notice of any change in the ownership of the land or in my authority to act for the owner.

6. If more than one person signs this affidavit, each of them, acting alone, shall have the authority described in this affidavit, and each of them warrant to the City of Scottsdale the authority of the others.

7. Under penalty of perjury, I warrant and represent to the City of Scottsdale that this affidavit is true and complete. I understand that any error or incomplete information in this affidavit or any applications may invalidate approvals or other actions taken by the City of Scottsdale, may otherwise delay or prevent development of the land and may expose me or the owner to other liability. I understand that people who have not signed this form may be prohibited from speaking for the owner at public meetings or in other city processes.

Name (printed)	Date	Signature
_____	_____, 20__	_____
_____	_____, 20__	_____
_____	_____, 20__	_____
_____	_____, 20__	_____