



STAFF APPROVAL LETTER

4-MS-2009#3

Agua Caliente 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 two (2) years 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: 6990 E Shea Bl
PARCEL: 175-41-018
Q.S.: 29-44
CODE VIOLATION #:

APPLICANT: Linda Diefenderfer
COMPANY: Silver Mountain Real Estate Group
ADDRESS: 6945 E Sahuaro Dr Ste B-1 Scottsdale, AZ 85254
PHONE: 480-659-2928

Request: Request by owner to amend the Agua Caliente Master Sign Program to modify the design standards for all tenant wall signs within the Agua Caliente retail center at 6990 E. Shea Blvd.

STIPULATIONS

1. All business signs within the Agua Caliente retail center (APN# 175-41-018 and 175-41-019) shall adhere to the Agua Caliente Master Sign Program Amendment (4-MS-2009#3), submitted by Silver Mountain Real Estate Group and approved by Current Planning Staff on March 20, 2013.
2. Written approval from the Agua Caliente Lot Owners Association or its designee shall be required prior to the issuance of any sign permit.
3. Any modifications to the Agua Caliente Master Sign Program shall require Development Review Board or staff approval.

Related Cases: 4-MS-2009#2, 4-MS-2009, 70-DR-1986#2, 70-DR-1986#3, 70-DR-1986#4

SIGNATURE:

Andrew Chi
Associate Planner

DATE APPROVED: March 20, 2013

STEP 2

FINAL PLAN REVIEW SUBMITTAL REQUIREMENTS

Submit copies this approval letter along with the following plan set(s) to the One-Stop-Shop for plan review:

PLANNING (SIGNS):

☒ Submittal Requirements: <http://www.scottsdaleaz.gov/codes/signs>

**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: _____



SILVER MOUNTAIN
REAL ESTATE GROUP

Mr. Andrew Chi, Project Coordinator
Planning, Neighborhood & Transportation Division
City of Scottsdale
7447 East Indian School Road
Suite 105
Scottsdale, AZ 85251

RE: APPLICATION NARRATIVE

Dear Andrew,

As Agent and HOA Manager for the Agua Caliente Lot Owners' Association Board, I have been authorized to act on their behalf to amend the 2009 Master Signage Plan to the new parameters of the 2013 Master Comprehensive Signage Plan, which is more restrictive. (A copy of the 2013 Master Comprehensive Signage Plan has been previously sent to you and will also be attached to this Pre-Application Request.)

*Silver Mountain Real Estate Group
6945 E Sahuaro Dr #B-1
Scottsdale AZ 85254
480-659-2928 (office) 480-621-7410 (fax)
www.smregp.com*

Thank you for all of your able help with this process. Please
contact me with any questions or any needed information ongoing.

Sincerely,

Linda Diefenderfer, CAAM
HOA Manager
Agua Caliente Lot Owners' Association Board Agent

Silver Mountain Real Estate Group
6945 East Sahuaro Drive, Suite B-1
Scottsdale, AZ 85254
Phone: 480-659-2928
Fax: 480-621-7410
E-mail: lindad@smregp.com

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6945 E Sahuaro Dr #B-1
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AGUA CALIENTE MASTER SIGN PROGRAM

APPROVED BY Andrew Chi DATE 03/20/13

NOTICE: WRITTEN APPROVAL AND CONFORMANCE WITH THIS COMPREHENSIVE SIGN PLAN DOES NOT IMPLY CONFORMANCE WITH THE CITY OF SCOTTSDALE AND OTHER APPLICABLE SIGN CODES. EACH SIGN MUST BE PERMITTED AND MUST COMPLY WITH THE CITY OF SCOTTSDALE'S SIGN CODES AND ELECTRICAL CODES. A RECEIPT OF A SIGN PERMIT MUST BE RECEIVED PRIOR TO THE MANUFACTURING AND INSTALLATION OF ALL SIGNS.

1. GENERAL REQUIREMENTS.

- 1.1 No signs, advertisements, notices or other lettering shall be displayed, exhibited, inscribed, painted or affixed in any manner to any part of any building exterior within Agua Caliente (the "Project") except as expressly previously approved in writing by the Association pursuant to the Declaration of Covenants, Conditions and Restrictions for Agua Caliente, Scottsdale, Arizona, dated December 30, 1986, and recorded December 31, 1986 as Instrument No. 86-730913, as modified from time to time (the "Declaration") and as approved by the City of Scottsdale.
- 1.2 Signage installed without first obtaining such approvals will be subject to immediate removal at Owner's expense.
- 1.3 All signage shall be maintained by the Owner, at Owner's expense. Illumination outage, breakage or other required sign maintenance shall be repaired and restored to proper previously approved working condition as soon as reasonably possible, but in no event later than five (5) business days of notification (written or verbal) from the Association or the City of Scottsdale.
- 1.4 Owner shall defend, indemnify and hold the Association (and its officers, directors, employees) harmless for, from, and against all claims, costs, attorneys' fees, damages, expenses, liabilities and losses arising out of the installation, maintenance and/or repair of Owner's signs.
- 1.5 Owner shall (a) first obtain approval from the Association of any permitted signs in accordance with the Declaration, including, without limitation, Section 11 thereof, and then (b) obtain all necessary permits for signs and the construction and installation of Association-approved signs from the City of Scottsdale prior to installation of such signs.
- 1.6 Sign copy shall be limited to Owner's (or its tenant's) proper firm name and shall not include names of items, goods, products or service lines. The use of logo, crest, shield, or nationally recognized corporate insignia which has been displayed or associated with Owner's firm name may be permitted subject to the Association's and City of Scottsdale's approval.
- 1.7 Signs shall be designed to reflect the architectural and aesthetic character of the Project, and all sign construction materials shall be consistent and compatible with the material currently used in the Project.

Owner: _____

2. SIZE OF SIGN.

- 2.1 WALL SIGNS: Signage area is based on each tenant's respective frontage length. Per City of Scottsdale Sign Ordinance, Section 8.501.I.A.2, for any one (1) side of a tenant's frontage, the maximum sign area for each one (1) lineal foot of a tenant's frontage wall shall be one (1) square foot.
- 2.2 SUM TOTAL SIGN AREA: Per Section 8.501.VII of the City of Scottsdale sign ordinance, the sum total sign area allowed for each use is one and one-half (1 ½) square feet for each one (1) lineal foot of building foot front. The sum total sign area is the aggregate area of all signs for any individual use (excluding traffic directional signs). In every event, computation of allowable sign area includes all existing signs on the premises, whether such signs be conforming or nonconforming unless specifically excepted by the terms of this ordinance.

3. STYLE OF SIGN.

- 3.1 The Association and City of Scottsdale must approve logos (block or script) in addition to signage to the extent as designated by each.

4. COLOR OF LETTERS/LOGOS.

- 4.1 Paint Manufacturer shall be FRAZEE PAINT
- 4.2 Specific color(s) shall be owner's/tenant's choice of Frazee "Ebony Black" (#: 200) or Frazee "Woody" (#: CLC1287N 2/015). (Samples of these paint colors on file at the City.)

5. PLACEMENT OF LETTERS.

- 5.1 Letters are to be centered on fascia of buildings from left to right and centered vertically top to bottom.
- 5.2 No unusual letter spacing shall be used to stretch or extend copy area.
- 5.3 Non-corrosive mounting fasteners must be used.

6. LIGHTING.

- 6.1. All letters and or logos may be illuminated with internal LED back-lit letters (halo-illuminated reverse pan channel letters); single or double stroke as approved by the Association. LED lights to be bright white in color. Owner will be required to repair or replace any sign that does not meet this requirement. Owner/Tenant may not utilize non-illuminated RPC letters/logos.
- 6.2. All electrical components will be U.L. or equivalent approved.
- 6.3. Owner shall be responsible for providing and paying for primary feed wires to illuminate sign in addition to all costs of electrical power consumption.

Owner: _____

- 6.4. Penetration of structure shall be kept to a minimum and must have proper insulation for voltage cable.
- 6.5. Power supplies shall be concealed, routing and location of other required items shall not be visible on front of fascia.
- 6.6. A licensed, bonded, insured electrician will perform final electrical connection to sign.

7. DETAIL DRAWINGS.

- 7.1 Three (3) color copies of complete and detailed drawings by a licensed sign company shall be submitted for final review and approval by the Association. Two (2) color copies of the Association approved drawings shall then be submitted to the City of Scottsdale for permitting in addition to the City of Scottsdale's standard permit submittal requirements.
- 7.2 Elevation of building fascia and sign shall be drawn using a minimum of ¼ inch to 1 foot scale.
- 7.3 Drawing shall indicate the following specifications:
 - 7.3.1 Type, thickness and color of lettering.
 - 7.3.2 Type of materials.
 - 7.3.3 Type of illumination and mounting method.
 - 7.3.4 Fascia cross section showing electrical connections.

8. WINDOW SIGNAGE.

- 8.1 Window signage shall be limited to firm name, hours of operation and emergency contact numbers, unless other signage is required by applicable law.
- 8.2 Window signage shall be crafted in a professional manner. Per Section 8.601.I.A.K.3 of the City of Scottsdale Sign Ordinance: No more than 25% of any window pane that is more than three (3) feet in any dimension may be used for such signs.

9. THE FOLLOWING ARE NOT PERMITTED:

- 9.1 Temporary signs
- 9.2 Trailer signs.
- 9.3 Roof or box signs.
- 9.4 Cloth signs, banners or streamers.
- 9.5 Exposed seam tubing.
- 9.6 Animated or moving components.
- 9.7 Intermittent or flashing illumination.
- 9.8 Iridescent painted signs.

Owner: _____

9.9 Signs or letters painted directly on any surface except as herein provided.

10. CERTAIN RIGHTS RESERVED BY THE ASSOCIATION:

The Association reserves the following rights, exercisable without liability to Owner for: (i) damage or injury to property, person, or business, (ii) disturbing Owner's use or possession of the premises.

- 10.1. To install and maintain all signs on the exterior and interior of the Project, subject to the Declaration.
- 10.2. To modify any part of this Comprehensive Sign Plan permanently or temporarily for any other Owner's or occupant's use.

Owner: _____

ColorLife®

Frazee Paint.

Frazee Paint. S2
EXTERIOR COLORS

White Shadow
181

Padre Brown
151

Oxford Brown
140

Ebony Black
200

Ebony Black



Dynamite
CLC 1286V

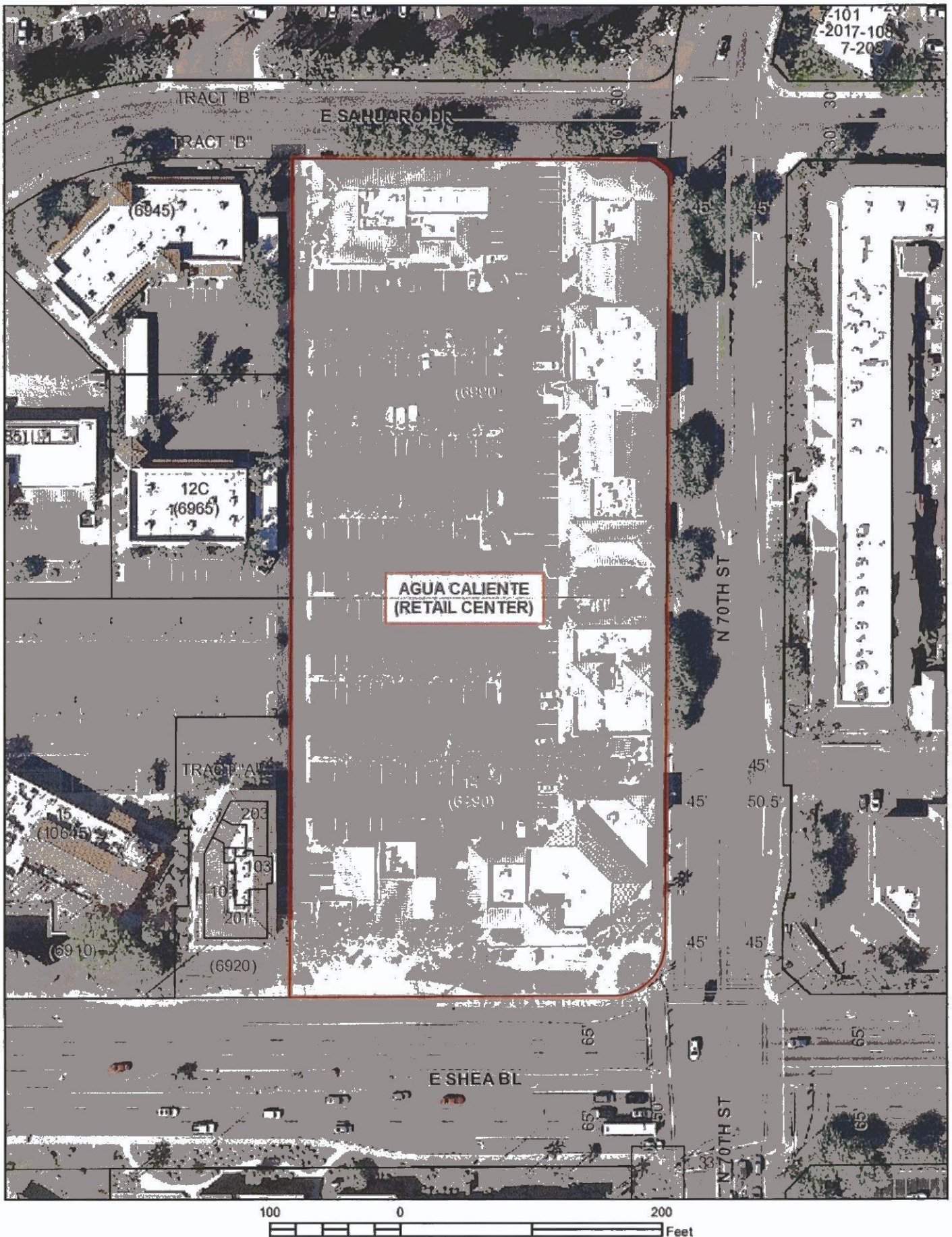
Woody
CLC 1287W

↑
Woody

2015

2015

AGUA CALIENTE







Linda Diefenderfer

From: Stacie Rahm [srahm@arcdiamgmt.com]
Sent: Thursday, January 17, 2013 6:09 AM
To: lindad@smregp.com
Subject: FW: Revised Building Signs Layout
Attachments: Proof East Facing Building Sign.pdf; Proof West Facing Building Sign.pdf

Linda,

Attached are the new specs for the Goody Two signs. Please let me know when they are approved ASAP.

Thank you



STACIE RAHM
P.O. BOX 10 SCOTTSDALE, AZ 85252-0010
OFFICE: 602-955-4700 X 206 FAX: 602-955-9777 MOBILE: 602-370-0915
EMAIL: srahm@arcdiamgmt.com

Tenants can request a work order 24 hours a day at www.arcdiamgmt.com

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Thank you

From: Donna Gabrilson [mailto:donna@goodytwos.com]
Sent: Wednesday, January 16, 2013 4:51 PM
To: srahm@arcdiamgmt.com
Cc: lennoelcam@aol.com
Subject: FW: Revised Building Signs Layout

Stacey,

Here are the proofs that you requested in brown to be submitted to the HOA for approval. We'd like to get the signs up as soon as possible, please keep me updated.

Thank you - Donna

Donna Gabrilson - President /co-owner
Goodytwos Toffee Company
6990 E. Shea Blvd #117

2/18/2013

Scottsdale, AZ 85254

E: donna@goodytwos.com

P: (480) 575-0737

F: (480) 575-0317

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www.goodytwos.com



Pre-Application Request

Purpose:

The purpose of the Pre-Application submittal, and meeting, is for the applicant and City Staff to discuss a proposed Development Application, and the information and process that is necessary for City Staff to process the proposal.

In accordance with the Zoning Ordinance, no development application shall be accepted before a Pre-Application has been submitted, and a Pre-Application meeting has been conducted with City Staff, unless the Pre-Application meeting has been waived by the Zoning Administrator.

Submittal:

The completed Pre-Application request form, all required materials and fees should be submitted in person to the One-Stop-Shop located at 7447 East Indian School Road. All checks shall be payable to "City of Scottsdale."

Scheduling

After the Pre-Application packet has been accepted at the One-Stop-Shop, a staff member will contact the Applicant within five (5) Staff Working Days to schedule a Pre-Application meeting with the assigned staff member(s). Generally, a Pre-Application meeting is scheduled within five (5) to fifteen (15) Staff Working Days from the date of the submittal.

Project Name: <u>Agua Caliente Master Sign Program Amendment</u>	
Property's Address: <u>6990 E. Shea Blvd.</u>	APN: <u>175-41-019</u>
Property's Zoning District Designation: <u>C-2 (C)</u>	
Property Details:	
<input type="checkbox"/> Single-Family Residential <input type="checkbox"/> Multi-Family Residential <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Other	
Has a 'Notice of Compliance' been issued? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, provide a copy with this submittal	
Owner: <u>Agua Caliente HOA Board</u>	Applicant: <u>Linda Diefenderfer, Agent</u>
Company: <u>Silver Mountain Real Estate Group</u>	Company: <u>Silver Mountain Real Estate Group</u>
Address: <u>6945 EAST SAHUARO Drive</u>	Address: <u>6945 EAST SAHUARO Drive</u>
<u>B-1, SCOTTSDALE, AZ 85254</u>	<u>B-1, SCOTTSDALE, AZ 85254</u>
Phone: <u>480-659-2928</u> Fax: <u>480-621-7410</u>	Phone: <u>480-659-2928</u> Fax: <u>480-621-7410</u>
E-mail: <u>linda.d@smregp.com</u>	E-mail: <u>linda.d@smregp.com</u>
Owner Signature: <u>Linda Diefenderfer Agent</u>	Applicant Signature: <u>Linda Diefenderfer, Agent</u>
Official Use Only	Submittal Date: <u>2/11/13</u> Application No.: <u>113-PA-2013</u>
Project Coordinator: <u>Andrew Chi</u>	

Planning, Neighborhood & Transportation Division

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



Pre-Application Request

Development Application Type:

Please check the appropriate box of the Type(s) of Application(s) you are requesting

Zoning	Development Review	Signs
<input type="checkbox"/> Text Amendment (TA)	<input type="checkbox"/> Development Review (Major) (DR)	<input checked="" type="checkbox"/> Master Sign Program (MS)
<input type="checkbox"/> Rezoning (ZN)	<input type="checkbox"/> Development Review (Minor) (SA)	<input type="checkbox"/> Community Sign District (MS)
<input type="checkbox"/> In-fill Incentive (II)	<input type="checkbox"/> Wash Modification (WM)	Other
<input type="checkbox"/> Conditional Use Permit (UP)	<input type="checkbox"/> Historic Property (HP)	<input type="checkbox"/> Annexation/De-annexation (AN)
Exemptions to the Zoning Ordinance	Land Divisions (PP)	<input type="checkbox"/> General Plan Amendment (GP)
<input type="checkbox"/> Hardship Exemption (HE)	<input type="checkbox"/> Subdivisions	<input type="checkbox"/> In-Lieu Parking (IP)
<input type="checkbox"/> Special Exception (SX)	<input type="checkbox"/> Condominium Conversion	<input type="checkbox"/> Abandonment (AB)
<input type="checkbox"/> Variance (BA)	<input type="checkbox"/> Perimeter Exceptions	Other Application Type Not Listed
<input type="checkbox"/> Minor Amendment (MA)	<input type="checkbox"/> Plat Correction/Revision	<input type="checkbox"/>

Submittal Requirements: (fees subject to change every July)

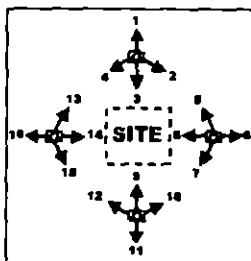
☒ Pre-Application Fee: \$87.00 Separate \$100.00 amendment fee will be charged after consultation/approval.

☒ Records Packet Fee: \$N/A
Processed by staff. The applicant need not visit the Records desk to obtain the packet.
(Only required for ZN, II, UP, DR, PP, AB applications, or otherwise required by Staff)

☒ Application Narrative:
The narrative shall describe the propose of the request, and all pertinent information related to the request, such as, but not limited to, site circulation, parking and design, drainage, architecture, proposed land use, and lot design.

☒ Property Owner Authorization Letter
(Required for the SA and MS Pre-Applications)

- ☒ Site / Context Photographs
- Provide color photographs showing the site and the surrounding properties. Use the guidelines below for photos.
 - Photos shall be taken looking in towards the project site and adjacent to the site.
 - Photos should show adjacent improvements and existing on-site conditions.
 - Each photograph shall include a number and direction.
 - Sites greater than 500 ft. in length, also take the photo locations shown in the dashed lines.
 - Photos shall be provided 8 1/2 x 11 paper, max. two per page.



- The following list of Additional Submittal Information is not required for a Pre-Application meeting, unless indicated below by staff prior to the submittal of this request.
- Applicants are advised to provide any additional information listed below. This will assist staff to provide the applicant with direction regarding an application.

Additional Submittal Information

- ☒ Site Plan (two copies) *Show all tenant suites and suite numbers
- ☐ Subdivision plan (two copies)
- ☐ Floor Plans (two copies)
- ☐ Elevations (two copies)
- ☐ Landscape plans (two copies)
- ☒ H.O.A. Approval letter *Agua Caliente Property Owners Association Approval
- ☒ Sign Criteria Regulations & Language (two copies)
- ☐ Material Samples – color chips, awning fabric, etc.
- ☐ Cross Sections – for all cuts and fills
- ☐ Conceptual Grading & Drainage Plan (three copies)
- ☐ Exterior Lighting – provide cut sheets, details and photometrics for any proposed exterior lighting.
- ☐ Boundary Survey (required for minor land divisions)
- ☐ Areal of property that includes property lines and highlighted area abandonment request.
- ☐ One copy of the recorded document for the area that is requested to be abandoned. Such as: subdivision plat, map of dedication, GLO (General Land Office) federal patent roadway easement, or separate dedication document. A copy of most recorded documents to be abandoned may be purchased at the City of Scottsdale Records Dept. (480-312-2356), or the Maricopa County Recorder's Office (602-506-3535). A copy of the General Land Office (GLO) federal patent roadway easement may be purchased from the Bureau of Land Management (602-417-9200).

Planning, Neighborhood & Transportation Division

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