

**207 Waiver**  
**Title**  
**Legal Description**  
**Policy or Appeals**  
**Correspondence Between Legal & Staff**  
**Letter of Authorization**



DECLARATION OF CONFLICT OF INTEREST OR PERSONAL INTEREST

NAME: JOE YOUNGER

PUBLIC BODY: DRB

DATE OF PUBLIC MEETING: 05/04/17 AGENDA ITEM NO.: 4

DESCRIPTION OF ITEM: ADELINE HOTEL

I declare that I have a "substantial interest" in the above-referenced decision or matter, as provided in A.R.S. § 38-501 et seq., and, therefore, declare that I have a conflict of interest in the decision or matter.

Describe the substantial interest held by you or your relative(s) referred to above:

MY FIRM IS THE LANDSCAPE ARCHITECT ON THE PROJECT.

I don't believe that I have a substantial interest in the above-referenced decision or matter and, therefore, do not have a conflict of interest as provided by Arizona law, but I believe that my active participation in the above-referenced decision or matter might raise the perception of undue influence or impropriety.

Explain: \_\_\_\_\_

To avoid a conflict of interest or the perception of undue influence or impropriety, as indicated above, I will refrain from participating in any manner in the decision(s) or matter(s) identified above.

[Signature]  
Signature

05/04/17  
Date Signed

PLEASE NOTE: Completion and filing of this form with the City Clerk's Office is not, by itself, sufficient for a public officer to meet the requirements of the Conflict of Interest law and Code of Ethical Behavior (S.R.C. § 2-47 et seq.). To complete the requirements the public officer must state publicly at the meeting of the public body that he or she has a conflict of interest, or that participation might raise the perception of undue influence or impropriety; then recuse himself or herself, and leave the room while the matter is being discussed and acted upon by others on the public body.

A copy of this form will be filed as a supplement to the public officer's Personal Interest Disclosure form.



# Affidavit of Posting

Office of the City Clerk

STATE OF ARIZONA )  
COUNTY OF MARICOPA ) SS

I, Sita Barge, being first duly sworn, depose and say:

That on April 25, 2017, I posted notification poster(s) for the properties indicated below.

Site(s) must be posted on or before: **April 26, 2017**

Case No.	Description and Location of Project	No. of Signs	Date Posted
5-DR-2017	Adeline - Scottsdale Inn, 5101 N Scottsdale Rd	1	4/25/17

Date of Development Review Board Public Meeting: May 4, 2017, AT 1:00 P.M. IN THE CITY HALL KIVA, SCOTTSDALE, ARIZONA.

Sita Barge  
(Signature)

Acknowledged this 2nd day of MAY 2017.

Romaine Castro  
(Notary Public)

My commission expires 11/15/2020

### Planning and Development Services

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

PART CHULOS

# PUBLIC HEARING NOTICE

**REQUEST:** Approval of building elevations for an exterior remodel to an existing hotel on a 4.5-acre site with Multi-family Residential (R-5) zoning.

**CASE#:** 5-DR-2017

**DATE:** May 4, 2017

HEARING DATE SUBJECT TO CHANGE  
PLEASE CHECK OUR WEBSITE FOR LATEST INFORMATION



**480-312-7000**

4-25-17

UNLESS OTHERWISE NOTIFIED, ALL PUBLIC HEARINGS ARE HELD AT:

SCOTTSDALE CITY HALL  
3939 N. DRINKWATER BLVD.

YOUR COMMENTS ABOUT THIS REQUEST CAN BE MADE PRIOR TO OR AT THE ABOVE PUBLIC HEARING IF YOU WISH TO SPEAK AT THIS MEETING PLEASE ALLOW ENOUGH TIME TO FILL OUT A COMMENT CARD.

TOMMY GATE

CASH

[www.scottsdaleaz.gov](http://www.scottsdaleaz.gov)



Current Planning Services  
Long Range Planning Services

**NOTICE OF INSPECTION RIGHTS**  
**A.R.S. § 9-833**

**You have the right to:**

- Have the City staff member present a photo ID.
- Have the City staff member state the purpose for the planning inspection and legal authority to conduct it.
- Know the amount of inspection fees if applicable.
- An on-site representative may accompany the City staff member during the inspection except during confidential interviews and may:
  - Receive copies of any documents taken during the inspection.
  - Receive a split of any samples taken during the inspection.
  - Receive copies of any analysis of the samples taken when available.
- Be informed if statements are being recorded.
- Be given notice that any statements may be used in an inspection report.
- Be presented with a copy of your inspection rights.
- Be notified of the due process rights pertaining to an appeal

**You are hereby notified and informed of the following:**

- The inspection is conducted pursuant to the authority of A.R.S § 9-462.05. and/or Scottsdale Revised Code, Appendix B, Article I. Section 1.203.
- Any statements made by anyone interviewed during this inspection may be included in the inspection report.
- Information on appeal rights related to this inspection is found under Scottsdale Revised Code, Appendix B, Article I. Section 1.801.
- There is no inspection fee associated with this inspection.

I acknowledge I have been informed of my inspection rights. If I decline to sign this form, the inspector(s) may still proceed with the inspection.

If I have any questions, I may contact the City staff member, Greg Bloemberg  
at the following number 480-312-4306

Signature: \_\_\_\_\_ Date: 1-13-17

Printed Name: Redwood Place Scottsdale, LLC By: Redwood Place Management, LLC

By: Mike Rad, Manager  
 Check box if signature refused

Copy of Bill of Rights left at: \_\_\_\_\_

A.R.S § 9-833. Inspections; applicability

- A. A municipal inspector or regulator who enters any premises of a regulated person for the purpose of conducting an inspection shall:
1. Present photo identification on entry of the premises.
  2. On initiation of the inspection, state the purpose of the inspection and the legal authority for conducting the inspection.
  3. Disclose any applicable inspection fees.
  4. Except for a food and swimming pool inspection, afford an opportunity to have an authorized on-site representative of the regulated person accompany the municipal inspector or regulator on the premises, except during confidential interviews.
  5. Provide notice of the right to have:
    - (a) Copies of any original documents taken from the premises by the municipality during the inspection if the municipality is permitted by law to take original documents.
    - (b) A split or duplicate of any samples taken during the inspection if the split or duplicate of any samples, where appropriate, would not prohibit an analysis from being conducted or render an analysis inconclusive.
    - (c) Copies of any analysis performed on samples taken during the inspection.
  6. Inform each person whose conversation with the municipal inspector or regulator during the inspection is tape recorded that the conversation is being tape recorded.
  7. Inform each person interviewed during the inspection that statements made by the person may be included in the inspection report.
- B. On initiation of, or two working days before, an inspection of any premises of a regulated person, except for a food and swimming pool inspection that has up to one working day after an inspection, a municipal inspector or regulator shall provide the following in writing or electronically:
1. The rights described in subsection A of this section.
  2. The name and telephone number of a municipal contact person available to answer questions regarding the inspection.
  3. The due process rights relating to an appeal of a final decision of a municipality based on the results of the inspection, including the name and telephone number of a person to contact within the municipality and any appropriate municipality, county or state government ombudsman.
- C. A municipal inspector or regulator shall obtain the signature of the regulated person or on-site representative of the regulated person on the writing prescribed in subsection B of this section indicating that the regulated person or on-site representative of the regulated person has read the writing prescribed in subsection B of this section and is notified of the regulated person's or on-site representative of the regulated person's inspection and due process rights. The municipality shall maintain a copy of this signature with the inspection report. Unless the regulated person at the time of the inspection is informed how the report can be located electronically, the municipality shall leave a copy with the regulated person or on-site representative of the regulated person. If a regulated person or on-site representative of the regulated person is not at the site or refuses to sign the writing prescribed in subsection B of this section, the municipal inspector or regulator shall note that fact on the writing prescribed in subsection B of this section.
- D. A municipality that conducts an inspection shall give a copy of, or provide electronic access to, the inspection report to the regulated person or on-site representative of the regulated person either:
1. At the time of the inspection.
  2. Notwithstanding any other state law, within thirty working days after the inspection.
  3. As otherwise required by federal law.

- E. The inspection report shall contain deficiencies identified during an inspection. Unless otherwise provided by law, the municipality may provide the regulated person an opportunity to correct the deficiencies unless the municipality determines that the deficiencies are:
1. Committed intentionally.
  2. Not correctable within a reasonable period of time as determined by the municipality.
  3. Evidence of a pattern of noncompliance.
  4. A risk to any person, the public health, safety or welfare or the environment.
- F. If the municipality allows the regulated person an opportunity to correct the deficiencies pursuant to subsection E of this section, the regulated person shall notify the municipality when the deficiencies have been corrected. Within thirty working days of receipt of notification from the regulated person that the deficiencies have been corrected, the municipality shall determine if the regulated person is in substantial compliance and notify the regulated person whether or not the regulated person is in substantial compliance, unless the determination is not possible due to conditions of normal operations at the premises. If the regulated person fails to correct the deficiencies or the municipality determines the deficiencies have not been corrected within a reasonable period of time, the municipality may take any enforcement action authorized by law for the deficiencies.
- G. A municipality's decision pursuant to subsection E or F of this section is not an appealable municipal action.
- H. At least once every month after the commencement of the inspection, a municipality shall provide the regulated person with an update, in writing or electronically, on the status of any municipal action resulting from an inspection of the regulated person. A municipality is not required to provide an update after the regulated person is notified that no municipal action will result from the municipality's inspection or after the completion of municipal action resulting from the municipality's inspection.
- I. This section does not authorize an inspection or any other act that is not otherwise authorized by law.
- J. This section applies only to inspections necessary for the issuance of a license or to determine compliance with licensure requirements. This section does not apply:
1. To criminal investigations and undercover investigations that are generally or specifically authorized by law.
  2. If the municipal inspector or regulator has reasonable suspicion to believe that the regulated person may be or has been engaged in criminal activity.
  3. Inspections by a county board of health or a local health department pursuant to section 36-603.
- K. If a municipal inspector or regulator gathers evidence in violation of this section, the violation shall not be a basis to exclude the evidence in a civil or administrative proceeding, if the penalty sought is the denial, suspension or revocation of the regulated person's license or a civil penalty of more than one thousand dollars.
- L. Failure of a municipal employee to comply with this section:
1. Constitutes cause for disciplinary action or dismissal pursuant to adopted municipal personnel policy.
  2. Shall be considered by the judge and administrative law judge as grounds for reduction of any fine or civil penalty.
- M. A municipality may adopt rules or ordinances to implement this section.
- N. This section:
1. Shall not be used to exclude evidence in a criminal proceeding.
  2. Does not apply to a municipal inspection that is requested by the regulated person.

# Request for Site Visits and/or Inspections

## Development Application (Case Submittals)



This request concerns all property identified in the development application.

Pre-application No: 942 -PA- 16

Project Name: SCOTTSDALE INN

Project Address: 5101 N. SCOTTSDALE ROAD, Scottsdale, AZ 85250

### STATEMENT OF AUTHORITY:

1. I am the owner of the property, or I am the duly and lawfully appointed agent of the property and have the authority from the owner to sign this request on the owner's behalf. If the land has more than one owner, then I am the agent for all owners, and the word "owner" refer to them all.
2. I have the authority from the owner to act for the owner before the City of Scottsdale regarding any and all development application regulatory or related matter of every description involving all property identified in the development application.

### STATEMENT OF REQUEST FOR SITE VISITS AND/OR INSPECTIONS

1. I hereby request that the City of Scottsdale's staff conduct site visits and/or inspections of the property identified in the development application in order to efficiently process the application.
2. I understand that even though I have requested the City of Scottsdale's staff conduct site visits and/or inspections, city staff may determine that a site visit and/or an inspection is not necessary, and may opt not to perform the site visit and/or an inspection.

Property owner/Property owner's agent: Redwood Place Scottsdale, LLC  
By: Redwood Place Management, LLC  
By: Mike Rad, Manager

Print Name

Signature

### City Use Only:

Submittal Date: \_\_\_\_\_ Case number: \_\_\_\_\_

### Planning and Development Services

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

Rev. 02/02/2015

5-DR-2017  
2/2/17

**OWNER CERTIFICATION  
ACKNOWLEDGING RECEIPT  
OF  
NOTICE OF RIGHT TO APPEAL  
EXACTIONS AND DEDICATIONS**

I hereby certify that I am the owner of property located at:

5101 N Scottsdale Road, Scottsdale, AZ 85250

(address where development approval, building permits, or city required improvements and dedications are being required)

and hereby certify that I have received a notice that explains my right to appeal all exactions and/or dedications required by the City of Scottsdale as part of my property development on the parcel listed in the above address.

Redwood Place Scottsdale, LLC  
By: Redwood Place Management, LLC  
By: Mike Rad, Manager

  
\_\_\_\_\_  
Signature of Property Owner

1-13-17  
\_\_\_\_\_  
Date



Redwood Place Scottsdale, LLC

November 3, 2016

City of Scottsdale  
Design Review Board  
and Permit Submittal Office  
7447 E. Indian School Road  
Scottsdale, AZ 85251

Re: Days Inn/ Adeline - 5101 North Scottsdale Road, Scottsdale, AZ

To Whom It May Concern;

This letter of authorization serves to authorize Development Services, LLC, on behalf of Redwood Place Scottsdale, LLC to make submittals as required for the Design Review Board and Permit Submittal for the Property located at 5101 North Scottsdale Road, Scottsdale, AZ.

Thank you and if have any questions, please do not hesitate to contact the undersigned at your leisure.

By Redwood Place Management, LLC

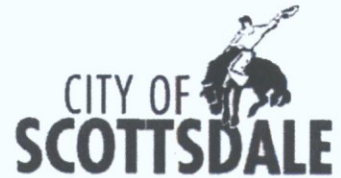
By: 

Name: Tony Aguilera  
Title: Manager

7801 Hayvenhurst Ave.  
Van Nuys, CA 91406  
P: 818.702.2254  
E-Mail: [tony.aguilera@esintl.com](mailto:tony.aguilera@esintl.com)

5-DR-2017  
2/2/17

# Affidavit of Authority to Act as the Property Owner




1. This affidavit concerns the following parcel of land:

- a. Street Address: 5010 North Scottsdale Road
- b. County Tax Assessor's Parcel Number: 173-23-010C
- c. General Location: Scottsdale Road & Chaparral
- d. Parcel Size: 4.51 Acres
- e. Legal Description: 173-23-010C

(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 Director of the Scottsdale Planning & Development Services Department a written statement revoking my authority.
- 5. I will immediately deliver to the Director of the City of Scottsdale Planning & 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 and 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
Redwood Place Scottsdale, LLC	_____, 20____	_____
By: Redwood Place Management, LLC	_____	_____
By: Mike Rad, Manager	January 13, 2017	
_____	_____, 20____	_____
_____	_____, 20____	_____

## Planning and Development Services

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