



Development Review (Minor) Staff Approval

13-SA-2018

Dutch Bros Coffee (Yam
Circle)

APPLICATION INFORMATION

LOCATION:	15600 N Hayden Rd	APPLICANT:	Mike Hills
PARCEL:	215-51-005R	COMPANY:	Level 4 Studios LLC
Q.S.:	35-48	ADDRESS:	6868 N 7Th Ave Ste 209 Phoenix, AZ 85013
CODE VIOLATION #:		PHONE:	(602) 374-4920

Request: Request approval of the site plan and building elevations for a new Dutch Brothers building to be located on an existing pad within YAM Circle.

STIPULATIONS

1. Architectural elements, including dimensions, materials, form, color, and texture, shall be constructed to be consistent with the building elevations submitted by Level 4 Studio, stamped approved by City staff 3/7/18.
2. The location and configuration of all site improvements shall be consistent with the site plan submitted by Level 4 Studio, stamped approved by City staff 3/7/18.
3. All approvals and stipulations from cases 3-DR-2017 and 195-SA-2017 shall remain in effect.

CONSTRUCTION DOCUMENT PLAN REVIEW SUBMITTAL REQUIREMENTS

Submit one copy of this approval letter, and a completed Owner/Builder form if applicable, and a permit application along with the following plan set(s) to the One-Stop-Shop for review:

PERMIT APPLICATION: ☒ **Completed Permit Application.** The permit application may be obtained or filled-out online at the following weblink:
http://www.scottsdaleaz.gov/assets/ScottsdaleAZ/Building/APP_Permits/Permit_Commercial.pdf
(Please complete the permit application online prior to arriving at the City to submit your construction documents)

ARCHITECTURAL: ☒ 4 sets of architectural plans and 1 additional site plan and elevation
(civil and landscape improvement plans shall be included for reference)

IMPROVEMENTS: ☒ 4 sets of civil improvement plans (revision to 2975-17-3)

Expiration of Development Review (Minor) Approval

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.

Staff Signature: _____

Bryan Cluff, Senior Planner

DATE: _____

3/7/18

Planning and Development Services

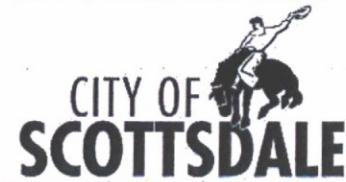
7447 East Indian School Road, Suite 105, Scottsdale, Arizona 85251 Phone: 480-312-7000 Fax: 480-312-7088

City of Scottsdale's Website: www.scottsdaleaz.gov

Development Review (Minor)

(Administrative Staff Approval)

Development Application Checklist



Official Use:

City Staff Contact: B. CLUFFStaff Signature: PCPhone: 480-312-2258Email: bcluff@scottsdaleaz.gov

Project Name:

Property's Address:

A.P.N.:

Property's Zoning District Designation:

Application Request:

Owner:

Applicant:

Company:

Company:

Address:

Address:

Phone:

Fax:

Phone:

Fax:

E-mail:

E-mail:

Submittal Requirements: Please submit materials requested below. All plans must be folded.

☒ Completed Application (this form) and Application Fee –
\$ 67.00 (fee subject to change every July)

☒ Affidavit of Authority to Act for Property Owner, letter of
authorization, or signature below

☐ Signed Owner Certification Acknowledging Receipt
of Notice of Right to Appeal Exactions and Dedications

☒ Request for Site Visits and/or Inspections form

☒ Narrative – describing nature of request

☐ Homeowners or Property Owners Association Approval

☐ Color photographs of site – include area of request

☒ Site plan (2 copy(ies) indicate the extent and location
of additions, buildings and other structures, dimensions of
existing and proposed structures, sidewalks, and/or
driveways as well as any required setbacks.

☒ IF ANY NEW MATERIALS
Material Samples – color chips, awning fabric, glazing, etc.

☒ Elevation Drawings or Color Photo simulations
(2 copy(ies) – of additions, buildings, or other changes
with materials and colors noted and keyed

☐ Landscape Plan (copy(ies) – indicate location of
existing and new plants, location and dimension of
paving, a plant palette with names, symbols, sizes,
spacing & quantities, and open space/landscaping
calculations.

☐ Cross Sections – for all cuts and fills applications

☐ Conceptual Grading & Drainage Plan – show existing,
proposed drainage flows, channels, retention, etc.

☐ Copy of Liquor License Application (for all bars or
restaurants patio applications)

☐ Airport Vicinity Development Checklist

☒ Floor Plan(s) – show additions, alterations, or new
structures. The floor plan shall be dimensioned and
clearly delineate existing and proposed construction.

☒ Exterior Lighting – provide cut sheets, details and
photometrics for any proposed lighting.

☐ Other: _____

Please indicate in the checkbox below the requested review methodology (please see the descriptions on page 2):

☐ Enhanced Application Review: I hereby authorize the City of Scottsdale to review this application utilizing the Enhanced Application Review methodology.

☐ Standard Application Review: I hereby authorize the City of Scottsdale to review this application utilizing the Standard Application Review methodology.

Owner Signature

Agent/Applicant Signature

Planning and Development Services

7447 East Indian School Road Suite 105, Scottsdale, Arizona 85251 Phone: 480-312-7000 Fax: 480-312-7088

Cluff, Bryan

From: Cluff, Bryan
Sent: Thursday, February 08, 2018 5:03 PM
To: 'benny@l4studio.com'
Cc: 'Mike Hills'
Subject: Dutch Bros. 13-SA-2018

Benny,

I received your voicemail, and wanted to give you an update of our review. The building elevations that were submitted with the application appear to have some significant changes compared to what had been discussed during our pre-application meetings. Steve Venker and I would like to meet so we can discuss some of our concerns with regard to the design of the building. In addition, we will need to see an overall site plan of Yam Circle depicting the revised building for Dutch Bros. so we can evaluate the overall site.

Please let me know if you have any availability over the next couple of weeks and we can try to get something on our calendars.

Thank you,

Bryan D. Cluff, LEED AP
Senior Planner
City of Scottsdale
Planning & Development
Phone: 480-312-2258
Fax: 480-312-7088
bcluff@ScottsdaleAZ.gov

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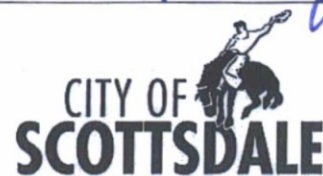
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 twitter

Development Review (Minor)

(Administrative Staff Approval)

Development Application Checklist



Official Use:

City Staff Contact: B. CLUFFStaff Signature: [Signature]Phone: 480-312-2258Email: bcluff@scottsdaleaz.gov

Project Name:

Property's Address: 15600 N Hayden Rd

A.P.N.:

Property's Zoning District Designation:

Application Request:

Owner: 15600 N Hayden LLCApplicant: BENNY MUNOZCompany: c/o Yam PropertiesCompany: LEVEL 4 STUDIOAddress: 15750 N Northsight Blvd, Scottsdale, AZ 85260Address: 6868 N 7TH AVE STE 209Phone: 480-398-2543

Fax:

Phone: 602.374.4920Fax: 602.374.4922E-mail: ddahl@yamproperties.comE-mail: BEVNY@LEVEL4STUDIO.COM / MIKE@LEVEL4STUDIO.COM

Submittal Requirements: Please submit materials requested below. All plans must be folded.

☒ Completed Application (this form) and Application Fee – \$ 57.00 (fee subject to change every July)

☒ Affidavit of Authority to Act for Property Owner, letter of authorization, or signature below
☐ Signed Owner Certification Acknowledging Receipt of Notice of Right to Appeal Exactions and Dedications

☒ Request for Site Visits and/or Inspections form

☒ Narrative – describing nature of request

☐ Homeowners or Property Owners Association Approval

☐ Color photographs of site – include area of request

☒ Site plan (2 copy(ies) indicate the extent and location of additions, buildings and other structures, dimensions of existing and proposed structures, sidewalks, and/or driveways as well as any required setbacks.

☒ IF ANY NEW MATERIALS Material Samples – color chips, awning fabric, glazing, etc.

☒ Elevation Drawings or Color Photo simulations (2 copy(ies) – of additions, buildings, or other changes with materials and colors noted and keyed

☐ Landscape Plan (copy(ies) – indicate location of existing and new plants, location and dimension of paving, a plant palette with names, symbols, sizes, spacing & quantities, and open space/landscaping calculations.

☐ Cross Sections – for all cuts and fills applications

☐ Conceptual Grading & Drainage Plan – show existing, proposed drainage flows, channels, retention, etc.

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☒ Exterior Lighting – provide cut sheets, details and photometrics for any proposed lighting.

☐ Other: _____

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☒ Enhanced Application Review: I hereby authorize the City of Scottsdale to review this application utilizing the Enhanced Application Review methodology.

☐ Standard Application Review: I hereby authorize the City of Scottsdale to review this application utilizing the Standard Application Review methodology.

[Signature]
 Owner Signature Daniel Dahl, Manager 15600 N Hayden

[Signature]
 Agent/Applicant Signature

Planning and Development Services

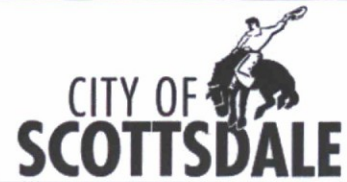
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Development Application Process

Enhanced Application Review

Staff Review Application: SA, WM, & MD



Enhanced Application Review Methodology

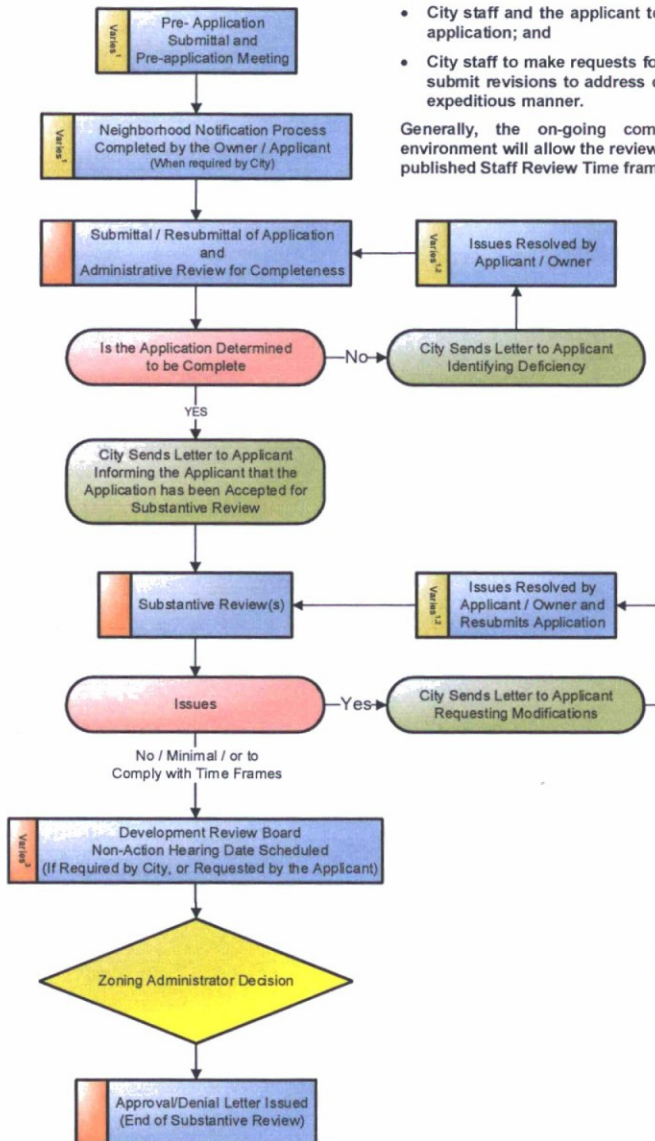
Within the parameters of the Regulatory Bill-of-Rights of the Arizona Revised Statutes, the Enhanced Application Review method is intended to increase the likelihood that the applicant will obtain an earlier favorable written decision or recommendation upon completion of the city's reviews. To accomplish this objective, the Enhanced Application Review allows:

- the applicant and City staff to maintain open and frequent communication (written, electronic, telephone, meeting, etc.) during the application review;
- City staff and the applicant to collaboratively work together regarding an application; and
- City staff to make requests for additional information and the applicant to submit revisions to address code, ordinance, or policy deficiencies in an expeditious manner.

Generally, the on-going communication and the collaborative work environment will allow the review of an application to be expedited within the published Staff Review Time frames.

Application Types:

- Development Review – Minor (SA)
- Wash Modifications (WM)
- Land Division – Minor Subdivision (MD)



Note:

1. Time period determined by owner/ applicant.
2. All reviews and time frames are suspended from the date a the letter is issued requesting additional information until the date the City receives the resubmittal from the owner/applicant.
3. Owner/applicant may agree to extend the time frame by 25 percent

Time Line

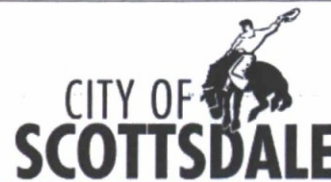
Administrative Review	Substantive Review	Approval/Denial Letter Issued
15 Staff Working Days Per Review	50 Total Staff Working Days, Multiple City Reviews in This Time Frame ^{2,3,4}	

Planning and Development Services

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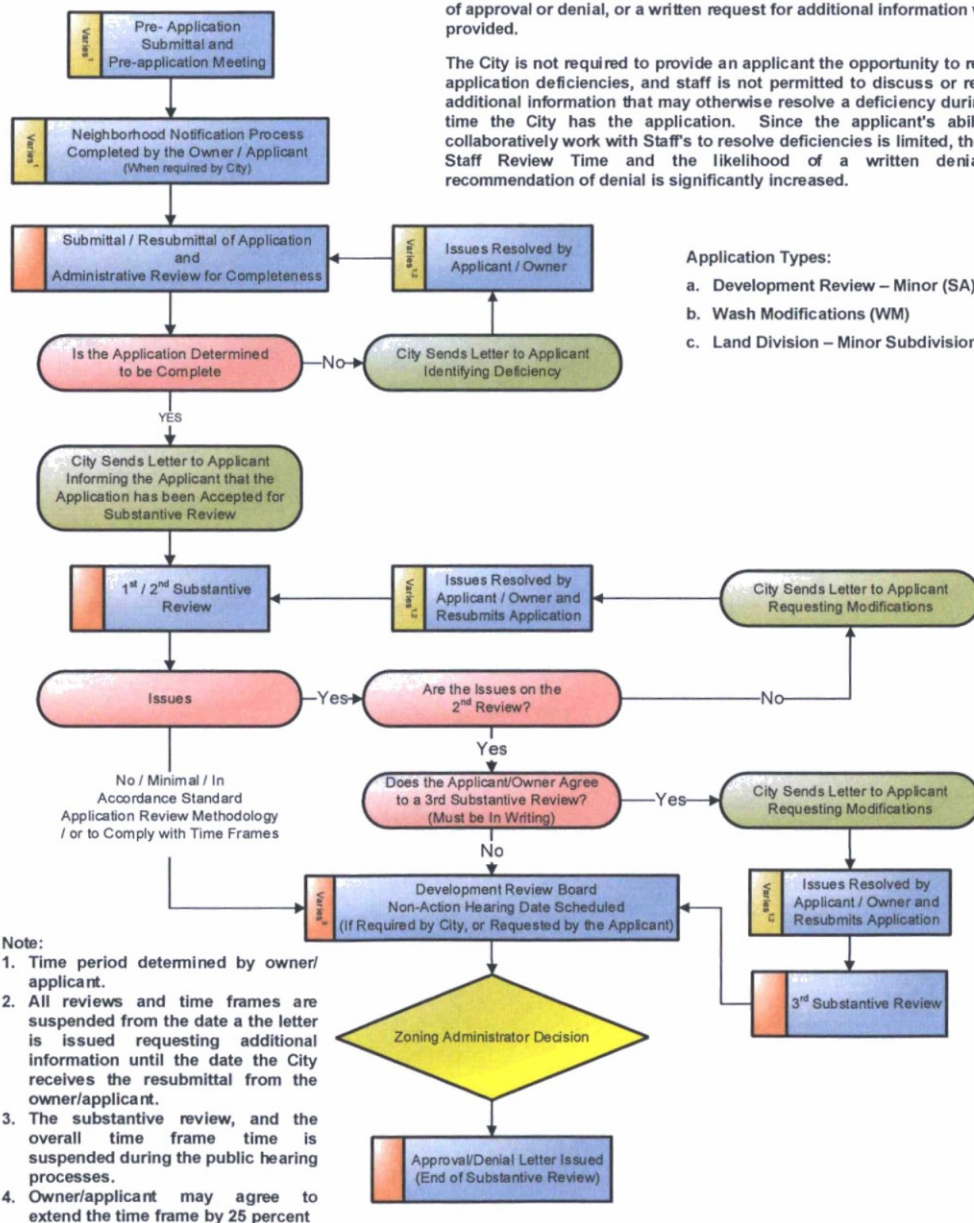
City of Scottsdale's Website: www.scottsdaleaz.gov

Staff Review Application: SA, WM, & MD



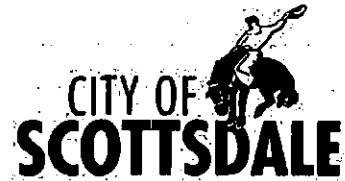
The City is not required to provide an applicant the opportunity to resolve application deficiencies, and staff is not permitted to discuss or request additional information that may otherwise resolve a deficiency during the time the City has the application. Since the applicant's ability to collaboratively work with Staff's to resolve deficiencies is limited, the total Staff Review Time and the likelihood of a written denial, or recommendation of denial is significantly increased.

- Development Review – Minor (SA)
- Wash Modifications (WM)
- Land Division – Minor Subdivision (MD)



Administrative Review	Substantive Review	Approval/Denial
15 Staff Working Days Per Review	50 Total Staff Working Days, Two Reviews in This Time Frame ^{2,3,4}	Letter Issued

Development Review (Minor)
(Administrative Staff Approval)
Arizona Revised Statutes Notice



§9-834. Prohibited acts by municipalities and employees; enforcement; notice

- A. A municipality shall not base a licensing decision in whole or in part on a licensing requirement or condition that is not specifically authorized by statute, rule, ordinance or code. A general grant of authority does not constitute a basis for imposing a licensing requirement or condition unless the authority specifically authorizes the requirement or condition.
- B. Unless specifically authorized, a municipality shall avoid duplication of other laws that do not enhance regulatory clarity and shall avoid dual permitting to the maximum extent practicable.
- C. This section does not prohibit municipal flexibility to issue licenses or adopt ordinances or codes.
- D. A municipality shall not request or initiate discussions with a person about waiving that person's rights.
- E. This section may be enforced in a private civil action and relief may be awarded against a municipality. The court may award reasonable attorney fees, damages and all fees associated with the license application to a party that prevails in an action against a municipality for a violation of this section.
- F. A municipal employee may not intentionally or knowingly violate this section. A violation of this section is cause for disciplinary action or dismissal pursuant to the municipality's adopted personnel policy.
- G. This section does not abrogate the immunity provided by section 12-820.01 or 12-820.02.

Request for Site Visits and/or Inspections

Development Application (Case Submittals)



This request concerns all property identified in the development application.

Pre-application No: _____-PA-_____

Project Name: DUTHBROS

Project Address: HAYDEN AND NORTHSITE

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: Bill Cantieri

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



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, _____
at the following number _____.

Signature:  Date: 1/12/2018
Printed Name: Bill Cantieri

☐ 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.



New Ground-up Building

Hayden & Northsite

To City of Scottsdale:

We are applying for a new ground-up building permit with patio area and drive-thru. Located at Hayden & Northsite.

If there are any questions, please do not hesitate to call me at 602.374.4920. ext. #6

Respectfully,

Benny Y. Munoz
Level4 Studio, LLC
6868 North 7th Ave
Suite 209
Phoenix, Arizona 85013
602.374.4920 ext #6



