



Development Review (Minor) Staff Approval

213-SA-2018

Safeway Store #1849 -
Patio area

APPLICATION INFORMATION

| | |
|---|--|
| LOCATION: 32551 N Scottsdale Rd | APPLICANT: Frank Gawdun |
| PARCEL: 216-51-090B | COMPANY: Esencia LLC |
| Q.S.: 56-45 | ADDRESS: 1743 E. McNair Dr. 3200 Tempe, AZ 85283 |
| CODE VIOLATION #: | PHONE: (480) 755-0959 |
| <u>Request:</u> Request for approval of new patio area for an existing Safeway store. | |

STIPULATIONS

1. Architectural elements, including dimensions, materials, form, color, and texture, shall be constructed to be consistent with the building elevations submitted by Esencia, with a city staff approval date of 8/30/2018.
2. The location and configuration of all site improvements shall be consistent with the site plan submitted by Esencia, with a city staff approval date of 8/30/2018.
3. Relocated and new roof top mechanical equipment, related to associated interior modifications to the existing Safeway store, shall be screened using the Cityscapes Envisor system as submitted with the materials of this application. The Envisor Builder screening system shall utilize the Vertical 7.2 Rib Metal, colored Kaki, with Band style top trim as identified in the manufacturer specification packet having a city staff approval dated 8/30/2018.

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 Permit Commercial.pdf](http://www.scottsdaleaz.gov/assets/ScottsdaleAZ/Building/APP%20Permit%20Commercial.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

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:


Jeff Barnes

DATE:

8/30/2018

Planning and Development Services

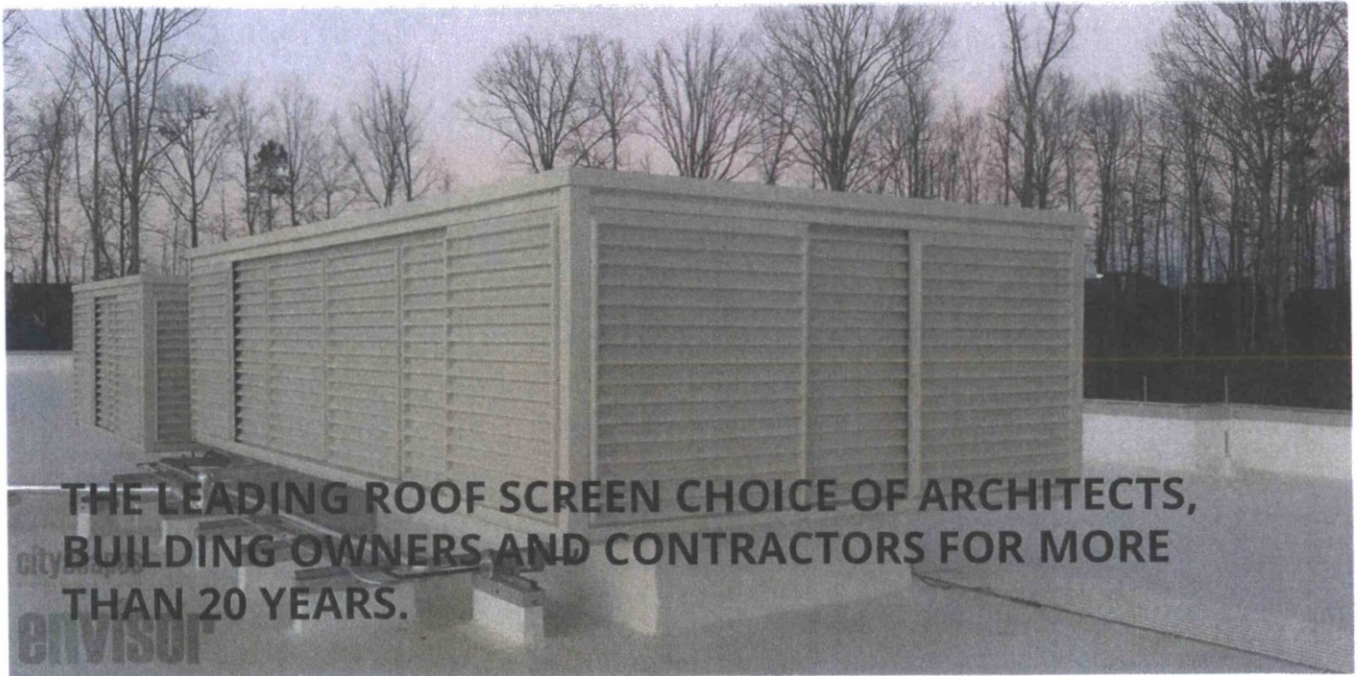
7447 East Indian School Road, Suite 105, Scottsdale, Arizona 85251 Phone: 480-312-7000 Fax: 480-312-7088

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

cityscapes™

architectural innovations

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THE LEADING ROOF SCREEN CHOICE OF ARCHITECTS,
BUILDING OWNERS AND CONTRACTORS FOR MORE
THAN 20 YEARS.

envisor

213-SA-2018
STIPULATION SET
RETAIN FOR RECORDS
APPROVED
8/30/18
DATE

INITIALS

Features & Benefits

- Professional grade extruded aluminum structural components
- Patented **panel guide tracks**
- Acrylicap® ABS with UV Co-Extruded cap on **both sides**

Turn-key services include:

Design
Construction
Manufacturing
Installation

Zero Roof Penetration*

Code-Compliant

Brand Name Compatible

Made to Order

Cost Savings



- Vertical and canted system in variety of styles and colors
- **Attach above the curb** for best ventilation

CONNECT WITH A PROJECT MANAGER

Approved for use with:

and the list is growing...

Popular Applications:

| | | | | |
|-------|--------------|------------|----------|---------------|
| RTUs | Air Chillers | Cooling | Exhaust | Equipment |
| HVACs | Air | Towers | Fans | Refrigeration |
| | Handlers | Condensers | Cellular | Units |

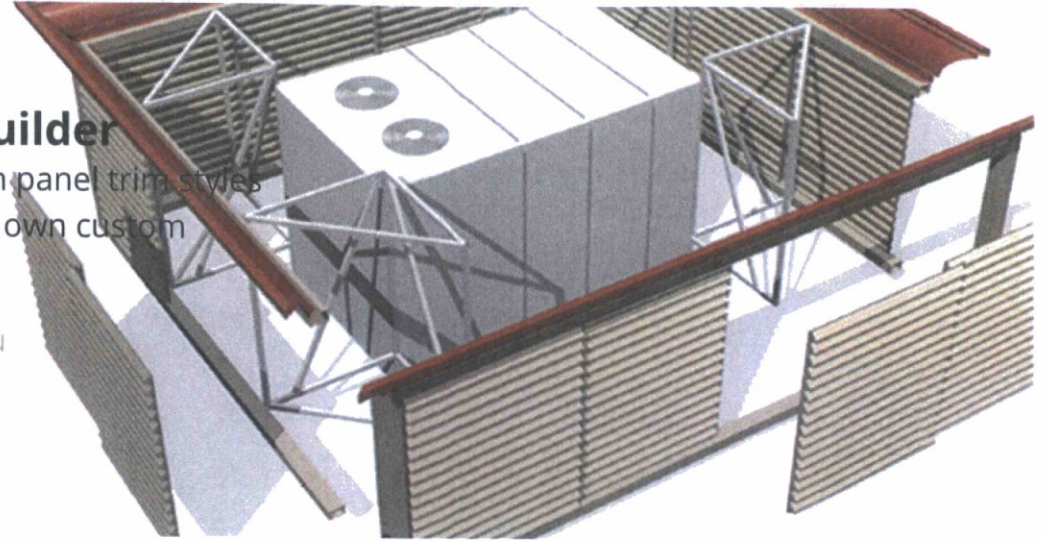
*Envisor has Zero Roof Penetration in 98% of all installations. Special conditions beyond our control occasionally will require additional supporting structure which may penetrate the roof structure and may effect roof load calculations.



Envisor Builder

Mix and match panel trim styles to create your own custom screen design.

BUILD YOUR OWN



[Download Revit® Models](#)

[View the Photo Gallery](#)

DESIGN OPTIONS



VERTICAL



CANTED



PERIMETER WALL

PANEL STYLES

ACRYLICAP®



LOUVER



HORIZONTAL
RIB



BRICK



7.2 RIB



PAN



FOREST



BATTEN



VERTICAL
RIB

ACRYLICAP SPECS

Material: Pre-treated ABS (Acrylic Butylene Styrene)

Panel Thickness: 1.625"

Panel Width: 45"

Panel Height(s): 35", 52", 70"

Weight: Approximately 1.1 lb/sf

METAL



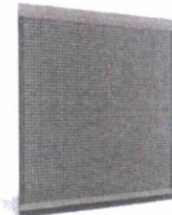
7.2 RIB METAL



PAN METAL



VERTICAL 7.2
RIB METAL



PERFORATED
METAL

METAL SERIES SPECS

Material: Painted Aluminum

Panel Thickness: 1.125" to
1.625"

Panel Width: 45"

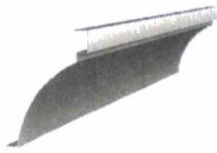
Panel Height(s): 35", 52", 70"

Weight: Approximately 1.5 lb/sf

STANDARD COLORS

Envisor panels are available in 13 standard colors. Need a custom color?

Provide a Sherwin Williams or PMS code and we can color match.



COVE

STANDARD COLORS

Top Trim styles are available in 13 standard colors. Need a custom color? Provide a Sherwin Williams or PMS code and we can color match.

| | | | | | | |
|-----------|--------|--------------|--------------|--------------|---------------|-------------|
| Alabaster | Almond | Cypress Moss | Forest Green | Shadow Gray | Slate Gray | Dark Bronze |
| Oyster | Putty | Ranchero Red | Sagebrush | Khaki | Mansard Brown | |

Speak to a project manager about our Envisor accessories, including lighting kits, and more.

Turn-key services include:

Design
Construction
Manufacturing
Installation

CONNECT WITH A PROJECT MANAGER

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4200 Lyman Ct, Hilliard, OH 43026 | phone 1.877.727.3367 | fax 614.850.2553 |
contact@cityscapesinc.com

Development Review (Minor)
(Administrative Staff Approval)
 Development Application Checklist



| | |
|--|--|
| Official Use: <u>Jeff Barnes</u> | Staff Signature: <u>[Signature]</u> |
| City Staff Contact: <u>Jeff Barnes</u> | Email: <u>jbarnes@scottsdaleaz.gov</u> |
| Phone: <u>480-312-2376</u> | |
| Project Name: <u>Safeway # 1849 - Remodel</u> | |
| Property's Address: <u>32551 N. Scottsdale Rd. Scottsdale, AZ. 85264</u> A.P.N.: <u>216-51-090B</u> | |
| Property's Zoning District Designation: <u>C-2</u> | |
| Application Request: <u>Add A New D.K. Door, By The 2nd Entry & Provide An New Outdoor Seating Area</u> | |
| Owner: <u>JAN MARTIN</u> | Applicant: <u>FRANK GAWDUN</u> |
| Company: <u>ALBERTSONS / SAFEWAY / VONS</u> | Company: <u>ESSENCIA, LLC</u> |
| Address: <u>20227 N. 27th Ave. DVA - 4th Floor PHX, AZ</u> | Address: <u>1743 E. McNAIR DR. #202 TEMPE, AZ 8528</u> |
| Phone: <u>623-869-3140</u> Fax: <u>85227</u> | Phone: <u>480-755-0959</u> Fax: <u>-</u> |
| E-mail: <u>Jan.Martin3@ALBERTSONS.COM</u> | E-mail: <u>GAWDUN@ESSENCIA.DEG</u> |

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

| | |
|---|--|
| <input checked="" type="checkbox"/> Completed Application (this form) and Application Fee - \$ <u>87</u> (fee subject to change every July) | <input checked="" type="checkbox"/> Landscape Plan (<u>1</u> 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. |
| <input checked="" type="checkbox"/> Affidavit of Authority to Act for Property Owner, letter of authorization, or signature below | <input type="checkbox"/> Cross Sections - for all cuts and fills applications |
| <input checked="" type="checkbox"/> Signed Owner Certification Acknowledging Receipt of Notice of Right to Appeal Exactions and Dedications | <input type="checkbox"/> Conceptual Grading & Drainage Plan - show existing, proposed drainage flows, channels, retention, etc. |
| <input checked="" type="checkbox"/> Request for Site Visits and/or Inspections form | <input type="checkbox"/> Copy of Liquor License Application (for all bars or restaurants patio applications) |
| <input checked="" type="checkbox"/> Narrative - describing nature of request | <input type="checkbox"/> Airport Vicinity Development Checklist |
| <input type="checkbox"/> Homeowners or Property Owners Association Approval | <input type="checkbox"/> Floor Plan(s) - show additions, alterations, or new structures. The floor plan shall be dimensioned and clearly delineate existing and proposed construction. |
| <input type="checkbox"/> Color photographs of site - include area of request | <input type="checkbox"/> Exterior Lighting - provide cut sheets, details and photometrics for any proposed lighting. |
| <input checked="" type="checkbox"/> Site plan (<u>1</u> 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. | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Material Samples - color chips, awning fabric, glazing, etc. | |
| <input checked="" type="checkbox"/> Elevation Drawings or Color Photo simulations (<u>1</u> copy(ies) - of additions, buildings, or other changes with materials and colors noted and keyed | |

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

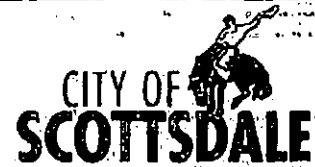
Enhanced Application Review: I hereby authorize the City of Scottsdale to review this application utilizing the Enhanced Application Review methodology.

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

| | |
|--|--|
| <u>Michael [Signature]</u> , Senior Regions Manager Owner Signature | <u>[Signature]</u> ESSENCIA LLC Agent/Applicant Signature |
|--|--|

Development Review

Methodologies and Required Notice



Review Methodologies

The City of Scottsdale maintains a business and resident friendly approach to new development and improvements to existing developments. In order to provide for flexibility in the review of Development Applications, and Applications for Permitting, the City of Scottsdale provides two methodologies from which an owner or agent may choose to have the City process the application. The methodologies are:

1. 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.

2. Standard Application Review Methodology

Under the Standard Application Review, the application is processed in accordance with the Regulatory Bill-of-Rights of the Arizona Revised Statutes. These provisions significantly minimize the applicant's ability to collaboratively work with City Staff to resolve application code, ordinance, or policy deficiencies during the review of an application. After the completion the city's review, a written approval or denial, recommendation of approval or denial, or a written request for additional information will be provided.

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.

Notice

1. Pursuant to A.R.S. §9-836, an applicant may receive a clarification from the City regarding interpretation or application of a statute, ordinance, code or authorized substantive policy statement. A request to clarify an interpretation or application of a statute, ordinance, code, policy statement administered by the Planning and Development Services Division shall be submitted in writing to the One Stop Shop to the attention of the Planning and Development Services Director or designee. All such requests must be submitted in accordance with the A.R.S. §9-839 and the City's applicable administrative policies available at the Planning and Development Services Division's One Stop Shop, or from the city's website: <http://www.scottsdaleaz.gov/building-resources/forms>

Planning and Development Services
One Stop Shop
Planning and Development Services Director
7447 E. Indian School Rd, Suite 105
Scottsdale, AZ 85251

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 Application Process

Enhanced Application Review

Staff Review Application: SA, WM, & MD



Enhanced Application Review Methodology

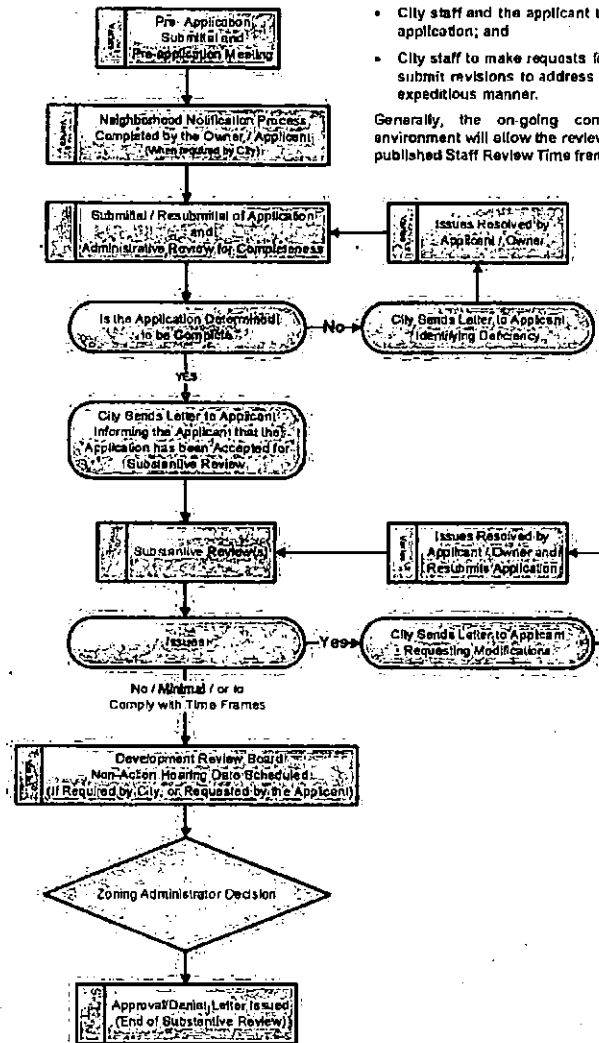
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Generally, the on-going communication and the collaborative work environment will allow the review of an application to be expedited within the published Staff Review Time frames.

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 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 (15-20) Working Days (Per Review) | Substantive Review (60 Total Staff Working Days, Multiple City Reviews in Time Frames) | Approval/Denial (15) Letter Issued |
|--|---|---------------------------------------|

Planning and Development Services

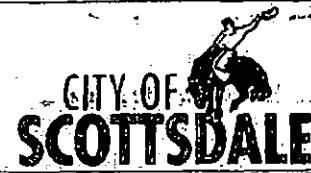
7447 East Indian School Road Suite 105, Scottsdale, Arizona 85251 | Phone: 480-312-7000 | Fax: 480-312-7088

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

Development Application Process

Standard Application Review

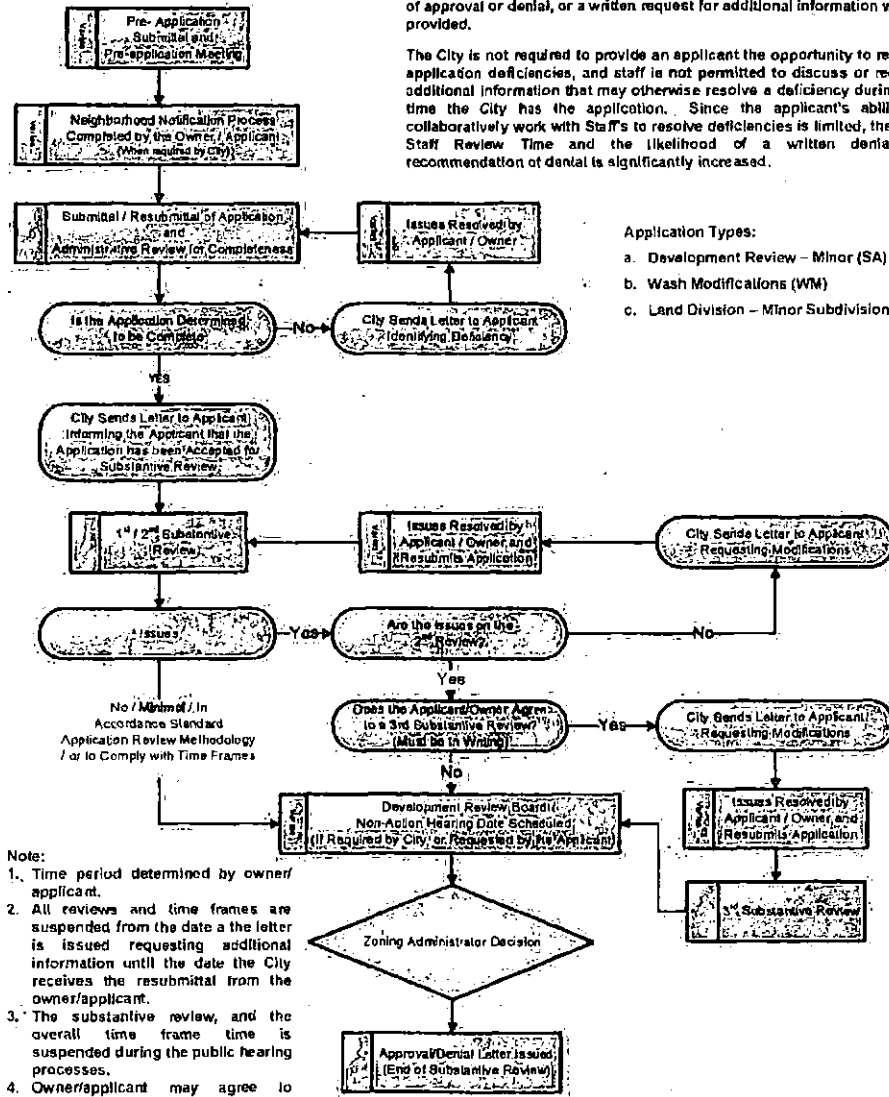
Staff Review Application: SA, WM, & MD



Standard Application Review Methodology:

Under the Standard Application Review, the application is processed in accordance with the Regulatory Bill-of-Rights of the Arizona Revised Statutes. These provisions significantly minimize the applicant's ability to collaboratively work with City Staff to resolve application code, ordinance, or policy deficiencies during the review of an application. After the completion of the city's review, a written approval or denial, recommendation of approval or denial, or a written request for additional information will be provided.

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.



Application Types:

- a. Development Review - Minor (SA)
- b. Wash Modifications (WM)
- c. 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 letter is issued requesting additional information until the date the City receives the resubmittal from the owner/applicant.
3. The substantive review, and the overall time frame time is suspended during the public hearing processes.
4. Owner/applicant may agree to extend the time frame by 25 percent

Time Line



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)
Arizona Revised Statutes Notice



59-834. 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.

Planning and Development Services

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

Appeals of Dedication, Exactions or Zoning Regulations



Rights of Property Owner

In addition to the 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) when 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 decision.

Appeal Procedure

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

- 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 *nevo* with the Superior Court within 30 days of the hearing officer's decision.

For questions, you may contact:

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

Address your appeal to:
Hearing Officer, C/O City Clerk
3939 Drinkwater Blvd
Scottsdale, AZ 85251

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.

Planning and Development Services

7447 E. Indian School Road, Suite 105, Scottsdale, AZ 85251 ♦ www.ScottsdaleAZ.gov

**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:

32551 N. SCOTTSDALE RD. SCOTTSDALE AZ 85286

(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.

Michael P. Rich Senior Regional Manager
Signature of Property Owner

7-18-18
Date

Request for Site Visits and/or Inspections

Construction Document Application



This request concerns all property identified in the construction document (plan review) application.

Project Name: Safeway #1849 Remodel
Project Address: 32551 N. Scottsdale Rd. Scottsdale, AZ. 85266

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 construction document.

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 construction document 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:

Michael La Pietra
Print Name

Michael La Pietra, Senior Regional Manager
Signature

City Use Only:

Submittal Date: _____

Plan review number: _____

Planning and Development Services

7447 E Indian School Road, Suite 105, Scottsdale, AZ 85251 • 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, JEFF BARNES
at the following number: 480-312-2376

Signature: [Signature] esencia LLC Date: 7-18-2018

Printed Name: FRANK GANDUN

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.

August 3, 2018

To: City of Scottsdale
Planning Department
7447 E. Indian School Rd.
Scottsdale, AZ 85251
480-312-7000
Mr. Jeff Barns

Re: Safeway 1849
Summit Shopping Centre
32511 N. Scottsdale Rd.
Scottsdale, AZ. 85266

Pre-App No. 380-PA-2018

esencia P.N. 18040

Project Narrative

Dear City of Scottsdale,

Attached is our submittal package for the Safeway 1849 located at 32511 N. Scottsdale Rd, in Scottsdale, AZ.

Safeway is seeking the planning departments approval to install an outdoor seating area and modify the adjacent south entrance to include a steel sectional roll-up glass door linking the new outdoor seating area to the existing store interior. To achieve this, we are relocating the existing accessible shopping cart ramp, and installing a wider new stair case centered on the existing south entrance. The raised patio seating area and relocated shopping cart ramp will be integrated with landscape planters and individual landscaping pots adding additional landscaping.

As depicted on our sheet A-30, the outdoor seating area will feature a raised patio with square tables, and matching umbrellas, concealed heaters, and a misting system. The seating area will be partially located under the existing steel canopy adjacent to the south entrance, the border of the patio will be constructed using 4 x 4 steel bannisters, with steel tension cabling left to oxidize, matching the Summit Centers design standards. For additional landscaping, the outside edge of the patio retaining wall will be integrated with a planter, softening the edge between the existing drive aisle parking lot and the patio. The retaining wall itself will be finished with a dry-stacked ledge stone veneer finish matching the adjacent screen wall. Linking the patio seating area and the existing store will be a 12'-0" w. x 10'-0" h. steel roll-up sectional door with glazing panels, in cooler weather this door can be left open, door guides and hardware will be located on the interior side of the existing storefront wall.

Dividing the seating area and the relocated shopping cart ramp will be a new wider concrete stair case, equipped with steel handrailing left for oxidation matching the railing through-out the Summit Center.

e

The relocated shopping cart ramp will incorporate a landscape planter, retaining wall with steel handrailing once again matching the oxidized railing found through-out the Summit Center. The ramp itself will be ADA compliant, the portions of the retaining wall scheduled for reuse, will match the existing split-face masonry finish, while the outside portion of retaining wall facing the existing drive aisle will be finished with dry-stacked ledge stone, both finishes matching the Summit Center architectural pallet.

During the construction of the patio, it will be necessary to salvage and relocate (2) trees, and Safeway will adhere to the planning departments request of replacing dead, dying landscaping with new plants matching the Summits landscape pallet.

We believe this modification to the south entrance will provide a fresh new open aesthetic atmosphere to this corner of the shopping center providing shoppers with a new refreshing experience.

Safeway, The Summit and *esencia* LLC are excited about this project and our team is looking forward in working with the City of Scottsdale to achieve the goals of the Summit's community.

Sincerely,

Jeffrey Winter, R.A.
esencia LLC

WEINGARTEN REALTY

4440 North 36th Street
Suite 200
Phoenix, Arizona 85018
602.263.1166
602.263.8852 Main Fax
www.weingarten.com

July 17, 2018

Jan Martin, Senior Real Estate Manager
Safeway, Inc. #1849
DV 1 - 4th Floor, #413
20227 North 27th Avenue
Phoenix, AZ 85227

**RE: The Summit at Scottsdale
Safeway Store #1849
32551 North Scottsdale Road, Scottsdale, AZ 85266**

Dear Jan:

Weingarten Realty Investors has reviewed the exterior modifications and approves the new garage door at patio area to be installed by Safeway.

Should you have any questions, please feel free to contact me at (602) 217-8852.

Sincerely,

**WRI SUMMIT REIT, LP,
a Delaware limited partnership**

By: WRI Western Retail Partners GP, LLC,
a Delaware limited liability company,
Its General Partner

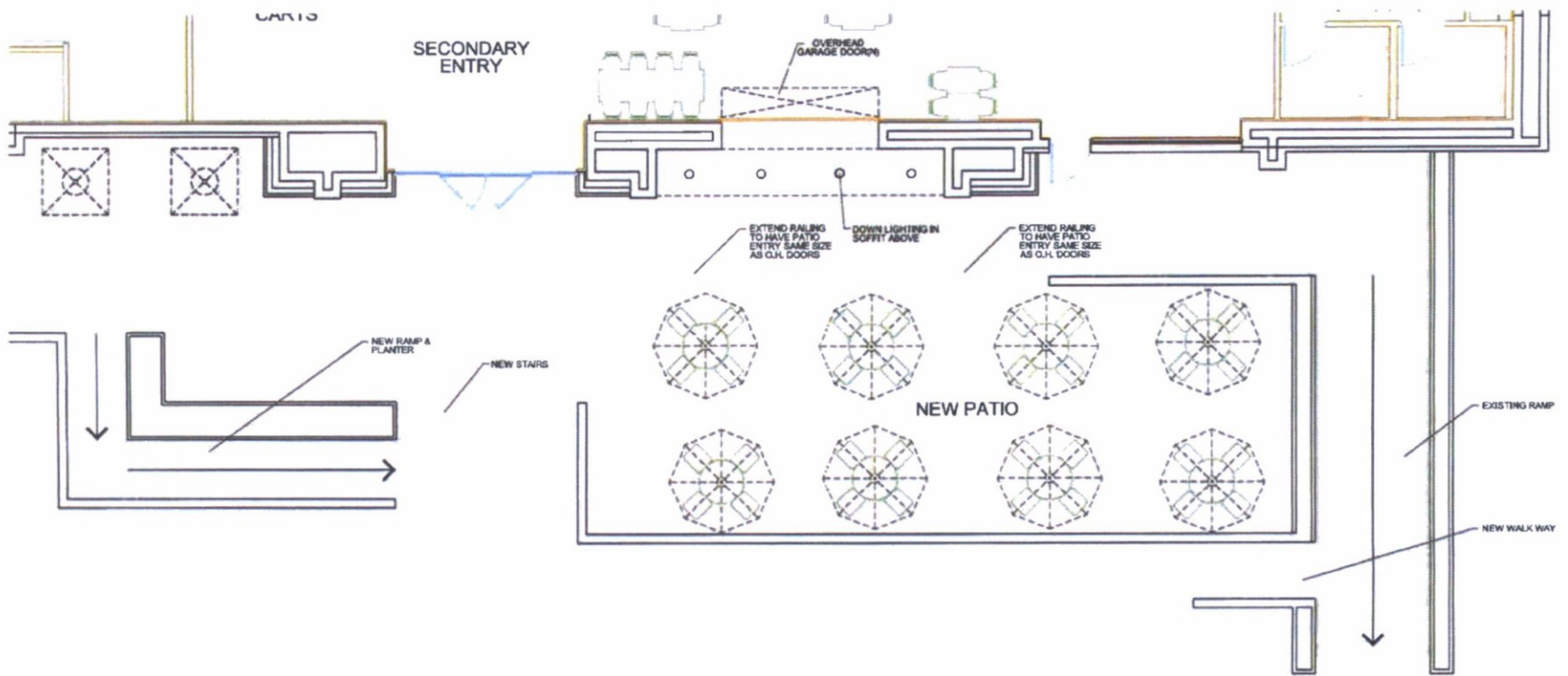
By: Weingarten Realty Investors,
a Texas real estate investment trust,
Its Sole Member



Michael LaPietra
Senior Regional Manager

Enclosure

cc: BU 40370 L#16156



OPTION B



Planning and Development Services

7447 East Indian School Road
Scottsdale, Arizona 85251

8/9/18

Frank Gawdun
Esencia LLC
1743 E. McNair Dr. 3200
Tempe, AZ 85283

RE: Administrative Completeness Determination.

Dear Mr. Gawdun,

It has been determined that your Development Application 213-SA-2018, Safeway Store #1849 - Patio / overhead door remodel is administratively complete, and City Staff has begun their substantive review of the application material. Your Development Application is being reviewed under the City's Enhanced Application Review Methodology, as requested on your Development Application form.

Upon completion of the Staff's review of the application material, I will inform you in writing or electronically either: 1) the steps necessary to submit additional information; or, 2) City Staff will issue a written or electronic determination pertaining to this application. If you have any questions, or need further assistance please contact me at 480-312-2376 or at jbarnes@ScottsdaleAZ.gov.

Sincerely,



Jeff Barnes
Senior Planner

C: Case File