



Application

Narrative

Cash Transmittal

Development Standards

Development Application



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

Zoning	Development Review	Land Divisions
<input type="checkbox"/> Rezoning (ZN)	<input type="checkbox"/> Development Review (Major) (DR)	<input type="checkbox"/> Subdivision (PP)
<input type="checkbox"/> In-fill Incentive (II)	<input type="checkbox"/> Development Review (Minor) (SA)	<input type="checkbox"/> Subdivision (Minor) (MD)
<input checked="" type="checkbox"/> Conditional Use Permit (UP)	<input type="checkbox"/> Wash Modification (WM)	<input type="checkbox"/> Land Assemblage
<input type="checkbox"/> Text Amendment (TA)	<input type="checkbox"/> Historic Property (HP)	Other
<input type="checkbox"/> Development Agreement (DA)	Wireless Communication Facilities	<input type="checkbox"/> Annexation/De-annexation (AN)
Exceptions to the Zoning Ordinance	<input type="checkbox"/> Small Wireless Facilities (SW)	<input type="checkbox"/> General Plan Amendment (GP)
<input type="checkbox"/> Minor Amendment (MN)	<input type="checkbox"/> Type 2 WCF DR Review Minor (SA)	<input type="checkbox"/> In-Lieu Parking (IP)
<input type="checkbox"/> Hardship Exemption (HE)	Signs	<input type="checkbox"/> Abandonment (AB)
<input type="checkbox"/> Variance/Accommodation/Appeal (BA)	<input type="checkbox"/> Master Sign Program (MS)	Other Application Type Not Listed
<input type="checkbox"/> Special Exception (SX)	<input type="checkbox"/> Community Sign District (MS)	<input type="checkbox"/> Other: _____

Project Name: Market Street at DC Danch

Property's Address: 20707 N. Pima Road, Scottsdale, Arizona 85255

Property's Current Zoning District Designation: PNC PCD

The property owner shall designate an agent/applicant for the Development Application. This person shall be the owner's contact for the City regarding this Development Application. The agent/applicant shall be responsible for communicating all City information to the owner and the owner application team.

Owner: <u>Whitestone Market Street at DC Ranch, LLC</u>	Agent/Applicant: <u>Jason Bowles</u>
Company: <u>Whitestone REIT Operating Partnership, L.P.</u>	Company: <u>Whitestone REIT</u>
Address: <u>20789 N. Pima Road, Suite 210, Scottsdale, AZ 85255</u>	Address: <u>20789 N. Pima Road, Suite 210, Scottsdale, AZ 85255</u>
Phone: <u>480-397-1900</u> Fax: _____	Phone: <u>480-397-1910</u> Fax: _____
E-mail: <u>jbowles@whitstonereit.com</u>	E-mail: <u>jbowles@whitstonereit.com</u>
Designer: _____	Engineer: _____
Company: _____	Company: _____
Address: _____	Address: _____
Phone: _____ Fax: _____	Phone: _____ Fax: _____
E-mail: <u>jbowles@whitstonereit.com</u>	E-mail: _____

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

- This is not required for the following Development Application types: AN, AB, BA, II, GP, TA, PE and ZN. These applications¹ will be reviewed in a format similar to the Enhanced Application Review methodology.

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>John J. Deo</u> Owner Signature <u>JOHN J. DEO, CHIEF OPERATING OFFICER</u>	<u>[Signature]</u> Agent/Applicant Signature
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Official Use Only Submittal Date: _____ Development Application No.: _____

Planning and Development Services

7447 East Indian School Road Suite 105, Scottsdale, Arizona 85251 • www.ScottsdaleAZ.gov

Application Narrative

- Purpose of the request: The owner of Market Street at DC Ranch is requesting a Conditional Use Permit to allow the use of live entertainment within a restaurant. Per the Fourth Amendment to the Development Agreement dated July 10, 2006 (Record No. 20061036433), Exhibit B, Section 5, B, 8, e) states a Conditional Use Permit is required to allow 7 ½ percent of the total gross floor area for dancing within a restaurant;
- Size: Suite L-200 is 3,818 square feet;
- Floor: Suite L-200 is on the second floor of Building L:
- Address: The address for Suite L-200 is 20707 N. Pima Road, Scottsdale, Arizona 85255;
- Zoning: The zoning for the property is PNC PCD;
- History: In 2006, this location was a restaurant called Sol Y Sombra.

Conditional Use Permit Criteria in Section 1.401

- Paragraph A: This request for the Conditional Use Permit will not be materially detrimental to the public health, safety or welfare. This is a venue for larger groups such as weddings, birthdays, private parties or company meetings.
- Paragraph A(1): This request will not create any damage or nuisance arising from noise, smoke, odor, dust, vibration or illumination. This facility is located with a shopping center called Market Street at DC Ranch. The operator of the establishment (Benedettos, LLC) is prohibited from having any live entertainment activities outside of the Premises.
- Paragraph A(2): This request will not impact the surrounding areas resulting from an unusual volume or character of traffic. This shopping center has 1,025 existing parking spaces.
- Paragraph B: The character of the proposed conditional use is compatible with the other types of uses permitted in the surrounding area. The use of this establishment is a restaurant. The shopping center has several other restaurants within the property.

Conditional Use Permit Criteria in Section 1.403

- Paragraph K(1): The Security and Maintenance Plan was submitted to Detective John Miller on August 8, 2019;
- Paragraph K(2): The establishment is only permitted to have live entertainment while the doors and windows to the premises are closed. Therefore, the sound from the live entertainment will stay indoors. This location is within a shopping center that has several buildings. This location is in the heart of the project and has other buildings that buffer the surrounding residents. There are several restaurants in the center and we are not aware of any complaints from the surrounding community about noise.
- Paragraph K(3): This establishment will not have any exterior lights on the property. This location is within a shopping center that has exterior lights for pedestrians, parking and the driveways.
- Paragraph K(4): Please see the enclosed floor plan which identifies the areas for the primary use and accessory functions which include live entertainment.

- Paragraph K(5): A traffic analysis is not required for this request.
- Paragraph K(6): A parking study is not required for this request.
- Paragraph K(7): No additional information has been requested.
- Paragraph K(8): All doors and windows shall be closed at all times.
- Paragraph K(9): This establishment will not have any exterior speakers for live entertainment. Live entertainment will only be permitted in the designated area within the Premises while the doors and windows are closed.
- Paragraph K(10): The owner will comply with all plans approved as part of the Conditional Use Permit.
- Paragraph K(11): All patron entrances shall be illuminated in accordance with the Building Code and Development Review Board.
- Paragraph K(12): The noise generated from this establishment shall conform to the City's Noise Ordinance.

**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:

20707 N. PIMA ROAD, SCOTTSDALE, AZ 85255

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

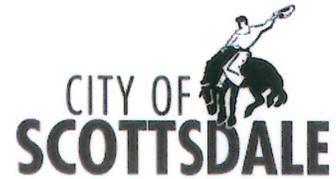
and hereby certify that I have received a notice that explains my right to appeal all exactions and/or dedications required by the City of Scottsdale as part of my property development on the parcel listed in the above address.



Signature of Property Owner

8/13/2019
Date

Affidavit of Authorization to Act for Property Owner



1. This affidavit concerns the following parcel of land:

- a. Street Address: 20707 N. Pima Road, Suite L-200, Scottsdale, AZ 85255
- b. County Tax Assessor's Parcel Number: 217-68-687
- c. General Location: SEC, Pima Road & Thompson Peak Parkway
- d. Parcel Size: 981,617 square feet
- e. Legal Description: see the attached legal description

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

- 2. I am the owner of the land or I am the duly and lawfully appointed agent of the owner of the land and have authority from the owner to sign this affidavit on the owner's behalf. If the land has more than one owner, then I am the agent for all of the owners, and the word "owner" in this affidavit refers to all of them.
- 3. I have authority from the owner to act for the owner before the City of Scottsdale with regard to any and all reviews, zoning map amendments, general plan amendments, development variances, abandonments, plats, lot splits, lot ties, use permits, building permits and other land use regulatory or related matters of every description involving the land, or involving adjacent or nearby lands in which the owner has (or may acquire) an interest, and all applications, dedications, payments, assurances, decisions, agreements, legal documents, commitments, waivers and other matters relating to any of them.
- 4. The City of Scottsdale is authorized to rely on my authority as described in this affidavit until three work days after the day the owner delivers to the 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

Jason Bowles

August 13, 2020

_____, 20__

_____, 20__

_____, 20__

Planning and Development Services

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

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: Market Street at DC Ranch
Project Address: 20707 N. Pima Road, Scottsdale, AZ 85255

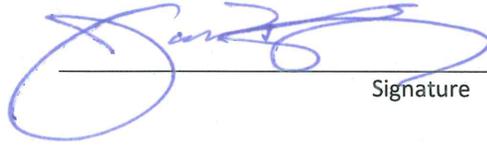
STATEMENT OF AUTHORITY:

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: Jason Bowles, Whitestone REIT
Print Name


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	