



Application

Narrative

Cash Transmittal

Development Standards



# Text Amendment

## PLANNED AIRPARK CORE DEVELOPMENT (PCP)

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We are requesting to amend the City of Scottsdale (“City”) zoning ordinance to modify the use list within the Planned Airpark Core Development (“PCP”) sub-districts. The PCP zoning district has five (5) sub-districts including:

1. Airpark Mixed Use Residential (AMU-R)
2. Airpark Mixed Use (AMU)
3. Employment (EMP)
4. Aviation (AV), and
5. Regional Tourism (RT).

The specific request is to allow the removal of note (4) for the ‘office’ use only within the AMU sub-district.

Note (4) states:

***(4) Limited to a maximum of 50 percent of the ground floor building area of the Development Plan.***

In discussions with City staff, there isn’t a significant purpose to the footnote other than to limit office as a dominant use on the ground floor. Other than that, there is not a reason as to why there is a need for such a restrictive requirement in the AMU sub-district. Requirements such as this, regarding minimum square footage on the ground floor, dictates market conditions. The market should be what dictates ground floor building area as to a particular use. Many mixed-use districts in the valley evolve over time. Sometimes, mixed-use developments start out as office based from an overall square footage standpoint and then over time ground floor space is converted to services that support the offices such as printing/copying services, delivery services, coffee shops, restaurants, etc. Again, this should be a market-based allowance and not dictated by an ordinance. Furthermore, the ground floor restriction is hard to enforce. This type of requirement would need to be checked and enforced at tenant improvement level. Successful office development could be further restricted if the percentage requirements are limited at the ground floor.

The ground floor square footage restriction does not allow developments to evolve over time, limits market conditions and restricts economic development within the City. We respectfully request this note within the allowed use column for AMU office uses be removed. The note will remain for other uses in other sub-districts, it just won’t apply anymore to the office use.

The attached documents address the General Character Plan, Zoning and Policies.

# 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 type="checkbox"/> Conditional Use Permit (UP)	<input type="checkbox"/> Wash Modification (WM)	<input type="checkbox"/> Land Assemblage
<input checked="" type="checkbox"/> Text Amendment (TA)	<input type="checkbox"/> Historic Property (HP)	<b>Other</b>
<input type="checkbox"/> Development Agreement (DA)	<b>Wireless Communication Facilities</b>	<input type="checkbox"/> Annexation/De-annexation (AN)
<b>Exceptions to the Zoning Ordinance</b>	<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)	<b>Signs</b>	<input type="checkbox"/> Abandonment (AB)
<input type="checkbox"/> Variance/Accommodation/Appeal (BA)	<input type="checkbox"/> Master Sign Program (MS)	<b>Other Application Type Not Listed</b>
<input type="checkbox"/> Special Exception (SX)	<input type="checkbox"/> Community Sign District (MS)	<input type="checkbox"/> Other: _____

**Project Name:** Seventh-Day Adventists - Text Amendment

**Property's Address:** 7410 E. Sutton Dr

**Property's Current Zoning District Designation:** R1-35 and I-1

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:** Reggie Leach

**Agent/Applicant:** Kurt Jones

**Company:** Arizona Conference of Seventh-Day Adventists

**Company:** Tiffany & Bosco, P.A.

**Address:** 13405 N. Scottsdale Road

**Address:** 2525 E. Camelback Road, Seventh Floor

**Phone:** (480) 991-6777

**Fax:**

**Phone:** (602) 452-2729

**Fax:**

**E-mail:** Rleach@azconference.org

**E-mail:** kajones@tblaw.com

**Designer:**

**Engineer:**

**Company:**

**Company:**

**Address:**

**Address:**

**Phone:**

**Fax:**

**Phone:**

**Fax:**

**E-mail:**

**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 applications<sup>1</sup> 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.

*Reginald Leach, Treasurer*  
Owner/Signature

*Kurt Jones*  
Agent/Applicant Signature

**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

# Development Application

## Review Methodologies



### 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.

In addition to the information above, please review the Development Application, and/or the Application for Permitting flow charts. These flow charts provide a step-by-step graphic representation of the application processes for the associated review methodologies.

Note:

1. Please see the Current Planning Services and Long Range Planning Services Substantive Policy Statements and Staff Review Timeframes for Development Applications, number III.

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# Development Application

## 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.

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