

# Development Application



## Development Application Type:

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

Zoning	Development Review	Signs
<input type="checkbox"/> Text Amendment (TA)	<input checked="" type="checkbox"/> Development Review (Major) (DR)	<input type="checkbox"/> Master Sign Program (MS)
<input type="checkbox"/> Rezoning (ZN)	<input type="checkbox"/> Development Review (Minor) (SA)	<input type="checkbox"/> Community Sign District (MS)
<input type="checkbox"/> In-fill Incentive (II)	<input type="checkbox"/> Wash Modification (WM)	Other:
<input checked="" type="checkbox"/> Conditional Use Permit (UP)	<input type="checkbox"/> Historic Property (HP)	<input type="checkbox"/> Annexation/De-annexation (AN)
Exemptions to the Zoning Ordinance	Land Divisions (PP)	<input type="checkbox"/> General Plan Amendment (GP)
<input type="checkbox"/> Hardship Exemption (HE)	<input type="checkbox"/> Subdivisions	<input type="checkbox"/> In-Lieu Parking (IP)
<input type="checkbox"/> Special Exception (SX)	<input type="checkbox"/> Condominium Conversion	<input type="checkbox"/> Abandonment (AB)
<input type="checkbox"/> Variance (BA)	<input type="checkbox"/> Perimeter Exceptions	Other Application Type Not Listed
<input type="checkbox"/> Minor Amendment (MA)	<input type="checkbox"/> Plat Correction/Revision	<input type="checkbox"/>

Project Name: Kerry's Car Care - Scottsdale

Property's Address: 11653 East Sahuaro Drive, Scottsdale, AZ 85251

Property's Current Zoning District Designation:

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: <b>KENNETH L. WIEGERS</b>	Agent/Applicant: Peter Krahenbuhl
Company: <b>COLGEN INVESTMENTS INC</b>	Company: SimonCRE Second III, LLC
Address: <b>8475 E. WATFORD DR.</b>	Address: 6900 E. 2nd St., Scottsdale, AZ 85251
Phone: <b>480-991-7889</b> Fax:	Phone: 480-887-0644 Fax: 480-588-4150
E-mail: <b>KLW@COLGEN.COM</b>	E-mail: peter.krahenbuhl@simoncre.com
Designer: Lance Meinhold	Engineer: Jeff Hunt
Company: Larson Associates Architects, Inc.	Company: Cypress Civil Development, LLC
Address: 3807 N. 24th St, Ste 100, Phoenix, AZ, 85016	Address: 4450 N. 12th St, Ste 228, Phoenix, AZ, 85014
Phone: 480-375-8755 Fax:	Phone: (623) 282-2498 Fax:
E-mail: lmeinhold@larson-architects.com	E-mail: jphunt@cypresscivil.com

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.

<input type="checkbox"/> Enhanced Application Review:	I hereby authorize the City of Scottsdale to review this application utilizing the Enhanced Application Review methodology.
<input checked="" type="checkbox"/> 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

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

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Revision Date: 8/23/2017

10-UP-2019  
09/26/2019

# 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 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.

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.

### **Planning and Development Services**

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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.

### Planning and Development Services

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09/26/2019



June 18th, 2019

City of Scottsdale  
Planning & Development Services  
7447 E. Indian School Road, Suite 100  
Scottsdale, AZ, 85251

Re: 11653 E. Saguaro Dr. – New Construction – Automotive Service

SimonCRE Second III, LLC is pleased to submit for a pre-application meeting on a proposed new construction project of a 5,400 square foot auto service building located on a vacant parcel near the intersection of 116<sup>th</sup> St. and Shea Blvd. This parcel is located within the existing Mountainside Plaza retail/commercial development.

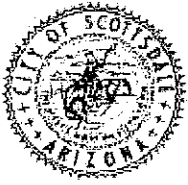
We plan to design and construct this auto service building for a local car care company to service the surrounding community. We plan for the building and site to compliment the neighborhood and meet all design requirements of the City of Scottsdale. This store plans to be open Monday to Saturday from 7am to 7pm and will conduct general automotive services and repairs including full car inspections, tire services, oil changes, battery & electrical, AC, steering & suspension, and more.

We also plan to split this parcel into two separate parcels, one for the auto service building and another for future retail/commercial development needs.

We are grateful to have the opportunity to propose this project to the City of Scottsdale and look forward to working with your planning department to get this project approved. Please feel free to reach out at any time if you have questions regarding this project.

Thank you,

Peter Krahenbuhl  
Vice President of Development  
SimonCRE Second III, LLC  
480-887-0644  
peter.krahenbuhl@simoncre.com



# City of Scottsdale Cash Transmittal

# 121206

121206  
01244775  
9/26/2019 PLN-1STOP  
DHOL HP600G2019  
9/26/2019 2:26 PM  
\$2,700.00

**Received From :**

SimonCRE Second III, LLC  
6900 E. 2nd St.  
Scottsdale, AZ 85251  
(480) 745-1956

**Bill To :**

SimonCRE Second III, LLC  
6900 E. 2nd St.  
Scottsdale, AZ 85251  
(480) 745-1956

**Reference #** 485-PA-2019  
**Address** 11653 E SAHUARO DR  
**Subdivision** MOUNTAINSIDE PLAZA  
**Marketing Name**  
**MCR** 632-30  
**APN** 217-28-986

**Owner Information**  
SimonCRE Second III, LLC  
6900 E. 2nd St.  
Scottsdale, AZ 85251  
(480) 745-1956

**Lot Number** 3  
**Metes/Bounds** No  
**Gross Lot Area** 0  
**NAOS Lot Area** 0  
**Net Lot Area** 0  
**Number of Units** 1  
**Density**

**Issued Date** 9/26/2019  
**Paid Date** 9/26/2019  
**Payment Type** CHECK  
**Cost Center**  
**Jurisdiction** SCOTTSDALE  
**Water Zone**  
**Water Type**  
**Sewer Type**  
**Meter Size**  
**QS** 29-56

Code	Description	Additional	Qty	Amount	Account Number
3175	USE PERMIT APPLICATION		1	\$2,700.00	100-21300-44221

City of Scottsdale

7447 E. Indian School Rd.  
Scottsdale, AZ 85251  
(480) 312-2500  
One Stop Shop

Date: 9/26/2019 Cashier: DHOL  
Office: PLN-1STOP Mach ID: HP600G20199  
Tran #: 1 Batch #: 74188  
Receipt: 01244775 Date: 9/26/2019 2:26 PM  
121206  
3175 USE PERMITS \$2,700.00

**TENDERED AMOUNTS:**

Check Tendered: \$2,700.00  
SIMONCRE SECOND III, LLC  
Chk #: 3009  
Transaction Total: \$2,700.00

Thank you for your payment.  
Have a nice day!

SIGNED BY JIM LARSON ON 9/26/2019

Total Amount

**\$2,700.00**

(When a credit card is used as payment I agree to pay the above total amount according to the Card Issuer Agreement.)

3" and larger water meter fees are based on cost recovery. The city will contact the owner of the construction permit if additional funds are due. Payment will be due within 30 days notification.

**TO HAVE WATER METER SET - CALL 480-312-5650 AND REFER TO TRANSMITTAL # 121206**



**Project Narrative for Design Review  
Kerry's Car Care  
11653 E. Saguaro Drive  
Scottsdale, AZ  
217-28-986**

**Project Development Description:**

The developer is proposing to build a new automotive maintenance facility, Kerry's Car Care. The new building portion of the project will consist of a customer lobby, internal SES closet, fire riser closet, office, file storage room, restrooms, and a break room. The new building area base footprint would be approximately 5,730 square feet. Additional, area on the site is available for a future building pad to be developed in a future phase.

The car care facility use will be allowed with the acceptance of the Conditional Use Permit within the C-3 Zoning District. The CUP is being applied for via parallel process with the Development Review. The shop is for garage (repair) and will not have any fender or body work. The site of the car care facility will have a net area of approximately 2.519 acres (109,735 square feet) with the current development using approximately 0.945 acres (41,178 square feet). The project will utilize the existing shared access drives for the major development. In addition, a cross access agreement is already in place for the use of the drives. The agreement will remain during construction and after the development is completed. As a result, the traffic within the public right-of-ways should not be impeded by the users of the car care facility. Trash pick-up and maneuvering will be provided on site, without going through or under any physical impediments and without blocking the shared access drive.

The new development will be screened from the adjacent public street by a new retaining and screening wall to match the existing, adjacent wall of the major development. All of the screen walls along 116th Street and Shea Boulevard are existing to remain within the framework of the major development. The parking lot circulates within the lot and shared access drives with the major development which allows customers to circle the parking lot without crossing or entering onto the city streets. The new development will not add any vehicular or pedestrian access ways to Saguaro Drive to prevent affecting the residential circulation in the neighborhood.

Kerry's Car Care uses a different client interaction than most car care facilities. Clients park their vehicles in the lot upon arrival and walk into the lobby to speak with the employees. The employees then drive the vehicles to the work bays, giving them a chance to understand any problems with the vehicle first hand.



Clients attempting to drive directly to the shop bays are stopped by the staff and redirected. The location of the bay access does not interfere with incoming traffic from the shared drives as the bay access lane is located on the service access drive and not the parking lot drive aisles.

The pedestrian sidewalks along the adjacent public streets are existing to remain. The pedestrian access to Kerry's Car Care will connect to the sidewalks of the major development via crosswalk to the adjacent retail storefront. The HC accessible parking spaces will be located adjacent to the front entry.

Based on the City of Scottsdale Zoning Ordinance, the required landscape buffers and building setbacks are being met. The frontage building setback and landscape buffers will exceed the required setbacks along Saguaro Drive. The required building setback from both adjacent multi-family zoning districts will be exceeded. The Ordinance does not require setbacks along interior boundaries between commercially developed lots; therefore, the side lots to the major development are not required to provide any buffer. Moreover, the side setbacks will be maintained to meet the requirements of the building and fire codes. **The plants within all of the landscape areas will comply with the city ordinances.**

**The existing, natural topographic features of the site are maintained by the proposed development. The site will provide retention following the natural slope of the land to maintain the existing ultimate lot outfall location. The site plan utilizes an above ground retention system.**

The design challenge of the project is creating a durable and safe building that integrates into the urban landscape while retaining the ability to work as a standalone project. Architecturally, the building is designed for safety, economy and the contemporary urban environment of Scottsdale.

The proposed building height is 32'-0" to the top of the parapet which is less than the allowed 36'-0". The design of the new Kerry's Car Care features detailing and material of the architectural styles in the neighborhood and expressing part of the hierarchy of the building architecture. The use of different textures and colors of CMU at the base, middle and accent bands of the building create a human scale and indicate the entry. The doors, window frames and shade screens are key accent pieces in the design. All glazing in the building will be inset back towards the interior face of the wall allowing for more depth on the exterior facade. Similar to the way the CMU walls around the site screen the parking areas, the CMU parapet extends past the flat roof to screen all of the roof mounted mechanical units. All roof drainage will be internal to the building and not visible from the exterior.

All new signage shall be permitted and completed under a separate permit.

## Conditional Use Permit Justification:

### Issue:

Some vehicular repair facilities are poorly designed and operated to the detriment of the community.

### Rules:

The City of Scottsdale Zoning Ordinance has identified vehicular repair facilities as needing Use Permits when located on lots within 150 feet of residentially zoned property. The subject property is adjacent to two residential districts. The ordinance allows Conditional Use Permits to be granted allowing operators, such as Kerry's Car Care, to use properties that are residential adjacent.

### Condition #1:

*All vehicular repairs shall be preformed within an enclosed building.*

The proposed Kerry's Car Care has been designed with eight, individual repair bays. Each bay is sized to allow the mechanics to access all sides of the vehicles without interfering with the adjacent work space or need to open the bay doors. Each bay is provided with either an alignment or four post lift to allow employees to work under the vehicles.

Additionally, the drive to the bays is a shared access drive and cannot be used for vehicular repair as it would block the ability of the neighboring business and fire department to move through the drive. Curbs will be provided on all sides of the drives to prevent vehicles from accessing or being stored on the undeveloped portion of the site. Elements, such as shade canopies that are commonly used to protect exterior repair areas, will not be allowed on the site. The parking area is located away from the work bays so the convenience factor of walking a tool box out to a parking stall is mitigated. The mechanics will find relocating a vehicle into a work bay to be vastly easier than moving tools out to the parking lot.

Furthermore, exterior work areas do not fit the business model for Kerry's Car Care. This facility is designed to demonstrate a level of care for the vehicles that would be undermined by performing work outside of the building.

The building is appropriately sized for working on the vehicles inside the building. The site conditions will prevent the employees from performing work outside of the designated repair bays. The business model is setup to be successful if the level of care for the vehicles is followed. That level of care requires employees to perform the repairs inside the building.

The vehicular repairs shall be performed within the enclosed building.



Condition #2:

*Vehicles may only enter the rear of the building, except vehicles may enter the side of the building if the lot is (1) a corner lot (the building has no "rear" side), (2) a lot abutting a residential district as shown on Table 4.100.A of the Zoning Ordinance, (3) a lot abutting the residential portion of a Planned Community P-C (or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on table 4.100.A) or (4) separated by an alley from residential district as shown on Table 4.100.A of the Zoning Ordinance or a lot abutting the residential portion of a Planned Community P-C or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on table 4.100.A.*

The subject property abuts an R-4 Zoning District to the east and an R-5 Zoning District to the north. Both of these residential districts are listed on Table 4.100.A of the Zoning Ordinance. The lot abuts two of the residential districts, thus allowing the vehicles to enter the building from the side rather than the rear.

The south side of the property faces the major arterial street of Shea Boulevard. Technically, the south side of the building is the rear of the building as the only street frontage for the lot is the north side along Saguaro Drive. However, having the vehicular entry door facing a major arterial street is contradictory to the intent of the code for locating the vehicular entries away from the public view.

Complying with the intent of the ordinance, the vehicular entry to the building has been placed in the least visible side of the building - facing the larger, adjacent building to the west.

Condition #3:

*If the lot meets any of the requirements of Condition #2 above, and side entry bays are proposed, the side entry bays shall be screened from street views by solid masonry walls, and the landscape plan shall demonstrate to the Development Review Board's satisfaction, that the proposed screening does not impact the streetscape by exposing repair bays, unassembled vehicles, vehicle repair activities or vehicle parts.*

The vehicle access doors are located on the west side of the building. To the west of the subject property is much larger, masonry building currently occupied by Mountainside Fitness within the same major development. The gym extends further to the north, south and above the proposed garage bay doors. This existing building provides greater screening than site-based masonry walls and landscaping. From the streetscape, the view of the interior repair areas and vehicles would be minimized even when the bay doors are open to allow vehicles to enter and leave the building.

Condition #4:

*All vehicles awaiting repair shall be screened from view by a masonry wall or landscape screen.*

Existing masonry screen walls existing between both Shea Boulevard and 116th Street and the site. These walls provide screening for the entire major development's parking and by extension will screen any vehicles awaiting repair at Kerry's Car Care.

A new retaining, screening wall is proposed along the north side of the property adjacent to Saguaro Drive. This wall will provide screening of the parking lot and any vehicles awaiting repair at the repair garage from the northern public right-of-way.

Additionally, an eight-foot-tall masonry wall is already in place along the eastern property line of the subject property. This existing wall screens the view of any vehicles awaiting repair from the adjacent properties to the east.

All vehicles awaiting repair will be screened from view in all directions by either new or existing masonry walls.

Condition #5:

*Required parking shall not be used for vehicle storage.*

The proposed project is required to provide one parking space per every 250 square feet of the 1,167 square feet of interior office space and 2 spaces for each of the eight repair bays. This results in a total of 21 required parking spaces for the facility. A total of 30 exterior parking spaces are being provided for the project. Thus, nine exterior spaces are available for parking vehicles awaiting to be repaired. Additionally, the eight repair bays can be used for parking vehicles over night as a storage area. Most repair work performed at Kerry's Car Care can be completed within a day of the vehicle's arrival, if not while the customer waits. These 17 spaces for vehicular storage are more than adequate to prevent the required spaces from being used for vehicle storage.

Conclusion:

The building layout, site plan, the operational practices, and existing and proposed conditions are beneficial to the neighborhood surrounding the vehicular repair facility. The proposed Kerry's Car Care is designed to comply with the conditions of the Zoning Ordinance to allow the use within the C-3 Zoning.

# Request for Site Visits and/or Inspections

## Development Application (Case Submittals)



This request concerns all property identified in the development application.

Pre-application No: 485 -PA- 2019

Project Name: Kerry's Car Care - Scottsdale

Project Address: 11653 E. Suguaro Drive; Scottsdale, AZ


### 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: Lance Meinhold Print Name

  
Signature

### City Use Only:

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

### Planning and Development Services

7447 E Indian School Road, Suite 105, Scottsdale, AZ 85251 ♦ [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, \_\_\_\_\_  
at the following number \_\_\_\_\_.

Signature: *Lance Meinhold* Date: 29 August 2019

Printed Name: Lance Meinhold

☐ Check box if signature refused

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

10-UP-2019  
09/26/2019

**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 To Submit Concurrent Development Applications

## Acknowledgment and Agreement



The City of Scottsdale recognizes that a property owner may desire to submit concurrent development applications for separate purposes where one or more of the development applications are related to another development application. City Staff may agree to process concurrently where one or more the development applications related to the approval of another development application upon receipt of a complete form signed by the property owner.

Development Application Types		
Please check the appropriate box of the types of applications that you are requesting to submit concurrently		
Zoning	Development Review	Signs
<input type="checkbox"/> Text Amendment (TA)	<input type="checkbox"/> Development Review (Major) (DR)	<input type="checkbox"/> Master Sign Program (MS)
<input type="checkbox"/> Rezoning (ZN)	<input checked="" type="checkbox"/> Development Review (Minor) (SA)	<input type="checkbox"/> Community Sign District (MS)
<input type="checkbox"/> In-fill Incentive (II)	<input type="checkbox"/> Wash Modification (WM)	Other
<input checked="" type="checkbox"/> Conditional Use Permit (UP)	<input type="checkbox"/> Historic Property (HP)	<input type="checkbox"/> Annexation/De-annexation (AN)
Exemptions to the Zoning Ordinance	Land Divisions (PP)	<input type="checkbox"/> General Plan Amendment (GP)
<input type="checkbox"/> Hardship Exemption (HE)	<input type="checkbox"/> Subdivisions	<input type="checkbox"/> In-Lieu Parking (IP)
<input type="checkbox"/> Special Exception (SX)	<input type="checkbox"/> Condominium Conversion	<input type="checkbox"/> Abandonment (AB)
<input type="checkbox"/> Variance (BA)	<input type="checkbox"/> Perimeter Exceptions	Other Application Type Not Listed
<input type="checkbox"/> Minor Amendment (MA)	<input type="checkbox"/> Plat Correction/Revision	<input type="checkbox"/>

Owner: Sherri Sands

Company: GSSR Real Estate, LLC

Address: 2487 Cedarcrest Road, Suite 612; Acworth, GA 30101

Phone: Please, contact architect 602-955-9929 Fax: 602-954-4790

E-mail: lmeinhold@larson-architects.com

As the property owner, by providing my signature below, I acknowledge and agree: 1) that the concurrent development applications are processed at the property owner's risk; 2) to hold the City harmless of all cost, expense, claims, or other liability arising in connection with the concurrent development applications; 3) to the City of Scottsdale's Substantive Policy Statement pertaining to Concurrent Applications; 4) to placing a development application on hold in order to continue processing a concurrent development application that is related to an another development application; and 5) that upon completion of the City review(s) of the development applications, one or more of the development application(s) may not be approved.

Property owner (Print Name): Lance Meinhold

Title: Architect as Agent

  
Signature

Date: 30 August 2019

### Official Use Only:

Request: ☐ Approved or ☐ Denied

Staff Name (Print):

Submittal Date:

Staff Signature:

Date:

### Planning and Development Services

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

10-UP-2019  
09/26/2019