

Development Application



Development Application Type:

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

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

Project Name: Shoeman Lane

Property's Address: 7333, 7335, and 7337 East Shoeman Lane, Scottsdale

Property's Current Zoning District Designation: C-2/P-3, DO and P-2, DO

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:	Agent/Applicant: George Pasquel III
Company: Equity Partners Group, LLC	Company: Withey Morris, PLC
Address: 4501 N. Scottsdale Road, Ste 201	Address: 2525 E. Arizona Biltmore Circle, Ste A-212
Phone: 602.230.0600 Fax: N/A	Phone: 602.230.0600 Fax: N/A
E-mail: BOBrien@stockdalecapital.com	E-mail: George@WitheyMorris.com
Designer: Mike Rumpeltn	Engineer: N/A
Company: Brick & West Design	Company:
Address:	Address:
Phone: 602.455.1982 Fax: N/A	Phone: Fax:
E-mail: Mike@BrickandWest.com	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.

 Owner Signature	 Agent/Applicant Signature
Official Use Only	Development Application No.:

Planning and Development Services

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

11-UP-2020

Revision 9/17/2020

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

Owner:

Company: Equity Partners Group, LLC

Address: 4501 N. Scottsdale Road, Suite 201, Scottsdale AZ 85251

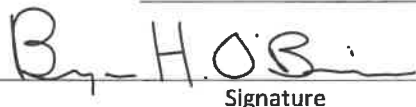
Phone: 602.748.8888

Fax: N/A

E-mail: BOBrien@stockdalecapital.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): Boyce O'Brien Title: Development Manager for owner



Signature

Date: 9-8-20

Official Use Only:	Submittal Date: _____
Request: ☐ Approved or ☐ Denied	
Staff Name (Print): _____	
Staff Signature: _____	Date: _____

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Request to Submit Concurrent Development Applications

Page 1 of 1

Revision: _____

11-UP-2020
9/17/2020

Affidavit of Authorization to Act for Property Owner



1. This affidavit concerns the following parcel of land:

- a. Street Address: 7333, 7335, and 7337 East Shoeman Lane, Scottsdale AZ 85251
- b. County Tax Assessor's Parcel Number: 173-41-136, -137, and -138
- c. General Location: Southeast corner of Wells Fargo Avenue and Shoeman Lane
- d. Parcel Size: 0.15 net acres (6,517 sqft)
- e. Legal Description: See attached

(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)

Boyce O'Brien

GEORGE PADRUEL III

Date

9/8/20, 20__

9/8, 2020

_____, 20__

_____, 20__

Signature

B. H. O'Brien

[Signature]

_____, 20__

_____, 20__

Planning and Development Services

7447 E Indian School Road, Suite 105, Scottsdale, AZ 85251 • www.ScottsdaleAZ.gov **11-UP-2020**

9/17/2020

EXHIBIT A

LEGAL DESCRIPTION

Lot 20, 21 and 22, CAMELBACK PARK PLAZA, according to Book 86 of Maps, page 13, records of Maricopa County, Arizona.

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 violations 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.

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9/17/2020

**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:

7333, 7335 and 7337 East Shoeman Lane, Scottsdale AZ 85251

(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.

B. H. O. B.

Signature of Property Owner

9/8/20

Date