

RESOLUTION NO. 8410

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, ADOPTING A CONDITIONAL USE PERMIT FOR ALCOHOLIC BEVERAGE SALES AT A RESTAURANT LOCATED AT 7551 EAST CAMELBACK ROAD, SUITE 107 WITH PLANNED NEIGHBORHOOD CENTER (PNC) ZONING.

WHEREAS, restaurants in a neighborhood shopping center zoned PNC require a conditional use permit for the sale of alcoholic beverages; and

WHEREAS, the Planning Commission held a public hearing on July 14, 2010; and

WHEREAS, the City Council held a public hearing on August 31, 2010.

NOW, THEREFORE, LET IT BE RESOLVED, by the City Council of the City of Scottsdale, Maricopa County, Arizona, that the City Council finds as follows:

Section 1. that the granting of this conditional use permit for the sale of alcoholic beverages will not be materially detrimental to the public health, safety or welfare based on, but not limited to, the following factors: damage or nuisance arising from noise, smoke, odor, dust, vibration or illumination and impact on surrounding areas resulting from an unusual volume or character of traffic;

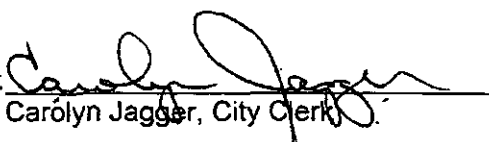
Section 2. that the characteristics of the proposed conditional use are reasonably compatible with the types of uses permitted in the surrounding areas and that additional conditions set forth in Exhibit 3, attached and incorporated herein, have been met;

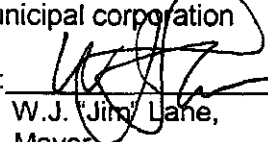
Section 3. that the conditional use permit approval is conditioned on compliance with the stipulations in Case No. 15-UP-2010 as shown on Exhibit 2, attached and incorporated herein;

Section 4. that a description of the conditional use permit is set forth in Case No. 15-UP-2010. The property that is subject to the conditional use permit is shown on Exhibit 1 and the conditional use permit approval is conditioned upon compliance with all of the stipulations that are set forth in Exhibits 2 and 3. All exhibits are incorporated herein by reference.


PASSED AND ADOPTED by the City Council of the City of Scottsdale, Maricopa County, Arizona this 31<sup>ST</sup> day of August, 2010.

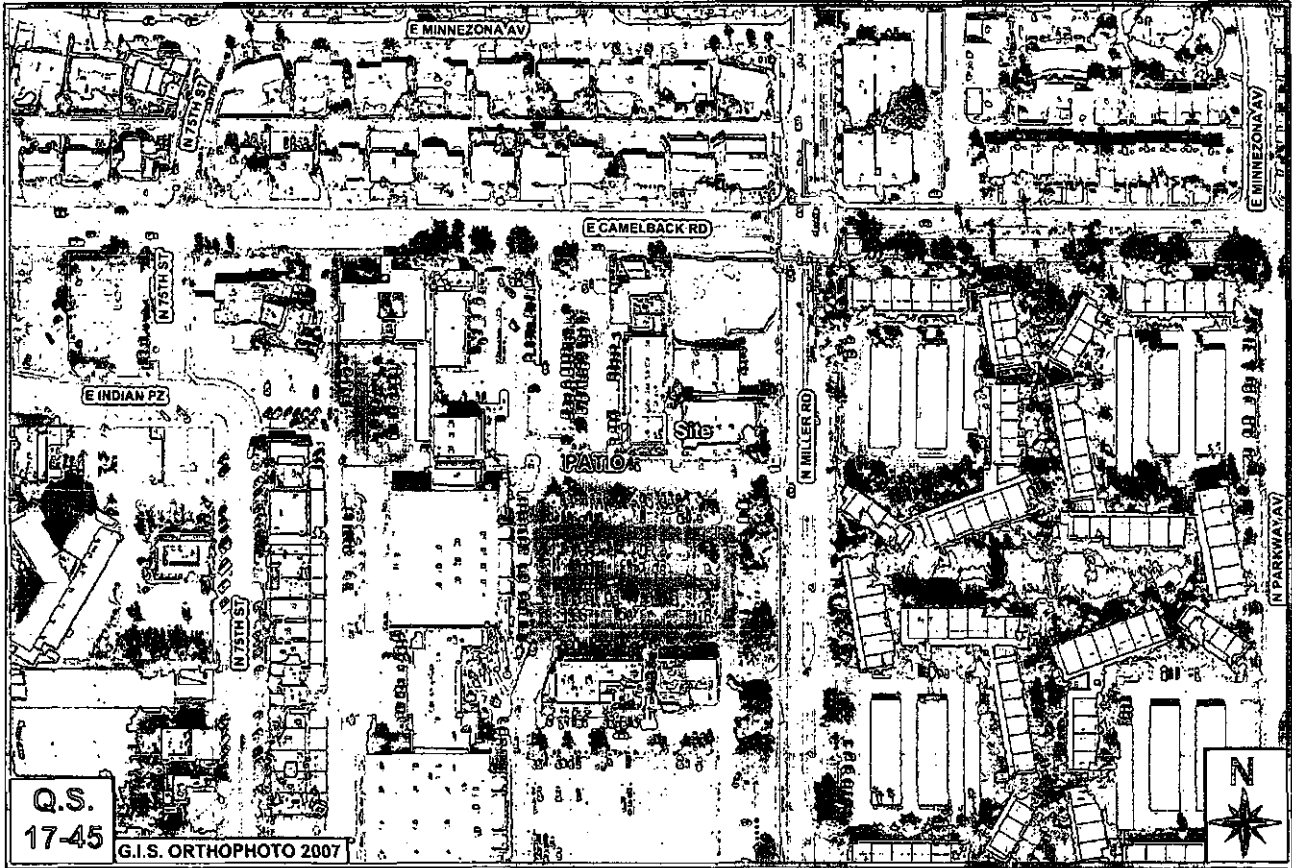
ATTEST:

By:   
Carolyn Jagger, City Clerk

CITY OF SCOTTSDALE, an Arizona  
municipal corporation  
By:   
W.J. Jim Lane,  
Mayor

APPROVED AS TO FORM:

By:   
Bruce Washburn, City Attorney  
By: Joe Padilla, Sr. Assistant City Attorney



Clancy's

Exhibit 1  
Resolution No. 8410  
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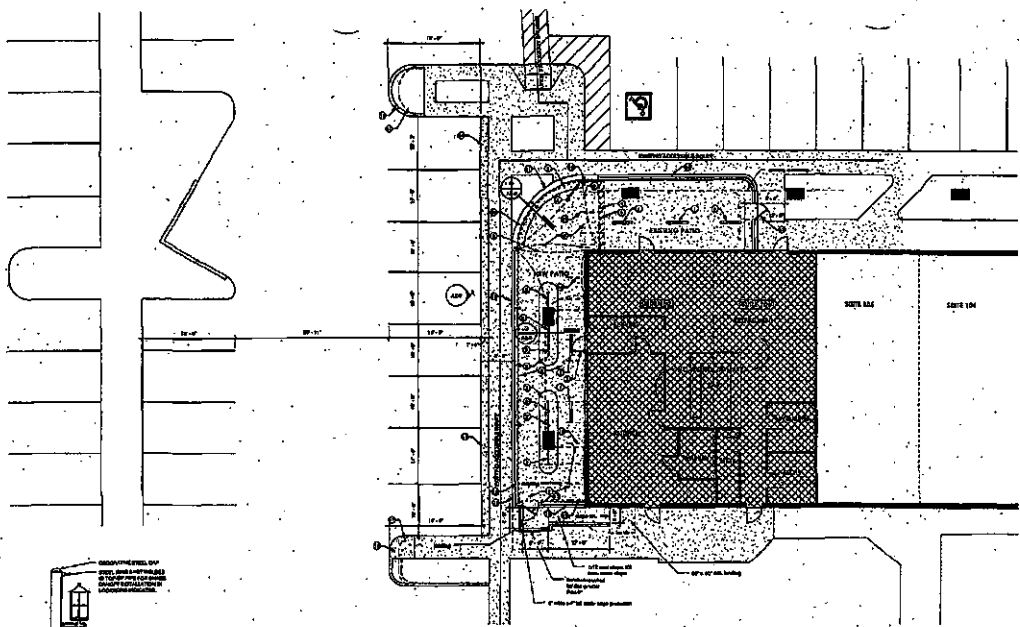
15-UP-2010

**Stipulations for the Conditional Use Permit  
for Alcohol Sales as an accessory use to a Restaurant  
Clancy's  
Case Number: 15-UP-2010**

These stipulations are in order to protect the public health, safety, welfare, and the City of Scottsdale. Unless otherwise stated, the owner's completion of all requirements below is subject to the satisfaction of the Project Coordinator and the Final Plans staff.

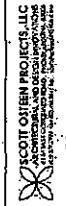
**SITE DESIGN**

1. CONFORMANCE TO CONCEPTUAL FLOOR PLAN/SITE PLAN. Operations shall conform to the conceptual floor plan/site plan submitted by Scott Osteen Projects, LLC, with the city staff date of 6/21/10, attached as Exhibit A to Exhibit 2. Any proposed significant change to the conceptual floor plan/site plan as determined by the Zoning Administrator, shall be subject to additional action and public hearings before the Planning Commission and City Council.



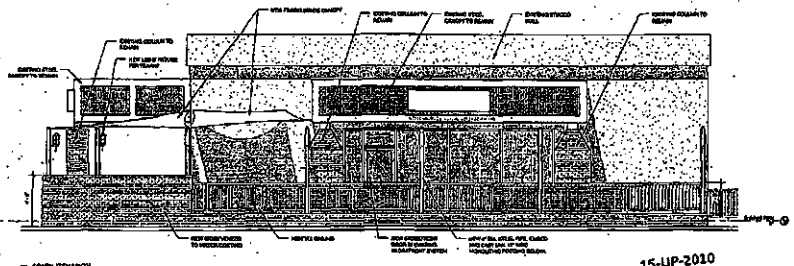
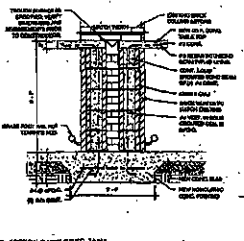
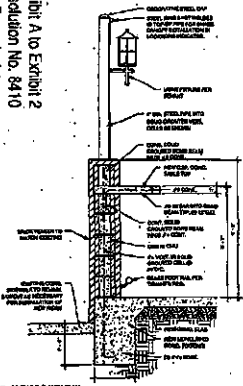
- SIDE PLAN ELEVATION**
1. All work shall be in accordance with the latest editions of the International Building Code, the International Residential Code, and the International Energy Conservation Code, as applicable.
  2. All materials and workmanship shall conform to the requirements of the applicable codes and standards.
  3. The contractor shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities.
  4. The contractor shall maintain the site in a safe and sanitary condition at all times.
  5. The contractor shall protect all existing structures and utilities on the site.
  6. The contractor shall provide adequate access to all areas of the site.
  7. The contractor shall provide adequate lighting and safety measures on the site.
  8. The contractor shall provide adequate signage on the site.
  9. The contractor shall provide adequate security on the site.
  10. The contractor shall provide adequate insurance on the site.
  11. The contractor shall provide adequate bonding on the site.
  12. The contractor shall provide adequate surety on the site.
  13. The contractor shall provide adequate performance on the site.
  14. The contractor shall provide adequate completion on the site.
  15. The contractor shall provide adequate maintenance on the site.
  16. The contractor shall provide adequate repair on the site.
  17. The contractor shall provide adequate replacement on the site.
  18. The contractor shall provide adequate removal on the site.
  19. The contractor shall provide adequate disposal on the site.
  20. The contractor shall provide adequate recycling on the site.

- GENERAL NOTES**
1. The contractor shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities.
  2. The contractor shall maintain the site in a safe and sanitary condition at all times.
  3. The contractor shall protect all existing structures and utilities on the site.
  4. The contractor shall provide adequate access to all areas of the site.
  5. The contractor shall provide adequate lighting and safety measures on the site.
  6. The contractor shall provide adequate signage on the site.
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  14. The contractor shall provide adequate repair on the site.
  15. The contractor shall provide adequate replacement on the site.
  16. The contractor shall provide adequate removal on the site.
  17. The contractor shall provide adequate disposal on the site.
  18. The contractor shall provide adequate recycling on the site.



SCOTT OSTEN PROJECTS, LLC  
 ARCHITECTURAL AND CONSTRUCTION SERVICES  
 1500 W. 10TH AVENUE, SUITE 100  
 DENVER, CO 80202  
 PHONE: (303) 733-1111  
 FAX: (303) 733-1112  
 WWW: WWW.SCOTTOSTEN.COM

Exhibit A to Exhibit 2  
 Resolution No. 8410  
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15-UP-2010  
 1<sup>st</sup>: 6/21/2010

A2.0  
 ARCHITECTURAL  
 DRAWING

Exhibit 3  
Scottsdale Revised Code Section Sec. 5.2403. Use regulations.

**B. *Uses subject to conditional use permit.***

10. Restaurant excluding drive-in types. Sales of alcoholic beverages as accessory uses to restaurant use upon compliance with the following conditions and section 1.400:

- a. The area being devoted primarily to the consumption of alcoholic beverages shall not exceed twenty-five (25) percent of the total floor area.
- b. Sale of alcoholic beverages shall be only for consumption on the premises. No package liquor shall be sold.