

**Marked Agendas
Approved Minutes
Approved Reports**

CITY COUNCIL REPORT



Meeting Date: October 25, 2016
 General Plan Element: *Land Use*
 General Plan Goal: *Create a sense of community through land uses*

ACTION

Oasis Cafe 7-UP-2016

Request to consider the following:

1. Find that the Conditional Use Permit criteria have been met and adopt Resolution No. 10581 approving a Conditional Use Permit for a Bar on a +/- 4241-square foot site located at 4441 North Buckboard Trail with Central Business/Parking District Downtown Overlay and Parking District Vehicle Parking Downtown Overlay (C-2/P-3 DO & P-2 DO) zoning.

Goal/Purpose of Request

The primary reasons for the request is that the applicant has requested a Series 6 (Bar) liquor license from the Arizona Department of Liquor Licenses and Control so as to not worry about complying with the "60/40" alcohol to food sales ratio, and will occasionally require age verification (card) to enter the establishment during late nights and busy evenings. The most recent audit by the State found that the existing restaurant is in compliance with the "60/40" alcohol to food sales ratio requirement to operate under their existing Series 12 (Restaurant) liquor licenses. The current restaurant opens for business at 4:00 p.m. and the applicant intends to open the proposed bar during at the same time.

Key Items for Consideration

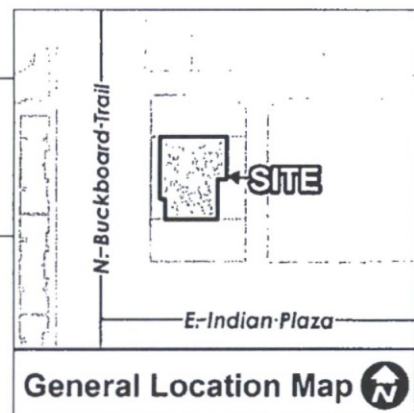
- Conditional Use Permit (CUP) Criteria
- Converting from Series 12 (restaurant) to Series 6 (bar) liquor license
- Planning Commission heard this case on September 14, 2016 and recommended approval with 4-0 vote

OWNER

Yuan Rocky So Lun and Stephanie Yen Fen Trust

APPLICANT CONTACT

Anwar Nakib
 Oasis Café, LLC; 480-751-5364



Action Taken _____

LOCATION

4441 North Buckboard Trail

BACKGROUND

General Plan

The Land Use Element of the General Plan designates the site area as Mixed-Use Neighborhoods. This category includes higher density residential, office and retail uses. Mixed-Use Neighborhoods are also characterized by being located in areas having multiple modes of transportation available. In addition, the site areas are located in a growth area, as designated by the Growth Areas Element of the General Plan. The purpose of this designation is to approach "...growth management from a perspective of ..." identifying those "...areas of the community that are most appropriate for development focus [that] will best accommodate future growth...." The Growth Areas are intended to encourage development in a mixed-use environment.

Character Area Plan

The Downtown Future Land Use map of the Downtown Plan designates the site as Downtown Multiple Use Type 2 within the Main Street Conceptual Urban Neighborhood. This land use is characterized to "Encourage new development, redevelopment and infill that strengthens Downtown Scottsdale's mix of uses and activities..." (LU 2.5) that are primarily mutually supportive.

Zoning

The site is zoned Central Business/Parking District Downtown Overlay and Parking District Vehicle Parking Downtown Overlay (C-2/P-3 DO & P-2 DO), which allows for a wide variety of uses, including retail, service and restaurants. Bars are permitted subject to the approval of a Conditional Use Permit.

Context

Located at the northeast corner of North Buckboard Trail and East Indian Plaza, the site is located in an area that is occupied primarily by a variety of hotels, live entertainment, office, personal care, and restaurant uses. Other bars are located in area to the east on the north and south side of East Indian Plaza. Please refer to context graphics attached.

Adjacent Uses and Zoning

- North: Existing office, zoned Highway Commercial District, Parking District, Downtown Overlay (C-3/P-3 DO & P-2 DO)
- South: Existing Personal Care Service, zoning Highway Commercial District, Parking District, Downtown Overlay (C-3/P-3 DO & P-2 DO)
- East: Existing alley, and further east is an existing live entertainment venue, zoning Highway Commercial District, Parking District, Downtown Overlay (C-3/P-3 DO & P-2 DO)
- West: North Buckboard Trail, and further west is an existing hotel, zoned Downtown/Office

Residential – Type 2 Planned Block Development Overlay Downtown Overlay (D/OR-2 PBD DO)

Other Related Policies, References:

46-LL-2016 Request for a Series 6 (Bar) Liquor License

APPLICANTS PROPOSAL

Development Information

Within the next year, the applicant plans to enlarge the existing tenant area (Attachment #3) from approximately 2,170 square feet, to approximately 2,500 square feet (Exhibit A to Attachment 1). The applicant’s floor plan includes a minor expansion to the existing kitchen space to accommodate a higher volume of food sales. Aside from this minor expansion, the floor plan and patio plan will remain the same.

- Existing Use: Restaurant
- Proposed Use: Bar
- Parcel Size: ± 4,241 square feet net lot area
- Floor Area: 2,500 square feet
- Parking Required: 22 spaces
- Parking Provided: 5 spaces on site, 12 P-3 Parking Credits, and 5 In-lieu Parking Credits

IMPACT ANALYSIS

Conditional Use Permit

Conditional Use Permits, which may be revocable, conditional, or valid for a specified time period, may be granted only when expressly permitted after the Planning Commission has made a recommendation and City Council has found as follows:

- A. That the granting of such Conditional Use Permit will not be materially detrimental to the public health, safety or welfare. In reaching this conclusion, the Planning Commission and the City Council’s consideration shall include, but not be limited to, the following factors:
 - 1. Damage or nuisance arising from noise, smoke, odor, dust, vibration or illumination.
 - **This establishment has operated as a restaurant off and on since 2001. Other than a minor expansion to the kitchen, no changes to the existing operational characteristics have been made to the existing area. As part of this application, the applicant is proposing a minor increase of the floor area of approximately four hundred thirty (430) square feet, which is anticipated to be constructed within the next year. There are no anticipated impacts arising from noise, smoke, odor, dust, vibration or illumination from the existing or increased floor area. No live entertainment is proposed within the establishment. In addition, the operator has**

committed to closing the bar at 2:00 a.m. and not operating as an afterhours establishment. The nearest residential use is located at southeast corner of North 73rd Place and East Minnezona Avenue, which is approximately three hundred eight five (385) feet from the residential development to the proposed bar use.

2. Impact on surrounding areas resulting from an unusual volume or character of traffic.

- The establishment fronts on to North Buckboard Trail, a local commercial street; and, it is approximately one hundred thirty (130) feet from a signalized intersection of North Buckboard Trail and East Camelback Road, which is Minor Arterial street. The proposed use, including the planned four hundred thirty (430) square foot increase in floor area, is not anticipated to generate a significant demand in vehicular traffic that would affect the existing traffic characteristics of these streets.
- The applicant plans to continue to operate the establishment as a restaurant. Currently the establishment is open with as early as 4:00 a.m. on the weekends. In accordance with the conditions of the Conditional Use Permit, staff has stipulated that the bar operations shall end at 2:00 a.m. In addition, the applicant has agreed to closing the establishment at 2:00 a.m. Therefore, it is anticipated that the decreased hours of operations would reduce any unusual volume and character of traffic in the early hours of the morning. Any operation after 2:00 a.m. would require the approval of a Conditional Use Permit for an Afterhours Establishment.

B. The characteristics of the proposed conditional use are reasonably compatible with the types of uses permitted in the surrounding areas.

- The proposed bar use appears reasonably compatible with the surrounding area. This area of the Downtown contains a mix of uses ranging from hotel, office, personal care services to bars, live entertainment and restaurants. Directly north of the subject site is the existing office and restaurant, and to the south on the same side of the North Buckboard Trail frontage are Lotus Spa, Dakota bar, and an office building. On the west side of the North Buckboard Trail frontage is the W Hotel. Also in close proximity to this establishment are Live Wire, a live entertainment venue, and Bottle Blonde, Maya, and HI-FI bars. The closest residential use is located north side East Camelback Boulevard, which is approximately 385 feet to the north.

C. The additional conditions in Section 1.403, as applicable, have been satisfied.

1. The use shall not disrupt existing balance of daytime and nighttime uses.

- There is not an anticipated disruption in the balance of daytime and nighttime uses. It is the applicant's intent to continue operating this establishment as a restaurant that currently opens in the late afternoon, typically between 3 p.m. and 5 p.m. Also, the applicant has informed staff that the restaurant menu will be available until close of business. Staff has incorporated, and the applicant has agreed, to a stipulation to maintain the establishment's entire food menu until 2 a.m.

2. The use shall not disrupt pedestrian-oriented daytime activities.
 - **Daytime pedestrian-oriented activities are not anticipated to be disrupted as a result of approving the request for a Conditional Use Permit for a Bar. It is the applicant's intent to continue operating this establishment as a restaurant during hours of operation by maintaining food service and full menu until the close of business.**
3. If the site is located within the downtown overlay district then:
 - a. The use shall not encourage displacement of daytime retail uses unless it can be demonstrated that the proposed use shall promote diversity of first floor uses along the street.
 - **No daytime retail uses will be displaced as a result of this request.**
 - b. The required parking for the use shall be within six hundred (600) feet of the property and shall not be separated from the property by a major or minor arterial street.
 - **The parking for the proposed bar use is provided with the existing five (5) spaces onsite, twelve (12) P-3 Parking Credits, and five (5) In-lieu Parking Credits. Within six hundred (600) feet of the site, there are 530 public nighttime parking spaces.**
4. If the use is located within five hundred (500) feet of a residential use or district then:
 - a. The use shall not adversely impact residential uses.
 - **The nearest residential use is located at southeast corner of North 73rd Place and East Minnezona Avenue, which is approximately three hundred eight five (385) feet from the residential development to the proposed bar use. The applicant's intent is to continue operating this establishment as a restaurant, which is not anticipated to adversely affect the nearby residential uses.**
 - b. The use shall provide methods of buffering residential uses.
 - **Operation of the proposed bar is within the existing building, with the exception of a small three hundred forty two (342) square foot patio adjacent to the North Buckboard Trail. This patio is separated by other buildings and future development on the north side of East Camelback Road, which are anticipated to provide sufficient buffering from the residential uses across Camelback Road.**
5. An active management and security plan shall be created, approved, implemented, maintained, and enforced for the business.
 - **A Public Safety Plan has been reviewed and approved by the Scottsdale Police Department and is on file with the Current Planning Division. Conditions of the plan will be implemented and enforced by the City's Code Enforcement Division and the Scottsdale Police Department.**

6. The applicant shall provide, with the application for a conditional use permit, a written exterior refuse control plan which must be approved by the planning and development department staff as complying with the written guidelines of the department.
 - **A Public Safety Plan has been reviewed and approved by the Scottsdale Police Department and is on file with the Current Planning Division. Conditions of the plan will be implemented and enforced by the City's Code Enforcement Division and the Scottsdale Police Department.**
7. The applicant shall demonstrate how noise and light generated by the use shall be mitigated.
 - **All external lighting is existing and is compatible with the lighting in the area. No outdoor speakers or live entertainment are proposed at this establishment.**
8. The applicant shall demonstrate that the use shall meet required parking and shall not exceed capacity for traffic in the area.
 - **The parking for the proposed bar use with the existing floor plan configuration (Attachment #3) will be provided by the existing five (5) spaces onsite, twelve (12) P-3 Parking Credits, and two (2) in-lieu parking spaces. The parking for the ultimate floor plan configuration of the proposed bar (Exhibit A to Attachment 1) will be provided by the existing five (5) spaces onsite, twelve (12) P-3 Parking Credits, and five (5) In-lieu Parking Credits. Within six hundred (600) feet of the site, there are 530 public nighttime parking spaces. The proposed bar use is not anticipated to adversely affect parking and shall not exceed capacity for traffic in the area.**
9. After hours establishments must maintain a valid after hours establishment license.
 - **No after-hours activities are proposed as part of this application. The applicant has committed to ending all operations at 2 a.m.**

Public Safety

The nearest fire station is located at 7522 East Indian School Road, approximately 2,600 feet southeast of the propose use. The nearest police station is located 3700 N. 75th Street, approximately 4,000 feet south of the propose use. A Public Safety Plan, including the refuse control plan, has been reviewed and approved by the Scottsdale Police Department and is on file with the Current Planning Division. No significant impacts to existing service levels are anticipated.

Liquor License Review

The establishment is currently operating under a Series 12 (restaurant) liquor license approved in 2010 under case 115-LL-2010. The City Council recommended approval of a Series 6 (bar) liquor license to the Arizona State Liquor Board on August 30, 2016, case 46-LL-2016.

Community Involvement

Property owners within 750 feet of the establishment have been notified and the site has been posted with the required signage. The applicant held an open house meeting on July 19, 2016. As of the date of this report, Staff has not received correspondence from an adjacent property owners or

the community regarding this application.

OTHER BOARDS & COMMISSIONS

Planning Commission

Planning Commission heard this case on September 14, 2016 and recommended approval with a 4-0 vote.

Staff Recommendation to Planning Commission:

Staff recommended that the Planning Commission find that the Conditional Use Permit criteria have been met, and make a recommendation to City Council for approval of a Conditional Use Permit for a Bar on a +/- 4241-square footage site located at 4441 North Buckboard Trail, per the attached stipulations.

RECOMMENDATION

Recommended Approach

Find that the Conditional Use Permit criteria have been met and adopt Resolution No. 10581 approving a Conditional Use Permit for a Bar on a +/- 4241-square foot site located at 4441 North Buckboard Trail with Central Business/Parking District Downtown Overlay and Parking District Vehicle Parking Downtown Overlay (C-2/P-3 DO & P-2 DO) zoning.

RESPONSIBLE DEPARTMENT

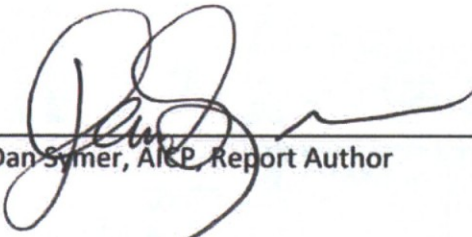
Planning and Development Services

Current Planning Services

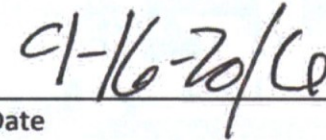
STAFF CONTACT

Dan Symer, AICP
Senior Planner
480-312-4218
E-mail: dsymer@ScottsdaleAZ.gov

APPROVED BY



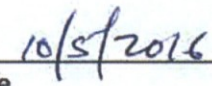
Dan Symer, AICP, Report Author



Date




Tim Curtis, AICP, Current Planning Director
480-312-4210, tcurtis@scottsdaleaz.gov



Date



Randy Grant, Director
Planning and Development Services
480-312-2664, rgrant@scottsdaleaz.gov



Date

ATTACHMENTS

1. Resolution No. 10581
Exhibit 1. Context Aerial
Exhibit 2. Stipulations
Exhibit A to Exhibit 2: Floor Plan
Exhibit 3. Additional criteria
2. Applicant's Narrative
3. Existing Floor Plan
4. Zoning Map
5. Public Safety Plan
6. Citizen Involvement
7. City Notification Map
8. September 14, 2016 Planning Commission minutes

RESOLUTION NO. 10581

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, ADOPTING A CONDITIONAL USE PERMIT FOR A BAR ON A +/-4241-SQUARE FOOT SITE LOCATED AT 4441 N. BUCKBOARD TRAIL WITH CENTRAL BUSINESS/PARKING DISTRICT DOWNTOWN OVERLAY AND PARKING DISTRICT VEHICLE PARKING DOWNTOWN OVERLAY (C-2/P-3 DO & P-2 DO) ZONING.

WHEREAS, the Planning Commission held a public hearing on September 14, 2016; and

WHEREAS, the City Council held a public hearing on October 25, 2016.

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

Section 1. That the City Council finds:

- a) that the granting of this conditional use permit per stipulations set forth on Exhibit 2 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;
- b) that the characteristics of the proposed conditional use are reasonably compatible with the types of uses permitted in the surrounding areas; and
- c) that compliance with the additional conditions for bars, set forth on Exhibit 3, is required.

Section 2. That a description of the conditional use permit is set forth in Case No. 7-UP-2016. 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 Council of the City of Scottsdale, Maricopa County, Arizona this _____ day of _____, 2016.

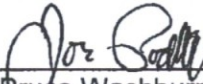
ATTEST:

CITY OF SCOTTSDALE, an Arizona
Municipal Corporation

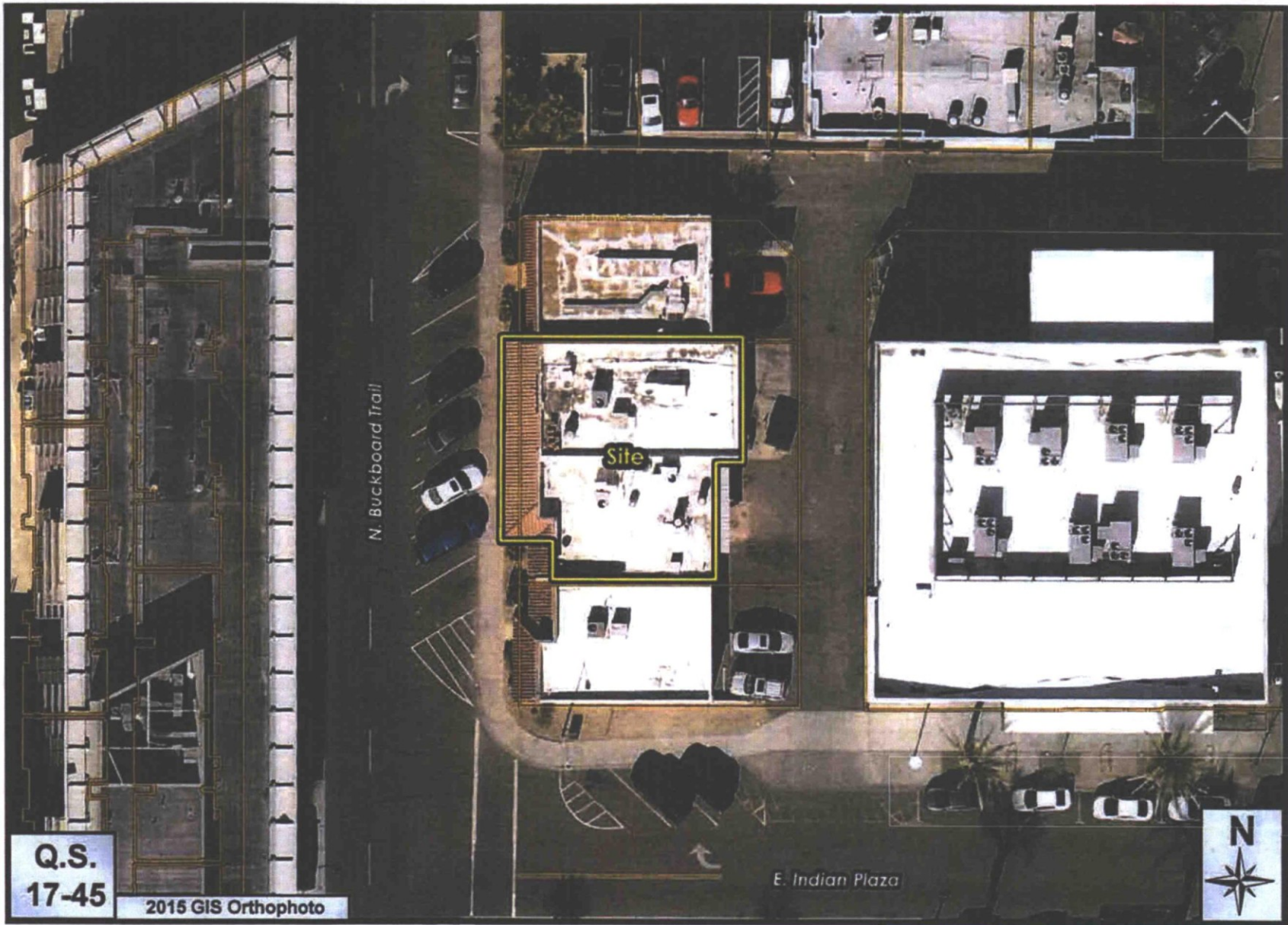
By: _____
Carolyn Jagger
City Clerk

By: _____
W.J. "Jim" Lane
Mayor

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

By:  _____
Bruce Washburn, City Attorney
By: Joe Padilla, Deputy City Attorney

ATTACHMENT #1



**Q.S.
17-45**

2015 GIS Orthophoto

Oasis Cafe

Resolution No. 10581
Exhibit 1
Page 1 of 1

7-UP-2016

Conditional Use Permit – Bar

Stipulations

Oasis Cafe

Case Number: 7-UP-2016

These stipulations are in order to protect the public health, safety, welfare, and the City of Scottsdale.

OPERATIONS

1. **CONFORMANCE TO THE CONCEPTUAL FLOOR PLAN.** The interior layout of the premises shall be in substantial conformance with the conceptual floor plan with the city staff date of 08/01/2016, attached as Exhibit A to Exhibit 2. Any proposed significant change to the conceptual floor plan as determined by the Zoning Administrator, shall be subject to additional action and public hearings before the Planning Commission and City Council.
2. **NO LIVE ENTERTAINMENT.** This Conditional Use Permit is for a bar use only, and no live entertainment is approved as part of this request.
3. **NO AFTERHOURS.** This Conditional Use Permit is for a bar use only, and no live entertainment is approved as part of this request.
4. **HOURS OF BAR AND RESTURANT OPERATIONS.** The hours of the bar operations, including restaurant food service operations without an Conditional Use Permit for Afterhours, for this establishment shall be limited to:

	Open to Customers	Close to Customers
Sunday	4:00 p.m.	2:00 a.m.
Monday	4:00 p.m.	2:00 a.m.
Tuesday	4:00 p.m.	2:00 a.m.
Wednesday	4:00 p.m.	2:00 a.m.
Thursday	4:00 p.m.	2:00 a.m.
Friday	4:00 p.m.	2:00 a.m.
Saturday	4:00 p.m.	2:00 a.m.

5. **PUBLIC SAFTEY PLAN.** The operations of the bar shall conform to the Public Safety Plan approved by, and on record with the City of Scottsdale's Police Department and the Planning, Neighborhoods, and Transportation Division. A copy of the approved Security, Maintenance, and Operations shall be maintained on site. Within 10 days after a request by the City Manager or designee, the owner shall provide an update of the Public Safety Plan to the Scottsdale Police Department and the Planning and Development Services Division. At least ten (10) days before any operational change of the bar, or any promotional event (excluding Special Events), that modifies the requirements or contents of the Public Safety Plan, the owner shall submit a revised Public Safety Plan to the Scottsdale Police Department and the Planning and Development Services Division. Any revised Security, Maintenance, and Operations Plan shall be subject to approval by the City of Scottsdale's Police Department and the Planning and Development Services Division.

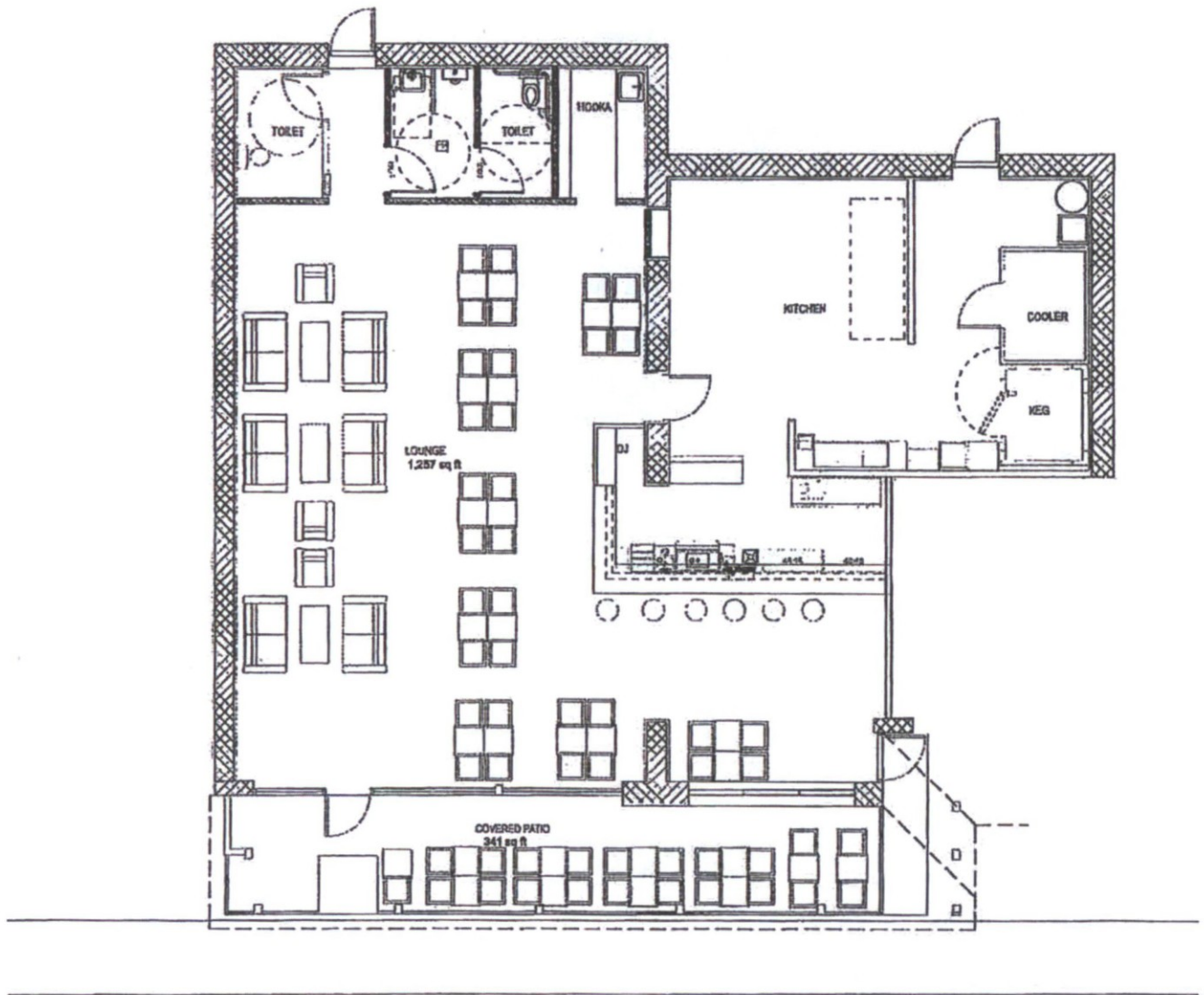
6. NOISE. In addition to the City's Noise Ordinance (Ordinance No. 3192, Article II, Chapter 19 of the Scottsdale Revised Code), noise generated from this use, including any speakers or other amplification equipment, shall not exceed ambient noise levels consistent to the use and the character of the area during hours of operation, as determined by the Zoning Administrator, or designee. Amplified music shall be limited to the times that State law allows liquor sales at this bar.
7. EXTERNAL DOORS. All external doors shall be closed but not locked during business hours.
8. FOOD SERVICE. The establishment's entire food menu shall be available until 2 a.m.

PARKING

9. MINIMUM PARKING. The site shall be required to provide parking, as required by the Zoning Ordinance, through on-site parking, off-site parking, in-lieu parking spaces, or any combination thereof, at all times. Failure to provide required parking for the use, to the satisfaction of the Zoning Administrator, or designee, may be grounds for revocation of the Conditional Use Permit.
10. PARKING ASSURANCE AGREEMENT(S). If the owner or operator chooses to utilize off-site parking to satisfy the parking requirement for the use, the owner or operator shall enter into a parking assurance agreement in a form satisfactory to the city. Thirty (30) days before the expiration of any assurance agreement, the owner or operator shall submit a new assurance agreement to the Zoning Administrator, or designee, subject to city review and approval. Inability of the owner or operator to obtain the required parking under an assurance agreement, to the satisfaction of the Zoning Administrator, or designee, may be grounds for revocation of the Conditional Use Permit.

ADMINISTRATIVE/PROCESS

11. CONDITIONAL USE PERMIT ADMINISTRATIVE REVIEW. Within ten (10) days after a request by the Zoning Administrator or designee, the owner shall submit a letter to the Zoning Administrator or designee demonstrating compliance with all stipulations. A deviation from any stipulations or change in the floor plan may be grounds for revocation of the Conditional Use Permit.
12. CHANGES IN OWNERSHIP. Within ten (10) days after a change in ownership, the owner shall provide notice to the Zoning Administrator in writing of any such ownership change.



7-UP-2016
8/1/16

C.

Bars, cocktail lounges, and/or after hours establishments.

1. The use shall not disrupt existing balance of daytime and nighttime uses.
2. The use shall not disrupt pedestrian-oriented daytime activities.
3. If the site is located within the Downtown Overlay District D-O then:
 - a. The use shall not encourage displacement of daytime retail uses unless it can be demonstrated that the proposed use shall promote diversity of first floor uses along the street.
 - b. The required parking for the use shall be within six hundred (600) feet of the property and shall not be separated from the property by a major or minor arterial street.
4. If the use is located within five hundred (500) feet of a residential use or district then:
 - a. The use shall not adversely impact residential uses.
 - b. The use shall provide methods of buffering residential uses.
5. An active management and security plan shall be created, approved, implemented, maintained, and enforced for the business.
6. The property owner shall create a written exterior refuse control plan for approval by the City.
7. The property owner shall demonstrate how noise and light generated by the use shall be mitigated.
8. The use shall conform to the parking requirements of Article IX and shall not exceed capacity for traffic in the area.
9. After hours establishments must maintain a valid after hours establishment license.

PROJECT NARRATIVE

Conditional Use Permit for a Bar

For its Project Narrative, in accordance with the requirements of the City of Scottsdale's Conditional Use Permit for a Bar, Oasis Cafe, LLC dba Oasis states as follows:

Oasis is requesting approval of a Conditional Use Permit for a Bar to allow a series 6 Bar liquor license on the premises and alcoholic beverage and food consumption on the outdoor fence patio located at 4441 North Buckboard Trail, Scottsdale, AZ 85251. The existing location is currently licensed under a series 12 restaurant liquor license with alcohol and food consumption inside and on the fenced patio of the establishment. The restaurant liquor license shall be surrendered upon approval of the required Conditional Use Permit for a Bar and approval of a series 6 bar license for this location by the City of Scottsdale and the Arizona Department of Liquor License and Control.

Oasis will continue to sell food at the establishment with the series 6 bar license and will continue to serve spirituous alcohol as previously approved by the City of Scottsdale. Therefore, the applicant is requesting approval of a Conditional Use Permit for a Bar allowing a series 6 liquor bar license for on-site consumption of alcoholic beverages as well food inside the establishment and within the fenced outdoor patio, which meets the requirement of Arizona Department of Liquor License and Control as well as the City of Scottsdale (previously approved for the restaurant liquor license).

The consumption of alcoholic beverages at this site will not negatively impact residents or other businesses within the surrounding area, as most adjacent business close by 5:00 p.m. The building interior modifications in 2010 to allow restaurant operations with on-site consumption of alcoholic beverages and opened to the public in July 2010. As previously stated Oasis will continue to offer restaurant services dinner operating days a week from 4:00 p.m to 2:00 am.

Oasis has a large existing clientele due to the quality of the food. The consumption of alcoholic beverages will continue to complement the food service provided by the establishment. A copy of the existing menu is attached. A small outdoor patio on the west side of the business will be used for food and alcohol consumption. The patio is contiguous with the restaurant and is enclosed with iron fencing. The existing landscaping produces a safe, inviting and appealing dining area and was previously approved by the City of Scottsdale when the Restaurant liquor license was obtained.

Oasis will be closed every day by 2:00 am. Therefore; the issuance of a Conditional Use Permit for a Bar will not disrupt the existing balance of daytime and nighttime uses.

Conditional Use Permit Criteria for a Bar:

A. That the granting of such conditional use permit will not be materially detrimental to the public health, safety or welfare. In reaching this conclusion, the Planning Commission and the City Council's consideration shall include, but not be limited to, the following factors:

1. Damage or nuisance arising from noise, smoke, odor, dust, vibration or illumination.

Response:

paned windows.)

2. Impact on surrounding areas resulting from an unusual volume or character of traffic.

Response:

surrounding area resulting from an unusual volume or character of traffic. Permit for a Bar is not anticipated to cause an effect on the the surrounding area resulting from any unusual

ATTACHMENT #2

volume or character of traffic.)

- B. The characteristics of the proposed conditional use are reasonably compatible with the types of uses permitted in the surrounding areas.

Response:

(The proposed Conditional Use Permit for a Bar is compatible with the other high-end bars, hotels, offices, restaurants and businesses in the area. Appropriately, this site was formerly a licensed restaurant located in Entertainment District and is zoned, appropriately.)

- C. Bars, cocktail lounges, and/or after hours establishments.

1. The use shall not disrupt existing balance of daytime and nighttime uses.

Response:

(OASIS will occupy the currently occupied premise at 4441 N. Buckboard Trail. No new construction will occur resulting in an immediate seamless blending of OASIS into surrounding business environment. The operating hours and nature of business of OASIS will integrate with, not disrupt, the existing balance of daytime and nighttime uses in the area.)

2. The use shall not disrupt pedestrian-oriented daytime activities.

Response:

(Oasis will operate in the evenings and late night, after 8-5/9-6 daytime hours of surrounding daytime businesses, as well as on the weekends, ensuring minimal or no effect on existing weekday, daytime operations of adjacent businesses.)

3. If the site is located within the Downtown Overlay District D-O then:

- a. The use shall not encourage displacement of daytime retail uses unless it can be demonstrated that the proposed use shall promote diversity of first floor uses along the street.

Response:

(Oasis has existed in its current location in evening and late night business since it opened in 2010. The addition of the Conditional Use Permit for a Bar will not displace any daytime retail uses.)

- b. The required parking for the use shall be within six hundred (600) feet of the property and shall not be separated from the property by a major or minor arterial street.

Response:

(OASIS parking is provided on site in the rear of the building. In addition, the property owner is requesting to participate in the in-lieu parking program to meet the additional parking required for the Conditional Use Permit for a Bar.)

4. If the use is located within five hundred (500) feet of a residential use or district then:

- a. The use shall not adversely impact residential uses.

Response:

(OASIS has existed as a restaurant at the current location since 2010, and has not had any known effect on the residential uses within from 500 feet of the establishment. Other than obtaining a Conditional Use Permit for a Bar, no modification to the business operation are anticipated. Therefore, the addition of a Conditional Use Permit for a Bar at this location is not anticipated to an adverse effect on the residential uses within 500 feet of the business.)

- b. The use shall provide methods of buffering residential uses.

Response:

(The nearest residential use is approximately 370 feet to the North, on the North side of East Camelback Road, and fronting on to East Minnezona Avenue. Pure distance and East Camelback Road provide a significant buffer. In addition, the North or East sides of the building are full height masonry walls. The existing wall will be assisting in buffer for noise. Noise and light from the West, and the South side will be controlled through the use of controlled volume levels, the masonry wall, and tinted paned windows.)

5. An active management and security plan shall be created, approved, implemented, maintained, and enforced for the business.

Response:

(The Oasis owner has obtained approval of a Public Safety Plan from the City's Police Department, which is maintained on file with the City and a copy is maintained on the business premises.)

6. The property owner shall create a written exterior refuse control plan for approval by the City.

Response:

(The refuse control plan is part of the Public Safety Plan created by the owner of the business has been approved by the City's Police Department. The plan will be implemented and enforced by management. A refuse enclosure is onsite and located on the property behind the building in the alley. OASIS will utilize its plan to control exterior refuse.)

7. The applicant shall demonstrate how noise and light generated by the use shall be mitigated.

Response:

(Light from OASIS will not be visible on the north or east due to the existing full height masonry wall. The existing wall will also act as a buffer for noise. Noise and light from the west and south side will be controlled through the use of controlled volume levels, the masonry wall, and tinted paned windows.)

8. The use shall conform to the parking requirements of Article IX and shall not exceed capacity for traffic in the area.

Response:

(OASIS will require approximately twenty-three (23) parking spaces. The parking spaces will be located at 4441 N. Buckboard Trail with (13 spaces to be provided by the City of Scottsdale via In-Lieu Parking agreement if approved by the City Council). OASIS is evening use that is small sized and does not generate a significant nighttime traffic in excess of what already exists in the Entertainment District.)

9. After hours establishments must maintain a valid after hours establishment license.

Response:

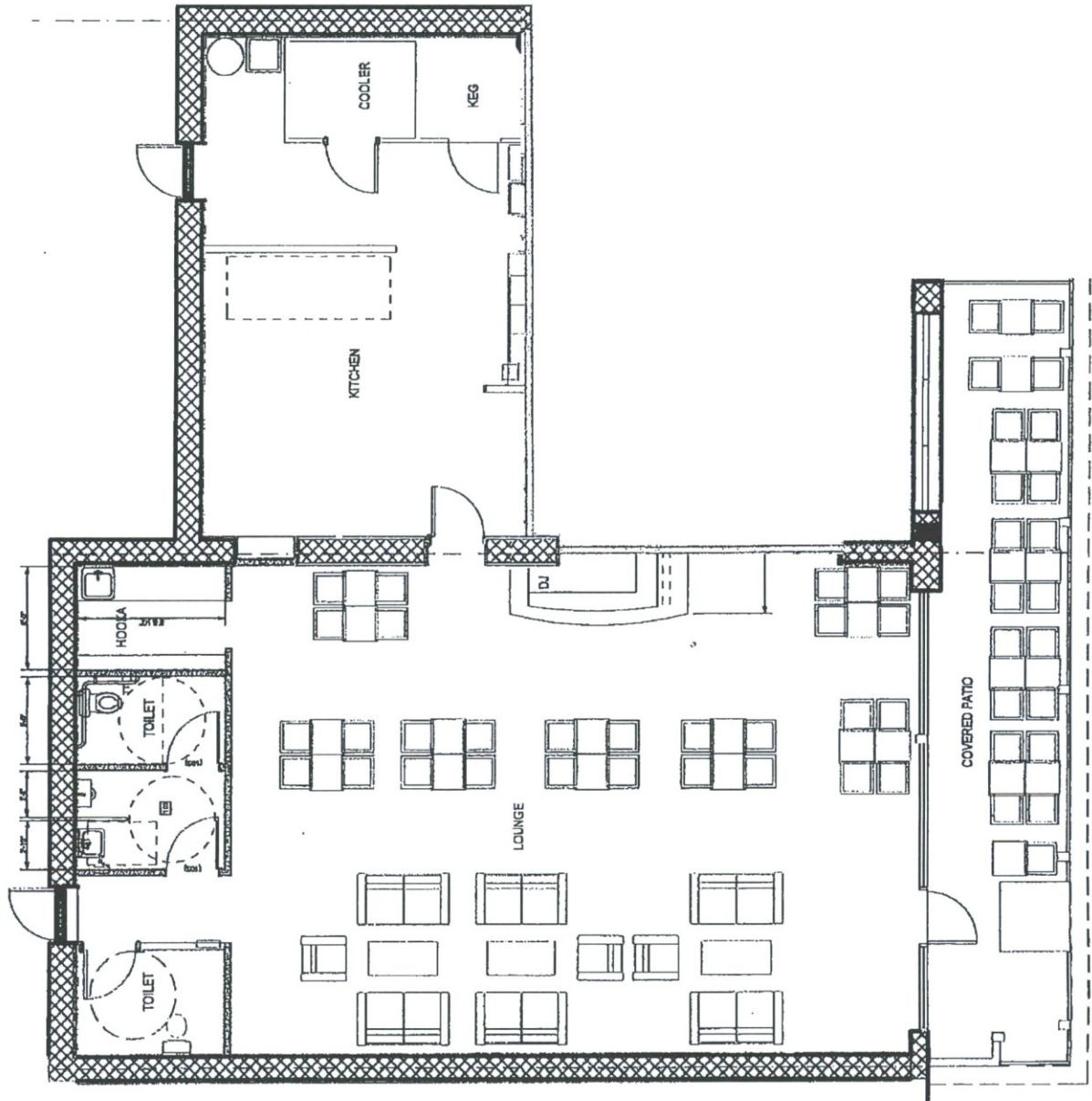
(OASIS will close at 2 am daily therefore; a conditional permit will be no be acquired.)

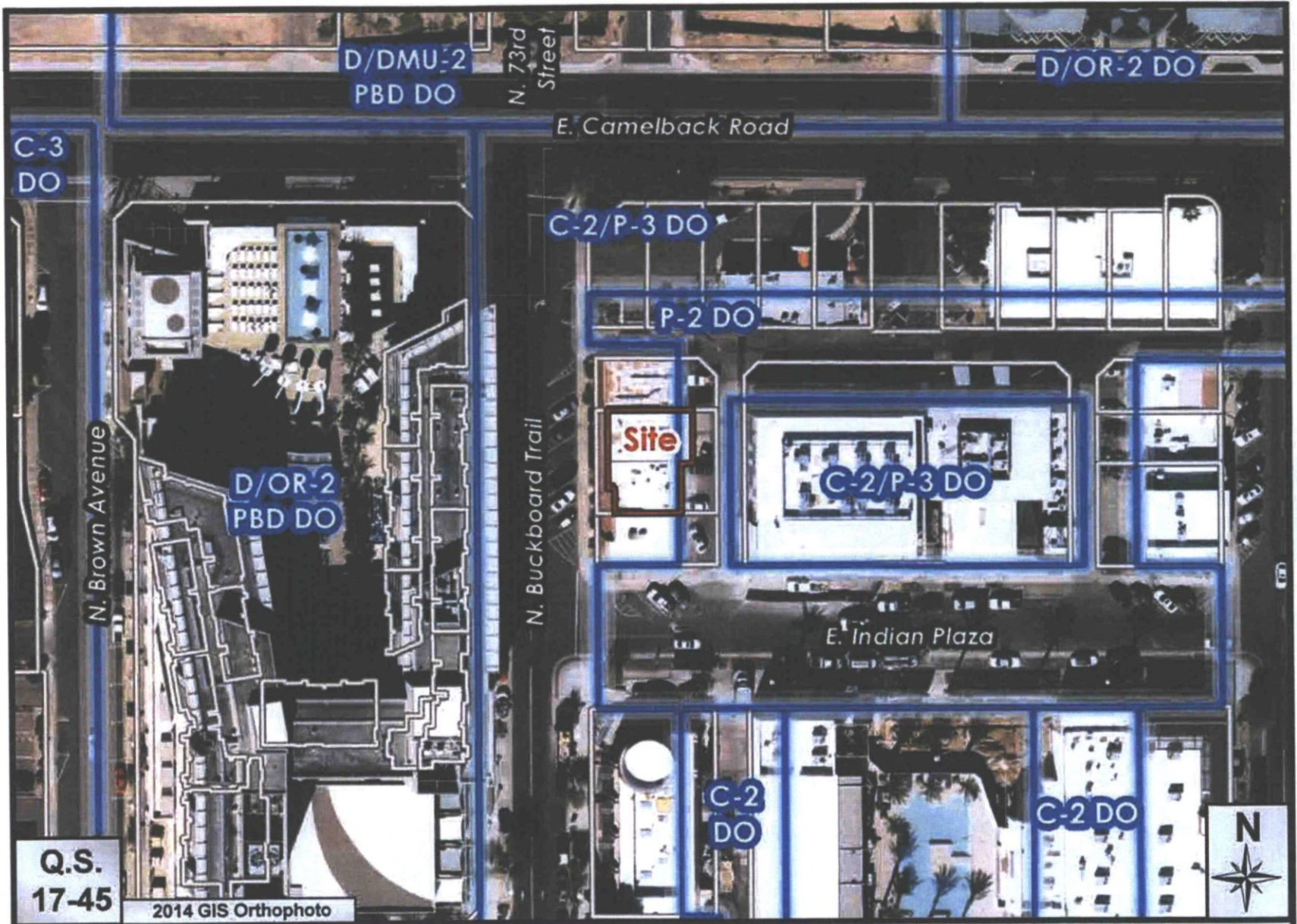
Respectfully,

A handwritten signature in black ink, appearing to read "Anwar Nakib", enclosed within a hand-drawn oval shape.

Anwar Nakib/owner 480-369-

0769





Q.S.
17-45

2014 GIS Orthophoto

Oasis Cafe

7-UP-2016 & 2-IP-2016

SPD File# 400958
Returned for Corrections: _____
Expiration Date: 03-08-2018
CoS TPT 1056685



Date Submitted: 07-28-2016
Date of Approval: 7-28-16
Liquor License #: 06070172
CoS Spirituous Liquor 1062036

City of Scottsdale Public Safety Plan Application

1. Objective:

The purpose of this ordinance is to promote the general health, safety and welfare of citizens, visitors, businesses and the community in general by requiring businesses that engage in certain activities within the city to file, follow and keep current a public safety plan.

2. Identification:

- A. **Scottsdale Address:** 4441 North Buckboard Trail, Scottsdale, AZ 85251
- B. **SFD Building Occupancy Limit:** Total of 94 (82 inside with 12 outside)
- C. **Occupancy Type (circle one):** (bar, tavern, night club, restaurant), A-3 (dance hall), or A-4 (skating rink, WestWorld)
- D. **Staffing Ratios:**
 1:50+1:75 (500+Patrons) 1:75 (60% Food Sales) 1:100 (90% Fixed Seating)
b. You must include supporting documentation for ratios of 1:75 and 1:100.
- E. **Company Entity** (Corporation, LLC, Partnership, etc): Oasis Cafe, LLC
- F. **DBA (doing business as):** Oasis Cafe and Hookah Lounge
- G. **Company Members: (please use addendum, if necessary):** Anwar Nakib

H. Contact Information:

- a. **Mobile Phone:** 480-369-0769
- b. **Business Phone:** 480-751-5362
- c. **Email:** ILOVEOASISCAFE@icloud.com
- d. **In Case of Emergency:** SAA

3. APPLICABILITY: This application for a Public Safety Plan is submitted because my business engages in the following activity(ies) (MARK ONE OR MORE ACTIVITIES IN WHICH YOU ENGAGE):

- Age Verification is Requested for Admittance.
- Provide a Disc Jockey
- Provide an Adult Service as Defined in Section SRC 16-237
- Teen Dances, Consistent with Section SRC 16-391, are conducted.
- A Promoter is Utilized.

4. PLAN OF OPERATION:

- a. The plan of operation includes a crowd management plan, hours of operation, and identification of peak hours (presumption: 9PM-2AM, Thursday-Saturday):

Hours of Operation:

Monday: 5PM -2AM

Tuesday: 5PM -2AM

Wednesday: 5PM -2AM

Thursday: 5PM -2AM

Friday: 5PM -2AM

Saturday: 5PM -2AM

Sunday: 5PM -2AM

Initials of Applicant _____

BA 4561

** I HAVE RECEIVED A COPY OF MY PSP. AN*

PD21

ATTACHMENT #5

7-UP-2016

8/1/16

Peak Hours:

Monday: _____
Tuesday: _____
Wednesday: _____
Thursday: _____
Friday: 12AM - 4AM 2am
Saturday: 12AM - 4AM 2am
Sunday: _____

5. NARRATIVE:


a. YOU MUST ATTACH A NARRATIVE OF YOUR PLAN OF OPERATION TO THIS APPLICATION WHICH INCLUDES THE FOLLOWING ELEMENTS:

- ~~i.~~ Diagram of Building Including Interior Build-Outs; 8.5"x11" (see example)
- ~~ii.~~ Diagram of Parcel or Lot; 8.5"x11" (see example)
- ~~iii.~~ Scottsdale Fire Department Approved Occupancy Limit
- ~~iv.~~ Safety Conditions and Considerations
- ~~v.~~ Crowd Management Plan
- ~~vi.~~ Patron Parking, Ingress, Egress, Vehicular and Pedestrian Traffic Control
- vii. Log of All Employees Including: Full Legal Name, Date of Birth, Current Address, Job Title, and Contact Phone Number (see SRC 23-57 for special requirements and ratio of security officers to patrons) (Similar to the Title 4 Requirements)
- ~~viii.~~ Contact Person and Information Designating Who Is Authorized to Receive and Handle Complaints from the Public or City of Scottsdale on Behalf of the Business
- ix. Evacuation Routes
- x. Evidence of Security Uniform With the Word "Security" on Both Front and Back and In Letters At Least 3-Inches in Height (see SRC 23-57.F)
- ~~xi.~~ Statement Regarding the Number of Security Staff Available During Peak Times and the Ratio of Security Staff to Patrons
- ~~xii.~~ Statement Regarding Use, if Applicable (i.e. 60% food sales, 90% fixed seating)

6. All final documents, including the narrative required by Section 5, submitted in support of this public safety plan application are incorporated into the approved public safety plan as conditions and requirements by this reference.

7. The provisions of Scottsdale Revised Code Sections 23-50 through 23-76 are incorporated into this public safety plan as conditions and requirements by this reference. Failure to comply with these code sections shall be considered a violation of this public safety plan.

As part of this application, I have read and understand the City of Scottsdale Public Safety Plan Ordinance. On behalf of Oasis Cafe, I agree that Oasis Cafe, and its employees will comply with the Public Safety Plan Ordinance and its City approved public safety plan. I also certify that all the information submitted as part of this application is true and correct to the best of my knowledge.


Signature of Applicant

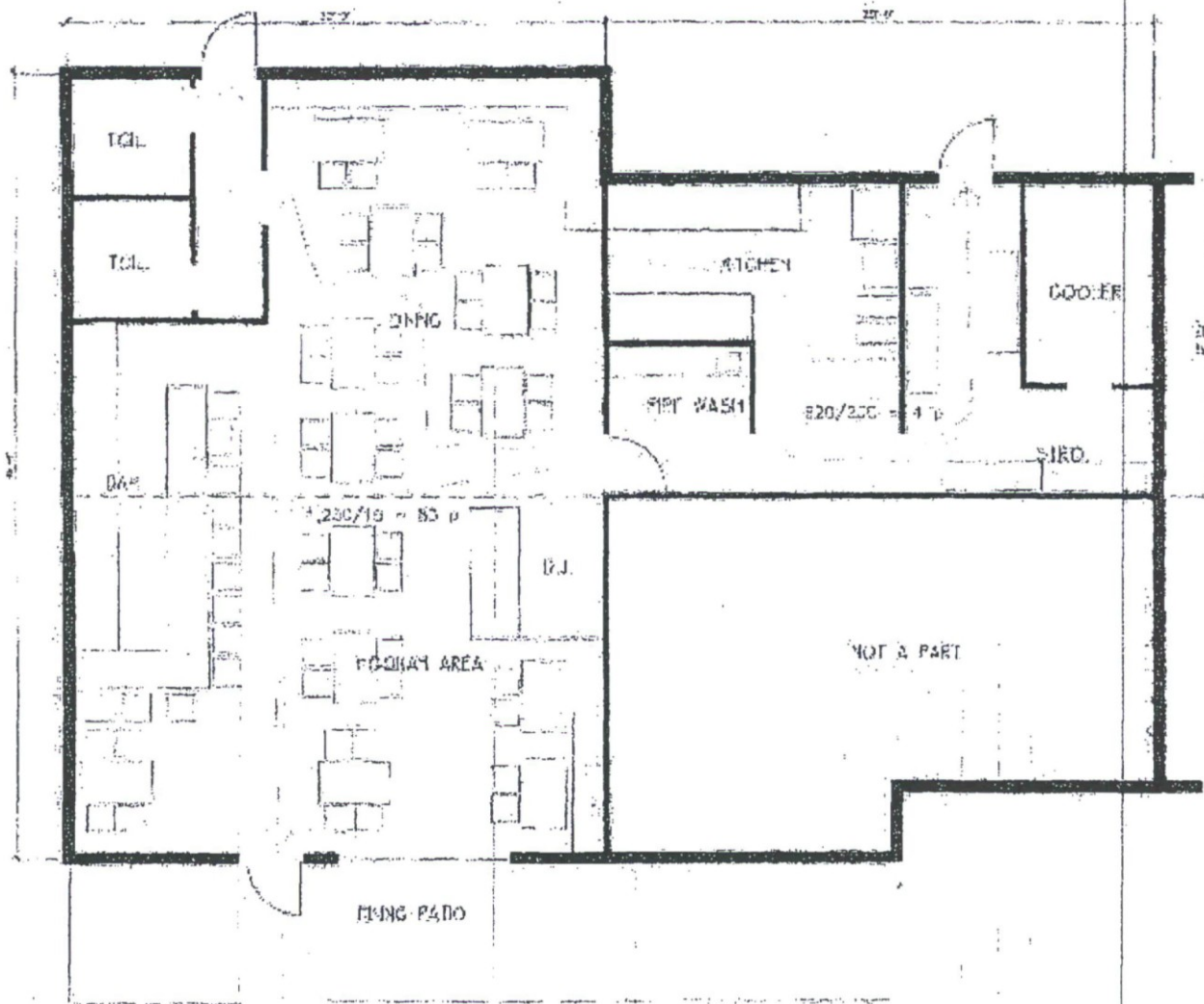
7-28-16
Date Signed

Please email the completed application to: PSP@ScottsdaleAZ.gov

Initials of Applicant 

A

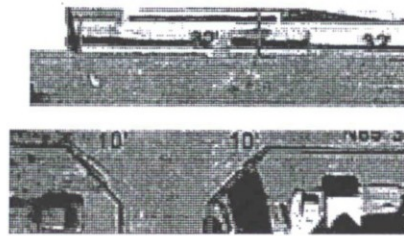
1



OASIS CAFE AND HOOKAH LOUNGE
 1441 N BUCKBOARD TRAIL

FLOOR PLAN
 1/20/2008





Oasis Café

North/South street is Buckboard Trail
East/West street to the north is Camelback

10

2



CITY OF SCOTTSDALE
OFFICIAL OCCUPANT LOAD

INSIDE	8
OUTSIDE	12

HOOKEH ROKS
4441 N. BUCKBOARD
7-14-10

MICHAEL L. CLACK, BUILDING OFFICIAL

Handwritten text on the right margin, possibly a date or reference number.



Welcome to the Oasis Café and Hookah Lounge Team! Oasis Café and Hookah Lounge prides itself on our amazing staff and outstanding customer service. The following manual will help you understand your job duties as a security team member and how to properly perform them.

Job Duties Overview

The primary job duties as a security personnel employee of the **Oasis Café and Hookah Lounge** are as follows:

- Check the legal age of patrons
- Provide a safe environment by enforcing house rules and state laws.
- Perform fundamental safety tasks.
- Provide security for both staff and patrons.
- Monitor individuals based on occupancy, intoxication, and aggressive behavior.
- Reduce liability by anticipating problematic patron behavior.

Floor Chart: There are three main floor positions for Security team members. Positions will be posted each shift. Your floor position for each shift will often change, so it is imperative you take the time to understand each of the positions and the duties associated with each of them.

Learning the table numbers and names is also extremely important, when the front door calls for a table to be cleared, clean and clear the table being as polite as possible to guests.

Front Door: Enforcing dress code, checking IDs, allowing guests in and out, managing line, making sure no drinks or glassware leave the premise, managing persons count.
Note: there is always at least one person at each door no matter what is going on.

Interior Bar and Patio: Supporting the door, making sure no one enters through patio other than as cleared by security at the door, making sure no drinks or glassware leaves the premise, helping gather glassware on patio, making sure no one jumps the patio fence, watching patrons in your section, cleaning up any spills or broken glassware.

Interior Bar and DJ Booth: Watching back door (emergency exit) to ensure no one exits or enters through it, monitoring patrons in your section, collecting glassware in the vicinity, cleaning up any spills or broken glassware, clearing tables.

Front Door: The Front Door position is critical to the proper flow and smooth workings of the entire establishment. There are several key points to making sure the front door is working efficiently and properly.

Age Verification: It is one of the most important roles of door personnel to check and verify the legal age of patrons entering the establishment. Precautions should be taken at the door to cover liability issues. The four steps in checking ID are First, ask for ID. Second, insure the ID is valid (one of the five acceptable forms) and unaltered. Third, compare the presenter with the photograph. Lastly, make sure the ID indicates the patron is 21 or older. The **Oasis Café and Hookah Lounge** Policy is to log all persons under the age of 25-years old. Arizona law states that if you allow an underage person inside WITHOUT LOGGING THEIR ID IT IS PRESUMED YOU KNEW THEY WERE UNDERAGE.

Wrist Bands: If wristbands are utilized to identify persons who are old enough to consume/possess alcoholic beverages, wristbands will be securely placed on patrons' wrists and checked for tightness.

Occupancy Count: It is imperative that the door personnel know the maximum occupancy of the establishment to comply with Fire Marshal regulations. Clickers are used at the entrance and exit points in order to keep track of occupancy and to assure that maximum occupancy is not exceeded. If the Fire Marshal does come by to check local fire regulations, be sure to contact the manager on duty and inform them. The maximum occupancy at The **Oasis Café and Hookah Lounge** is 82 patrons inside, and 12 patrons outside for a total occupancy of 94 persons.

Line: During busy nights, a line is a common occurrence as patrons try to enter the



establishment as the occupancy approaches peak numbers. It is important to remember to start a line before maximum occupancy is reached. This allows you some room to work with without exceeding the maximum occupancy. Things to pay attention to while forming a line are large parties on the guest list, and regulars. Allowing yourself room to work with assures you that when VIP patrons or regulars arrive you can quickly grant them access without exceeding maximum occupancy. Attention to the flow of the establishment is also important. Allowing enough room for people to move and enjoy themselves without being too cramped is in for the enjoyment of our customers.

Dress Code: The purpose of our dress code is to keep and promote the proper atmosphere, which is greatly influenced by the crowd. This is why proper attire is required at all times. Follow the dress code required by **Oasis Café and Hookah Lounge**. Most of all, use common sense when making decisions. If the attire does not fit the atmosphere of the establishment be polite and explain why entry is being denied. If a customer is respectfully asking for the manager on duty, go ahead and find the manager and explain the situation. If the manager decides that the patron is ok, an exception to the dress code may be made.

Patrons Behavior: If a patron trying to gain entry into an establishment seems overly intoxicated or aggressive, politely refuse him entry. It is illegal to grant entry to a person who is obviously intoxicated. By refusing entry at the door you can prevent issues inside.

Interior (front)/Patio: While working inside and on the patio as a security team member it is important to be diligent and attentive to your surroundings. The safety and satisfaction of our customers is our top priority. The following key points will help guide you in the right direction to offer the best experience for our guests.

Patrons: One of the main job duties of security is to maintain a fun and safe atmosphere for our guests, staff, and musicians. You will have to deal with rude or unruly guests. The **Oasis Café and Hookah Lounge**'s policy when dealing with an unruly patron is non-confrontational. Communication is critical: instead of being aggressive when dealing with unruly guests, be polite and explain the issue and what needs to be done to correct it. This could be as simple as telling the patron they cannot stand on the tables, or explaining to them why they must leave the premises. Be on the lookout for guests who are too intoxicated, bumping into other patrons, or engaging in any activity that disrupts the atmosphere of the establishment. If you escort a patron out ask if they need a cab or help them provide safe transportation.

Obvious Intoxication: Arizona Revised Statutes 4:244.14 states that "obviously intoxicated" means inebriated to the extent that a person's physical faculties are substantially impaired and the impairment is shown by significantly uncoordinated physical action or significant physical dysfunction that would have been obvious to a reasonable person. Obviously intoxicated patrons must be removed from the licensed establishment within 30 minutes of when the licensee or employee of the licensee knew or should have known the patron was obviously intoxicated.

Fights: When a physical altercation does happen, it is your job as security to be as professional and effective in escorting the parties off the premises. This also goes for patrons that are overly intoxicated. Security shall not use excessive physical force; doing so will lead to disciplinary action. Please read and sign the Security Personnel Policy and Liability Consent Form located in this document. Make sure if you do escort a patron out for the night that the door personnel are aware of the status of that patron. If a patron is involved in a fight, they are out no questions. All fights must be reported to the manager on duty and an incident report shall be filled out. When filling out the incident report be thorough and detailed in your explanation of the account. Remember, patrons who are disorderly must be removed immediately from the serving area.

Safe Ride Home: If a patron is perceived to be obviously intoxicated, they will be offered a taxi, limo, or other means of safe transportation so that they will be



dissuaded from driving. If they choose to drive contrary to security staff's advice, SPD will be contacted. Additionally, an incident report documenting the offer must be produced and provided to a manager for each patron offered a safe ride home.

911: In case of a fire or other emergency, patrons will be evacuated through all emergency exits away from the threat-- If you do not have personal knowledge that emergency services have been contacted, you must call 911 immediately.

House Rules and Laws: **Oasis Café and Hookah Lounge** has its own set of house rules to be enforced by security as well as making sure local laws are being followed. Make sure you know and understand these rules. Understanding the liquor laws are also highly important. It is highly encouraged that you as security team member attended a liquor classes in order to better understand follow and assure these regulations are being followed.

Basic Rules are as follows:

1. No standing on the furniture,
2. Customers may only smoke outside.
3. Customers may not pour their own bottles, bottle locks must be used
4. No drinks or glassware outside the establishment (patio ok).
5. Fighting, aggressive behavior, over intoxication, and illegal substances are not tolerated.
6. Taking pictures of the staff so that they may feel uncomfortable is not tolerated.
7. Grabbing or inappropriate touching of staff is not tolerated.

Cooperation With Scottsdale Fire Department: The Scottsdale Fire Department makes sure that The **Oasis Café and Hookah Lounge** is adhering to fire codes and occupancy restrictions. If the Fire Marshal contacts you while at work be sure to notify the manager on duty immediately. The front door count is very important. It is important that the door count is accurate and that the maximum occupancy of 375 patrons is not exceeded. Make sure all exits are clear from obstructions, including the back exit. Make sure there are no spills or broken glass left unattended.

Cooperation With Law Enforcement: The Arizona Department of Liquor Licenses and Control (ADLLC) is comprised of sworn officers that enforce local and state liquor laws. It is important that you, as a security member, know the basic law. ADLLC and/or SPD may also ask you questions as an employee of the **Oasis Café and Hookah Lounge** to test your knowledge of these laws. Properly checking IDs is a critical duty of the security staff. Making sure you can recognize fake IDs is extremely important. Some IDs may also be real but do not belong to the person handing it to you. In this case, closely examining the picture to match it to the person is imperative. Look at things like weight, eye color, height, and any distinct facial features. Ask questions, such as what year they graduated from high school.

Employee Dress Code: It is important you are dressed in your Security uniform, jeans or shorts, and comfortable shoes that are appropriate for work. Hats are ok, as long as they are approved by management.

Closing Duties: The closing duties checklist covers all closing duties for Security staff members. At the end of each night you will be assigned a closing duty. The checklist will explain what is involved in each closing duty. When you are finished with your closing duty, make sure you check out with management before clocking out and leaving.

SECURITY CLOSING PROCEDURES CHECKLIST

****security staff is to checkout with management before leaving****

1. **Trash:** Trash is to be taken out every night. Trash bags must also be changed on a nightly basis. Once the trash cans have been dumped and re-bagged they are to be arranged neatly by the bar. Remember to close the dumpster once you dump all of the trash.

2. **Bar:** The bar mats must be taken out nightly and hung over the back railing. The TVs around the bar must be turned off. Make sure to take out any remaining trash cans.



3. **Perimeter Sweep Front & Side:** On a nightly basis the front and side perimeter must be thoroughly swept. All trash, including cigarettes, napkins, bottles, straws and other assorted trash must be cleaned up. A flashlight is to be used during [the sweeping process to insure all trash is swept up and removed, Trash in the bushes, gravel, and dirt in the front and side must either be swept or picked up by hand.
4. **Patio:** The patio is to be swept on a nightly basis. The patio bar chairs should be moved inside. The bar needs to be secured and locked and both doors must be locked.
5. **Chairs** - Chairs should be inspected at the end of each shift to ensure that they are clean and in good condition. Any broken chair should be removed and reported to management so a replacement may be secured.
6. **Miscellaneous** — Make sure the back door is locked and all equipment is turned off.

Security Personnel Policy and Liability Consent Form

The primary job duties of the Security Personnel (Doormen/Bouncers) are to check the legal age of patrons entering the establishment, ensure and enforce the house rules, perform fundamental public safety tasks, provide basic security to both the establishment and the patrons, and to monitor entry of individuals on the basis of occupant capacity, intoxication and/or aggressive behavior. Due to these job duties, Security Personnel may be given the capacity to carry out certain, fundamental safety tasks.

These tasks include but are not limited to enforcing the house rules, escorting disorderly patrons out of the establishment, and/or prohibiting entry into the establishment for any due cause. While the performance of some essential job duties may require reasonable force, the safety of all patrons must be taken into consideration. **Oasis Café and Hookah Lounge** expressly prohibits the use of excessive force in the performance of any essential job duty in any situation. **Oasis Café and Hookah Lounge** has a No Strike Policy, meaning that no staff member will strike a patron unless it is absolutely necessary in a self-defense situation or the defense of an innocent person, if a strike is administered to a patron under any circumstances a report must be submitted to the manager before going home.

Security Personnel (Doorman/ Bouncer) exceed their authority when he or she uses excessive force in any way that would reasonably be considered irrationally violent and/or inflicts serious physical harm on any patron. In any circumstance where Security Personnel (Doorman/Bouncer) uses excessive force, the employee may be found criminally responsible of assault and may consequently be held personally liable for the injuries he or she inflicted on the patron.

Therefore the Security Personnel (Doorman/ Bouncer) must understand and accept that they may be found responsible for any legal consequences that may result from the use of excessive force, including any and all monetary settlements as well as any other form of criminal and/or civil charges.

PERSONNEL POLICY AND LIABILITY CONSENT RECEIPT FORM

Acknowledgment of Security Personnel Policy and Liability Consent Form

I have read and understand this Security Personnel Policy and Liability Consent Form and will adhere to the policies, protocols, and guidelines of **Oasis Café and Hookah Lounge**.

Print Employee Name.

Employee Signature Date



DRUG AND ALCOHOL POLICY

Oasis Café and Hookah Lounge strives to maintain a workplace free of drugs and alcohol and to discourage drug and alcohol abuse by its employees. Misuse of alcohol or drugs by employees can impair the ability of employees to perform their duties, as well as adversely affect our customers' confidence in our company.

Alcohol

Employees are prohibited from using or being under the influence of alcohol while performing company business, while operating a motor vehicle in the course of business or for any job-related purpose, or while on company premises or a worksite. The **Oasis Café and Hookah Lounge** does not condone any use of alcohol for any member of the staff at anytime while on the job.

Illegal Drugs

Oasis Café and Hookah Lounge employees and contractors are prohibited from using or being under the influence of illegal drugs while at **Oasis Café and Hookah Lounge** business or while on a company facility or worksite. You may not use, manufacture, distribute, purchase, transfer or possess an illegal drug while in facilities, while operating a motor vehicle for any job-related purpose or while on the job, or while performing company business. This policy does not prohibit the proper use of medication under the direction of a physician; however, misuse of such medications is prohibited.

Disciplinary Action

Employees who violate this policy may be disciplined or terminated, even for a first offense. Violations include refusal to consent to and comply with testing and search procedures as described.

Searches

Oasis Café and Hookah Lounge Management may conduct searches for illegal drugs or alcohol on company facilities or worksites without prior notice to employees. Such searches may be conducted at any time. Employees are expected to cooperate fully. Searches of employees and their personal property may be conducted when there is reasonable suspicion to believe that the employee has violated this policy or when circumstances or workplace conditions justify such a search. Personal property may include, but is not limited to purses boxes, briefcases, as well as any property that is provided for employees' personal use such as purses, backpacks and vehicles. Any employee's consent to a search is required as a condition of employment and the employee's refusal to consent may result in disciplinary action, including termination.

Drug Testing

Oasis Café and Hookah Lounge may require a blood test, urinalysis, hair test or other drug or alcohol screening of employees suspected of using or being under the influence of drugs or alcohol or where other circumstances or workplace conditions justify such testing. The refusal to consent to testing may result in disciplinary action, including termination. Drug testing may be administered pre-employment, post-accident, randomly, or for reasonable suspicion.

Drug and Alcohol Policy Receipt Form

Acknowledgement of Drug and Alcohol Policy

I have read and understand this Drug and Alcohol Policy and will adhere to the policies, protocols, and guidelines of **Oasis Café and Hookah Lounge** Drug and Alcohol Policy.

Print Employee Name

Employee Signature

Date



Fire Department General Check List for Crowd Management Plan

1. Verify the fire extinguishers are visible and accessible prior to opening.
2. Verify Exits are marked and illuminated prior to opening. Test emergency lights and exit signs monthly.
3. Verify all exits and egress paths to the exits are not blocked or obstructed inside and outside of the building prior to opening and throughout business hours. This includes being obstructed by patrons waiting in line.
4. Verify that all security personnel have working radio communication with each other and management.
5. Verify that security personnel have counters to count occupants IN and OUT at all entrances and exits. (General admission, VIP and all exits if separate from entrance.)
6. Verify that security staff knows the maximum occupant load for the building and patio.
7. Verify that security staff knows when the occupant load is reached they hold the door and do equal patrons IN for equal patrons OUT for the rest of operating business hours.
8. Need Fire Department approval/permits for special events, fireworks, fire dancers and haze machines. Birthday Sparklers/Open flame devices are **NOT** permitted in bars, night clubs or restaurants.
9. Need to number the security personnel locations on the floor plan and provide details on their responsibilities. **See attached sample floor diagram and Security Positions and Responsibilities below as an example.**

Security Positions and Responsibilities Example

#1: Keeps IN and OUT count of patrons at main entrance. They assist in keeping exit/entrance clear.

#4: Keeps rear exit clear of obstacles and maintains exit to keep patrons from entering without proper identification.

#1 and #4: Cards patrons, assist in keeping exit/entrance clear and starts/maintains line(s) at the entrance to keep exit clear and does not get obstructed by patrons waiting in line.

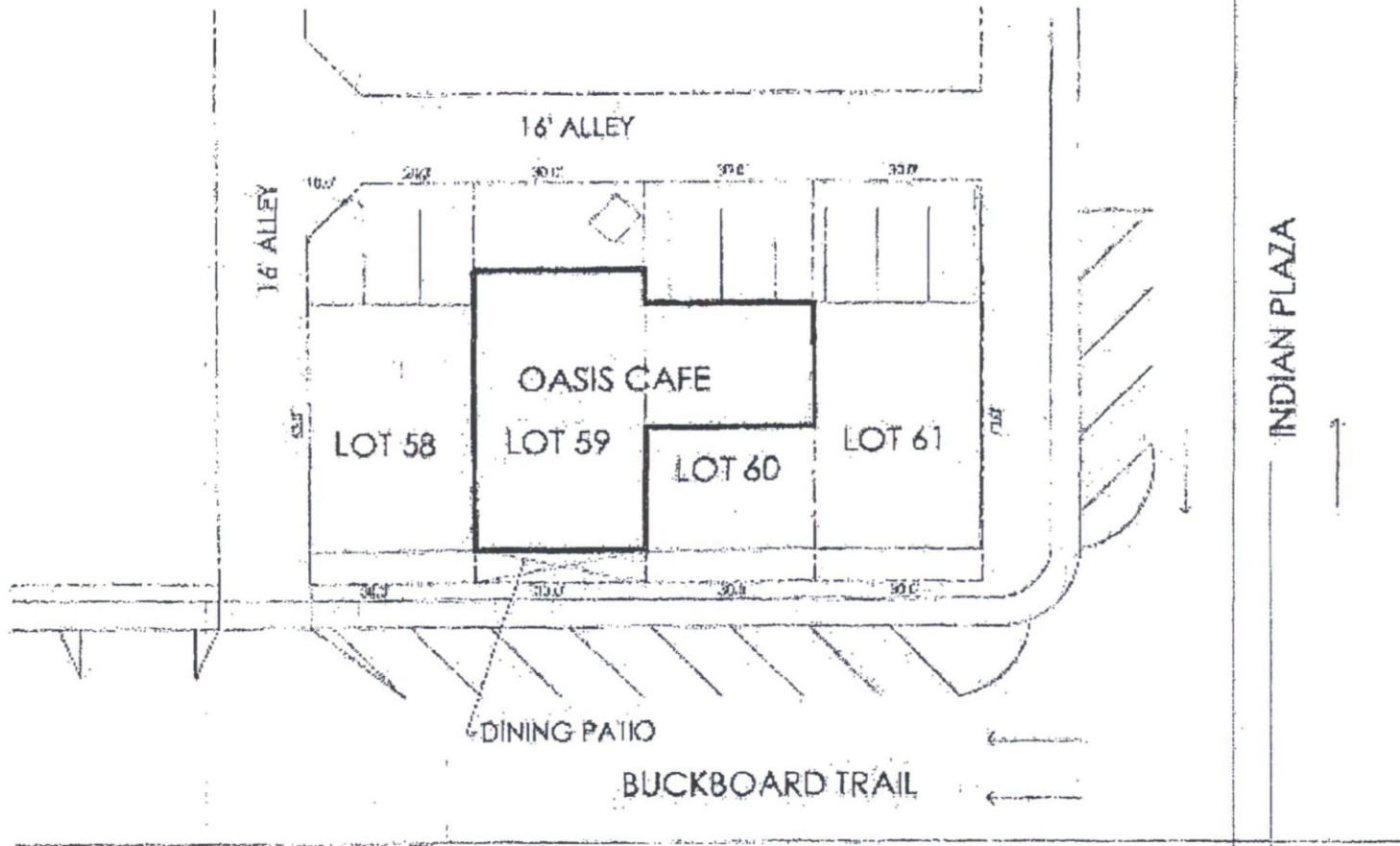
#2: Maintains security at patio so patrons don't enter by hopping over gates and also maintains consumption of alcoholic beverages so they do not leave the premise.

#1, 2, 3 and 4: Maintains flow of patron traffic, periodically removes trash as needed and keeps in communication with all security personal and management.

#1, 2, 3 and 4: Keeps exits clear, prohibits unauthorized entrance

Manager is responsible to shut the music off, turn the lights up and instruct/inform patrons in the event of an emergency situation. Depending on location of the emergency all security staff and managers are responsible to call 911 in case of an emergency situation.

2



OASIS CAFE AND HOOKAH LOUNGE
4441 N BUCKBOARD TRAIL

SITE PLAN

NTS





Scottsdale Fire Department
Scottsdale Public Safety Plan – Security Positions & Responsibilities

ORBIT CAFE AND HOOKAH LOUNGE
Establishment

ANWAR NAKIB
Establishment Representative

2012
Date Implemented

Refer to the Security Positions & Responsibilities Floor Plan for this establishment.

Use position numbers only on both the floor plan and this document – no names.

- Which position is responsible for keeping an IN and ODT count?

Position(s): FRONT DOOR

- How many of the following:

General Admission Entrance(s): 2
 VIP Entrance(s): 0
 Exit(s): 2
 Exit Only: 0

All entrances/exits are required to maintain an IN and ODT count and positions will communicate numbers to each other throughout business hours to maintain occupant load.

- Which position is responsible to call 911 in case of an emergency situation, medical or fire?

Position(s): FRONT DOOR

- Which position is responsible to turn the music off, turn the lights up and instruct patrons what to do in case of an emergency situation?

Position(s): FRONT DOOR OR D.J.

- Which position is responsible to maintain exit and egress paths clear?

Position(s): FRONT DOOR

10

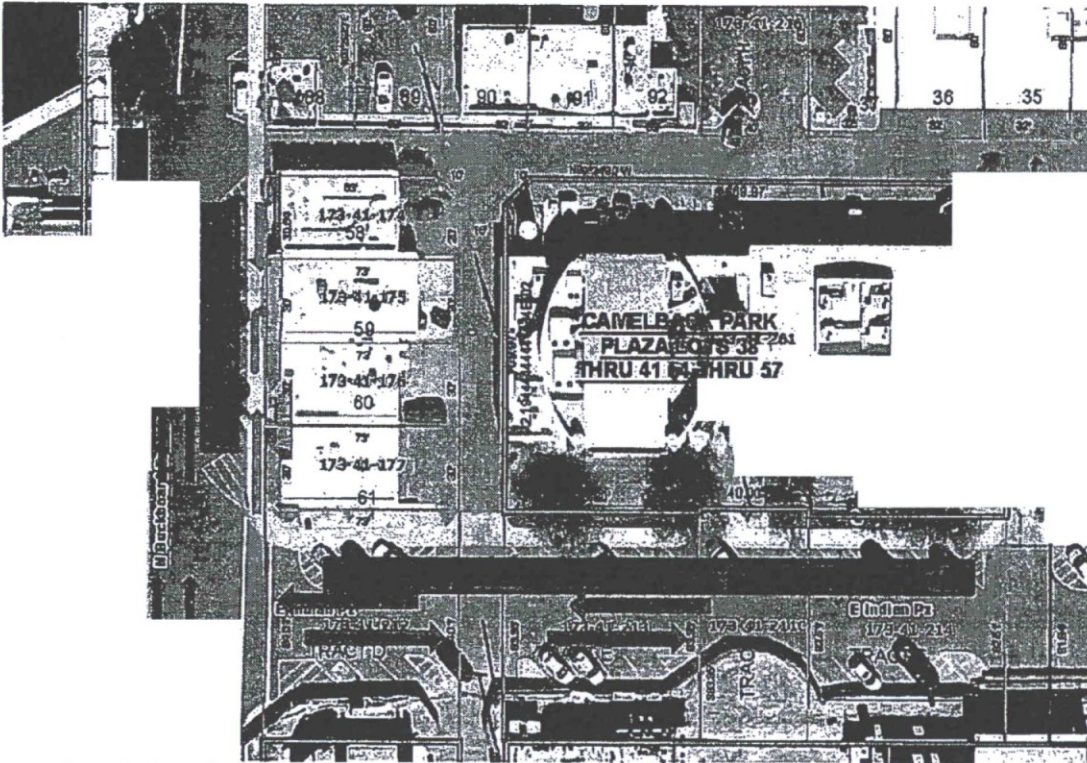


Scottsdale Fire Department
Scottsdale Public Safety Plan – Security Positions & Responsibilities

Additional Establishment Comments

WE USE FIVE SECURITY PEOPLE DURING
PEAK PERIODS. 2 AT FRONT DOOR, 1 AT
BACK DOOR, 1 AT O.J. STATION, 1 AT FRONT
PATIO.

10



Oasis Café

North/South street is Buckboard Trail
East/West street to the north is Camelback

Solid blue shows parking
Red arrows show traffic flow
Orange arrows show foot traffic into business

AD

Employee Log**Business Name:** Oasis Café and Hookah Lounge as of 07-28-2016

version 2015-07

<u>Last Name</u>	<u>First Name</u>	<u>Middle Name</u>	<u>Suffix</u>	<u>Birth Date</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>	<u>Phone</u>	<u>Position</u>	<u>Contractor</u>
Salazar	Alex	Eugene		3/8/1987	815 E. Weber Dr.	Tempe	AZ	85281	480-772-1813	Manager	NO
Salazar	Nicole			7/12/1990	815 E. Weber Dr.	Tempe	AZ	85281	480-772-1813	Server	
Howard	Samantha	Elizabeth		7/2/1988	4106 W. Dalley St.	Phoenix	AZ	85053	602-468-4831	Server	
Reaves	Samantha	Brook		8/8/1995	13414 N. El Pueblo Blvd.	Fountain Hills	AZ	85268		Server	
Balk	John	Junghoon		3/18/1994	6010 E. Phelps Rd.	Scottsdale	AZ	85254		Server	
Airaal	Abdullah	Saad		3/12/1962	7324 E. Lewis Ave.	Scottsdale	AZ	85257		Server	

vii

P



PSP Contact Persons

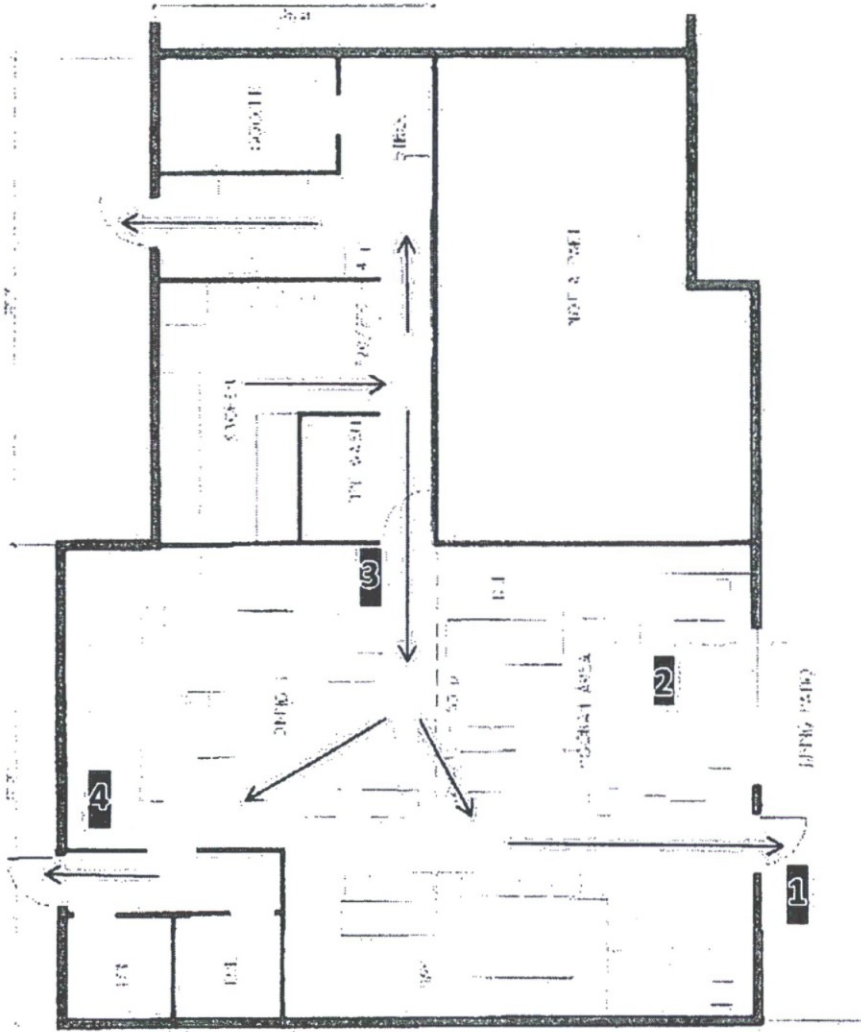
The following persons are designated to receive and handle complaints from the public or City of Scottsdale:

Name	Position	Contact#
Anwar Nakib	Owner	480-369-0769

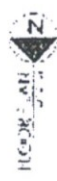
Submitted by: _____

All information must be current. (per SRC 28-55)

AD



OASIS CAFÉ AND HOODLUM LOUNGE
1441 N. JACKSON TRAIL



Oasis Café Security Positions, Emergency Evacuation Routes

R

SECURITY

xi xii

OASIS CAFÉ AND HOOKAH LOUNGE

4441 N BUCKBOARD TRAIL, SCOTTSDALE, AZ 85252

Statement regarding special requirement

Security ratio: 1:50 or less

The Oasis Café and Hookah Lounge is a neighborhood café with a series 06 bar license.

The Oasis Café and Hookah Lounge does not meet the minimum of 60% of food sales criteria and understands that it must maintain a security to occupant load of 1:50.

Our current ratio is 83/5=16.6 to one.

10

NEIGHBORHOOD NOTIFICATION REPORT

Friday, July 29, 2016

Oasis
4441 N Buckboard Trail
Scottsdale, AZ 85251

Re: 438-PA-2016

Findings from the July 19, 2016 open house

A letter (Attachment A) notifying all neighbors within 750' of the site, and the Interested Parties list (Attachment B) of the application for a Conditional Use Permit for a Bar and open house meeting was sent on June 24, 2016. A 4'x4' project under consideration sign (Attachment C) listing the Open House was posted on June 24, 2016.

The Open House was held from 5 pm until 7 pm on July 19, 2016. No attendees appeared.

Respectfully,



Anwar Nakib
Oasis Café LLC
4441 N Buckboard Trail
Scottsdale, AZ 85032
480-369-0769

OASIS CAFÉ LLC
4441 N BUCKBOARD TRAIL
SCOTTSDALE, AZ 85251

June 15, 2016

Re: Oasis Café LLC ("Oasis") Conditional Use Permit

Dear Neighbor,

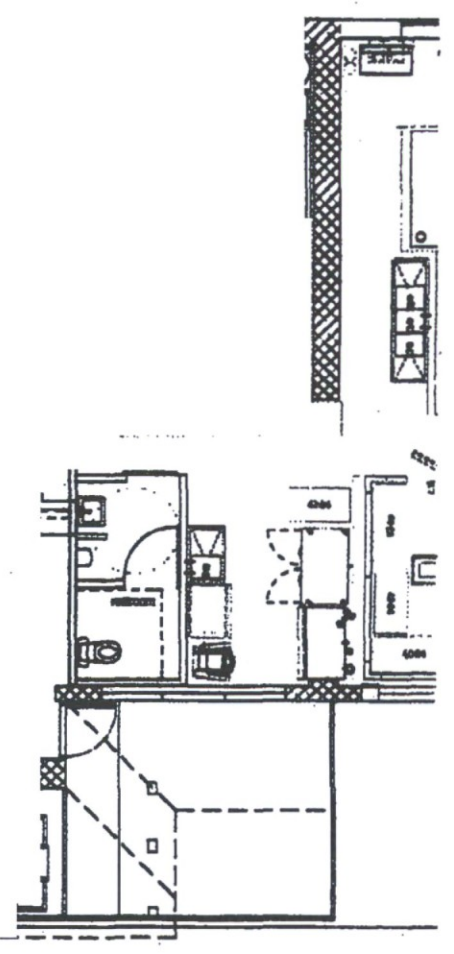
The reason for this letter to inform you of an application for a Conditional Use Permit for a Bar that will be submitted to the City of Scottsdale for Oasis Café, located at 4441 N. Buckboard Trail, Scottsdale, AZ 85251. Oasis has operated as a restaurant/bar and grill venue since May 2010. Currently operating with a series 12 liquor license permit on premise, and has a pending series 6 liquor application in place.

If you would like additional information, you are invited to attend a neighborhood open house to be held on Tuesday July 19, 2016 from 5:00pm to 7:00pm at Oasis. If you cannot attend the open house, but would like more information, you may contact me at 480.369.0769.

Thank you,



Anwar Nakib/Owner





Affidavit of Sign Posting

Project Under Consideration Sign (White)

Public Hearing Notice Sign (Red)

Case Number: 438-PA-2016

Project Name: OASIS

Location: 4441 N BUCKBOARD TRAIL SCOTTSDALE AZ 85251

Site Posting Date: JUNE 24, 2016

Applicant Name: OASIS CAFE LLC DBA OASIS/ANWAR NAKIB

Sign Company Name: FORMS MANAGEMENT SERVICE

Phone Number: 602-269-1397

I confirm that the site has been posted as indicated by the Project Manager for the case as listed above.

Anwar Nakib
Applicant Signature

7-27-16
Date

Return completed original signed and notarized affidavit AND pictures to the Current Planning Office no later than 14 days after your application submittal. E-mail copy to your project coordinator.

Acknowledged before me this the 27 day of JULY 2016



[Signature]
Notary Public
My commission expires: _____

Planning, Neighborhood & Transportation Division

7447 E Indian School Road, Suite 105, Scottsdale, AZ 85251 • Phone: 480-312-7000 • Fax: 480-312-7088



Request for Neighborhood Group/ Homeowners Association

For Staff Use Only

Time/Date Received _____

Time/Date Completed _____

REQUESTOR'S INFORMATION

Requestor's Name: ANWAR NAKIB (OASIS)

Date of request: 06/10/2016 Requestor's Phone #: (480) 369 - 0769

Method to receive Group/Homeowner information (select one)

Fax: 623-925-0475 e-mail aeliquorlicense@gmail.com

Mail Address: 14853 N 46TH ST, PHOENIX, AZ, 85032

SITE LOCATION/PROJECT INFORMATION

Project Name: OASIS USE PERMIT APPLICATION

Project Address: 4441 N BUCKBOARD TRAIL SCOTTSDALE AZ 85251

Project Parcel Number(s): _____

Radius around parcel(s) requested: 300' 750' 1 Mile

City Pre-application/Case#: 438-PA-2016 City Project Coordinator: DANIEL SYMER

Notification Type? Citizen Review Plan Neighborhood Involvement Special Event Notification

Any additional information that may be helpful to collect data: _____

Please note:

This list is provided as a one-time use only for preparing a City Planning and Development Service Department application. Currently there is no charge for this service, however, this may change based on demand. Results provided are based only on registered neighborhood groups or associations with the City. All requests will be processed and returned to your attention as soon as possible; in most cases within two business days.

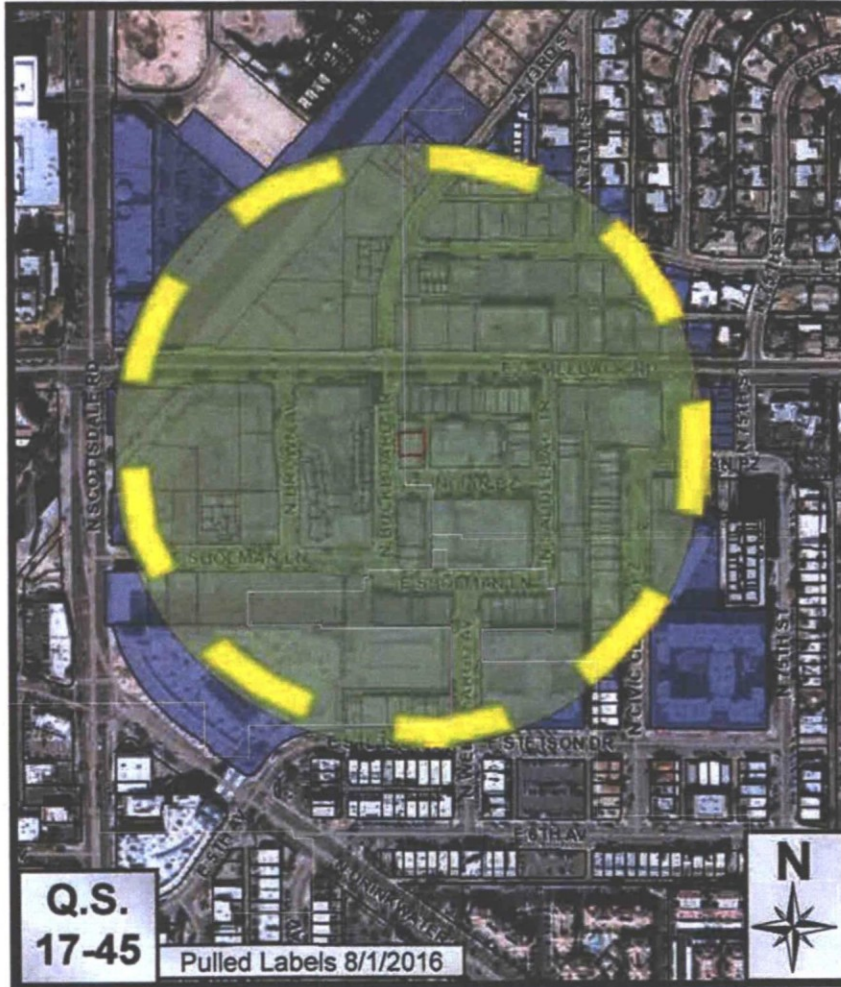
To Submit your request, or for additional information, please contact:

Current Planning Services
7447 E. Indian School Rd Suite 105
Scottsdale, AZ 85251

Phone: (480) 312-7000
Fax: (480) 312-7088
e-mail: planninginfo@scottsdaleaz.gov

City Notifications – Mailing List Selection Map

ATTACHMENT #7



Map Legend:



Site Boundary



Properties within 750-foot
101 Postcards

Additional Notifications:

- Interested Parties List
- Adjacent HOA's
- P&Z E-Newsletter
- Facebook
- Twitter
- Nextdoor
- City Website-Projects in the hearing process

Oasis Cafe

7-UP-2016



**SCOTTSDALE PLANNING COMMISSION
KIVA-CITY HALL
3939 DRINKWATER BOULEVARD
SCOTTSDALE, ARIZONA**

WEDNESDAY, SEPTEMBER 14, 2016

DRAFT SUMMARIZED MEETING MINUTES

PRESENT: Michael Edwards, Chair
Larry S. Kush, Commissioner
David Brantner, Commissioner - telephonically
Paul Alessio, Commissioner

ABSENT: Matthew Cody, Vice Chair
Ali Fakh, Commissioner
Michael J. Minnaugh, Commissioner

STAFF: Tim Curtis
Joe Padilla
Dan Symer
Sara Javoronok
Erin Perreault

CALL TO ORDER

Chair Edwards called the regular session of the Scottsdale Planning Commission to order at 5:00 p.m.

ROLL CALL

A formal roll call was conducted confirming members present as stated above.

* Note: These are summary action minutes only. A complete copy of the meeting audio is available on the Planning Commission page on ScottsdaleAZ.gov, search "Planning Commission"

MINUTES REVIEW AND APPROVAL

1. Approval of August 24, 2016 Regular Meeting Minutes including the Study Session.

COMMISSIONER KUSH MOVED TO APPROVE THE AUGUST 24, 2016 REGULAR MEETING MINUTES INCLUDING THE STUDY SESSION, SECONDED BY COMMISSIONER ALESSIO, THE MOTION CARRIED UNANIMOUSLY WITH A VOTE OF FOUR (4) TO ZERO (0).

EXPEDITED AGENDA

2. 7-UP-2016 (Oasis Cafe)

Request by owner for a Conditional Use Permit for a Bar on a +/-4241-square footage site located at 4441 N. Buckboard Trail with Central Business/Parking District Downtown Overlay and Parking District Vehicle Parking Downtown Overlay (C-2/P-3 DO & P-2 DO) zoning. Staff contact person is Dan Symer, AICP, 480-312-4218. Applicant contact person is Anwar Nakib, 480-751-5364.

Item No 2: Recommended City Council approve case 7-UP-2016, by a vote of 4-0; Motion by Commissioner Alessio, per the staff recommended stipulations, based upon the finding that the Conditional Use Permit criteria have been met, 2nd by Commissioner Kush.

NON-ACTION ITEM

3. Presentation and discussion on the Draft General Plan 2035, including community comments received and recommended plan changes.
Presentation by Sara Javoronok, Long Range Planning
Request to speak cards: Copper Phillips and Tory Beardsley
Written comment cards: Sonnie Kirtley and Paulette Morganstern

ADJOURNMENT

With no further business to discuss, the regular session of the Planning Commission adjourned at 5:28 p.m.

* Note: These are summary action minutes only. A complete copy of the meeting audio is available on the Planning Commission page on ScottsdaleAZ.gov, search "Planning Commission"

PLANNING COMMISSION REPORT



Meeting Date: September 14, 2016
General Plan Element: *Land Use*
General Plan Goal: *Create a sense of community through land uses*

ACTION

Oasis Cafe 7-UP-2016

Request to consider the following:

1. A recommendation to City Council regarding a request by owner for a Conditional Use Permit for a Bar on a ± 4241-square footage site located at 4441 North Buckboard Trail with Central Business/Parking District Downtown Overlay and Parking District Vehicle Parking Downtown Overlay (C-2/P-3 DO & P-2 DO) zoning.

Goal/Purpose of Request

The primary reasons for the request is that the applicant has requested a Series 6 (Bar) liquor license from the Arizona Department of Liquor Licenses and Control so as to not worry about complying with the "60/40" alcohol to food sales ratio, and will occasionally require age verification (card) to enter the establishment during late nights and busy evenings. The most recent audit by the State found that the existing restaurant is in compliance with the "60/40" alcohol to food sales ratio requirement to operate under their existing Series 12 (Restaurant) liquor licenses. The current restaurant opens for business at 4:00 p.m. and the applicant intends to open the proposed bar during at the same time.

Key Items for Consideration

- Conditional Use Permit (CUP) Criteria
- Converting from Series 12 (restaurant) to Series 6 (bar) liquor license

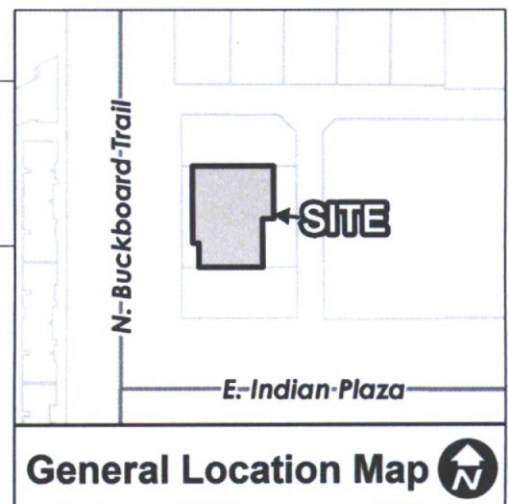
OWNER

Yuan Rocky So Lun and Stephanie Yen Fen Trust

APPLICANT CONTACT

Anwar Nakib
Oasis Café, LLC; 480-751-5364

Action Taken _____



LOCATION

4441 North Buckboard Trail

BACKGROUND

General Plan

The Land Use Element of the General Plan designates the site area as Mixed-Use Neighborhoods. This category includes higher density residential, office and retail uses. Mixed-Use Neighborhoods are also characterized by being located in areas having multiple modes of transportation available. In addition, the site areas are located in a growth area, as designated by the Growth Areas Element of the General Plan. The purpose of this designation is to approach "...growth management from a perspective of ..." identifying those "...areas of the community that are most appropriate for development focus [that] will best accommodate future growth...." The Growth Areas are intended to encourage development in a mixed-use environment.

Character Area Plan

The Downtown Future Land Use map of the Downtown Plan designates the site as Downtown Multiple Use Type 2 within the Main Street Conceptual Urban Neighborhood. This land use is characterized to "Encourage new development, redevelopment and infill that strengthens Downtown Scottsdale's mix of uses and activities..." (LU 2.5) that are primarily mutually supportive.

Zoning

The site is zoned Central Business/Parking District Downtown Overlay and Parking District Vehicle Parking Downtown Overlay (C-2/P-3 DO & P-2 DO), which allows for a wide variety of uses, including retail, service and restaurants. Bars are permitted subject to the approval of a Conditional Use Permit.

Context

Located at the northeast corner of North Buckboard Trail and East Indian Plaza, the site is located in an area that is occupied primarily by a variety of hotels, live entertainment, office, personal care, and restaurant uses. Other bars are located in area to the east on the north and south side of East Indian Plaza. Please refer to context graphics attached.

Adjacent Uses and Zoning

- North: Existing office, zoned Highway Commercial District, Parking District, Downtown Overlay (C-3/P-3 DO & P-2 DO)
- South: Existing Personal Care Service, zoning Highway Commercial District, Parking District, Downtown Overlay (C-3/P-3 DO & P-2 DO)
- East: Existing alley, and further east is an existing live entertainment venue, zoning Highway Commercial District, Parking District, Downtown Overlay (C-3/P-3 DO & P-2 DO)
- West: North Buckboard Trail, and further west is an existing hotel, zoned Downtown/Office

Residential – Type 2 Planned Block Development Overlay Downtown Overlay (D/OR-2 PBD DO)

Other Related Policies, References:

46-LL-2016 Request for a Series 6 (Bar) Liquor License

APPLICANTS PROPOSAL

Development Information

Within the next year, the applicant plans to enlarge the existing tenant area (Attachment #3) from approximately 2,170 square feet, to approximately 2,500 square feet (Exhibit A to Attachment 1). The applicant’s floor plan includes a minor expansion to the existing kitchen space to accommodate a higher volume of food sales. Aside from this minor expansion, the floor plan and patio plan will remain the same.

- Existing Use: Restaurant
- Proposed Use: Bar
- Parcel Size: ± 4,241 square feet net lot area
- Floor Area: 2,500 square feet
- Parking Required: 22 spaces
- Parking Provided: 5 spaces on site, 12 P-3 Parking Credits, and 5 In-lieu Parking Credits

IMPACT ANALYSIS

Conditional Use Permit

Conditional Use Permits, which may be revocable, conditional, or valid for a specified time period, may be granted only when expressly permitted after the Planning Commission has made a recommendation and City Council has found as follows:

- A. That the granting of such Conditional Use Permit will not be materially detrimental to the public health, safety or welfare. In reaching this conclusion, the Planning Commission and the City Council’s consideration shall include, but not be limited to, the following factors:
 - 1. Damage or nuisance arising from noise, smoke, odor, dust, vibration or illumination.
 - **This establishment has operated as a restaurant off and on since 2001. Other than a minor expansion to the kitchen, no changes to the existing operational characteristics have been made to the existing area. As part of this application, the applicant is proposing a minor increase of the floor area of approximately four hundred thirty (430) square feet, which is anticipated to be constructed within the next year. There are no anticipated impacts arising from noise, smoke, odor, dust, vibration or illumination from the existing or increased floor area. No live entertainment is proposed within the establishment. In addition, the operator has**

committed to closing the bar at 2:00 a.m. and not operating as an afterhours establishment. The nearest residential use is located at southeast corner of North 73rd Place and East Minnezona Avenue, which is approximately three hundred eight five (385) feet from the residential development to the proposed bar use.

2. Impact on surrounding areas resulting from an unusual volume or character of traffic.
 - The establishment fronts on to North Buckboard Trail, a local commercial street; and, it is approximately one hundred thirty (130) feet from a signalized intersection of North Buckboard Trail and East Camelback Road, which is Minor Arterial street. The proposed use, including the planned four hundred thirty (430) square foot increase in floor area, is not anticipated to generate a significant demand in vehicular traffic that would affect the existing traffic characteristics of these streets.
 - The applicant plans to continue to operate the establishment as a restaurant. Currently the establishment is open with as early as 4:00 a.m. on the weekends. In accordance with the conditions of the Conditional Use Permit, staff has stipulated that the bar operations shall end at 2:00 a.m. In addition, the applicant has agreed to closing the establishment at 2:00 a.m. Therefore, it is anticipated that the decreased hours of operations would reduce any unusual volume and character of traffic in the early hours of the morning. Any operation after 2:00 a.m. would require the approval of a Conditional Use Permit for an Afterhours Establishment.
- B. The characteristics of the proposed conditional use are reasonably compatible with the types of uses permitted in the surrounding areas.
 - The proposed bar use appears reasonably compatible with the surrounding area. This area of the Downtown contains a mix of uses ranging from hotel, office, personal care services to bars, live entertainment and restaurants. Directly north of the subject site is the existing office and restaurant, and to the south on the same side of the North Buckboard Trail frontage are Lotus Spa, Dakota bar, and an office building. On the west side of the North Buckboard Trail frontage is the W Hotel. Also in close proximity to this establishment are Live Wire, a live entertainment venue, and Bottle Blonde, Maya, and HI-FI bars. The closest residential use is located north side East Camelback Boulevard, which is approximately 385 feet to the north.
- C. The additional conditions in Section 1.403, as applicable, have been satisfied.
 1. The use shall not disrupt existing balance of daytime and nighttime uses.
 - There is not an anticipated disruption in the balance of daytime and nighttime uses. It is the applicant's intent to continue operating this establishment as a restaurant that currently opens in the late afternoon, typically between 3 p.m. and 5 p.m. Also, the applicant has informed staff that the restaurant menu will be available until close of business. Staff has incorporated, and the applicant has agreed, to a stipulation to maintain the establishment's entire food menu until 2 a.m.

2. The use shall not disrupt pedestrian-oriented daytime activities.
 - **Daytime pedestrian-oriented activities are not anticipated to be disrupted as a result of approving the request for a Conditional Use Permit for a Bar. It is the applicant's intent to continue operating this establishment as a restaurant during hours of operation by maintaining food service and full menu until the close of business.**
3. If the site is located within the downtown overlay district then:
 - a. The use shall not encourage displacement of daytime retail uses unless it can be demonstrated that the proposed use shall promote diversity of first floor uses along the street.
 - **No daytime retail uses will be displaced as a result of this request.**
 - b. The required parking for the use shall be within six hundred (600) feet of the property and shall not be separated from the property by a major or minor arterial street.
 - **The parking for the proposed bar use is provided with the existing five (5) spaces onsite, twelve (12) P-3 Parking Credits, and five (5) In-lieu Parking Credits. Within six hundred (600) feet of the site, there are 530 public nighttime parking spaces.**
4. If the use is located within five hundred (500) feet of a residential use or district then:
 - a. The use shall not adversely impact residential uses.
 - **The nearest residential use is located at southeast corner of North 73rd Place and East Minnezona Avenue, which is approximately three hundred eight five (385) feet from the residential development to the proposed bar use. The applicant's intent is to continue operating this establishment as a restaurant, which is not anticipated to adversely affect the nearby residential uses.**
 - b. The use shall provide methods of buffering residential uses.
 - **Operation of the proposed bar is within the existing building, with the exception of a small three hundred forty two (342) square foot patio adjacent to the North Buckboard Trail. This patio is separated by other buildings and future development on the north side of East Camelback Road, which are anticipated to provide sufficient buffering from the residential uses across Camelback Road.**
5. An active management and security plan shall be created, approved, implemented, maintained, and enforced for the business.
 - **A Public Safety Plan has been reviewed and approved by the Scottsdale Police Department and is on file with the Current Planning Division. Conditions of the plan will be implemented and enforced by the City's Code Enforcement Division and the Scottsdale Police Department.**

6. The applicant shall provide, with the application for a conditional use permit, a written exterior refuse control plan which must be approved by the planning and development department staff as complying with the written guidelines of the department.
 - **A Public Safety Plan has been reviewed and approved by the Scottsdale Police Department and is on file with the Current Planning Division. Conditions of the plan will be implemented and enforced by the City's Code Enforcement Division and the Scottsdale Police Department.**
7. The applicant shall demonstrate how noise and light generated by the use shall be mitigated.
 - **All external lighting is existing and is compatible with the lighting in the area. No outdoor speakers or live entertainment are proposed at this establishment.**
8. The applicant shall demonstrate that the use shall meet required parking and shall not exceed capacity for traffic in the area.
 - **The parking for the proposed bar use with the existing floor plan configuration (Attachment #3) will be provided by the existing five (5) spaces onsite, twelve (12) P-3 Parking Credits, and two (2) in-lieu parking spaces. The parking for the ultimate floor plan configuration of the proposed bar (Exhibit A to Attachment 1) will be provided by the existing five (5) spaces onsite, twelve (12) P-3 Parking Credits, and five (5) In-lieu Parking Credits. Within six hundred (600) feet of the site, there are 530 public nighttime parking spaces. The proposed bar use is not anticipated to adversely affect parking and shall not exceed capacity for traffic in the area.**
9. After hours establishments must maintain a valid after hours establishment license.
 - **No after-hours activities are proposed as part of this application. The applicant has committed to ending all operations at 2 a.m.**

Public Safety

The nearest fire station is located at 7522 East Indian School Road, approximately 2,600 feet southeast of the propose use. The nearest police station is located 3700 N. 75th Street, approximately 4,000 feet south of the propose use. A Public Safety Plan, including the refuse control plan, has been reviewed and approved by the Scottsdale Police Department and is on file with the Current Planning Division. No significant impacts to existing service levels are anticipated.

Liquor License Review

The establishment is currently operating under a Series 12 (restaurant) liquor license approved in 2010 under case 115-LL-2010. The City Council recommended approval of a Series 6 (bar) liquor license to the Arizona State Liquor Board on August 30, 2016, case 46-LL-2016.

Community Involvement

Property owners within 750 feet of the establishment have been notified and the site has been posted with the required signage. The applicant held an open house meeting on July 19, 2016. As of the date of this report, Staff has not received correspondence from an adjacent property owners or

the community regarding this application.

OPTIONS & STAFF RECOMMENDATION

Recommended Approach:

Staff recommends that the Planning Commission find that the Conditional Use Permit criteria have been met, and make a recommendation to City Council for approval of a Conditional Use Permit for a Bar on a ± 4241-square footage site located at 4441 North Buckboard Trail, per the attached stipulations.

RESPONSIBLE DEPARTMENT

Planning and Development Services

Current Planning Services

STAFF CONTACT

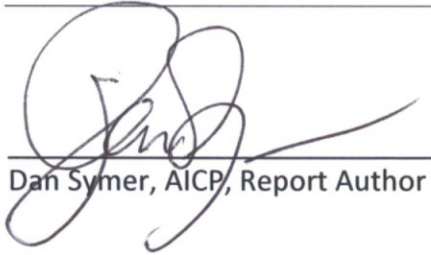
Dan Symer, AICP

Senior Planner

480-312-4218

E-mail: dsymer@ScottsdaleAZ.gov

APPROVED BY



Dan Symer, AICP, Report Author

8-21-2016

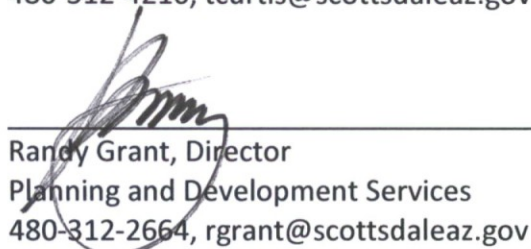
Date



Tim Curtis, AICP, Current Planning Director
480-312-4210, tcurtis@scottsdaleaz.gov

8/29/2016

Date



Randy Grant, Director
Planning and Development Services
480-312-2664, rgrant@scottsdaleaz.gov

8/31/16

Date

ATTACHMENTS

1. Stipulations
Exhibit A to Attachment 1: Floor Plan
2. Applicant's Narrative
3. Existing Floor Plan
4. Context Aerial
- 4A. Aerial Close-Up
5. Zoning Map
6. Public Safety Plan
7. Citizen Involvement
8. City Notification Map

Conditional Use Permit – Bar

Stipulations

Oasis Cafe

Case Number: 7-UP-2016

These stipulations are in order to protect the public health, safety, welfare, and the City of Scottsdale.

OPERATIONS

1. **CONFORMANCE TO THE CONCEPTUAL FLOOR PLAN.** The interior layout of the premises shall be in substantial conformance with the conceptual floor plan with the city staff date of 08/01/2016, attached as Exhibit A to Attachment 1. Any proposed significant change to the conceptual floor plan as determined by the Zoning Administrator, shall be subject to additional action and public hearings before the Planning Commission and City Council.
2. **NO LIVE ENTERTAINMENT.** This Conditional Use Permit is for a bar use only, and no live entertainment is approved as part of this request.
3. **NO AFTERHOURS.** This Conditional Use Permit is for a bar use only, and no live entertainment is approved as part of this request.
4. **HOURS OF BAR AND RESTURANT OPERATIONS.** The hours of the bar operations, including restaurant food service operations without an Conditional Use Permit for Afterhours, for this establishment shall be limited to:

	Open to Customers	Close to Customers
Sunday	4:00 p.m.	2:00 a.m.
Monday	4:00 p.m.	2:00 a.m.
Tuesday	4:00 p.m.	2:00 a.m.
Wednesday	4:00 p.m.	2:00 a.m.
Thursday	4:00 p.m.	2:00 a.m.
Friday	4:00 p.m.	2:00 a.m.
Saturday	4:00 p.m.	2:00 a.m.

5. **PUBLIC SAFTEY PLAN.** The operations of the bar shall conform to the Public Safety Plan approved by, and on record with the City of Scottsdale's Police Department and the Planning, Neighborhoods, and Transportation Division. A copy of the approved Security, Maintenance, and Operations shall be maintained on site. Within 10 days after a request by the City Manager or designee, the owner shall provide an update of the Public Safety Plan to the Scottsdale Police Department and the Planning and Development Services Division. At least ten (10) days before any operational change of the bar, or any promotional event (excluding Special Events), that modifies the requirements or contents of the Public Safety Plan, the owner shall submit a revised Public Safety Plan to the Scottsdale Police Department and the Planning and Development Services Division. Any revised Security, Maintenance, and Operations Plan shall be subject to approval by the City of Scottsdale's Police Department and the Planning and Development Services Division.

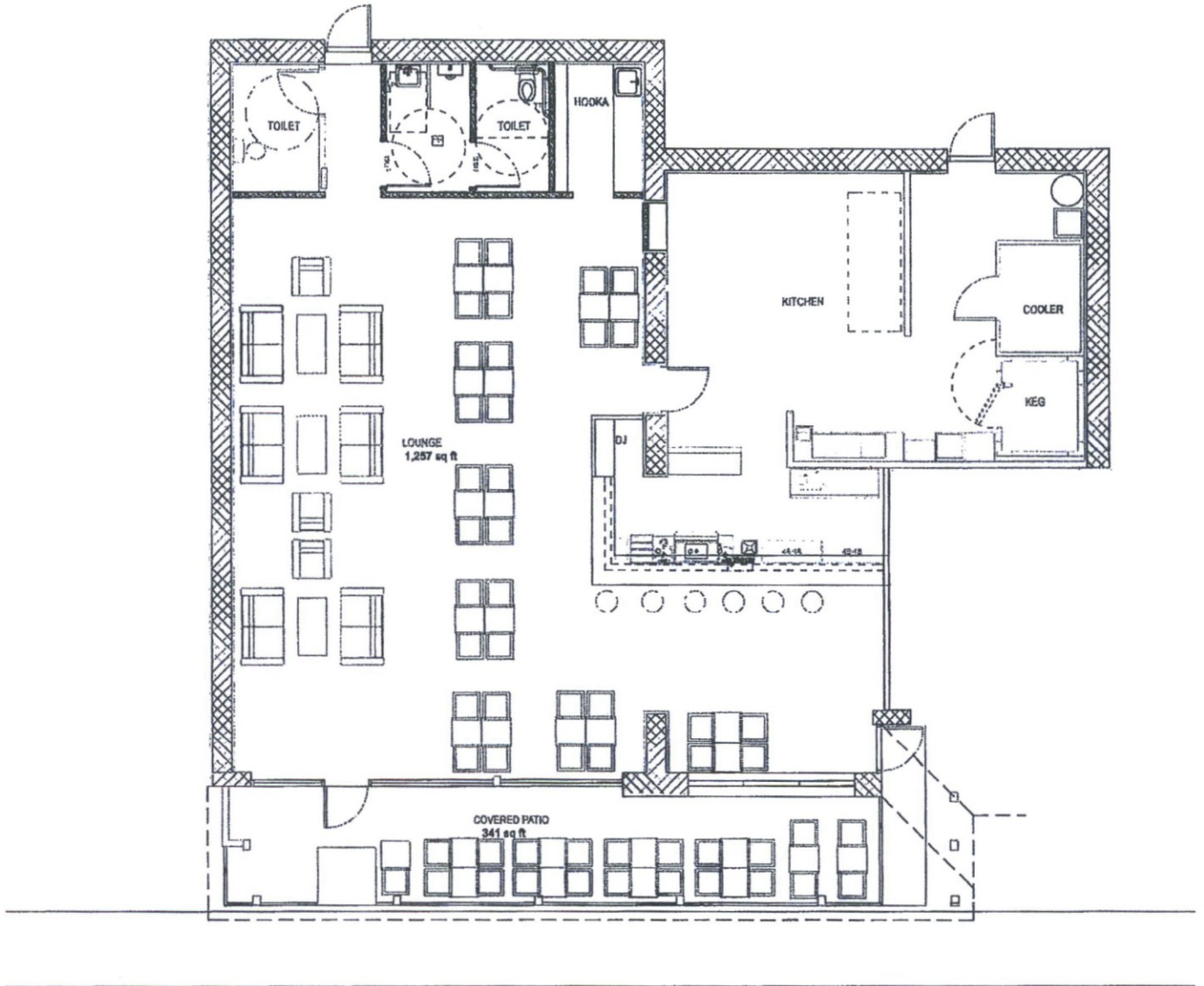
6. NOISE. In addition to the City's Noise Ordinance (Ordinance No. 3192, Article II, Chapter 19 of the Scottsdale Revised Code), noise generated from this use, including any speakers or other amplification equipment, shall not exceed ambient noise levels consistent to the use and the character of the area during hours of operation, as determined by the Zoning Administrator, or designee. Amplified music shall be limited to the times that State law allows liquor sales at this bar.
7. EXTERNAL DOORS. All external doors shall be closed but not locked during business hours.
8. FOOD SERVICE. The establishment's entire food menu shall be available until 2 a.m.

PARKING

9. MINIMUM PARKING. The site shall be required to provide parking, as required by the Zoning Ordinance, through on-site parking, off-site parking, in-lieu parking spaces, or any combination thereof, at all times. Failure to provide required parking for the use, to the satisfaction of the Zoning Administrator, or designee, may be grounds for revocation of the Conditional Use Permit.
10. PARKING ASSURANCE AGREEMENT(S). If the owner or operator chooses to utilize off-site parking to satisfy the parking requirement for the use, the owner or operator shall enter into a parking assurance agreement in a form satisfactory to the city. Thirty (30) days before the expiration of any assurance agreement, the owner or operator shall submit a new assurance agreement to the Zoning Administrator, or designee, subject to city review and approval. Inability of the owner or operator to obtain the required parking under an assurance agreement, to the satisfaction of the Zoning Administrator, or designee, may be grounds for revocation of the Conditional Use Permit.

ADMINISTRATIVE/PROCESS

11. CONDITIONAL USE PERMIT ADMINISTRATIVE REVIEW. Within ten (10) days after a request by the Zoning Administrator or designee, the owner shall submit a letter to the Zoning Administrator or designee demonstrating compliance with all stipulations. A deviation from any stipulations or change in the floor plan may be grounds for revocation of the Conditional Use Permit.
12. CHANGES IN OWNERSHIP. Within ten (10) days after a change in ownership, the owner shall provide notice to the Zoning Administrator in writing of any such ownership change.



7-UP-2016
8/1/16

Exhibit A to
Attachment 1

PROJECT NARRATIVE

Conditional Use Permit for a Bar

For its Project Narrative, in accordance with the requirements of the City of Scottsdale's Conditional Use Permit for a Bar, Oasis Cafe, LLC dba Oasis states as follows:

Oasis is requesting approval of a Conditional Use Permit for a Bar to allow a series 6 Bar liquor license on the premises and alcoholic beverage and food consumption on the outdoor fence patio located at 4441 North Buckboard Trail, Scottsdale, AZ 85251. The existing location is currently licensed under a series 12 restaurant liquor license with alcohol and food consumption inside and on the fenced patio of the establishment. The restaurant liquor license shall be surrendered upon approval of the required Conditional Use Permit for a Bar and approval of a series 6 bar license for this location by the City of Scottsdale and the Arizona Department of Liquor License and Control.

Oasis will continue to sell food at the establishment with the series 6 bar license and will continue to serve spirituous alcohol as previously approved by the City of Scottsdale. Therefore, the applicant is requesting approval of a Conditional Use Permit for a Bar allowing a series 6 liquor bar license for on-site consumption of alcoholic beverages as well food inside the establishment and within the fenced outdoor patio, which meets the requirement of Arizona Department of Liquor License and Control as well as the City of Scottsdale (previously approved for the restaurant liquor license).

The consumption of alcoholic beverages at this site will not negatively impact residents or other businesses within the surrounding area, as most adjacent business close by 5:00 p.m. The building interior modifications in 2010 to allow restaurant operations with on-site consumption of alcoholic beverages and opened to the public in July 2010. As previously stated Oasis will continue to offer restaurant services dinner operating days a week from 4:00 p.m to 2:00 am.

Oasis has a large existing clientele due to the quality of the food. The consumption of alcoholic beverages will continue to complement the food service provided by the establishment. A copy of the existing menu is attached. A small outdoor patio on the west side of the business will be used for food and alcohol consumption. The patio is contiguous with the restaurant and is enclosed with iron fencing. The existing landscaping produces a safe, inviting and appealing dining area and was previously approved by the City of Scottsdale when the Restaurant liquor license was obtained.

Oasis will be closed every day by 2:00 am. Therefore; the issuance of a Conditional Use Permit for a Bar will not disrupt the existing balance of daytime and nighttime uses.

Conditional Use Permit Criteria for a Bar:

A. That the granting of such conditional use permit will not be materially detrimental to the public health, safety or welfare. In reaching this conclusion, the Planning Commission and the City Council's consideration shall include, but not be limited to, the following factors:

1. Damage or nuisance arising from noise, smoke, odor, dust, vibration or illumination.

Response:

(OASIS will have no impact on the surrounding area regarding the above. The existing and proposed use does not generate smoke, odors, or dust. Light from OASIS will not be visible on the north or east due to the existing full height masonry wall. The existing wall will also act as a buffer for noise. Noise and light from the west, and the south side will be controlled through the use of controlled volume levels, the masonry wall, and tinted paned windows.)

2. Impact on surrounding areas resulting from an unusual volume or character of traffic.

Response:

(OASIS is primarily an evening and late night establishment that typically opens in late afternoons and early evenings, which has since it opened in 2010. To date, the existing operation have not had impact on surrounding area resulting from an unusual volume or character of traffic. The addition of the Conditional Use Permit for a Bar is not anticipated to cause an effect on the the surrounding area resulting from any unusual

ATTACHMENT #2

volume or character of traffic.)

- B. The characteristics of the proposed conditional use are reasonably compatible with the types of uses permitted in the surrounding areas.

Response:

(The proposed Conditional Use Permit for a Bar is compatible with the other high-end bars, hotels, offices, restaurants and businesses in the area. Appropriately, this site was formerly a licensed restaurant located in Entertainment District and is zoned, appropriately.)

- C. Bars, cocktail lounges, and/or after hours establishments.

1. The use shall not disrupt existing balance of daytime and nighttime uses.

Response:

(OASIS will occupy the currently occupied premise at 4441 N. Buckboard Trail. No new construction will occur resulting in an immediate seamless blending of OASIS into surrounding business environment. The operating hours and nature of business of OASIS will integrate with, not disrupt, the existing balance of daytime and nighttime uses in the area.)

2. The use shall not disrupt pedestrian-oriented daytime activities.

Response:

(Oasis will operate in the evenings and late night, after 8-5/9-6 daytime hours of surrounding daytime businesses, as well as on the weekends, ensuring minimal or no effect on existing weekday, daytime operations of adjacent businesses.)

3. If the site is located within the Downtown Overlay District D-O then:

- a. The use shall not encourage displacement of daytime retail uses unless it can be demonstrated that the proposed use shall promote diversity of first floor uses along the street.

Response:

(Oasis has existed in its current location in evening and late night business since it opened in 2010. The addition of the Conditional Use Permit for a Bar will not displace any daytime retail uses.)

- b. The required parking for the use shall be within six hundred (600) feet of the property and shall not be separated from the property by a major or minor arterial street.

Response:

(OASIS parking is provided on site in the rear of the building. In addition, the property owner is requesting to participate in the in-lieu parking program to meet the additional parking required for the Conditional Use Permit for a Bar.)

4. If the use is located within five hundred (500) feet of a residential use or district then:

- a. The use shall not adversely impact residential uses.

Response:

(OASIS has existed as a restaurant at the current location since 2010, and has not had any known effect on the residential uses within from 500 feet of the establishment. Other than obtaining a Conditional Use Permit for a Bar, no modification to the business operation are anticipated. Therefore, the addition of a Conditional Use Permit for a Bar at this location is not anticipated to an adverse effect on the residential uses within 500 feet of the business.)

- b. The use shall provide methods of buffering residential uses.

Response:

(The nearest residential use is approximately 370 feet to the North, on the North side of East Camelback Road, and fronting on to East Minnesota Avenue. Pure distance and East Camelback Road provide a significant buffer. In addition, the North or East sides of the building are full height masonry walls. The existing wall will be assisting in buffer for noise. Noise and light from the West, and the South side will be controlled through the use of controlled volume levels, the masonry wall, and tinted paned windows.)

5. An active management and security plan shall be created, approved, implemented, maintained, and enforced for the business.

Response:

(The Oasis owner has obtained approval of a Public Safety Plan from the City's Police Department, which is maintained on file with the City and a copy is maintained on the business premises.)

6. The property owner shall create a written exterior refuse control plan for approval by the City.

Response:

(The refuse control plan is part of the Public Safety Plan created by the owner of the business has been approved by the City's Police Department. The plan will be implemented and enforced by management. A refuse enclosure is onsite and located on the property behind the building in the alley. OASIS will utilize its plan to control exterior refuse.)

7. The applicant shall demonstrate how noise and light generated by the use shall be mitigated.

Response:

(Light from OASIS will not be visible on the north or east due to the existing full height masonry wall. The existing wall will also act as a buffer for noise. Noise and light from the west and south side will be controlled through the use of controlled volume levels, the masonry wall, and tinted paned windows.)

8. The use shall conform to the parking requirements of Article IX and shall not exceed capacity for traffic in the area.

Response:

(OASIS will require approximately twenty-three (23) parking spaces. The parking spaces will be located at 4441 N. Buckboard Trail with (13 spaces to be provided by the City of Scottsdale via In-Lieu Parking agreement if approved by the City Council). OASIS is evening use that is small sized and does not generate a significant nighttime traffic in excess of what already exists in the Entertainment District.)

9. After hours establishments must maintain a valid after hours establishment license.

Response:

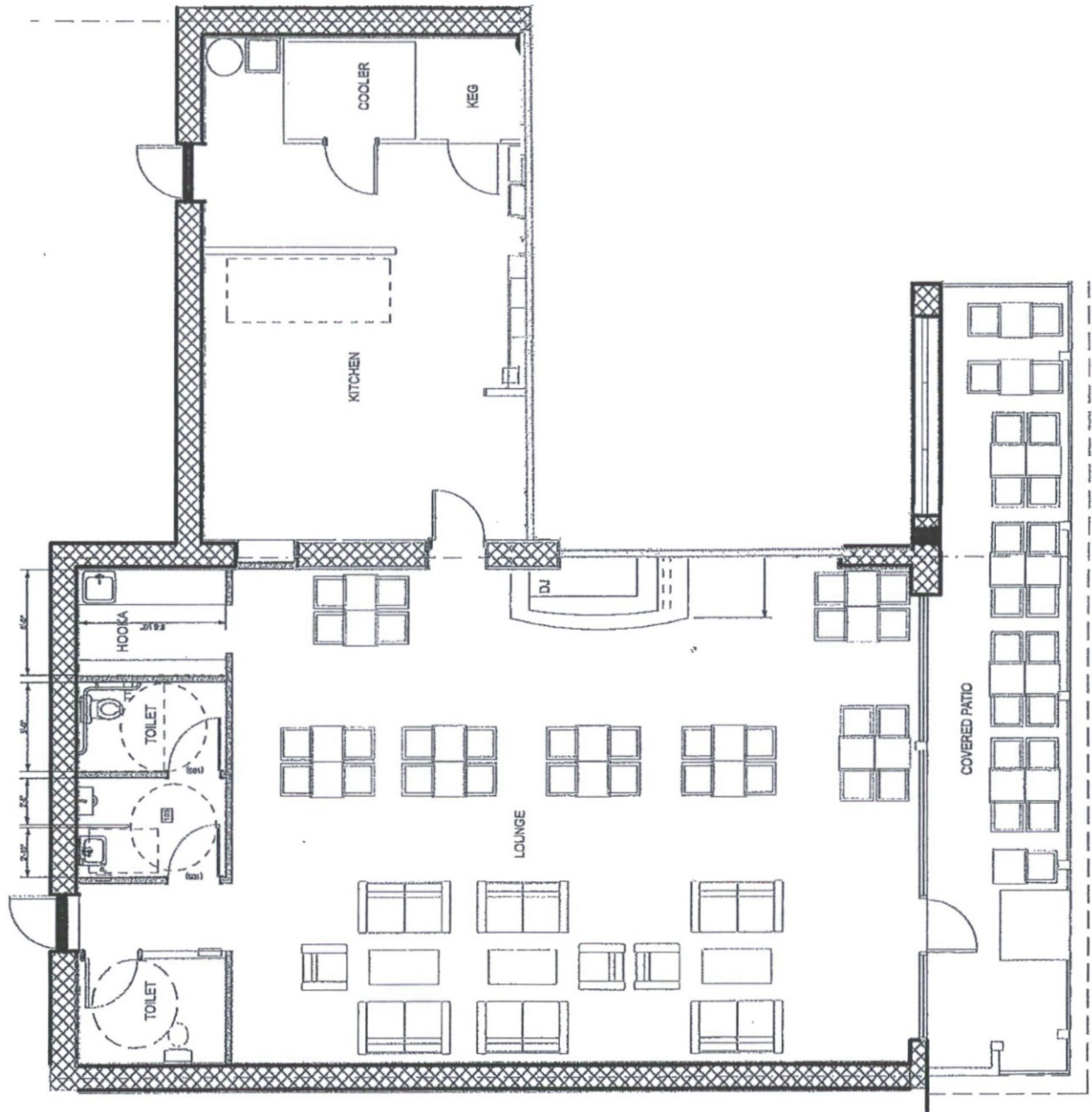
(OASIS will close at 2 am daily therefore; a conditional permit will be no be acquired.)

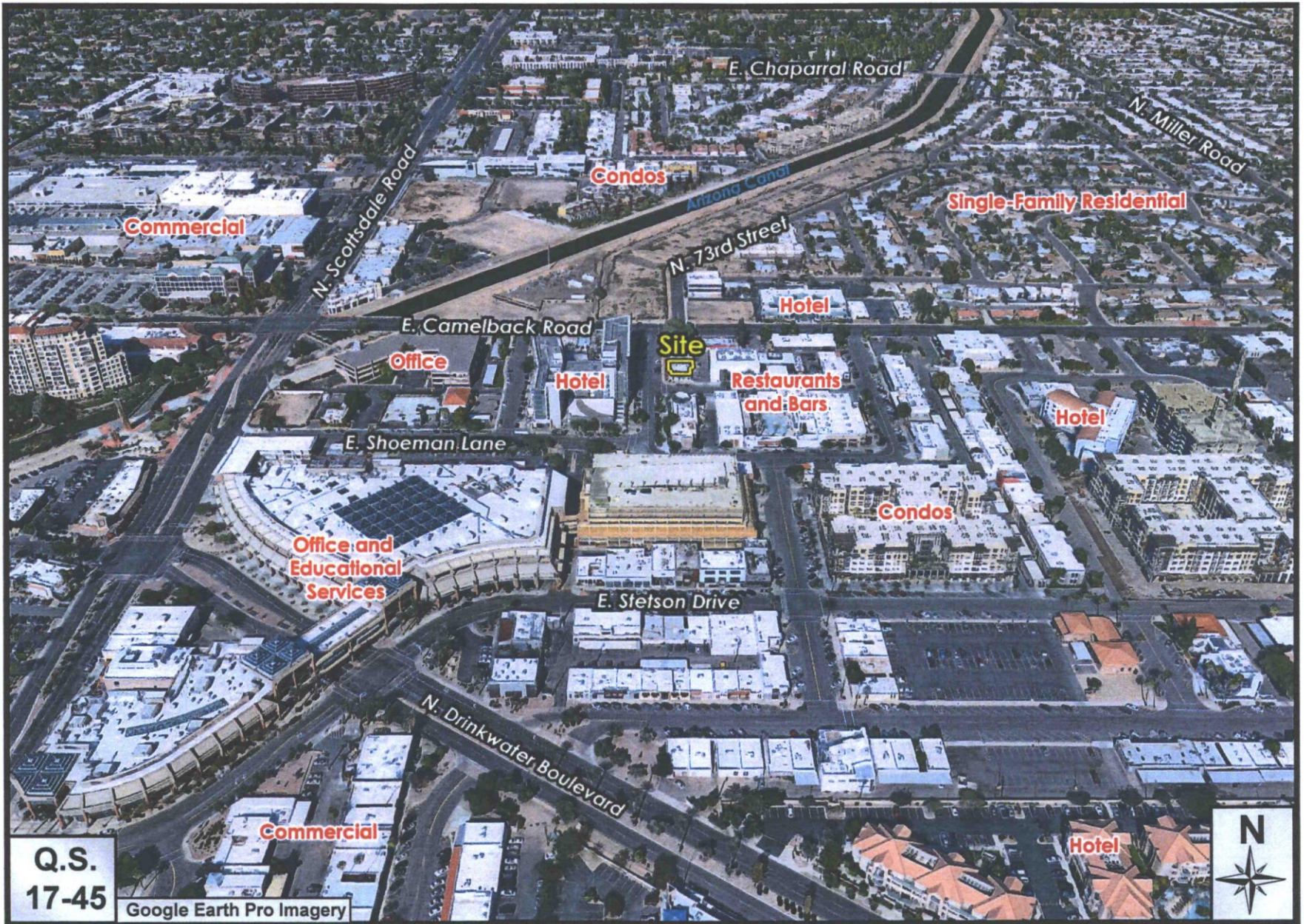
Respectfully,

A handwritten signature in black ink, appearing to read "Anwar Nakib", enclosed within a hand-drawn oval shape.

Anwar Nakib/owner 480-369-

0769





Q.S.
17-45

Google Earth Pro Imagery

ATTACHMENT #4

Oasis Cafe

7-UP-2016 & 2-IP-2016

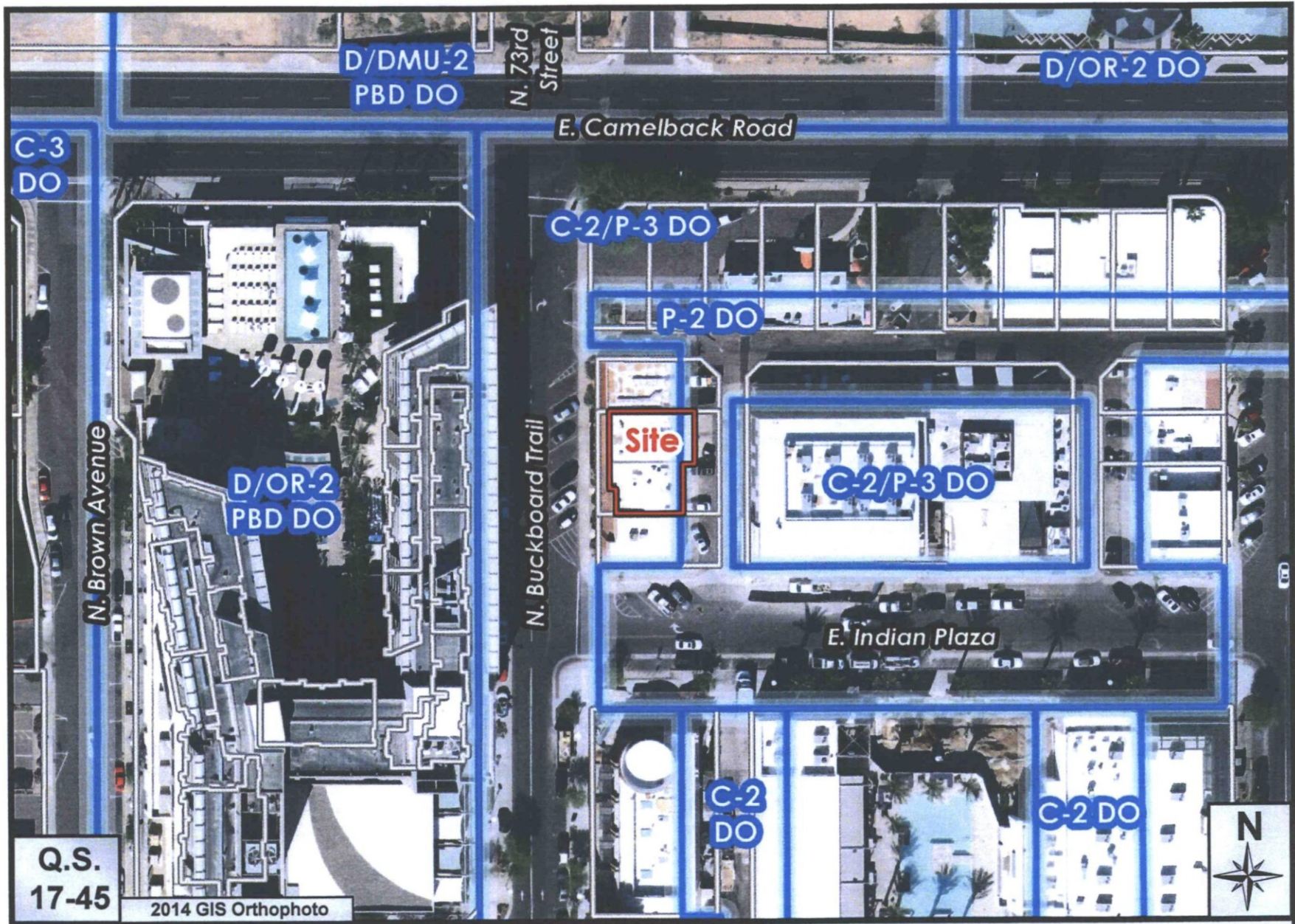


Q.S.
17-45

Google Earth Pro Imagery

Oasis Cafe

7-UP-2016 & 2-IP-2016



Q.S.
17-45

Oasis Cafe

7-UP-2016 & 2-IP-2016

SPD File# 400958
Returned for Corrections: _____
Expiration Date: 03-06-2018
CoS TPT 1056685



Date Submitted: 07-28-2016
Date of Approval: 7-28-16
Liquor License #: 06070172
CoS Spirituous Liquor 1062036

City of Scottsdale Public Safety Plan Application

1. Objective:

The purpose of this ordinance is to promote the general health, safety and welfare of citizens, visitors, businesses and the community in general by requiring businesses that engage in certain activities within the city to file, follow and keep current a public safety plan.

2. Identification:

- A. **Scottsdale Address:** 4441 North Buckboard Trail, Scottsdale, AZ 85251
- B. **SFD Building Occupancy Limit:** Total of 94 (82 inside with 12 outside)
- C. **Occupancy Type (circle one):** (bar, tavern, night club, restaurant), **A-3** (dance hall), or **A-4** (skating rink, WestWorld)
- D. **Staffing Ratios:**
 1:50+1:75 (500+Patrons) **1:75** (60% Food Sales) **1:100** (90% Fixed Seating)
b. You must include supporting documentation for ratios of 1:75 and 1:100.
- E. **Company Entity** (Corporation, LLC, Partnership, etc): Oasis Cafe, LLC
- F. **DBA (doing business as):** Oasis Cafe and Hookah Lounge
- G. **Company Members: (please use addendum, if necessary):** Anwar Nakib

H. Contact Information:

- a. Mobile Phone: 480-369-0769
- b. Business Phone: 480-751-5362
- c. Email: ILOVEOASISCAFE@icloud.com
- d. In Case of Emergency: SAA

3. APPLICABILITY: This application for a Public Safety Plan is submitted because my business engages in the following activity(ies) (MARK ONE OR MORE ACTIVITIES IN WHICH YOU ENGAGE):

- Age Verification is Requested for Admittance.
- Provide a Disc Jockey
- Provide an Adult Service as Defined in Section SRC 16-237
 - Teen Dances, Consistent with Section SRC 16-391, are conducted.
 - A Promoter is Utilized.

4. PLAN OF OPERATION:

- a. The plan of operation includes a crowd management plan, hours of operation, and identification of peak hours (presumption: 9PM-2AM, Thursday-Saturday):

Hours of Operation:

Monday: 5PM -2AM

Tuesday: 5PM -2AM

Wednesday: 5PM -2AM

Thursday: 5PM -2AM

Friday: 5PM -2AM

Saturday: 5PM -2AM

Sunday: 5PM -2AM

Initials of Applicant _____

BH 4561

* I HAVE RECEIVED A COPY OF MY PSP.

PD21 ATTACHMENT #6

7-UP-2016
8/1/16

Peak Hours:

Monday: _____
Tuesday: _____
Wednesday: _____
Thursday: _____
Friday: _____ 12AM - 4AM 2am
Saturday: _____ 12AM - 4AM 2am
Sunday: _____


5. NARRATIVE:

a. YOU MUST ATTACH A NARRATIVE OF YOUR PLAN OF OPERATION TO THIS APPLICATION WHICH INCLUDES THE FOLLOWING ELEMENTS:

- i. Diagram of Building Including Interior Build-Outs; 8.5"x11" (see example)
- ii. Diagram of Parcel or Lot; 8.5"x11" (see example)
- iii. Scottsdale Fire Department Approved Occupancy Limit
- iv. Safety Conditions and Considerations
- v. Crowd Management Plan
- vi. Patron Parking, Ingress, Egress, Vehicular and Pedestrian Traffic Control
- vii. Log of All Employees Including: Full Legal Name, Date of Birth, Current Address, Job Title, and Contact Phone Number (see SRC 23-57 for special requirements and ratio of security officers to patrons) (Similar to the Title 4 Requirements)
- viii. Contact Person and Information Designating Who Is Authorized to Receive and Handle Complaints from the Public or City of Scottsdale on Behalf of the Business
- ix. Evacuation Routes
- x. Evidence of Security Uniform With the Word "Security" on Both Front and Back and In Letters At Least 3-Inches in Height(see SRC 23-57.F)
- xi. Statement Regarding the Number of Security Staff Available During Peak Times and the Ratio of Security Staff to Patrons
- xii. Statement Regarding Use, if Applicable (i.e. 60% food sales, 90% fixed seating)

6. All final documents, including the narrative required by Section 5, submitted in support of this public safety plan application are incorporated into the approved public safety plan as conditions and requirements by this reference.
7. The provisions of Scottsdale Revised Code Sections 23-50 through 23-76 are incorporated into this public safety plan as conditions and requirements by this reference. Failure to comply with these code sections shall be considered a violation of this public safety plan.

As part of this application, I have read and understand the City of Scottsdale Public Safety Plan Ordinance. On behalf of Oasis Cafe, I agree that Oasis Cafe, and its employees will comply with the Public Safety Plan Ordinance and its City approved public safety plan. I also certify that all the information submitted as part of this application is true and correct to the best of my knowledge.

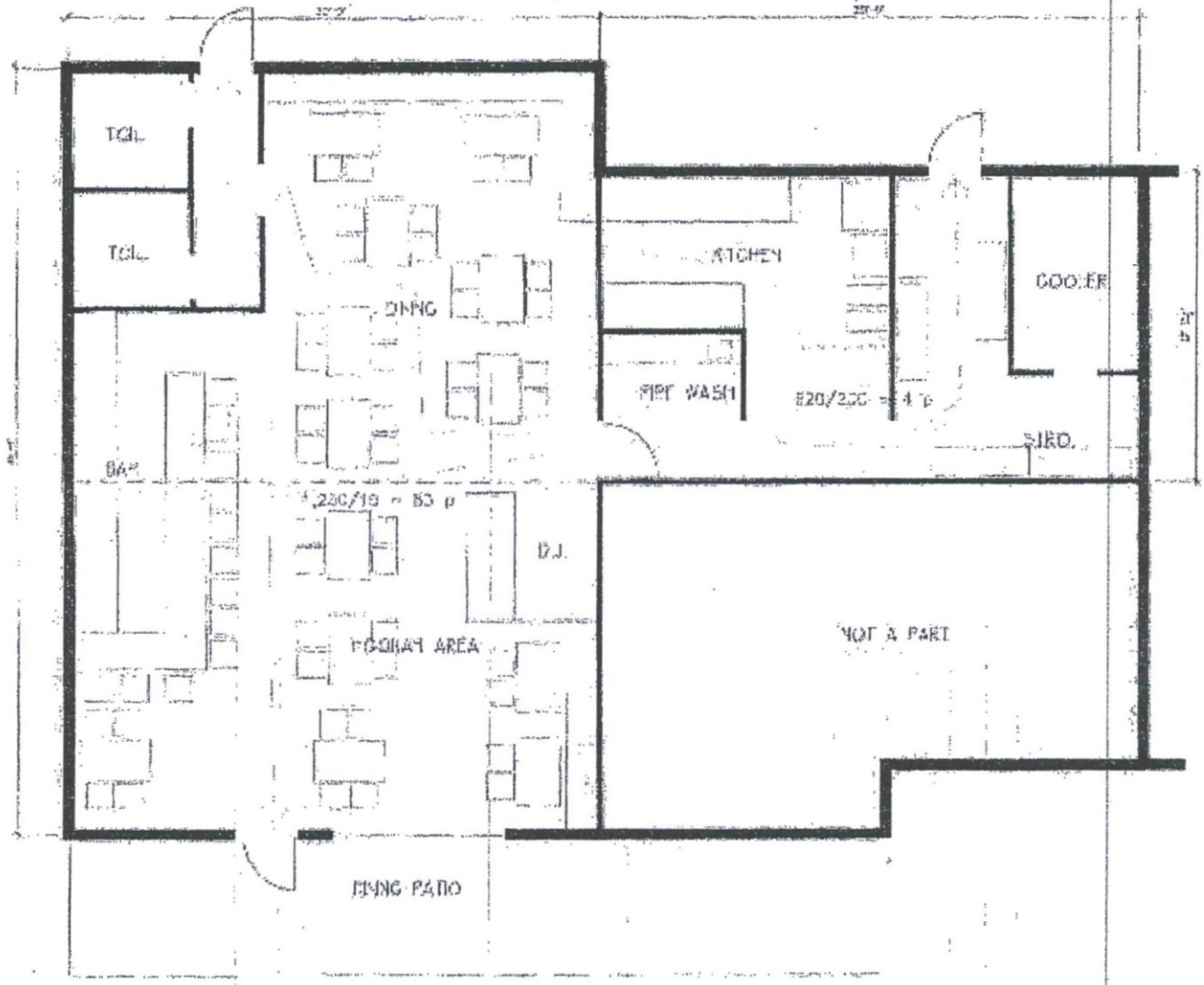

Signature of Applicant

7-28-16
Date Signed

Please email the completed application to: PSP@ScottsdaleAZ.gov

Initials of Applicant 

A



OASIS CAFE AND HOOKAH LOUNGE
 4441 N BUCKBOARD TRAIL



2



CITY OF SCOTTSDALE
OFFICIAL OCCUPANT LOAD

INSIDE	82
OUTSIDE	12

HOOKAH ROKS
4441 N. BUCKBOARD
7-14-10

MICHAEL L. CLACK, BUILDING OFFICIAL

JIM FORD, FIRE MARSHAL



Welcome to the **Oasis Café and Hookah Lounge Team!** **Oasis Café and Hookah Lounge** prides itself on our amazing staff and outstanding customer service. The following manual will help you understand your job duties as a security team member and how to properly perform them.

Job Duties Overview

The primary job duties as a security personnel employee of the **Oasis Café and Hookah Lounge** are as follows:

- Check the legal age of, patrons
- Provide a safe environment by enforcing house rules and state laws.
- Perform fundamental safety tasks.
- Provide security for both staff and patrons.
- Monitor individuals based on occupancy, intoxication, and aggressive behavior.
- Reduce liability by anticipating problematic patron behavior.

Floor Chart: There are three main floor positions for Security team members. Positions will be posted each shift. Your floor position for each shift will often change, so it is imperative you take the time to understand each of the positions and the duties associated with each of them.

Learning the table numbers and names is also extremely important, when the front door calls for a table to be cleared, clean and clear the table being as polite as possible to guests.

Front Door: Enforcing dress code, checking IDs, allowing guests in and out, managing line, making sure no drinks or glassware leave the premise, managing persons count.
Note: there is always at least one person at each door no matter what is going on.

Interior Bar and Patio: Supporting the door, making sure no one enters through patio other than as cleared by security at the door, making sure no drinks or glassware leaves the premise, helping gather glassware on patio, making sure no one jumps the patio fence, watching patrons in your section, cleaning up any spills or broken glassware.

Interior Bar and DJ Booth: Watching back door (emergency exit) to ensure no one exits or enters through it, monitoring patrons in your section, collecting glassware in the vicinity, cleaning up any spills or broken glassware, clearing tables.

Front Door: The Front Door position is critical to the proper flow and smooth workings of the entire establishment, There are several key points to making sure the front door is working efficiently and properly.

Age Verification: It is one of the most important roles of door personnel to check and verify the legal age of patrons entering the establishment. Precautions should be taken at the door to cover liability issues. The four steps in checking ID are First, ask for ID. Second, insure the ID is valid (one of the five acceptable forms) and unaltered. Third, compare the presenter with the photograph. Lastly, make sure the ID indicates the patron is 21 or older. The **Oasis Café and Hookah Lounge** Policy is to log all persons under the age of 25-years old. Arizona law states that if you allow an underage person inside WITHOUT LOGGING THEIR ID IT IS PRESUMED YOU KNEW THEY WERE UNDERAGE.

Wrist Bands: If wristbands are utilized to identify persons who are old enough to consume/possess alcoholic beverages, wristbands will be securely placed on patrons' wrists and checked for tightness.

Occupancy Count: It is imperative that the door personnel know the maximum occupancy of the establishment to comply with Fire Marshal regulations. Clickers are used at the entrance and exit points in order to keep track of occupancy and to assure that maximum occupancy is not exceeded. If the Fire Marshal does come by to check local fire regulations, be sure to contact the manager on duty and inform them. The maximum occupancy at The **Oasis Café and Hookah Lounge** is 82 patrons inside, and 12 patrons outside for a total occupancy of 94 persons.

Line: During busy nights, a line is a common occurrence as patrons try to enter the



establishment as the occupancy approaches peak numbers. It is important to remember to start a line before maximum occupancy is reached. This allows you some room to work with without exceeding the maximum occupancy. Things to pay attention to while forming a line are large parties on the guest list, and regulars. Allowing yourself room to work with assures you that when VIP patrons or regulars arrive you can quickly grant them access without exceeding maximum occupancy. Attention to the flow of the establishment is also important. Allowing enough room for people to move and enjoy themselves without being too cramped is in for the enjoyment of our customers.

Dress Code: The purpose of our dress code is to keep and promote the proper atmosphere, which is greatly influenced by the crowd. This is why proper attire is required at all times. Follow the dress code required by **Oasis Café and Hookah Lounge**. Most of all, use common sense when making decisions. If the attire does not fit the atmosphere of the establishment be polite and explain why entry is being denied. If a customer is respectfully asking for the manager on duty, go ahead and find the manager and explain the situation. If the manager decides that the patron is ok, an exception to the dress code may be made.

Patrons Behavior: If a patron trying to gain entry into an establishment seems overly intoxicated or aggressive, politely refuse him entry. It is illegal to grant entry to a person who is obviously intoxicated. By refusing entry at the door you can prevent issues inside.

Interior (front)/Patio: While working inside and on the patio as a security team member it is important to be diligent and attentive to your surroundings. The safety and satisfaction of our customers is our top priority. The following key points will help guide you in the right direction to offer the best experience for our guests.

Patrons: One of the main job duties of security is to maintain a fun and safe atmosphere for our guests, staff, and musicians. You will have to deal with rude or unruly guests. The **Oasis Café and Hookah Lounge**'s policy when dealing with an unruly patron is non-confrontational. Communication is critical: instead of being aggressive when dealing with unruly guests, be polite and explain the issue and what needs to be done to correct it. This could be as simple as telling the patron they cannot stand on the tables, or explaining to them why they must leave the premises. Be on the lookout for guests who are too intoxicated, bumping into other patrons, or engaging in any activity that disrupts the atmosphere of the establishment. If you escort a patron out ask if they need a cab or help them provide safe transportation.

Obvious Intoxication: Arizona Revised Statutes 4:244.14 states that "obviously intoxicated" means inebriated to the extent that a person's physical faculties are substantially impaired and the impairment is shown by significantly uncoordinated physical action or significant physical dysfunction that would have been obvious to a reasonable person. Obviously intoxicated patrons must be removed from the licensed establishment within 30-minutes of when the licensee or employee of the licensee knew or should have known the patron was obviously intoxicated.

Fights: When a physical altercation does happen, it is your job as security to be as professional and effective in escorting the parties off the premises. This also goes for patrons that are overly intoxicated. Security shall not use excessive physical force; doing so will lead to disciplinary action. Please read and sign the Security Personnel Policy and Liability Consent Form located in this document. Make sure if you do escort a patron out for the night that the door personnel are aware of the status of that patron. If a patron is involved in a fight, they are out no questions. All fights must be reported to the manager on duty and an incident report shall be filled out. When filling out the incident report be thorough and detailed in your explanation of the account. Remember, patrons who are disorderly must be removed immediately from the serving area.

Safe Ride Home: If a patron is perceived to be obviously intoxicated, they will be offered a taxi, limo, or other means of safe transportation so that they will be



dissuaded from driving. If they choose to drive contrary to security staff's advice, SPD will be contacted. Additionally, an incident report documenting the offer must be produced and provided to a manager for each patron offered a safe ride home.

911: In case of a fire or other emergency, patrons will be evacuated through all emergency exits away from the threat-- If you do not have personal knowledge that emergency services have been contacted, you must call 911 immediately.

House Rules and Laws: **Oasis Café and Hookah Lounge** has its own set of house rules to be enforced by security as well as making sure local laws are being followed. Make sure you know and understand these rules. Understanding the liquor laws are also highly important, it is highly encouraged that you as security team member attend a liquor classes in order to better understand follow and assure these regulations are being followed.

Basic Rules are as follows:

1. No standing on the furniture,
2. Customers may only smoke outside.
3. Customers may not pour their own bottles, bottle locks must be used
4. No drinks or glassware outside the establishment (patio ok).
5. Fighting, aggressive behavior, over intoxication, and illegal substances are not tolerated.
6. Taking pictures of the staff so that they may feel uncomfortable is not tolerated.
7. Grabbing or inappropriate touching of staff is not tolerated.

Cooperation With Scottsdale Fire Department: The Scottsdale Fire Department makes sure that The **Oasis Café and Hookah Lounge** is adhering to fire codes and occupancy restrictions. If the Fire Marshal contacts you while at work be sure to notify the manager on duty immediately. The front door count is very important, it is important that the door count is accurate and that the maximum occupancy of 375 patrons is not exceeded. Make sure all exits are clear from obstructions, including the back exit. Make sure there are no spills or broken glass left unattended.

Cooperation With Law Enforcement: The Arizona Department of Liquor Licenses and Control (ADLLC) is comprised of sworn officers that enforce local and state liquor laws. It is important that you, as a security member, know the basic law. ADLLC and/or SPD may also ask you questions as an employee of the **Oasis Café and Hookah Lounge** to test your knowledge of these laws. Properly checking IDs is a critical duty of the security staff. Making sure you can recognize fake IDs is extremely important. Some IDs may also be real but do not belong to the person handing it to you. In this case, closely examining the picture to match it to the person is imperative. Look at things like weight, eye color, height, and any distinct facial features. Ask questions, such as what year they graduated from high school.

Employee Dress Code: It is important you are dressed in your Security uniform, jeans or shorts, and comfortable shoes that are appropriate for work. Hats are ok, as long as they are approved by management.

Closing Duties: The closing duties checklist covers all closing duties for Security staff members. At the end of each night you will be assigned a closing duty. The checklist will explain what is involved in each closing duty. When you are finished with your closing duty, make sure you check out with management before clocking out and leaving.

SECURITY CLOSING PROCEDURES CHECKLIST

****security staff is to checkout with management before leaving****

1. **Trash:** Trash is to be taken out every night. Trash bags must also be changed on a nightly basis. Once the trash cans have been dumped and re-bagged they are to be arranged neatly by the bar. Remember to close the dumpster once you dump all of the trash.
2. **Bar:** The bar mats must be taken out nightly and hung over the back railing. The TVs around the bar must be turned off. Make sure to take out any remaining trash cans.



3. **Perimeter Sweep Front & Side:** On a nightly basis the front and side perimeter must be thoroughly swept. All trash, including cigarettes, napkins, bottles, straws and other assorted trash must be cleaned up. A flashlight is to be used during [the sweeping process to insure all trash is swept up and removed, Trash in the bushes, gravel, and dirt in the front and side must either be swept or picked up by hand.
4. **Patio:** The patio is to be swept on a nightly basis. The patio bar chairs should be moved inside. The bar needs to be secured and locked and both doors must be locked.
5. **Chairs -** Chairs should be inspected at the end of each shift to ensure that they are clean and in good condition. Any broken chair should be removed and reported to management so a replacement may be secured.
6. **Miscellaneous** — Make sure the back door is locked and all equipment is turned off.

Security Personnel Policy and Liability Consent Form

The primary job duties of the Security Personnel (Doormen/Bouncers) are to check the legal age of patrons entering the establishment, ensure and enforce the house rules, perform fundamental public safety tasks, provide basic security to both the establishment and the patrons, and to monitor entry of individuals on the basis of occupant capacity, intoxication and/or aggressive behavior. Due to these job duties, Security Personnel may be given the capacity to carry out certain, fundamental safety tasks.

These tasks include but are not limited to enforcing the house rules, escorting disorderly patrons out of the establishment, and/or prohibiting entry into the establishment for any due cause. While the performance of some essential job duties may require reasonable force, the safety of all patrons must be taken into consideration. **Oasis Café and Hookah Lounge** expressly prohibits the use of excessive force in the performance of any essential job duty in any situation. **Oasis Café and Hookah Lounge** has a No Strike Policy, meaning that no staff member will strike a patron unless it is absolutely necessary in a self-defense situation or the defense of an innocent person, if a strike is administered to a patron under any circumstances a report must be submitted to the manager before going home.

Security Personnel (Doorman/ Bouncer) exceed their authority when he or she uses excessive force in any way that would reasonably be considered irrationally violent and/or inflicts serious physical harm on any patron. In any circumstance where Security Personnel (Doorman/Bouncer) uses excessive force, the employee may be found criminally responsible of assault and may consequently be held personally liable for the injuries he or she inflicted on the patron.

Therefore the Security Personnel (Doorman/ Bouncer) must understand and accept that they may be found responsible for any legal consequences that may result from the use of excessive force, including any and all monetary settlements as well as any other form of criminal and/or civil charges.

PERSONNEL POLICY AND LIABILITY CONSENT RECEIPT FORM

Acknowledgment of Security Personnel Policy and Liability Consent Form

I have read and understand this Security Personnel Policy and Liability Consent Form and will adhere to the policies, protocols, and guidelines of **Oasis Café and Hookah Lounge**.

Print Employee Name

Employee Signature Date



DRUG AND ALCOHOL POLICY

Oasis Café and Hookah Lounge strives to maintain a workplace free of drugs and alcohol and to discourage drug and alcohol abuse by its employees. Misuse of alcohol or drugs by employees can impair the ability of employees to perform their duties, as well as adversely affect our customers' confidence in our company.

Alcohol

Employees are prohibited from using or being under the influence of alcohol while performing company business, while operating a motor vehicle in the course of business or for any job-related purpose, or while on company premises or a worksite. The **Oasis Café and Hookah Lounge** does not condone any use of alcohol for any member of the staff at anytime while on the job,

Illegal Drugs

Oasis Café and Hookah Lounge employees and contractors are prohibited from using or being under the influence of illegal drugs while at **Oasis Café and Hookah Lounge** business or while on a company facility or worksite. You may not use, manufacture, distribute, purchase, transfer or possess an illegal drug while in facilities, while operating a motor vehicle for any job-related purpose or while on the job, or while performing company business. This policy does not prohibit the proper use of medication under the direction of a physician; however, misuse of such medications is prohibited,

Disciplinary Action

Employees who violate this policy may be disciplined or terminated, even for a first offense. Violations include refusal to consent to and comply with testing and search procedures as described.

Searches

Oasis Café and Hookah Lounge Management may conduct searches for illegal drugs or alcohol on company facilities or worksites without prior notice to employees. Such searches may be conducted at any time. Employees are expected to cooperate fully. Searches of employees and their personal property may be conducted when there is reasonable suspicion to believe that the employee has violated this policy or when circumstances or workplace conditions justify such a search. Personal property may include, but is not limited to purses boxes, briefcases, as well as any property that is provided for employees' personal use such as purses, backpacks and vehicles. Any employee's consent to a search is required as a condition of employment and the employee's refusal to consent may result in disciplinary action, including termination,

Drug Testing

Oasis Café and Hookah Lounge may require a blood test, urinalysis, hair test or other drug or alcohol screening of employees suspected of using or being under the influence of drugs or alcohol or where other circumstances or workplace conditions justify such testing. The refusal to consent to testing may result in disciplinary action, including termination. Drug testing may be administered pre-employment, post-accident, randomly, or for reasonable suspicion,

Drug and Alcohol Policy Receipt Form

Acknowledgement of Drug and Alcohol Policy
I have read and understand this Drug and Alcohol Policy and will adhere to the policies, protocols, and guidelines of **Oasis Café and Hookah Lounge** Drug and Alcohol Policy.

Print Employee Name

Employee Signature

Date



Fire Department General Check List for Crowd Management Plan

1. Verify the fire extinguishers are visible and accessible prior to opening.
2. Verify Exits are marked and illuminated prior to opening. Test emergency lights and exit signs monthly.
3. Verify all exits and egress paths to the exits are not blocked or obstructed inside and outside of the building prior to opening and throughout business hours. This includes being obstructed by patrons waiting in line.
4. Verify that all security personnel have working radio communication with each other and management.
5. Verify that security personnel have counters to count occupants IN and OUT at all entrances and exits. (General admission, VIP and all exits if separate from entrance.)
6. Verify that security staff knows the maximum occupant load for the building and patio.
7. Verify that security staff knows when the occupant load is reached they hold the door and do equal patrons IN for equal patrons OUT for the rest of operating business hours.
8. Need Fire Department approval/permits for special events, fireworks, fire dancers and haze machines. Birthday Sparklers/Open flame devices are **NOT** permitted in bars, night clubs or restaurants.
9. Need to number the security personnel locations on the floor plan and provide details on their responsibilities. **See attached sample floor diagram and Security Positions and Responsibilities below as an example.**

Security Positions and Responsibilities Example

#1: Keeps IN and OUT count of patrons at main entrance. They assist in keeping exit/entrance clear.

#4: Keeps rear exit clear of obstacles and maintains exit to keep patrons from entering without proper identification.

#1 and #4: Cards patrons, assist in keeping exit/entrance clear and starts/maintains line(s) at the entrance to keep exit clear and does not get obstructed by patrons waiting in line.

#2: Maintains security at patio so patrons don't enter by hopping over gates and also maintains consumption of alcoholic beverages so they do not leave the premise.

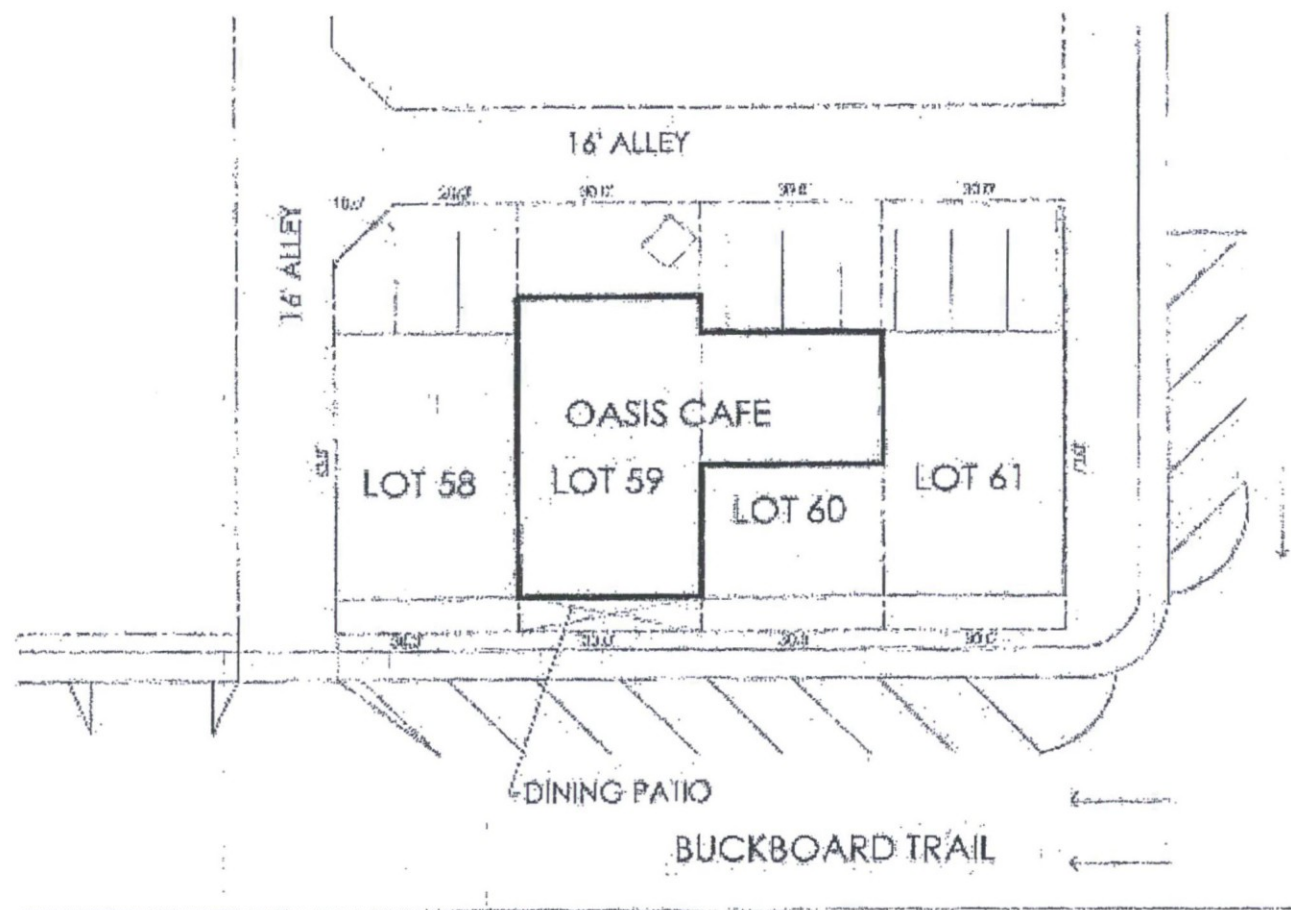
#1, 2, 3 and 4: Maintains flow of patron traffic, periodically removes trash as needed and keeps in communication with all security personal and management.

#1, 2, 3 and 4: Keeps exits clear, prohibits unauthorized entrance

Manager is responsible to shut the music off, turn the lights up and instruct/inform patrons in the event of an emergency situation. Depending on location of the emergency all security staff and managers are responsible to call 911 in case of an emergency situation.

10

2



OASIS CAFE AND HOOKAH LOUNGE
4441 N BUCKBOARD TRAIL





Scottsdale Fire Department
 Scottsdale Public Safety Plan – Security Positions & Responsibilities

CASIS CAFE AND HOOKAH LOUNGE
 Establishment

ANWAR NAKIB
 Establishment Representative

2012
 Date Implemented

Refer to the Security Positions & Responsibilities Floor Plan for this establishment.

Use position numbers only on both the floor plan and this document – no names.

- Which position is responsible for keeping an IN and OUT count?

Position(s): FRONT DOOR

- How many of the following:

o General Admission Entrance(s):	<u>2</u>
o VIP Entrance(s):	<u>0</u>
o Exit(s):	<u>2</u>
o Exit Only:	<u>0</u>

All entrances/exits are required to maintain an IN and OUT count and positions will communicate numbers to each other throughout business hours to maintain occupant load.

- Which position is responsible to call 911 in case of an emergency situation, medical or fire?

Position(s): FRONT DOOR

- Which position is responsible to turn the music off, turn the lights up and instruct patrons what to do in case of an emergency situation?

Position(s): FRONT DOOR OR D.J.

- Which position is responsible to maintain exit and egress paths clear?

Position(s): FRONT DOOR

10



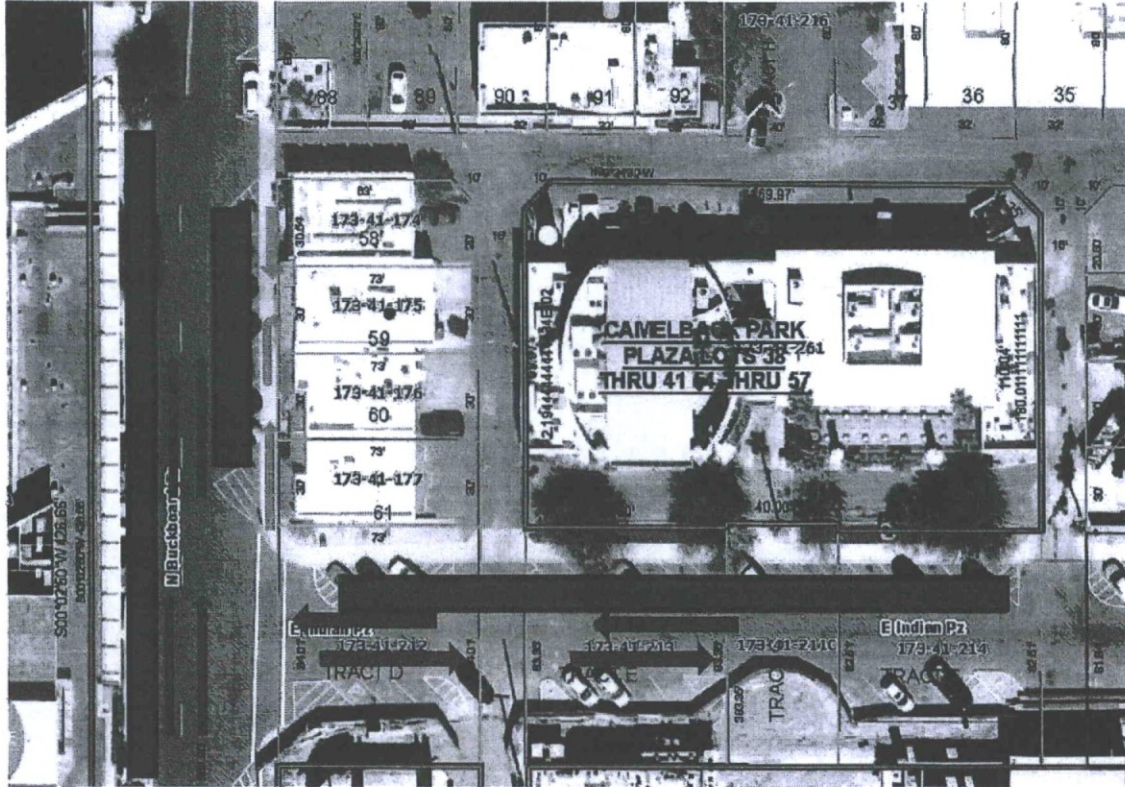
Scottsdale Fire Department
Scottsdale Public Safety Plan – Security Positions & Responsibilities

Additional Establishment Comments

WE USE FIVE SECURITY PEOPLE DURING
PEAK PERIODS. 2 AT FRONT DOOR, 1 AT
BACK DOOR, 1 AT O.J. STATION, 1 AT FRONT
PATIO.

0

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Oasis Café

North/South street is Buckboard Trail
East/West street to the north is Camelback

Solid blue shows parking
Red arrows show traffic flow
Orange arrows show foot traffic into business

AD

Employee Log

Business Name:

Oasis Café and Hookah Lounge as of 07-28-2016

version 2015-07

<u>Last Name</u>	<u>First Name</u>	<u>Middle Name</u>	<u>Suffix</u>	<u>Birth Date</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>	<u>Phone</u>	<u>Position</u>	<u>Contractor</u>
Salazar	Alex	Eugene		3/8/1987	615 E. Weber Dr.	Tempe	AZ	85281	480-772-1813	Manager	NO
Salazar	Nicole			7/12/1990	615 E. Weber Dr.	Tempe	AZ	85281	480-772-1813	Server	
Howard	Samantha	Elizabeth		7/2/1988	4106 W. Dalley St.	Phoenix	AZ	85053	602-466-4831	Server	
Reaves	Samantha	Brook		6/8/1995	13414 N. El Pueblo Blvd.	Fountain Hills	AZ	85268		Server	
Balk	John	Junghoon		3/18/1994	6010 E. Phelps Rd.	Scottsdale	AZ	85254		Server	
Alraai	Abdullah	Saad		3/12/1992	7324 E. Lewis Ave.	Scottsdale	AZ	85257		Server	



R



PSP Contact Persons

The following persons are designated to receive and handle complaints from the public or City of Scottsdale:

Name	Position	Contact#
Anwar Nakib	_Owner_	_480-369-0769_
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Submitted by: _____

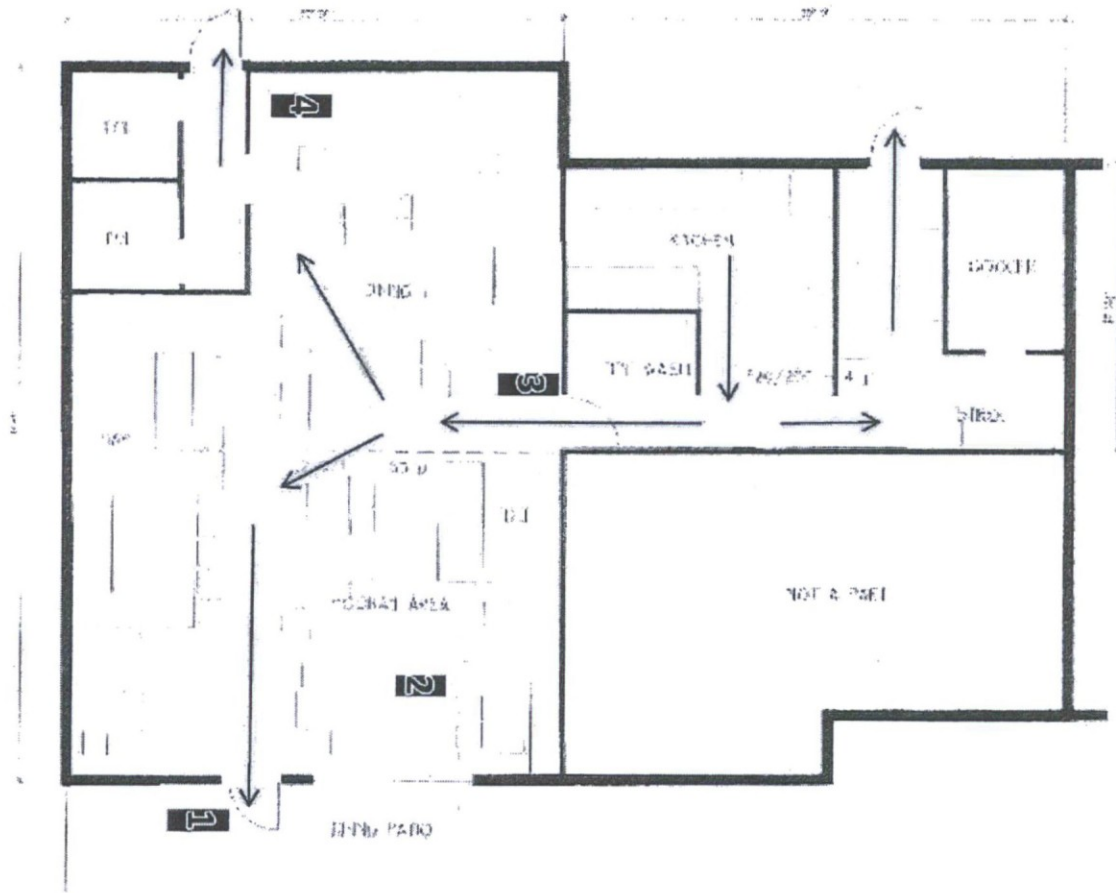
All information must be current. (per SRC 28-55)

AO

70



Oasis Café Security Positions, Emergency Evacuation Routes



OASIS CAFE AND HOOKAH LOUNGE
4441 N BUCKBOARD TRAIL



SECURITY

xi

xii

OASIS CAFÉ AND HOOKAH LOUNGE

4441 N BUCKBOARD TRAIL, SCOTTSDALE, AZ 85252

Statement regarding special requirement

Security ratio: 1:50 or less

The Oasis Café and Hookah Lounge is a neighborhood café with a series 06 bar license.

The Oasis Café and Hookah Lounge does not meet the minimum of 60% of food sales criteria and understands that it must maintain a security to occupant load of 1:50.

Our current ratio is 83/5=16.6 to one.

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NEIGHBORHOOD NOTIFICATION REPORT

Friday, July 29, 2016

Oasis
4441 N Buckboard Trail
Scottsdale, AZ 85251

Re: 438-PA-2016

Findings from the July 19, 2016 open house

A letter (Attachment A) notifying all neighbors within 750' of the site, and the Interested Parties list (Attachment B) of the application for a Conditional Use Permit for a Bar and open house meeting was sent on June 24, 2016. A 4'x4' project under consideration sign (Attachment C) listing the Open House was posted on June 24, 2016.

The Open House was held from 5 pm until 7 pm on July 19, 2016. No attendees appeared.

Respectfully,



Anwar Nakib
Oasis Café LLC
4441 N Buckboard Trail
Scottsdale, AZ 85032
480-369-0769

ATTACHMENT #7

7-UP-2016
8/1/16

OASIS CAFÉ LLC
4441 N BUCKBOARD TRAIL
SCOTTSDALE, AZ 85251

June 15, 2016

Re: Oasis Café LLC ("Oasis") Conditional Use Permit

Dear Neighbor,

The reason for this letter to inform you of an application for a Conditional Use Permit for a Bar that will be submitted to the City of Scottsdale for Oasis Café, located at 4441 N. Buckboard Trail, Scottsdale, AZ 85251. Oasis has operated as a restaurant/bar and grill venue since May 2010. Currently operating with a series 12 liquor license permit on premise, and has a pending series 6 liquor application in place.

If you would like additional information, you are invited to attend a neighborhood open house to be held on Tuesday July 19, 2016 from 5:00pm to 7:00pm at Oasis. If you cannot attend the open house, but would like more information, you may contact me at 480.369.0769.

Thank you,

A handwritten signature in black ink, appearing to read 'ANWAR NAKIB', enclosed within a large, stylized oval flourish.

Anwar Nakib/Owner



Affidavit of Sign Posting

Project Under Consideration Sign (White) Public Hearing Notice Sign (Red)

Case Number: 438-PA-2016

Project Name: OASIS

Location: 4441 N BUCKBOARD TRAIL SCOTTSDALE AZ 85251

Site Posting Date: JUNE 24, 2016

Applicant Name: OASIS CAFE LLC DBA OASIS/ANWAR NAKIB

Sign Company Name: FORMS MANAGEMENT SERVICE

Phone Number: 602-269-1397

I confirm that the site has been posted as indicated by the Project Manager for the case as listed above.

Anwar Nakib
Applicant Signature

7-27-16
Date

Return completed original signed and notarized affidavit AND pictures to the Current Planning Office no later than 14 days after your application submittal. E-mail copy to your project coordinator.

Acknowledged before me this the 27 day of JULY 2016



Juanita A. Esparza
Notary Public
My commission expires: _____

Planning, Neighborhood & Transportation Division

7447 E Indian School Road, Suite 105, Scottsdale, AZ 85251 • Phone: 480-312-7000 • Fax: 480-312-7088



Request for Neighborhood Group/ Homeowners Association

For Staff Use Only

Time/Date Received _____

Time/Date Completed _____

REQUESTOR'S INFORMATION

Requestor's Name: ANWAR NAKIB (OASIS)

Date of request: 06/10/2016 Requestor's Phone #: (480) 369 - 0769

Method to receive Group/Homeowner information (select one)

Fax: 623-925-0475 e-mail aeliquorlicense@gmail.com

Mail Address: 14853 N 46TH ST, PHOENIX, AZ, 85032

SITE LOCATION/PROJECT INFORMATION

Project Name: OASIS USE PERMIT APPLICATION

Project Address: 4441 N BUCKBOARD TRAIL SCOTTSDALE AZ 85251

Project Parcel Number(s): _____

Radius around parcel(s) requested: 300' 750' 1 Mile

City Pre-application/Case#: 438-PA-2016 City Project Coordinator: DANIEL SYMER

Notification Type? Citizen Review Plan Neighborhood Involvement Special Event Notification

Any additional information that may be helpful to collect data: _____

Please note:

This list is provided as a one-time use only for preparing a City Planning and Development Service Department application. Currently there is no charge for this service, however, this may change based on demand. Results provided are based only on registered neighborhood groups or associations with the City. All requests will be processed and returned to your attention as soon as possible; in most cases within two business days.

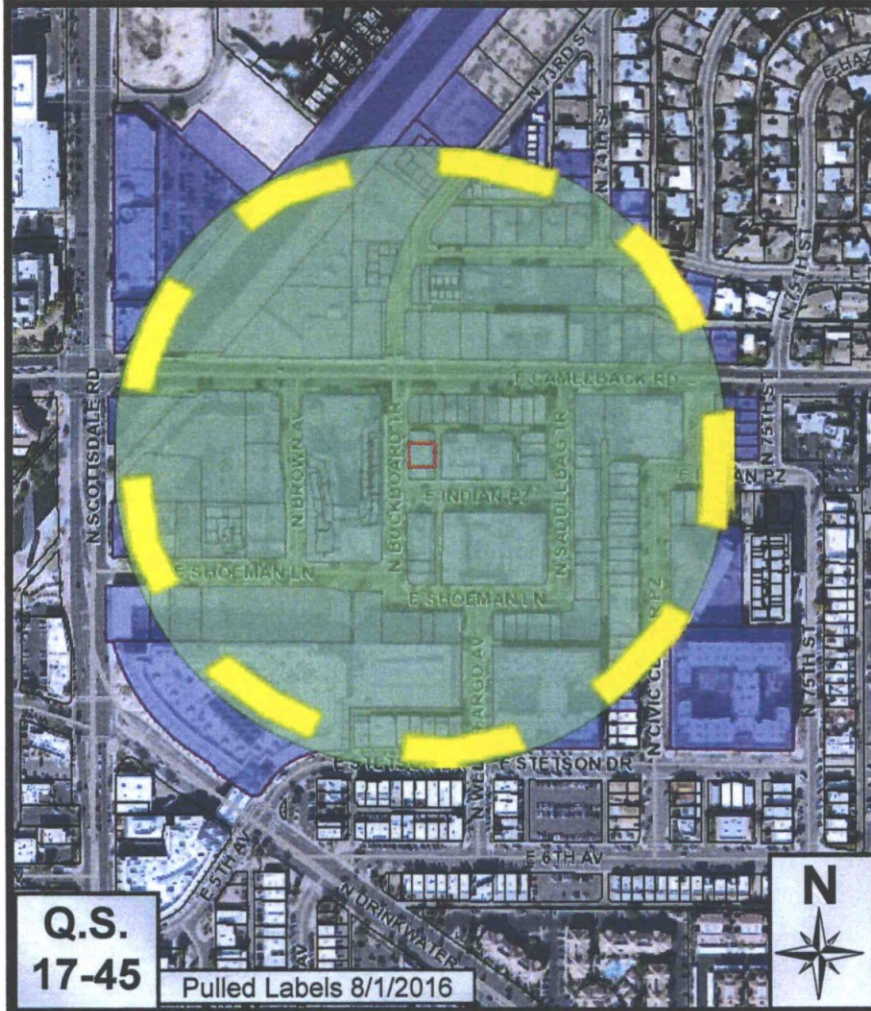
To Submit your request, or for additional information, please contact:

Current Planning Services
7447 E. Indian School Rd Suite 105
Scottsdale, AZ 85251

Phone: (480) 312-7000
Fax: (480) 312-7088
e-mail: planninginfo@scottsdaleaz.gov

City Notifications – Mailing List Selection Map

ATTACHMENT #8



Map Legend:



Site Boundary



Properties within 750-foot
101 Postcards

Additional Notifications:

- Interested Parties List
- Adjacent HOA's
- P&Z E-Newsletter
- Facebook
- Twitter
- Nextdoor
- City Website-Projects in the hearing process

Oasis Cafe

7-UP-2016