

Exterior Building Color & Material Samples (Photo)

Color Drawdowns

Drainage Reports

TIMA

Abbreviated Water & Sewer Need Report

Archaeological Resources

Airport Vicinity Development Checklist

Parking Study

Parking Master Plan

Water Study

Wastewater Study

Stormwater Waiver Application

402443

Instructions for Security, Maintenance, and Operations Plans

Follow these steps for Review and Approval

Scottsdale Police Department Liquor Investigations

Step 1

Prepare Your Security, Maintenance, and Operations
Plan (SMO Plan)

Step 2

Send a Copy of Your SMO Plan to the Scottsdale Police
Department.

Detective John Miller

480.312.8333

JohMiller@scottsdaleaz.gov

Step 3

Contact Police Detective to Discuss Your Plan.

Step 4

Meet with Police Detective, If Necessary.

Step 5

Submit your reviewed plan to Scottsdale Planning and
Development.

¹ *Jgm*

14-UP-2018
09/18/18

SECURITY, MAINTENANCE AND OPERATIONS PLAN

For Bars and Live Entertainment Use Permits



Scottsdale Police Department, 3700 North 75th Street, Scottsdale, AZ 85251

480.312.5000

FAX 480.312.7701

City of Scottsdale Planning, 7447 E. Indian School, Scottsdale AZ 85251

480-312-7000

FAX 480-312-7088

Assigned Planner:

BRYAN CLUFF

Police Detective:

JOHN MILLER

Establishment:

WONDERSPACES

Address:

7014 E. CAMELBACK RD., STE. 548

Business Phone:

PENDING

Business FAX:

N/A

Maximum Occupancy:

TBD

Effective Date of the Plan:

09/14/18

Date of Plan Review:

091718

Use Permit Issue Date:

Liquor License Number:

06070616

Contact Person (1):

JASON SHIN

Home Phone:

(202) 251-1258 / jason@wonderspaces.com

Contact Person (2):

ANDREA LEWKOWITZ (to be replaced when premises manager hired)

Home Phone:

(602) 200-7222 / andrea@lewklaw.com

Purpose of the Plan

To address security measures, maintenance/refuse and operations for an establishment whose use shall require a Security Plan pursuant to Scottsdale Revised Codes. These uses typically include a Bar Use Permit and a Live Entertainment Use Permit. The contents of this plan will address the listed concerns as well as community concerns regarding:

- Any significant increase in vehicular or pedestrian traffic, including effects on parking, traffic and circulation in the area.
- Adequate control of disruptive behavior both inside and outside the premises to include property damage and refuse issues.
- Compatibility with surrounding structures and uses.

It is the intent of the City of Scottsdale to provide an environment that enhances the safeguarding of property as well as public welfare and to limit the need for law enforcement involvement.

The Permittee agrees that successful execution and enforcement of this Plan are a required condition of the use permit. Termination, cancellation, deviation or non-approval of the Plan constitutes a breach of the Plan and could result in the revocation of the use permit.

SEE ATTACHED NARRATIVE.

Operations and Hours

1. Permittee: WONDERSPACES, INC. dba WONDERSPACES
 Type of Organization: Arizona Corporation X Corporation
 Sole Proprietorship LLC
 Partnership Other
2. Managing Agents Name: JASON SHIN
 Title: PRESIDENT
 Address: 4136 DEL REY AVE., MARINA DEL REY, CA 90292
 Phone Numbers: (202) 251-1258
 Fax or Other Numbers: JASON@WONDERSPACES.COM
3. Business Owner(s) (if different than Managing Agent) Name, Address, Phone: SAME AS ABOVE
4. Property Owner or Property Manager (if different from Managing Agent)
 Name, Address, Phone: MACERICH / ATTN: KAREN MAYNARD or DAVID BREEN
 11411 N TATUM BLVD., PHOENIX, AZ 85028
5. Hours of Operation: 602-953-6526 / karen.maynard@macerich.com; david.breen@macerich.com

	<u>Peak/Non-Peak Night</u>	<u>Open to Customers</u>	<u>Liquor Sale Begin</u>	<u>Liquor Sale Ends</u>	<u>Closed to Customers</u>
Monday	N/A	9 AM	9 AM	11:30 PM	12 AM
Tuesday	N/A	9 AM	9 AM	11:30 PM	12 AM
Wednesday	N/A	9 AM	9 AM	11:30 PM	12 AM
Thursday	N/A	9 AM	9 AM	11:30 PM	12 AM
Friday	N/A	9 AM	9 AM	11:30 PM	12 AM
Saturday	N/A	9 AM	9 AM	11:30 PM	12 AM
Sunday	N/A	9 AM	9 AM	11:30 PM	12 AM

6. Promotional Events: *(Attach an addendum which describes week to week promotional events you plan to have throughout the year i.e. "Ladies night." Do not include special events)*
 N/A
7. Program Format/Entertainment/Advertising: *(Complete for Live Entertainment Use Permit Only. Attach addendum that describes*

entertainment format i.e. DJ, Live music, Comedy acts etc.) See Scottsdale Revised Code – Appendix B, Zoning Ordinance for definitions.

N/A

8. Special Events:

Permittee must give notice to City of Scottsdale Planning and Development at least forty-five (45) days prior to conducting Special Events on the premises. "Special Events" are any program formats varying from the regular format and audiences described or provided above organized or planned by Permittee. Scottsdale requires separate licenses for outdoor special events.

9. Cooperation/Complaints/Concerns:

Permittee will maintain communications with establishments located on and adjacent to the premises, and with residents and other businesses that may be affected by patrons or operations of the Permittee. Permittee designates the following person to receive and respond to concerns or complaints from other residents or businesses:

Name: JASON SHIN Address: 4136 DEL REY AVE. Phone: (202) 251-1258 / jason@wonderspaces.com
MARINA DEL REY, CA 90292

Permittee, managing agents, on-duty managers, supervisors and security personnel will cooperate closely with Scottsdale Police, City of Scottsdale Code Enforcement staff or other City staff as well as business and residential neighbors in addressing and investigating complaints, criminal acts, refuse issues and any other concerns.

Security and Maintenance

Security Attire

Security personnel must be readily identifiable to police, patrons, and other employees to ensure the safety of the security staff when engaged with patrons. Security personnel should wear an appropriate styled shirt with the word "security" on both the front and back, in two (2) inch lettering and clearly visible. During cold weather, a jacket with the same inscription should be worn.

The use of radios should be employed between security staff and management when the size of the establishment limits communication efforts.

Security Officer Responsibilities

The Permittee or management must clearly delineate the below responsibilities to all new security personnel and ensure these responsibilities are explained and understood.

Civilian Security Officers will be responsible for patrolling the full property of the liquor establishment during all hours when patrons are in the establishment, outside the establishment, and in the establishment parking areas.

On peak nights, there will be a minimum of 0 uniformed security officer(s). (Wearing the above-described uniform). The following responsibilities shall be agreed upon and adhered to:

1. 0 Security officer(s) will be responsible for roaming the interior of the business and identifying hazards, problems, and maintaining guest safety.
2. 0 Security officer(s) will be responsible for checking identifications at the front door. Acceptable identification are those listed in Arizona Revised Statutes Title 4, section 241A and apply to patrons accessing any area of the licensed premises, including the time period of After-Hours, if applicable. Additional responsibilities shall include: access control, counting of patrons, and prevention of intoxicated persons from entering the business.
3. 0 Security officer(s) will be responsible for conducting roaming patrol of the exterior in an effort to prevent criminal behavior, maintain the peace and prevent refuse issues. This patrol shall include all parking areas to prevent a gathering of patrons during business hours and up to thirty (30) minutes after closing.

In addition, security officers will report all acts of violence to management personnel, complete a written report, log the act of violence, and contact Scottsdale Police Department immediately. Liquor establishment management and/or ownership has the ultimate responsibility for the recording of the act of violence, logging of the act of violence, and reporting the act of violence to the police department and the State Department of Liquor Licenses.

Management Responsibilities

The Permittee must clearly delineate the below responsibilities to all managers, assistant managers, and person(s)-in-charge and ensure these responsibilities are understood and followed.

The manager(s) shall ensure that all employees, security staff and off-duty officers (if applicable) be trained and knowledgeable about the contents of this plan. The following shall be agreed upon and adhered to:

1. There will be a minimum of 1 manager(s) available during peak nights.
2. There shall be a general manager and one assistant manager on duty all hours while open for business and for thirty minutes after closing.
3. A manager shall be identified as the "Security Manager" for the establishment and be responsible for ensuring that a safe environment exists; for the supervision of all security personnel and that all security personnel as identified here shall meet or exceed the requirements established by A.R.S. 32-2621 through A.R.S. 32-2636, as amended, relating to security personnel and guards, and any regulation issued pursuant thereto.
4. At least one security manager will be on duty until one hour after closing or the last security officer is off duty, whichever occurs last.

Uniformed Sworn Officer Responsibilities:

If Off-duty law enforcement is used for security, it is the responsibility of the Permittee or management to clearly delineate the following responsibilities, which include at a minimum the following:

1. Conduct traffic control as needed.
2. Assist civilian security officer(s) in removal of disorderly and/or intoxicated guests and maintain the peace outside the establishment.
3. If necessary, patrol the exterior portions of the business to maintain the peace as well as prevent criminal acts.
4. If a valet is utilized, maintain the peace in the area of the valet.
5. Assist Security Officers with maintaining order in the entrance line and assist in discovery of underage patrons attempting admittance.

- ☐ I plan to hire _____ officer(s) during peak nights from (name of agency) _____.
- ☒ I do not plan to hire off-duty law enforcement.

Parking

In order to reduce criminal activity that negatively affects the nearby businesses, the Permittee is responsible for the designated parking area to include any lots used by the Permittee's contracted valet company. It is the Permittee's responsibility to ensure that parking areas utilized by patrons and employees will be routinely patrolled by security staff so parking areas are not used: as a gathering place; for consumption of spirituous liquor; for violations of state or city law; for acts of violence, or disorderly conduct. Management will ensure that all patrons have left the parking areas within thirty minutes after the designated closing time.

If valet is used, it is the Permittee's responsibility to ensure the valet company meets all the requirements of the City of Scottsdale and has a valid valet license and permit prior to conducting valet business.

Refuse Plan

It is the Permittee's responsibility to ensure refuse containers are properly used and the area in and around the business is kept clean. Failure to do so will result in an investigation and possible citation from the City of Scottsdale Code Enforcement or other governmental agencies.

At closing, management will be responsible for refuse pick-up and any appropriate cleaning, for any refuse found within a 300 foot (three hundred) radius of the business. This will also include patron parking lot(s), valet parking lot(s) and employee parking lot(s). All bottles, trash, bodily fluids or secretions and refuse found on streets, sidewalks, private property, and empty lots within the above designated areas will be placed in the refuse container or cleaned appropriately.

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Enforcement of Security Plan

Violations of this Security Plan will be enforceable by City of Scottsdale Police Officers and/or Code Enforcement employees and may constitute grounds for revocation of applicable use permits relating to the establishment.

Violation, amendment, revocation, as defined in Scottsdale City Zoning Code Sec. 1.402.

Conditional use-permits, which have been approved by the City Council, shall be subject to the following procedures and criteria regarding any violation, amendment, or revocation.

- The violation of any condition imposed by the conditional use permit shall constitute a violation of this ordinance and shall be subject to the requirements of Section 1.1400 et seq.
- Conditional uses shall be developed in conformance to the approved plans as determined by the Zoning Administrator. An amendment to a conditional use permit is required before implementation of any material change in the scope and nature of an approved conditional use, material change in any conditions or stipulations to a conditional use permit or material change in the physical size, placement or structure of property subject to a conditional use permit. The Zoning Administrator shall have the discretion to determine if a proposed change warrants an amendment. An amendment must be approved as provided in Section 1.400 et seq. for the approval of conditional use permits.
- The Zoning Administrator may recommend to the City Council and the City Council may affect revocation of a conditional use permit pursuant to Section 1.402 of the Scottsdale Zoning Code for acts including but not limited to:
 1. A violation of the Plan.
 2. Violation of the conditions of the Use Permit.
 3. Violation of Scottsdale ordinances or law.
 4. Repeated acts of violence or disorderly conduct as reflected by police calls for service or offenses occurring on premises utilized by patrons of the Permittee, or failure to report acts of violence
 5. Failure of the Permittee to take reasonable steps to protect the safety of persons entering, leaving or remaining on the premises when the Permittee knew or should have known of the danger to such person, or the Permittee fails to take reasonable steps to intervene by notifying law enforcement officials or otherwise to prevent or break up an act of violence or an altercation occurring on the premises or on premises utilized by patrons and employees of the Permittee when the Permittee knew or reasonably should have known of such acts of violence or altercations.
 6. Any enlargement or expansion of the premises, plan of operation or program format without appropriate approval from the City.
 7. Misrepresentations or material misstatements of the Permittee, its agents or employees.

Dissemination of the Security Plan

- A copy of this security plan must be provided to each security officer and off-duty sworn law enforcement officer as well as the manager(s) and assistant manager(s) employed by the permittee.
- A reading log will be maintained and will be signed by each of the above persons, stating they have read and understood this plan. Each security employee must read the plan once per year, or when there are any changes to the plan.
- A current copy of this plan will be maintained on the premises at all times, and a copy of this plan must be made available upon request of any code enforcement officer or police officer.
- Failure to conform to this plan will be considered a violation of the use permit.

Termination of the Plan

This plan shall terminate when the applicant's Use Permit terminates.

Enclosures

☒ Addendums attached

☐ No enclosures

APPLICANT/MANAGEMENT:

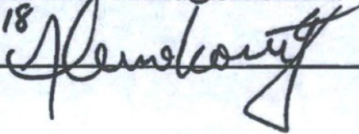
Name: ANDREA LEWKOWITZ

Address: 2800 N CENTRAL AVE. #1775, PHOENIX, AZ 85004

Phone: (602) 200-7222 / andrea@lewkilaw.com

Date: 9.17.18

Signature: _____

**APPROVED BY:**

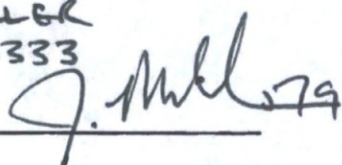
Detective: _____

Phone: _____

Date: _____

Signature: _____

J. Miller
480-312-8333
091718



WONDERSPACES
7014 E. Camelback Rd. Ste. 548

Conditional Use Permit (Bar) / Project Narrative

Wonderspaces will open an art exhibition/gallery space on the lower level of Scottsdale Fashion Square (the "mall") adjacent to the food court in a portion of the space previously occupied by Harkins Theatres. The 15,987 square foot suite will include five galleries, and a small bar near the entrance. Wonderspaces will run a series of shows, featuring approximately 14 immersive or interactive artworks for periods of four months each, three times per year. Wonderspaces would like to offer guests 21 and over the opportunity to enjoy alcoholic beverages as an amenity to the unique experience. To allow flexibility for space planning and installation of various exhibits, Wonderspaces has applied to license the entire suite.

CONDITIONAL USE PERMIT CRITERIA (Scottsdale Zoning Ordinance §1.401)

A. The granting of a conditional use permit will not be materially detrimental to the public health, safety or welfare due to:

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

The proposed use will not create any noise, smoke, odor, dust, vibration or illumination within or outside Wonderspaces' suite. All activity will take place inside the suite, and will not detrimentally affect other mall tenants or residential and commercial properties outside the mall (the nearest residential use is approximately 800 feet away on the north side of Highland Avenue).

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

Traffic access to Wonderspaces will be through the current ingress/egress on Camelback Road, Scottsdale Road, Goldwater Boulevard, and Highland Avenue. The proposed use will not increase traffic in the surrounding areas.

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

The proposed use is compatible with uses inside and outside the mall, including office, retail, entertainment, bars and restaurants.

BAR USE CRITERIA (Scottsdale Zoning Ordinance §1.403.C)

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

The proposed use will not disrupt other daytime or nighttime uses in the mall. Wonderspaces will be open from 9 am until 12 am. Most retail stores in the mall close at or before 9 pm, and restaurants in and around the mall close at or before 12 am.

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



The proposed use is ancillary to the guest experience inside the gallery space. It will not disrupt pedestrian traffic for daytime activities inside or outside the mall.

3. *If the site is located within the downtown overlay district,*
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.*

The proposed bar use won't displace daytime retail uses. Wonderspaces will open in a currently-vacant suite, which will enhance daytime retail uses inside the mall by attracting new visitors (individuals, families and large groups).

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

The property owner provides parking within 600 feet of the proposed use.

4. *If the use is located within five hundred feet of a residential use or district,*

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

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

The proposed use is not within 500 feet of a residential use or district.

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

Wonderspaces' Security, Maintenance and Operations Plan has been approved by the Scottsdale Police Department, and is filed with the current application.

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

Wonderspaces will use the onsite (outside) dumpsters provided and maintained by the property owner, and will comply with the mall's refuse plan.

7. *The property owner shall demonstrate how noise and light generated by the use shall be mitigated.*

The proposed use will not generate noise or light. All activities at Wonderspaces will take place inside the suite in the mall.

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

The property owner provides nearly 7,000 on-site public parking spaces for mall guests. The proposed use will not require additional parking.

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

Wonderspaces does not intend to operate after-hours.

Jgm