

## Case Research

# CITY COUNCIL REPORT



Meeting Date: December 11, 2013  
 General Plan Element: Land Use  
 General Plan Goal: Sensitive integrate land uses into the surrounding settings.

## ACTION

El Santo/Morning Squeeze  
 12-UP-2013

Request to consider the following:

1. Find that the Conditional Use Permit criteria have been met, and adopt Resolution No. 9598 approving a Conditional Use Permit for Live Entertainment for a 3,326 +/- square foot establishment, located at 7301 East Butherus Drive, with Industrial Park (I-1) zoning.

### Key Items for Consideration

- Conditional Use Permit Criteria
- The nearest residential district is approximately three-quarters of a mile away.
- Planning Commission heard this case on December 11, 2013 and recommended approval with a vote of 5-0.

### OWNER

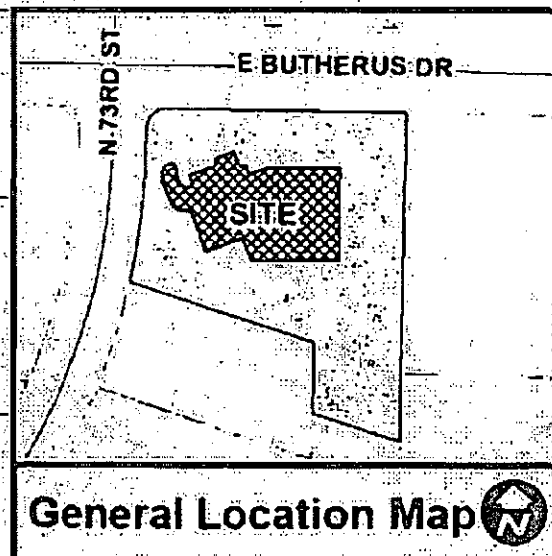
Tres Compadres  
 480-214-5206

### APPLICANT CONTACT

Prescott Smith/Paul Smith  
 Technical Solutions  
 602-957-3434

### LOCATION

7301 East Butherus Drive



## BACKGROUND

---

### Zoning

The site is zoned Central Business (C-2) zoning. The Central Business (C-2) zoning include uses usually associated with office and retail shopping developments. Also, Bar and Live Entertainment uses are allowed subject to the approval of a separate Conditional Use Permit for each use. A Conditional Use Permit for a Bar was approved at this location with case no., 33-UP-2011.

### Context

The property is bounded by North 73<sup>rd</sup> Street to the west and East Butherus Drive to the north. The properties across North 73<sup>rd</sup> Street and East Butherus Drive contain light industrial/office uses zoned Industrial Park (I-1). An automotive and airplane restoration use abuts the subject site to the east, zoned General Commercial with conditions (C-4 (C)), and a light industrial use/office to the south, zoned Industrial Park (I-1). Access to the site is provided by both East Butherus Drive and North 73<sup>rd</sup> Street. Please refer to context graphics attached.

### Other Related Policies, References:

- 8-2N-2011 Approval of a Zoning District Map Amendment from Industrial Park (I-1) zoning to Central Business (C-2) zoning.
- 33-UP-2011 Approval of a Conditional Use Permit for a Bar.

## APPLICANTS PROPOSAL

---

### Goal/Purpose of Request

The applicant's request is to for a Conditional Use Permit for Live Entertainment as part of an existing Bar. The Conditional Use Permit for Live Entertainment will be limited to the El Santo portion of the building, and will be limited to hours that the Morning Squeeze restaurant portion of the building is not open for operation. The applicant request excludes the Morning Squeeze restaurant portion of the building from the Conditional Use Permit for Live Entertainment.

### Development Information

- Existing Use: Existing Restaurant and a separate Bar
- Proposed Use: Restaurant, and a separate Bar with Live Entertainment
- Parcel Size: ± 2 acres
- Parking Required: 106 space
- Parking Provided: 115 space
- Floor Area: 3,326 (Bar with Live Entertainment floor area only)

## 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.
    - There are minimal impacts anticipated arising from noise, smoke, odor, dust, vibration or illumination. The proposed live entertainment performances will occur indoors and outdoors. The property is surrounded primarily by office, industrial, and repair uses. The establishment is proposing to operate with live entertainment between the hours of 5:00 p.m. and 2:00 a.m. Monday through Friday, and between 2:00 p.m. and 2:00 a.m. on Saturday and Sunday.
  2. Impact on surrounding areas resulting from an unusual volume or character of traffic.
    - The proposed live entertainment use is not anticipated to impact existing traffic in the area.
- B. The characteristics of the proposed conditional use are reasonably compatible with the types of uses permitted in the surrounding areas.
  - The site is surrounded by a mix of various offices, industrial, and repair uses. The proposed live entertainment use is an accessory use to the existing bar, and is reasonably compatible with the existing uses in the surrounding area.
- C. The additional conditions specified in Section 1.403, as applicable, have been satisfied. The proposal meets the provisions for Live Entertainment as identified in Zoning Ordinance Section 1.403.K., including:
  1. The applicant has provided and obtained City approval of a written Security and Maintenance Plan.
    - A Security, Maintenance and Operations Plan has been reviewed and approved by the Scottsdale Police Department and is on file with the Current Planning Department.
  2. The applicant has provided written evidence that sound resulting from indoor live entertainment will be contained within the building, except where external speakers are permitted by Conditional Use Permit to allow indoor live entertainment to be heard outdoors.
    - The proposed Conditional Use Permit is for both indoor and outdoor live entertainment. Staff has incorporated conditions that the noise generate by the

live entertainment use shall comply with the City's Noise Ordinance.

3. The applicant has provided a lighting plan that addresses exterior lighting on the property, in accordance with Article VII. of the Zoning Ordinance and the Security and Maintenance Plan requirements.
  - The existing exterior lighting plan was submitted and approved with Case No. 339-SA-2011. This plan is on file with the Planning, Transportation, & Neighborhood Division.
4. The applicant has provided a floor plan which identifies the areas for the primary use and for accessory functions, including but not limited to areas for performances.
  - The applicant has provided a site/floor plan that clearly identifies the area of the establishment where the stage is to be located. The proposed live entertainment is limited to the tenant area for the El Santo bar and adjoining patio.
5. If the establishment is not in the Downtown Area, and access to the establishment is from a street other than one classified by the Transportation Master Plan as minor collector or greater, the applicant shall provide a traffic analysis which complies with the City's transportation guidelines. The traffic analysis shall demonstrate that the level of service on all streets accessed by the use meets the City's standards.
  - The establishment is located on East Butherus Drive, which is a Minor Arterial street; and, North 73<sup>rd</sup> Street is a Minor Collector street:
6. If the Zoning Administrator determines that a parking study is necessary the applicant shall provide a study which complies with the City's requirements.
  - The Zoning Administrator has determined that a parking study is not required. The property provides sufficient onsite parking in accordance with the Zoning Ordinance. The required parking during the proposed live entertainment use is 106 spaces, 115 spaces are provided.
7. The owner shall provide any additional information required by the Zoning Administrator to evaluate the impacts of the proposed use upon the area.
  - No additional information was requested by the Zoning Administrator. Staff was provided sufficient information to determine potential impacts on the surrounding area.
8. All building openings such as doors, windows and movable wall panels shall be closed but not locked, except as permitted by Conditional Use Permit. Doors and service windows may be opened temporarily to allow passage.
  - Doors and windows that separate the interior of the building for the El Santo tenant area from the adjoining patio are proposed to have the option to remain open during live entertainment performances. All other door and windows are proposed to remain closed during live entertainment performances.
9. No external speakers used for live entertainment or outdoor live entertainment activities

will be permitted on the premises of a use, which is located within five hundred (500) feet of a residential district shown on Table 4.100.A.

- The property is not within five hundred (500) feet of a residential district.
10. The owner and operator shall comply with all plans approved as part of the Conditional Use Permit.
- The stipulations for this Conditional Use Permit include substantial conformance to the site/floor plan provided by the applicant as part of this application.
11. All patron entrances shall be illuminated in accordance with the Building Code and the exterior lighting plans approved by the Development Review Board.
- The establishment has previously received approval of construction documents from the City that demonstrated conformance to the Building Code and the exterior lighting plans approved by the Development Review Board. No modifications to the building are proposed with this application.
12. Noise generated from the live entertainment shall conform to the City's Noise Ordinance.
- The applicant understands the proposed live entertainment use is subject to the provisions of the City's Noise Ordinance.

#### **Public Safety**

The nearest fire station is located at 7455 East Shea Blvd., approximately one mile from the site. No significant impacts to existing service levels are anticipated. The Security, Maintenance and Operations Plan has been reviewed and approved by the Scottsdale Police Department.

#### **Liquor License Review**

The establishment is currently operating under an existing Series 6 (Bar) liquor license, approved under case 136-LL-2011.

#### **Community Involvement**

The site is posted with the required signage and property owners within 750 feet of the site have been notified of the applicant and the City. Staff has received one phone call in opposition to the request.

### **OTHER BOARDS & COMMISSIONS**

---

#### **Planning Commission**

Planning Commission heard this case on December 11, 2013 and recommended approval with a vote of 5-0.

#### **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 Live Entertainment, per the attached stipulations.

## **OPTIONS & STAFF RECOMMENDATION**

---

### **Recommended Approach:**

1. Find that the Conditional Use Permit criteria have been met, and adopt Resolution No. 9598 approving a Conditional Use Permit for Live Entertainment for a 3,326 +/- square foot establishment, located at 7301 East Butherus Drive, with Industrial Park (I-1) zoning.

## **RESPONSIBLE DEPARTMENT**

---

**Planning, Neighborhood and Transportation**

Current Planning Services

## **STAFF CONTACT**

---

Dan Symer, AICP

Senior Planner

480-312-4218

E-mail: [dsymer@scottsdaleaz.gov](mailto:dsymer@scottsdaleaz.gov)


**APPROVED BY**

  
\_\_\_\_\_  
Dan Symer, AICP, Report Author

12-24-2013  
\_\_\_\_\_  
Date

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

12/24/2013  
\_\_\_\_\_  
Date

 for  
\_\_\_\_\_  
Randy Grant, Administrator  
Planning, Neighborhood and Transportation  
480-312-2664, rgrant@scottsdaleaz.gov

12/26/2013  
\_\_\_\_\_  
Date

**ATTACHMENTS**

1. Resolution No. 9598  
Exhibit 1: Context Aerial  
Exhibit 2: Stipulations  
Exhibit A to Exhibit 2: Site Plan/Floor Plan  
Exhibit 3: Additional Criteria
2. Applicant's Narrative
3. Aerial Close-Up
4. General Plan Map
5. Zoning Map
6. Citizen Involvement
7. Security Maintenance Plan
8. City Notification Map
9. December 11, 2013 Planning Commission minutes

RESOLUTION NO. 9598

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, ADOPTING A CONDITIONAL USE PERMIT FOR LIVE ENTERTAINMENT FOR AN EXISTING BAR, LOCATED AT 7301 E. BUTHERUS DR. WITH CENTRAL BUSINESS (C-2) ZONING.

WHEREAS, the Planning Commission held a public hearing on December 11, 2013; and

WHEREAS, the City Council, held a public hearing on January 14, 2014.

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 live entertainment, set forth on Exhibit 3, is required.

Section 2. That a description of the conditional use permit is set forth in Case No. 12-UP-2013. 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 14<sup>th</sup> day of January, 2014.

ATTEST:

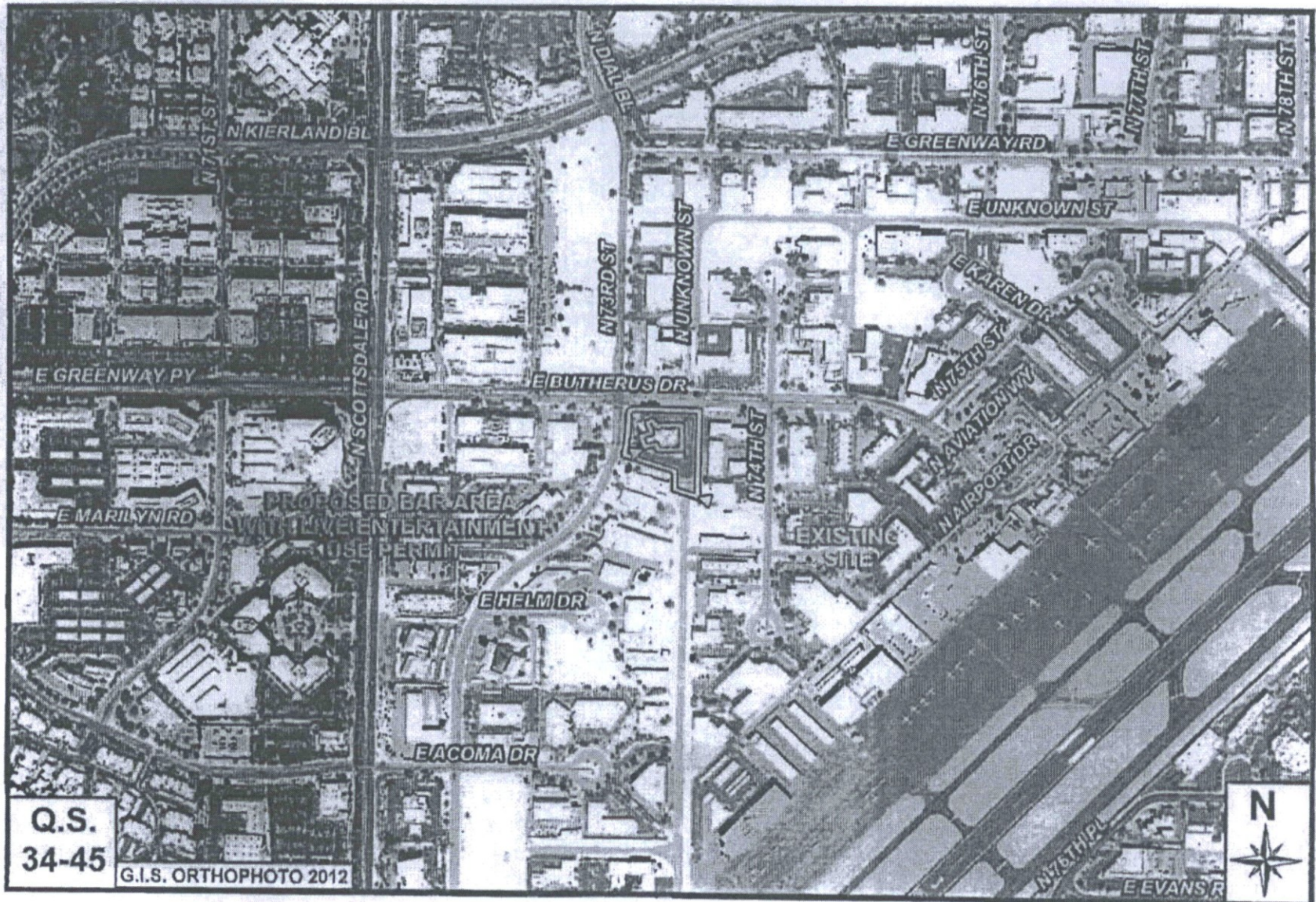
CITY OF SCOTTSDALE, an Arizona  
Municipal Corporation

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: Sherry R. Scott, Deputy City Attorney



Q.S.  
34-45

G.I.S. ORTHOPHOTO 2012

El Santo / Morning Squeeze

Exhibit 1  
Resolution No. 9598

12-UP-2013

## Conditional Use Permit – Live Entertainment

### Stipulations:

### El Santo/Morning Squeeze for

### Case Number: 12-UP-2013

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

#### OPERATIONS

1. **CONFORMANCE TO THE CONCEPTUAL SITE /FLOOR PLAN.** The interior layout of the premises shall be in substantial conformance with the conceptual site/floor plan submitted by triARC architecture and design, LLC. and with the city staff date of 11/4/2013, 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. **HOURS OF LIVE ENTERTAINMENT.** The hours of the live entertainment for this establishment shall be limited to:

	Allowed Start of the Live Entertainment	To	Required End of the Live Entertainment
Sunday	2:00 p.m.	To	2:00 a.m.
Monday	5:00 p.m.	To	2:00 a.m.
Tuesday	5:00 p.m.	To	2:00 a.m.
Wednesday	5:00 p.m.	To	2:00 a.m.
Thursday	5:00 p.m.	To	2:00 a.m.
Friday	5:00 p.m.	To	2:00 a.m.
Saturday	2:00 p.m.	To	2:00 a.m.

3. **SECURITY, MAINTENANCE, AND OPERATIONS PLAN.** The live entertainment shall conform to the Security, Maintenance, and Operations 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 Security, Maintenance, and Operations Plan to the Scottsdale Police Department and the Planning, Neighborhoods, and Transportation Division. At least ten (10) days before any operational change of the live entertainment, or any promotional event (excluding Special Events), that modifies the requirements or contents of the Security, Maintenance, and Operations Plan, the owner shall submit a revised Security, Maintenance, and Operations Plan to the Scottsdale Police Department and the Planning, Neighborhoods, and Transportation Division. Any revised Security, Maintenance, and Operations Plan shall be subject to approval by the City of Scottsdale's Police Department and the Planning, Neighborhoods, and Transportation Division.

Where the provisions of a Security, Maintenance and Operations Plan conflict with the provisions of a Public Safety Plan, the provisions which establish the higher standard of protection of the public health and safe shall prevail.

4. **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.
5. **EXTERNAL DOORS AND WINDOWS:** Doors and windows that separate the interior of the building for the El Santo tenant area from the adjoining patio may remain open during live entertainment performances. All other door and windows are proposed to remain closed during live entertainment performances.
6. **USE LIMITATION.** The live entertainment activities shall be limited to the tenant area identified on the Site/Floor Plan as "B: El Santo".
7. **USE LIMITATION.** There shall be no live entertainment activities in the El Santo tenant area when the tenant area identified on the Site/Floor Plan as "A: Morning Squeeze" is open for business operations to the public or private events.

#### **ADMINISTRATIVE PROCESS**

8. **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.
9. **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.

AMERICAN  
CITY OF SCOTTSDALE  
PLANNING DEPARTMENT

POOR QUALITY ORIGINAL

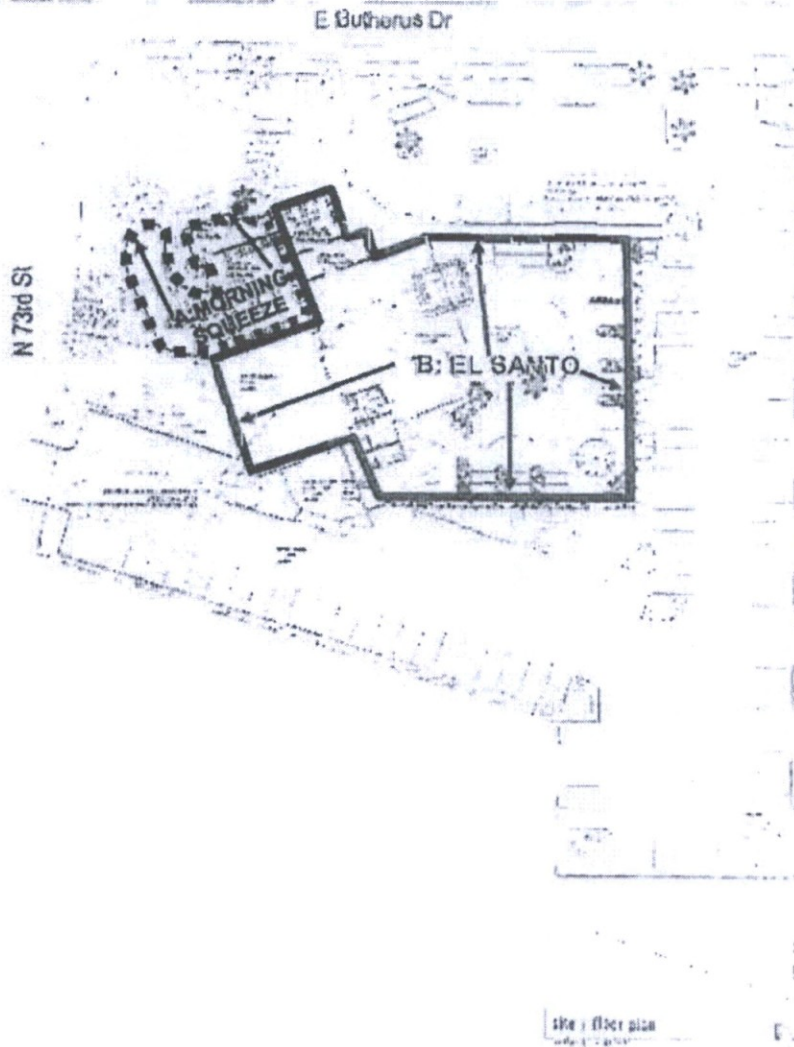


Exhibit A to Exhibit 2  
Resolution No. 9998

Site floor plan

Project Information

PROJECT NO. 13-037  
 DATE: 11/14/13  
 PROJECT NAME: MORNING SQUEEZE RESTAURANT  
 PROJECT ADDRESS: 7071 E GUTHRIE DRIVE, SCOTTSDALE, AZ 85264  
 PROJECT OWNER: E. SANTO, BILLY AND MCKINNO SQUEEZE RESTAURANT  
 PROJECT ARCHITECT: [illegible]  
 PROJECT ENGINEER: [illegible]  
 PROJECT CONTRACTOR: [illegible]  
 PROJECT DESCRIPTION: [illegible]  
 PROJECT STATUS: [illegible]  
 PROJECT PHASES: [illegible]  
 PROJECT BUDGET: [illegible]  
 PROJECT RISK: [illegible]  
 PROJECT SCHEDULE: [illegible]  
 PROJECT CONTACTS: [illegible]

About this project...

**Owner:** E. SANTO, BILLY AND MCKINNO SQUEEZE RESTAURANT  
**Architect:** [illegible]  
**Engineer:** [illegible]  
**Contractor:** [illegible]

ARC

City of Scottsdale Construction Codes

CITY OF SCOTTSDALE CONSTRUCTION CODES  
 CITY OF SCOTTSDALE, ARIZONA  
 1000 SCOTTSDALE AVENUE, SUITE 100  
 SCOTTSDALE, ARIZONA 85264  
 (480) 343-3300  
 WWW.SCOTTSDALEAZ.GOV

E. SANTO, BILLY AND  
 MCKINNO SQUEEZE RESTAURANT  
 7071 E GUTHRIE DRIVE  
 SCOTTSDALE, AZ 85264

Parking Calculations

PARKING CALCULATIONS  
 PROJECT: MORNING SQUEEZE RESTAURANT  
 ADDRESS: 7071 E GUTHRIE DRIVE, SCOTTSDALE, AZ 85264  
 PROJECT AREA: [illegible]  
 TOTAL PARKING SPACES: [illegible]  
 REQUIRED PARKING SPACES: [illegible]  
 EXISTING PARKING SPACES: [illegible]  
 NEW PARKING SPACES: [illegible]

Vicinity Map



PROJECT NO. 13-037  
 DATE: 11/14/13  
 PROJECT NAME: MORNING SQUEEZE RESTAURANT  
 PROJECT ADDRESS: 7071 E GUTHRIE DRIVE, SCOTTSDALE, AZ 85264  
 PROJECT OWNER: E. SANTO, BILLY AND MCKINNO SQUEEZE RESTAURANT  
 PROJECT ARCHITECT: [illegible]  
 PROJECT ENGINEER: [illegible]  
 PROJECT CONTRACTOR: [illegible]

# CITY COUNCIL REPORT

Item 9



Meeting Date: September 13, 2011  
General Plan Element: Land Use  
General Plan Goal: Create a sense of community through land uses

## ACTION

Tres Compadres  
8-ZN-2011 & 33-UP-2011

Request to consider the following:

1. Adopt Ordinance No. 3965 approving a zoning district map amendment from Industrial Park District (I-1) zoning to Central Business District (C-2) zoning, finding that the proposed zoning map amendment is consistent and conforms to the adopted General Plan and the Greater Airpark Character Area Plan on a 2 +/- acre site located at 7301 E. Butherus Drive.
2. Find that the Conditional Use Permit criteria have been met and adopt Resolution No. 8809 approving a Conditional Use Permit for a Bar use at an existing 19,354 +/- square foot restaurant located at 7301 E. Butherus Drive with Central Business District, (C-2) zoning.

## OWNER

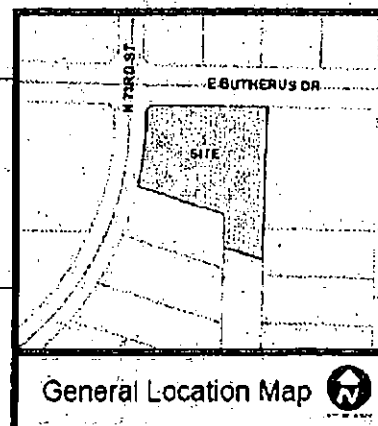
Oakwood III LLC/Fondamenta Uno LLC

## APPLICANT CONTACT

Prescot Smith/Paul Smith  
Technical Solutions  
602-957-3434

## LOCATION

7301 E Butherus Drive



## BACKGROUND

### Zoning:

The approximately 2-acre property was annexed from Maricopa County into the City of Scottsdale in 1964 (Ordinance #219) as a single-family Residential district. Zoning district of I-1 was assigned to the 2-acre site and its surrounding areas at the time of the annexation. The 2-acre site is currently occupied by a vacant restaurant building and maintains the I-1 zoning; a restaurant use has been established on the subject site since the early 1970s (4-UP-1970). I-1 district allows aeronautical

Action Taken \_\_\_\_\_

activities, light manufacturing and other employment uses. A restaurant use is subject to a Conditional Use permit process; however, a bar use is not a permitted use in the I-1 District.

### **General Plan**

The General Plan Land Use Element designates the property as Employment. This category denotes an area with a range of employment uses from light manufacturing to light industrial uses with access to adequate mobility systems and opportunities for business enterprises. Locations have been identified for employment areas where impacts on residential neighborhoods are limited and access is available to labor pools and transportation facilities.

### **Greater Airpark Character Area Plan**

The ±2-acre property is also located in an area governed by the Greater Airpark Character Area Plan (GACAP). The GACAP is a component of the General Plan and is used to guide future development and revitalization within the Greater Airpark area of the city. The GACAP Land Use Element designates the 2-acre property with Hatching as a transitional area where it is appropriate to develop as either Aviation (AV) or Airpark Mixed Use (AMU). The areas with Aviation (AV) land use designation encompasses the Scottsdale Airport and includes properties that access the Airport runway via taxilane and taxiway. Aviation and aviation-supporting uses are encouraged in these areas. The Airpark Mixed Use (AMU) land use designation denotes the area for a variety of non-residential uses, including a combination of business, office, employment, retail, institutional, and hotel uses. Developments in the AMU areas should be pedestrian-oriented and have access to multiple modes of transportation. The AMU areas should be located where transitions are needed between land use designations of Aviation and Employment to AMU-Residential areas.

### **Context**

The proposed development is located within the Thunderbird Industrial Airpark Subdivision. There is currently a vacant restaurant building of approximately 19,354 square feet on the subject ±2-acre property. The property is bounded by N. 73<sup>rd</sup> Street to the west and E. Butherus Drive to the north. Properties across N. 73<sup>rd</sup> Street and E. Butherus Drive are all light industrial/office uses zoned Industrial Park (I-1) district. An automotive and airplane restoration use abuts the subject site to the east, zoned Central Commercial with conditions (C-4 (C)) District, and a light industrial use/office to the south zoned Industrial Park (I-1) District. Access to the site is provided by both E. Butherus Drive and N. 73<sup>rd</sup> Street; a taxilane south of the subject site also provides access for fixed-wing airplane accessing the Airport runway south of the subject site. Since the site has not been used for any aviation activities, bollards had been installed to block access to the Airport. Please refer to context graphics attached.

### **Key Items for Consideration**

- Conformance with the General Plan
- Conformance with the Greater Airpark Character Area Plan
- Conformance with the Conditional Use Permit criteria
- Existing restaurant on the property
- Potential aviation property abutting taxilane
- Planning Commission recommended approval by a vote of 5-0

**Related Policies, References:**

- Scottsdale General Plan
- Greater Airpark Character Area Plan
- Restaurant Design Guidelines
- Scottsdale City Code, Chapter 5 "Aviation"
- Noise Ordinance

**Related Cases:**

- 74-DR-1999 Approval of a Development Review Board application for an exterior change to an existing restaurant.
- 35-UP-1979 Approval to amend an existing Conditional Use Permit for a restaurant to add an outdoor dining and an aircraft parking area.
- 163-DR-1979 Approval of a Development Review Board application for an outdoor dining area to an existing restaurant.
- 4-UP-1970 Approval of a Conditional Use Permit for a restaurant to be established on the ±2 acre property.
- 47-ZN-1964 City Council established the initial zoning of I-1 zoning district on the subject property and its surrounding areas upon annexation.

**APPLICANTS PROPOSAL**

---

**Goal/Purpose of Request**

The applicant is proposing to establish a bar use on the property with minor changes to the existing restaurant building exterior and to expand the patio area. There is an existing Conditional Use Permit for the restaurant use; however, the proposed bar use is not allowed use in the I-1 district. Therefore, the applicant is seeking a rezoning to Central Business (C-2) District in order to establish the bar use. The C-2 District allows neighborhood commercial activities designed to serve the community. A bar use is a permitted use in the C-2 District subject to a Conditional Use Permit process.

**Development Information**

- Existing Use: Vacant restaurant
- Proposed Use: New bar
- Parcel Size: ±2 acres
- Building Height Allowed: 36 feet
- Building Height Proposed: 15 feet (existing)
- Open Space Required: 10,098 square feet
- Open Space Provided: 11,228 square feet
- Floor Area: 5,071 square feet (gross), 12,466 square feet of patio area, and 1,273 square feet for bar area.

- Parking Required: 115 spaces
- Parking Provided: 115 spaces

## **IMPACT ANALYSIS**

---

### **Land Use**

#### General Plan

The General Plan land use designation of employment intends to provide opportunities for employment uses; however, this land use designation supports other business enterprises. The proposed rezoning from an industrial zoning district to a commercial zoning district would allow a wide range of neighborhood commercial uses/activities to be established on the property. The C-2 district allows a variety of business enterprises to support the employment land use designation including the proposed restaurant and bar use.

#### Greater Airpark Character Area Plan (GACAP)

The proposed rezoning will establish a commercial zoning district in the area surrounded by aviation and light industrial uses, and commercial uses to the northwest of the site. The proposed commercial district of C-2 will provide a transitional zoning district that is consistent with the transitional land use designation identified in the GACAP. The proposed restaurant and bar use will provide entertainment activities that are envisioned in the Airpark area. The proposed rezoning and proposed Conditional Use Permit are consistent with the Policies set forth in the GACAP which includes Policy LU 1.1: Maintain and expand the diversity of land uses in the Greater Airpark. Policy LU 1.2: Support a mix of uses within the Greater Airpark that promote a sense of community and economic efficiency, such as clustering similar/supportive uses and incorporating residential intended for the area's workforce, where appropriate. Policy LU 1.4: Encourage the redevelopment of underutilized land to more productive uses. Policy LU 1.7: Encourage adaptive reuse of buildings.

#### **Airport Vicinity**

Although the property has taxilane access, the rezoning to C-2 will prevent any future aviation uses on the property, and relinquishes the ability to utilize the taxilane. A solid barrier will be required to block vehicular and pedestrian access onto the taxilane. The Airport has no concerns with the proposed use since the restaurant has been on the property for nearly 30 years and that the proposed rezoning and use permit are for Airpark related support uses. In addition, the site is not located within the fifty-five (55) DNL or higher noise contour; however, the proposed new restaurant and bar establishment is within the airport noise overlay (AC-2) as identified in the updated Part 150 Study adopted by City Council in 2005. Restaurant/bar establishments are identified in the 2005 Part 150 Study as sensitive uses within the noise overlay (AC-2), therefore, an aviation easement to be signed by the property owner will be the condition of approval for the Conditional Use Permit.

#### **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 site was previously occupied as a licensed restaurant and bar (prior to the adoption of the bar ordinance). The site is within the Airpark area, less than a thousand feet from the Airport runway and surrounded by industrial and commercial uses. The site is, however, within 500 feet of a future residential development that was approved for a mixed use master plan development across E. Butherus Drive northwest of the subject site (Scottsdale Quarter). Noise impact generated by the proposed bar will be commensurate with existing light industrial, commercial and aviation uses in the area. The applicant has agreed to direct any speakers located on the patio downward and away from the property line. All new outdoor lighting must conform to the City's lighting standards. No smoke, odor, dust or vibration is anticipated from this use.
  2. Impact on surrounding areas resulting from an unusual volume or character of traffic.
    - The proposed establishment is similar to other uses allowed in the Airpark area districts. Access to the parking area for the proposed new restaurant and bar will continue to be provided by E. Butherus Drive and N. 73<sup>rd</sup> Street, no changes will occur to existing traffic patterns in the immediate area. The proposed bar use would not likely have a negative impact on surrounding areas resulting from an unusual volume or character of traffic.
  3. There are no other factors associated with this project that will be materially detrimental to the public.
    - This site was previously occupied as a restaurant. There are no other detrimental factors anticipated with the proposed use. The applicant has submitted a Security, Maintenance and Operations Plan that has been reviewed and approved by the city's Police Department.
- B. The characteristics of the proposed conditional use are reasonably compatible with the types of uses permitted in the surrounding areas.
- Existing uses in the area range from daytime industrial, office and aviation uses to nighttime uses such as retail, restaurants and bars and hospitality uses. The proposed use is in character and compatible with the existing uses in the surrounding area.
- C. The additional conditions specified in Section 1.403, as applicable, have been satisfied. The proposal meets the provisions for Bars as identified in Zoning Ordinance Section 1.403.C.1, including:
1. The use shall not disrupt existing balance of daytime and nighttime uses.
    - The area surrounding the site currently has a varied mix of daytime and nighttime uses in place. The proposed new restaurant and bar will be opened during the day to serve the nearby community; the proposed establishment is not likely to disrupt the existing balance of daytime and nighttime uses in the area.

3. The use shall not disrupt pedestrian-oriented daytime activities.
  - **Additional pedestrian connections from the building extending to the existing sidewalk along E. Butherus Drive will be provided. The proposed bar establishment is not anticipated to disrupt pedestrian oriented daytime activities in the area.**
4. 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.
  - 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 site is outside of the Downtown and Downtown Overlay area.**
5. 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.
    - **The proposed establishment is within 500 feet of a proposed residential project. However, the residential development is planned to be located over 200 feet away from the restaurant building and over 300 feet away from the proposed patio and the patio is oriented toward east of the site away from the future residential development. The residential development is also part of the existing commercial/mixed use development that already has bar uses. Noise generated by the proposed bar will be commensurate with existing light industrial, commercial, and aviation uses in the area. The proposed establishment will not likely adversely impact the future residential use.**
    - **The applicant has been stipulated to direct any speakers located on the patio downward and away from the property line.**
6. An active management and security plan shall be created, approved, implemented, maintained, and enforced for the business.
  - **A Security, Maintenance, and Operations Plan has been submitted and approved by the Police Department.**
7. 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.
  - **Provisions for refuse control are included with the Security, Maintenance and Operations Plan and have been stipulated with this case.**
8. The applicant shall demonstrate how noise and light generated by the use shall be mitigated.
  - **No new lighting is proposed with this case. Noise levels have been stipulated to not exceed the ambient noise levels of the area and to be in compliance with the Noise Ordinance.**

8. The applicant shall demonstrate that the use shall meet required parking and shall not exceed capacity for traffic in the area.
  - 115 parking spaces are required for a bar use. The applicant submitted a conceptual site plan that will provide 115 spaces on-site.
  - The parking analysis submitted by the applicant demonstrated that parking requirements are met for the use and the estimated trips generated for the proposed restaurant and bar use will not exceed capacity for traffic in the area.
9. After hours establishments must maintain a valid after hour establishment license.
  - The proposed use is not an afterhours establishment.

#### **Traffic**

East Butherus Drive is classified as minor arterial street and N. 73<sup>rd</sup> Street is classified as minor collector street. The intersection of E. Butherus Drive and N. 73<sup>rd</sup> Street is signalized. Daily trips generated by the restaurant portion of the development are estimated to be 500 vehicles with 42 p.m. peak hour trips. The bar will generate additional traffic, but this typically occurs during the off-peak periods for the City's street system. Recent street improvements in the vicinity of the site include improvements to the N. Scottsdale Road and E. Butherus Drive intersection associated with the Scottsdale Quarter mixed use development, and the realignment of N. 73<sup>rd</sup> Street at Thunderbird Road with the installation of a traffic signal at this location. The site was previously occupied by a restaurant, so it is not anticipated that traffic volumes will increase significantly with the proposed development. The requested change in zoning will not result in the increase traffic volume that would impact negatively on the surrounding streets.

#### **Water/Sewer**

There are existing water and sewer improvements on the property to serve the site. The proposed rezoning and Conditional Use Permit would not likely generate any impacts on the existing infrastructure.

#### **Public Safety**

The proposed bar use is required to submit a Security and Maintenance, and Refuse Plan, which has been reviewed and approved by the Police Department. The nearest fire station is located approximately 3,500 feet east of the subject site at 14970 N. 78<sup>th</sup> Way (Station No. 9). The subject property is located within Police District 4, Beat Patrol Unit #15. A comprehensive Public Safety and Refuse Control Plan has been reviewed and approved by the Scottsdale Police Department. The proposed development is not anticipated to generate negative impacts on the existing police and fire emergency services.

#### **Liquor License Review**

The operator of the business will submit a Series 6 (bar) liquor license shortly after the conditional use permit approval process.

#### **Community Involvement**

The City notified property owners within a 750-foot radius of the subject site. The applicant posted the property and also sent notification letters to property owners within 750 feet radius of the

subject site and contacted other tenants and property owners within the surrounding areas. The applicant held an open house on August 4, 2011 at the subject site. Staff has not received any written comments as of the date of this report.

**Policy Implications**

- Provides a transition between the commercial and industrial uses in the area
- Encourages pedestrian activities
- Eliminates aviation opportunities for the taxi lane property

**OTHER BOARDS & COMMISSIONS**

---

**Planning Commission**

Planning Commission heard the two requests at their hearing on August 10, 2011. The Planning Commission found that the proposed zoning map amendment request is consistent with the General Plan and the Greater Airpark Character Area Plan, and found that the Conditional Use Permit criteria have been met and recommended approval by a vote of 6-0.

**Recommended Approach:**

Staff recommended that the Planning Commission find that the proposed zoning map amendment is consistent and conforms to the adopted General Plan and the Greater Airpark Character Area Plan, and the Conditional Use Permit criteria have been met, and make a recommendation to City Council for approval per the attached stipulations.

**OPTIONS & STAFF RECOMMENDATION**

---

**Recommended Approach:**

1. Adopt Ordinance No. 3965 approving a zoning district map amendment from Industrial Park District (I-1) zoning to Central Business District (C-2) zoning, finding that the proposed zoning map amendment is consistent and conforms to the adopted General Plan and the Greater Airpark Character Area Plan on a 2 +/- acre site located at 7301 E. Butherus Drive.
2. Find that the Conditional Use Permit criteria have been met and adopt Resolution No. 8809 approving a Conditional Use Permit for a Bar use at an existing 19,354 +/- square foot restaurant located at 7301 E. Butherus Drive with Central Business District (C-2) zoning.

**RESPONSIBLE DEPARTMENT**

---

**Planning, Neighborhood and Transportation**

Current Planning Services

**STAFF CONTACT**

---

Louisa Garbo AICP

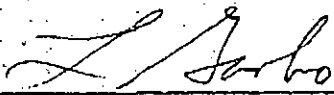
Senior Planner

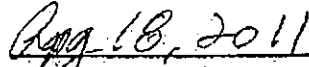
480-312-2671


E-mail: lgarbo@ScottsdaleAZ.gov

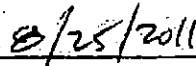
**APPROVED BY**


---

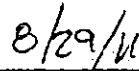
  
\_\_\_\_\_  
Louisa Garbo, Report Author

  
\_\_\_\_\_  
Date

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

  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Connie Padian, Administrator  
Planning, Neighborhood and Transportation  
480-312-2664, cpadian@scottsdaleaz.gov

  
\_\_\_\_\_  
Date

**ATTACHMENTS**

---

1. Ordinance No. 3965  
Exhibit 1. Stipulations (8-ZN-2011)  
Exhibit 2. Zoning Map
2. Resolution No. 8809  
Exhibit 1. Context Aerial  
Exhibit 2. Stipulations (33-UP-2011)  
Exhibit A to Exhibit 2: Site Plan  
Exhibit 3. Additional Criteria
3. Additional Information
4. Applicant's Narrative
5. Security, Maintenance and Operations Plan
6. Aerial Close-Up
7. General Plan Map
8. Greater Airpark Character Area Plan
9. Citizen Involvement
10. City Notification Map
11. August 10, 2011 Planning Commission minutes

ORDINANCE NO. 3965

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, AMENDING ORDINANCE NO. 455, THE ZONING ORDINANCE OF THE CITY OF SCOTTSDALE, BY AND FOR THE PURPOSE OF CHANGING THE ZONING ON THE "DISTRICT MAP" TO ZONING APPROVED IN CASE NO. 8-ZN-2011 FROM INDUSTRIAL PARK DISTRICT (I-1) ZONING TO CENTRAL BUSINESS DISTRICT (C- 2) ZONING ON A 2 +/- ACRE SITE LOCATED AT 7301 E. BUTHERUS DRIVE.

WHEREAS, the Planning Commission held a hearing on August 10, 2011;

WHEREAS, the City Council held a hearing on September 13, 2011; and

WHEREAS, the City Council finds that the proposed development is in substantial harmony with the General Plan of the City of Scottsdale and will be coordinated with existing and planned development; and

WHEREAS, it is now necessary that the comprehensive zoning map of the City of Scottsdale ("District Map") be amended to conform with the decision of the Scottsdale City Council in Case No. 8-ZN-2011.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Scottsdale, as follows:

Section 1. That the "District Map" adopted as a part of the Zoning Ordinance of the City of Scottsdale, showing the zoning district boundaries, is amended by rezoning a 2 +/- acre located at 7301 E. Butherus Drive and marked as "Site" (the Property) on the map attached as Exhibit 2, incorporated herein by reference, from Industrial Park District (I-1) zoning to Central Business District (C- 2) zoning.

Section 2. That the above rezoning approval is conditioned upon compliance with all stipulations attached hereto as Exhibit 1 and incorporated herein by reference.

PASSED AND ADOPTED by the Council of the City of Scottsdale this 13<sup>th</sup> day of September, 2011.

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: Sherry R. Scott, Deputy City Attorney

## **Stipulations for the Zoning Application:**

### **Tres Compadres**

**Case Number: 8-ZN-2011**

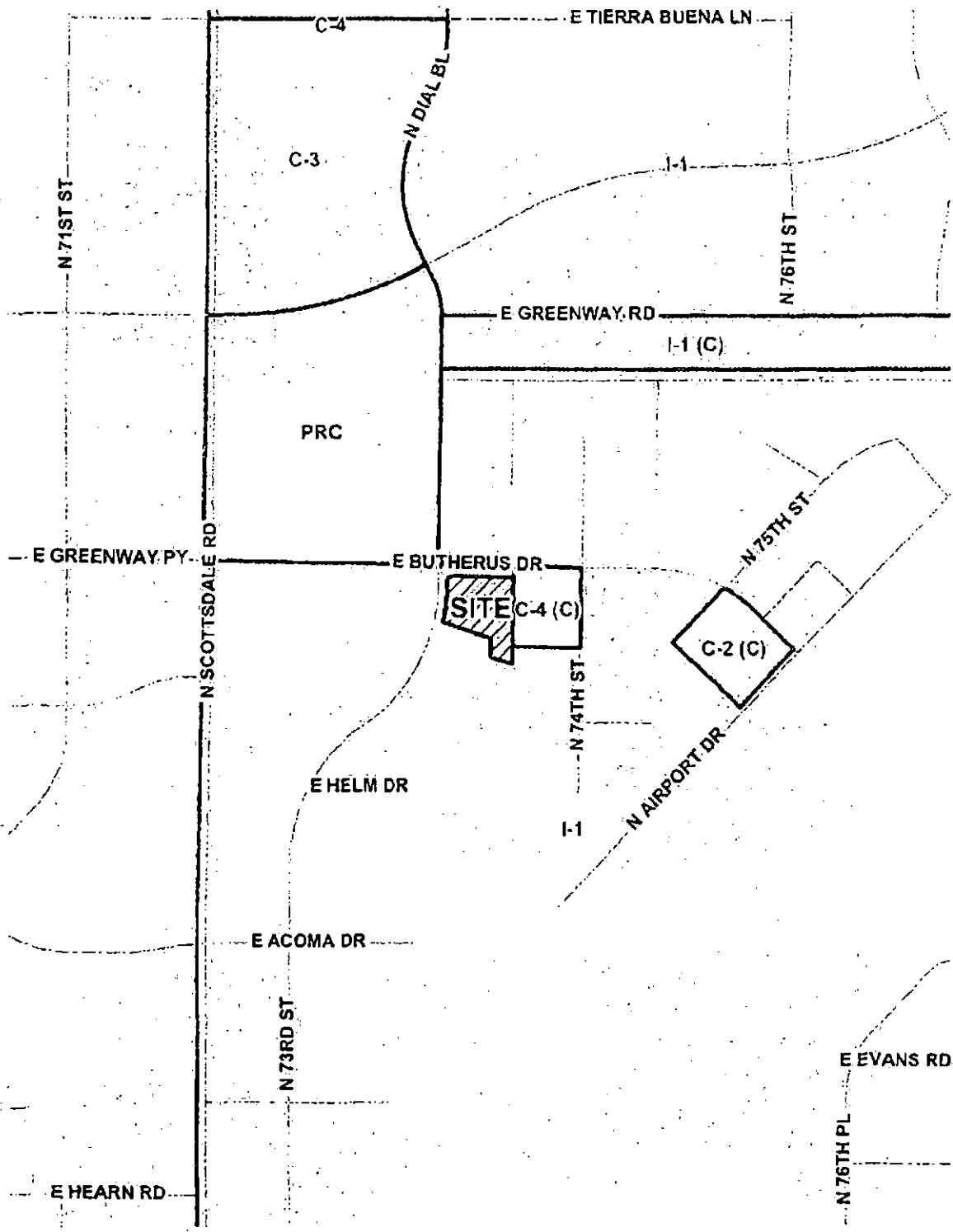
These stipulations are in order to protect the public health, safety, welfare, and the City of Scottsdale.

#### **INFRASTRUCTURE AND DEDICATIONS**

1. **PEDESTRIAN CONNECTION.** The owner shall provide sidewalk connection from the building to the corner of N. 73<sup>rd</sup> Street and E. Butherus Drive and from one side of each driveway to the building entrance.

#### **AIRPORT**

1. **AVIGATION EASEMENT.** With the Development Review Board submittal, the owner/operator shall provide a signed and completed Avigation Easement in a form acceptable to the City for recording.
2. **AIRCRAFT NOISE AND OVERFLIGHT DISCLOSURE.** With the Development Review Board Application submittal, the owner/developer shall provide noise disclosure notice to occupants, potential homeowners, employees and/or students in a form acceptable to the Scottsdale Aviation Director.
3. **TAXILANE BARRIER.** With Development Review Board Application, the owner/developer shall provide design detail on the barrier to be constructed across the taxilane south of the subject site for review.



RESOLUTION NO. 8809

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, ADOPTING A CONDITIONAL USE PERMIT FOR A BAR IN AN EXISTING 19,354 +/- SQUARE FOOT RESTAURANT LOCATED AT 7301 E. BUTHERUS DRIVE WITH CENTRAL BUSINESS DISTRICT, (C-2) ZONING.

WHEREAS, the Planning Commission held a public hearing on August 10, 2011; and

WHEREAS, the City Council, held a public hearing on September 13, 2011.

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. 33-UP-2011. 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 13<sup>th</sup> day of September, 2011.

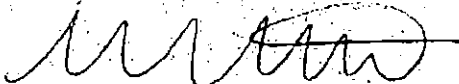
ATTEST:

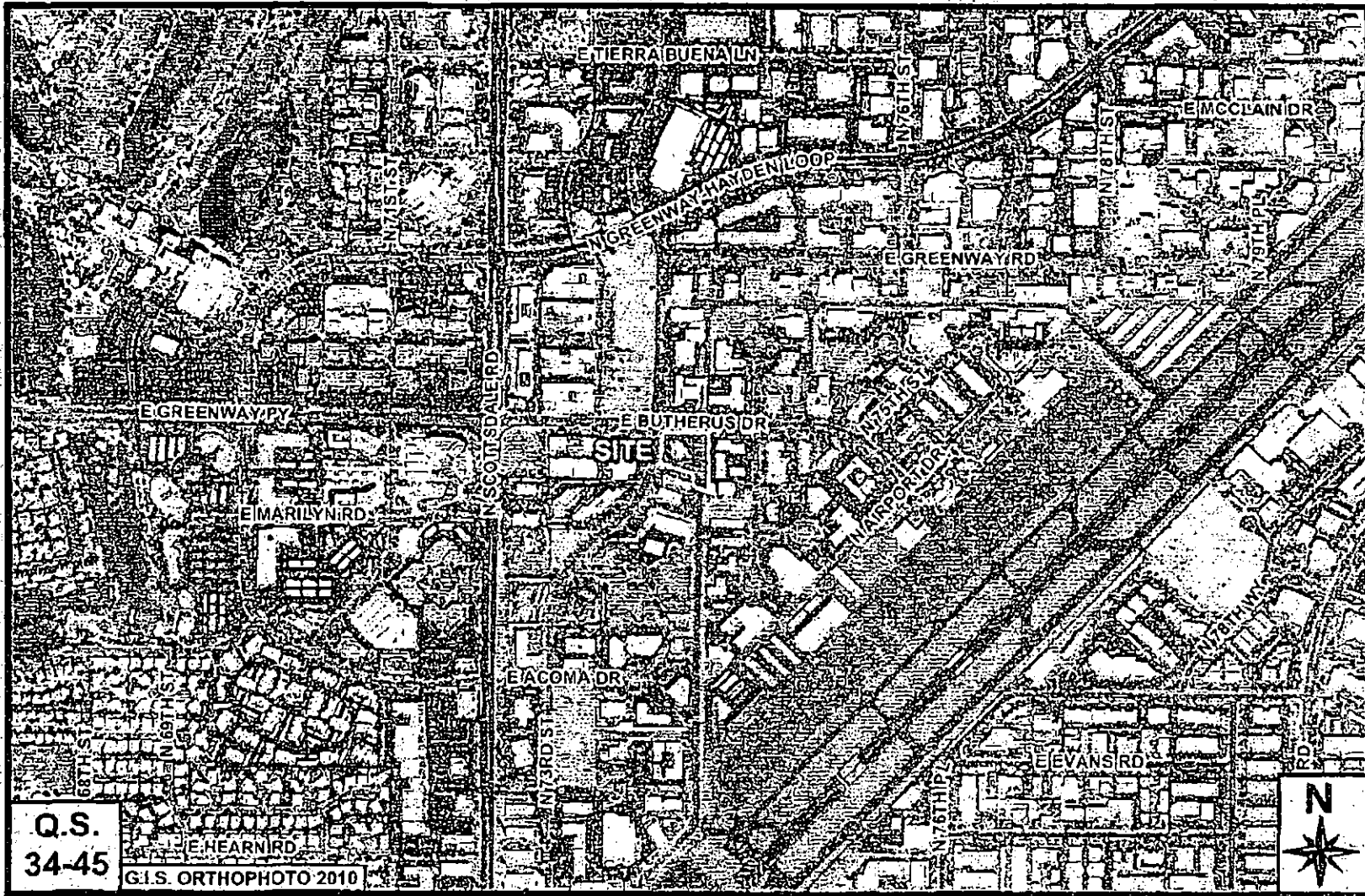
CITY OF SCOTTSDALE, an Arizona  
Municipal Corporation

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: Sherry R. Scott, Deputy City Attorney



Q.S.  
34-45

G.I.S. ORTHOPHOTO 2010

Tres Compadres

Exhibit 1  
Resolution No. 8809

33-UP-2011

## Stipulations for the Conditional Use Permit

### For a Bar

### Tres Compadres

Case Number: 33-UP-2011

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

#### GOVERNANCE

1. **APPLICABILITY.** All stipulations of case 8-ZN-2011 & 33-UP-2011 supersede all of the stipulations of prior cases 4-UP-1970 and 35-UP-1979.

#### SITE DESIGN

2. **CONFORMANCE TO CONCEPTUAL SITE PLAN.** Development shall conform with the conceptual site plan submitted by Curtis Architecture, Inc., with the city staff date of 8/2/11, attached as Exhibit A to Exhibit 2. Any proposed significant change to the conceptual site plan as determined by the Zoning Administrator, shall be subject to additional action and public hearings before the Planning Commission and City Council.
3. **NO LIVE ENTERTAINMENT.** This Conditional Use Permit is for a bar use only. No live entertainment is approved as part of this request.
4. **HOURS OF BAR OPERATIONS.** The hours of bar operations for this establishment shall be as indicated below. The applicant shall provide full food service beginning no later than 11:00 AM daily:

	Open to Customers	Close to Customers
Sunday	11:00 AM	2:30 AM
Monday	11:00 AM	2:30 AM
Tuesday	11:00 AM	2:30 AM
Wednesday	11:00 AM	2:30 AM
Thursday	11:00 AM	2:30 AM
Friday	11:00 AM	2:30 AM
Saturday	11:00 AM	2:30 AM

5. **SECURITY, MAINTENANCE, AND OPERATIONS PLAN.** The operations of the bar shall conform to the Security, Maintenance, and Operations 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/operator shall provide an update of the Security, Maintenance, and Operations Plan to the Scottsdale Police Department and the Planning, Neighborhoods, and Transportation 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 Security, Maintenance, and Operations Plan, the owner/operator shall submit a revised Security, Maintenance, and Operations Plan to the Scottsdale Police Department and the Planning, Neighborhoods, and Transportation Division. Any revised Security, Maintenance, and Operations Plan shall be subject to approval by the City of Scottsdale's Police Department and the Planning, Neighborhoods, and Transportation 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.
7. **OUTDOOR SPEAKERS.** The owner/operator shall direct any speakers located on the patio downward and away from the property line.

#### **PARKING**

8. **MINIMUM PARKING.** The site shall be required to provide parking, as required by the Zoning Ordinance, through on-site parking, remote/off-site parking, or any combination thereof, at all times. Prior to issuance of any permits, owner/operator shall demonstrate to the City how parking will be provided.
9. **PARKING ASSURANCE AGREEMENT(S).** If the owner/operator chooses to utilize off-site parking to satisfy the parking requirement for the use, prior to issuance of any permits the owner/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/operator shall submit a new assurance agreement to the Zoning Administrator, or designee, subject to city review and approval. Inability of the owner/operator 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.

#### **AIRPORT**

10. **AVIGATION EASEMENT.** With the Development Review Board submittal, the owner/operator shall provide a signed and completed Avigation Easement in a form acceptable to the City for recording.
11. **AIRCRAFT NOISE AND OVERFLIGHT DISCLOSURE.** With the Development Review Board Application submittal, the owner/developer shall provide noise disclosure notice to occupants, potential homeowners, employees and/or students in a form acceptable to the Scottsdale Aviation Director.
12. **TAXILANE BARRIER.** With Development Review Board Application, the owner/developer shall provide design detail on the barrier to be constructed across the taxilane south of the subject site for review.

#### **INFRASTRUCTURE AND DEDICATIONS**

13. **PEDESTRIAN CONNECTION.** The owner shall provide sidewalk connection from the building to the corner of N. 73<sup>rd</sup> Street and E. Butherus Drive and from one side of each driveway to the building entrance.

14. REFUSE ENCLOSURE. The owner shall provide a refuse enclosure with grease containment area in accordance with City of Scottsdale Standard Detail # 2146-2. The refuse enclosures shall be positioned at 30-degree angle to the centerline of the drive aisle.
15. WASTEWATER. The location of the existing or proposed grease interceptor shall be identified on the final improvement plans.

#### **DRAINAGE REPORT**

16. In the required drainage report, the owner/operator shall address:
  - a. Existing stormwater storage basins. Prior to the Development Review Board application approval, the owner/operator must verify that the proposed development will not decrease the storage capacity of the existing basins.
  - b. Prior to Development Review Board application approval, the owner/operator must provide additional stormwater storage if required.
17. CONSTRUCTION COMPLETED. Before any BUILDING PERMIT is issued for the site, the owner/operator shall complete all the infrastructure and improvements required by the Scottsdale Revised Code and these stipulations, in conformance with the Design Standards and Policies Manual and other applicable standards.

#### **ADMINISTRATIVE/PROCESS**

18. CONDITIONAL USE PERMIT ADMINISTRATIVE REVIEW. Within ten (10) days after a request by the Zoning Administrator or designee, the owner/operator 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.
19. CHANGES IN OWNERSHIP. Within ten (10) days after a change in ownership, the owner/operator shall provide notice to the Zoning Administrator in writing of any such ownership change.



March 30, 2018



Code Enforcement

**FINAL COMPLIANCE**

SDL RESTAURANT GROUP LLC  
14988 N 78TH WY SUITE 112  
SCOTTSDALE, AZ 85260

**Inspection Report**

**RE: Case# 292995 - 7301 E BUTHERUS DR, SCOTTSDALE, AZ 85260 (APN: 215-56-024B)**

In reference to case 292995, opened on Wednesday, November 22, 2017 for the property listed above, a subsequent re-inspection of the property showed that the attached violations were not corrected; therefore you have until Monday, April 09, 2018 to bring this property into compliance. If the property remains in violation beyond the due date of Monday, April 09, 2018, additional enforcement actions will occur.

Uncorrected violations may result in fines of up to \$2,500 for each day a violation is found, six (6) months in jail, probation, or any combination thereof. Property Maintenance Ordinance violations that are not corrected, may be abated by a City hired contractor with an assessment against the property for the costs incurred. Recidivists (repeat offenders) may receive only ONE official Compliance Notice.

**We appreciate your cooperation in this matter. If for any reason you have difficulty complying with the noted corrective actions listed on the attached page or need further information, please contact us by using any of the following methods below:**

- Call Code Inspector:** Mario Alvarez-reach directly at 480-312-3023(Office hours vary)
- Email Us:** Code@ScottsdaleAZ.gov
- Write Us:** 2935 N. 67th Place, Scottsdale, AZ 85251
- Call Us:** Mon-Fri 8 AM - 5 PM at (480) 312-2546 or Fax (480) 312-2455
- Web Address:** <http://www.ScottsdaleAZ.gov/codes/code-enforcement>

**Please Note:** Scottsdale Code Inspectors work varied hours and days each week at different locations other than our main address. You are encouraged to call us before visiting our office.

For TTY users, have operator at the AZ Relay Services (711) call our number. This information is available in alternate format upon request. Thank you.

## VIOLATION DETAIL(S)

Please be advised that an investigation has shown that this property is in violation of the City Nuisance and Property Maintenance Ordinance or City Code in the following area(s):

**Correct all violation(s) by: Monday, April 09, 2018**

---

**Violation Code:** 5.1403(C-2) - Central Business District

**Violation Description:**

You are maintaining a use in a commercial zoned district that is not permitted. The City's zoning ordinance allows certain permitted uses for land, according to its zoning district.

**Corrective Action:**

N/A

---

**Violation Code:** 1.1101 - Building Permits Required

**Violation Description:**

Constructing, altering, repairing, removing or demolishing, or commencing construction, alteration, removal or demolition of a building or structure without a formal permit from the Zoning Administrator. Contact the City's Planning Neighborhoods and Transportation Department at 480-312-2500, on line at <http://www.scottsdaleaz.gov/bldgresources/counterresources.asp> or visit the One Stop Shop at 7447 E. Indian School Road for more information and to initiate the process to obtain required permits.

Note: Based on building and zoning code requirements, it may be determined that your construction is not allowed and must be removed.

**Corrective Action:**

Owner/Management of BLK Live must cease operations on illegally built stage on north side of patio. Stage was not approved by the City of Scottsdale and requires building safety permits and inspections. Additionally, such a structure on a commercial site location require a pre-application for design and use. Please schedule a pre-application meeting by visiting our One Stop Shop at 7447 E. Indian School Road or call them at 480-312-2500

---

**Violation Code:** 1.402 - Conditional use permits

**Violation Description:**

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.  
A. Violation. 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.

**Corrective Action:**

Owner/Management of BLK Live must cease operations on illegally built stage on north side of patio. Stage was not approved by the City of Scottsdale and requires building safety permits and inspections. Additionally, such a structure on a commercial site location require a pre-application for design and use. Please schedule a pre-application meeting by visiting our One Stop Shop at 7447 E. Indian School Road or call them at 480-312-2500

December 07, 2017



Code Enforcement

**COMPLIANCE NOTICE**

SDL RESTAURANT GROUP LLC  
14988 N 78TH WY SUITE 112  
SCOTTSDALE, AZ 85260

---

**RE: Case# 292995 - 7301 E BUTHERUS DR, SCOTTSDALE, AZ 85260 (APN: 215-56-024B)**

This notice to comply is to inform you that on Thursday, December 07, 2017, the property listed above was inspected and found to be in violation of the City of Scottsdale codes or Arizona Revised Statutes as listed on the attached pages. A re-inspection will be conducted on or after Monday, December 18, 2017 to verify compliance. If the property is brought into compliance with the Code prior to the scheduled re-inspection date listed above, you will not be subject to citations or fines for the violation(s). This letter serves as a legal notice of violation(s) of the following subsection(s) of the Property Maintenance Ordinance - Chapter 18, Zoning Ordinance of the Scottsdale City Code or Arizona Revised Statutes.

**We appreciate your cooperation in this matter. If for any reason you have difficulty complying with the noted corrective actions listed on the attached page or need further information, please contact us by using any of the following methods below:**

**Call Code Inspector:** Mario Alvarez-reach directly at 480-312-3023(Office hours vary)  
**Email Us:** Code@ScottsdaleAZ.gov  
**Write Us:** 2935 N. 67th Place, Scottsdale, AZ 85251  
**Call Us:** Mon-Fri 8 AM - 5 PM at (480) 312-2546 or Fax (480) 312-2455  
**Web Address:** <http://www.ScottsdaleAZ.gov/codes/code-enforcement>

**Please Note:** Scottsdale Code Inspectors work varied hours and days each week at different locations other than our main address. You are encouraged to call us before visiting our office.

For TTY users, have operator at the AZ Relay Services (711) call our number. This information is available in alternate format upon request. Thank you.

## VIOLATION DETAIL(S)

Please be advised that an investigation has shown that this property is in violation of the City Nuisance and Property Maintenance Ordinance or City Code in the following area(s):

**Correct all violation(s) by: Monday, December 18, 2017**

---

**Violation Code:** 5.1403(C-2) - Central Business District

**Violation Description:**

You are maintaining a use in a commercial zoned district that is not permitted. The City's zoning ordinance allows certain permitted uses for land, according to its zoning district.

**Corrective Action:**

N/A

---

**Violation Code:** 1.1101 - Building Permits Required

**Violation Description:**

Constructing, altering, repairing, removing or demolishing, or commencing construction, alteration, removal or demolition of a building or structure without a formal permit from the Zoning Administrator. Contact the City's Planning Neighborhoods and Transportation Department at 480-312-2500, on line at <http://www.scottsdaleaz.gov/bldgresources/counterresources.asp> or visit the One Stop Shop at 7447 E. Indian School Road for more information and to initiate the process to obtain required permits.

Note: Based on building and zoning code requirements, it may be determined that your construction is not allowed and must be removed.

**Corrective Action:**

Owner/Management of BLK Live must cease operations on illegally built stage on north side of patio. Stage was not approved by the City of Scottsdale and requires building safety permits and inspections. Additionally, such a structure on a commercial site location require a pre-application for design and use. Please schedule a pre-application meeting by visiting our One Stop Shop at 7447 E. Indian School Road or call them at 480-312-2500

---

**Violation Code:** 1.402 - Conditional use permits

**Violation Description:**

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.  
A. Violation. 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.

**Corrective Action:**

Owner/Management of BLK Live must cease operations on illegally built stage on north side of patio. Stage was not approved by the City of Scottsdale and requires building safety permits and inspections. Additionally, such a structure on a commercial site location require a pre-application for design and use. Please schedule a pre-application meeting by visiting our One Stop Shop at 7447 E. Indian School Road or call them at 480-312-2500

**Applicable in instances of non-compliance**

Civil and Criminal Penalties: Persistent or uncorrected violations may result in fines of up to \$2,500 for each day a violation is found, six (6) months in jail, probation, or any combination thereof. Property Maintenance Ordinance violations that are not corrected may be abated by a City hired contractor with an assessment against the property for the costs incurred. Recidivists (repeat offenders) may receive only ONE official Notice of Ordinance Violation.

RESOLUTION NO. 9598

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, ADOPTING A CONDITIONAL USE PERMIT FOR LIVE ENTERTAINMENT FOR AN EXISTING BAR, LOCATED AT 7301 E. BUTHERUS DR. WITH CENTRAL BUSINESS (C-2) ZONING.

WHEREAS, the Planning Commission held a public hearing on December 11, 2013; and

WHEREAS, the City Council, held a public hearing on January 14, 2014.

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 live entertainment, set forth on Exhibit 3, is required.

Section 2. That a description of the conditional use permit is set forth in Case No. 12-UP-2013. 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 14<sup>th</sup> day of January, 2014.

ATTEST:

CITY OF SCOTTSDALE, an Arizona  
Municipal Corporation

By: 

Carolyn Jagger  
City Clerk

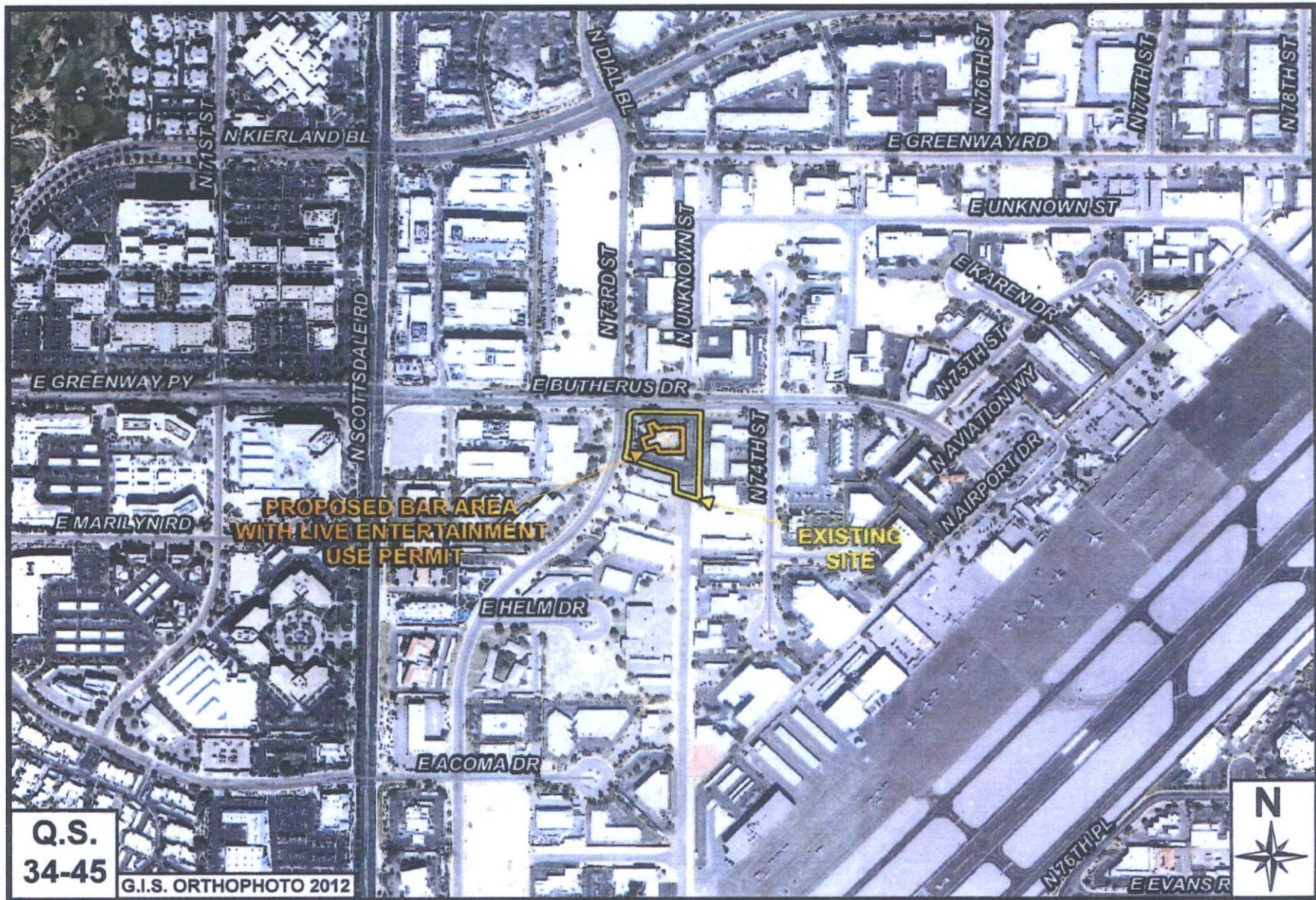
By: 

W.J. "Jim" Lane  
Mayor

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY

By: 

Bruce Washburn, City Attorney  
By: Sherry R. Scott, Deputy City Attorney



**El Santo / Morning Squeeze**

Exhibit 1  
Resolution No. 9598

**12-UP-2013**

## Conditional Use Permit - Live Entertainment

### Stipulations:

### El Santo/Morning Squeeze for

Case Number: 12-UP-2013

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

#### OPERATIONS

1. **CONFORMANCE TO THE CONCEPTUAL SITE /FLOOR PLAN.** The interior layout of the premises shall be in substantial conformance with the conceptual site/floor plan submitted by triARC architecture and design, LLC. and with the city staff date of 11/4/2013, 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. **HOURS OF LIVE ENTERTAINMENT.** The hours of the live entertainment for this establishment shall be limited to:

	Allowed Start of the Live Entertainment	To	Required End of the Live Entertainment
Sunday	2:00 p.m.	To	2:00 a.m.
Monday	5:00 p.m.	To	2:00 a.m.
Tuesday	5:00 p.m.	To	2:00 a.m.
Wednesday	5:00 p.m.	To	2:00 a.m.
Thursday	5:00 p.m.	To	2:00 a.m.
Friday	5:00 p.m.	To	2:00 a.m.
Saturday	2:00 p.m.	To	2:00 a.m.

3. **SECURITY, MAINTENANCE, AND OPERATIONS PLAN.** The live entertainment shall conform to the Security, Maintenance, and Operations 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 Security, Maintenance, and Operations Plan to the Scottsdale Police Department and the Planning, Neighborhoods, and Transportation Division. At least ten (10) days before any operational change of the live entertainment, or any promotional event (excluding Special Events), that modifies the requirements or contents of the Security, Maintenance, and Operations Plan, the owner shall submit a revised Security, Maintenance, and Operations Plan to the Scottsdale Police Department and the Planning, Neighborhoods, and Transportation Division. Any revised Security, Maintenance, and Operations Plan shall be subject to approval by the City of Scottsdale's Police Department and the Planning, Neighborhoods, and Transportation Division.

Where the provisions of a Security, Maintenance and Operations Plan conflict with the provisions of a Public Safety Plan, the provisions which establish the higher standard of protection of the public health and safe shall prevail.

4. **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.
5. **EXTERNAL DOORS AND WINDOWS.** Doors and windows that separate the interior of the building for the El Santo tenant area from the adjoining patio may remain open during live entertainment performances. All other door and windows are proposed to remain closed during live entertainment performances.
6. **USE LIMITATION.** The live entertainment activities shall be limited to the tenant area identified on the Site/Floor Plan as "B: El Santo".
7. **USE LIMITATION.** There shall be no live entertainment activities in the El Santo tenant area when the tenant area identified on the Site/Floor Plan as "A: Morning Squeeze" is open for business operations to the public or private events.

#### **ADMINISTRATIVE PROCESS**

8. **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.
9. **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.

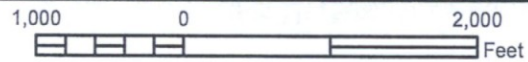


## ADDITIONAL CRITERIA FOR LIVE ENTERTAINMENT

### K. Live entertainment.

1. The applicant has provided and obtained City approval of a written Security and Maintenance Plan.
2. The applicant has provided written evidence that sound resulting from indoor live entertainment will be contained within the building, except where external speakers are permitted as part of the Conditional Use permit approval to broadcast the live entertainment.
3. The applicant has provided a lighting plan that addresses exterior lighting on the property, in accordance with Article VII of the Zoning Ordinance and the Security and Maintenance Plan requirements.
4. The applicant has provided a floor plan which identifies the areas for the primary use and for accessory functions, including but not limited to areas for performances.
5. If the establishment is not in the Downtown Area, and access to the establishment is from a street other than one classified by the Transportation Master Plan as minor collector or greater, the applicant shall provide a traffic analysis which complies with the City's transportation guidelines. The traffic analysis shall demonstrate that the level of service on all streets accessed by the use meets the City's standards.
6. If the Zoning Administrator determines that a parking study is necessary the applicant shall provide a study which complies with the City's requirements.
7. The owner shall provide any additional information required by the Zoning Administrator to evaluate the impacts of the proposed use upon the area.
8. All building openings such as doors, windows and movable wall panels shall be closed but not locked, except as permitted by the Conditional Use Permit. Doors and service windows may be opened temporarily to allow passage.
9. No external speakers used for live entertainment or outdoor live entertainment activities will be permitted on the premises of a use which is located within 500 feet of a residential district shown on Table 4.100.A
10. The owner and operator shall comply with all plans approved as part of the Conditional Use Permit.
11. All patron entrances shall be illuminated in accordance with the Building Code and the exterior lighting plans approved by the Development Review Board.
12. Noise generated from the live entertainment shall conform to the City's Noise Ordinance.

# BLK Live



chil  
2/13/2018 12:22:42 PM

Notice: This document is provided for general information purposes only. The City of Scottsdale does not warrant its accuracy, completeness, or suitability for any particular purpose. It should not be relied upon without field verification.



SECURITY, MAINTENANCE AND OPERATIONS PLAN

For Bars and Live Entertainment Use Permits



Scottsdale Police Department, 3700 North 75<sup>th</sup> Street, Scottsdale, AZ 85251

480.312.5000 FAX 480.312.7701

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

480.312.7010 FAX 480.312.7053

Assigned Planner: Dan Syner

Police Detective: John Miller

Establishment: El Santo

Address: 7301 E. Butkus

Business Phone: 480-584-3801

Business FAX: 480-214-5207

Maximum Occupancy: 690 - 117 inside 214 concrete patio 354 outside patio

Effective Date of the Plan: Upon City Council Approval

Date of Plan Review: 9/16/13 with Dan Syner

Use Permit Issue Date: 9/13/11 current CUP Bar

Liquor License Number: 06070645

Contact Person (1): Greg Donnelly

Home Phone: 602-418-1872

Contact Person (2): Billan Chatterjee

Home Phone: 480-214-5206

## 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.

## Operations and Hours

1. Permittee: Tres Compadres LLC dba El Santo
- Type of Organization:  Arizona Corporation  Corporation  
 Sole Proprietorship  LLC  
 Partnership  Other
2. Managing Agents Name: Greg Donnelly  
 Title: Managing member  
 Address: 7151 E 6th Ave Scottsdale AZ 85251  
 Phone Numbers: 480-214-5206 office  
 Fax or Other Numbers: 480-214-5207
3. Business Owner(s) (if different than Managing Agent) Name, Address, Phone: \_\_\_\_\_
4. Property Owner or Property Manager (if different from Managing Agent) Name, Address, Phone: Judi Asky 3370 N. Hayden Rd # 123-30A Scottsdale AZ 85251 480-429-5100
5. Hours of Operation:

	<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		11am	11am	2am	2am-11am
Tuesday					
Wednesday					
Thursday					
Friday		10pm-2am			
Saturday		10pm-6pm summer 10pm-2am			
Sunday		10pm-6pm summer			

*Attachment  
Addition  
Peak Days  
Peak Times  
DAYS  
Open*

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) Happy Hour 4-7 Mon-Fri
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.

*DJ - Live music -*  
B. 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: Greg Donnelly Address: 7151 E. Greenway Phone: 602 418 1872

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.

*Red El Santo security shirts*

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 6 uniformed security officer(s) (Wearing the above-described uniform). The following responsibilities shall be agreed upon and adhered to:

1. 2 Security officer(s) will be responsible for rooming the interior of the business and identifying hazards, problems, and maintaining guest safety.
2. 2 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. 2 Security officer(s) will be responsible for conducting rooming 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 2 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 of 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.

a 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.

#### 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**

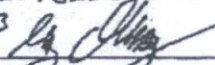
This plan shall terminate when the applicant's Use Permit terminates.

**Enclosures**


Addendums attached

No enclosures

**APPLICANT/MANAGEMENT:**

Name: Greg Donnelly  
Address: 7151 E. 6<sup>th</sup> Ave  
Phone: 480 214 5206 office 602 418 1872 cell  
Date: 9/11/13  
Signature: 

**APPROVED BY:**

Detective: J. Miller  
Phone: 480-312-8333  
Date: 9/12/13  
Signature: 

## Cluff, Bryan

---

**From:** Jeff Pielage <jpielage@exd-az.com>  
**Sent:** Tuesday, November 15, 2016 3:16 PM  
**To:** Cluff, Bryan  
**Cc:** Symer, Daniel  
**Subject:** Re: BLK - Parking Stall Resolution

Bryan

Thanks for the response.

- 1) I believe we used a deduction of 1,000 sf for the new patio based on Mr. Symer's recommendation which, I believe, was based on the fact that our patio is orientated against (2) public streets: Butherus and 73rd St. at a reduction of 500 per. The verbiage in the muni code is NOT plural in reference to a street or walkway, which to me, means they are taken individually. And it DOESN'T say a "maximum" of 500 SF or "up to" 500 SF. It would be appreciated if you could verify with Mr. Symer.
- 2) Yes what you are calling the original covered patio is now an indoor space and the calculations on our coversheet match that. We separated the existing exterior patio from the "Live Music Space" into two separate line items. "Live Music Space" is how we labeled that interior space.
- 3) You were also going to check with your staff architect about the height of the new patio wall and the height of the custom metal gate. If you could provide the maximum allowable height of the gate it would be helpful as this is a custom made fixture.
- 4) I believe you were also going to check that we are in the ballpark on our proposed landscape design. Just an FYI. The owner asked for a minimalist design similar the Quarter across the intersection but that's not what show on the drawings. I'm positive that the grand total of new items added will be reduced.
- 5) Question - I assume once comments are provided on this prelim. set we can proceed on the actual CD's while factoring prelim city comments. in other words the next we submit will be for a building permit and we DON'T have to re-submit the prelim set?

Thanks  
Jeff Pielage  
Extollo Design  
480-888-6565

On Nov 15, 2016, at 1:41 PM, Cluff, Bryan <[BCluff@Scottsdaleaz.gov](mailto:BCluff@Scottsdaleaz.gov)> wrote:

Jeff,

Thank you for the information. Not sure why the email didn't go through the first time. I can follow and accept the parking calculations as Dan outlined below, with exception of the 1000 SF deduction for the patio. The code allows the first 500 feet to be deducted if the patio is located next to and oriented toward a public walkway or street. I do not know where he would have come up with the 1000 feet deduction. I would need to speak with him about that calculation.

Also, are you able to confirm whether the original covered patio area for the live entertainment area was converted to interior area? This would affect the calculations, and it does not look like Dan considered or discussed that.

Thank you.

Bryan D. Cluff, LEED AP  
Senior Planner  
City of Scottsdale  
Planning & Development  
Phone: 480-312-2253  
Fax: 480-312-7088  
[bcluff@ScottsdaleAZ.gov](mailto:bcluff@ScottsdaleAZ.gov)

Get informed!

Subscribe to [Scottsdale P & Z Link](#) newsletter

<image001.png>

<image002.png>

**From:** Jeff Pielage [<mailto:jpelage@exd-az.com>]  
**Sent:** Friday, November 11, 2016 10:33 AM  
**To:** Cluff, Bryan  
**Subject:** Fwd: BLK - Parking Stall Resolution

Bryan

My initial attempt, sent the day we met, was returned to me. This is my second attempt. See email string at bottom concerning Daniel Symer's approval of the parking calculations.

Thanks  
Jeff

Begin forwarded message:

**From:** Jeff Pielage <[jpelage@exd-az.com](mailto:jpelage@exd-az.com)>  
**Subject:** Fwd: RE: BLK - Parking Stall Resolution  
**Date:** November 8, 2016 at 9:44:31 AM MST  
**To:** [bcluff@scottsdaleaz.com](mailto:bcluff@scottsdaleaz.com)

Bryan

Thank you for meeting with me today. Below is the entire email string between myself and Dan Symer over the past several weeks. The email below (Oct. 7 #2) should include the agreement of the tally from Dan. The reduction of 1000sf from the new patio sf was worked out with him. I just don't recall the exact code section.

Thanks

Jeff Pielage  
Extollo Design

----- Forwarded message -----

From: "Symer, Daniel" <[DSymer@scottsdaleaz.gov](mailto:DSymer@scottsdaleaz.gov)>

Date: Oct 7, 2016 8:08 AM  
Subject: RE: BLK - Parking Stall Resolution  
To: "Jeff Pielage" <[jpelage@exd-az.com](mailto:jpelage@exd-az.com)>  
Cc:

Jeff,

Regarding your questions:

1. I believe the patio space line item above is still incorrect. Should be  $(10400 \text{ sqft} - 200 - 992 = 9208 / 200 = 46)$ . Do you agree? We can also do the shower reduction...3 existing showers = 6 stall reduction.

Response:

Yes, the patio require is 46.04. for a total requirement of 146.501, or 147 spaces. Minus the 6 space for the shower reduction is 141 spaces.

2. If you agree with the above then we are now removing a total of 11 stalls from your total.  $33 - 11 = 22$ . So final tally is 22 additional off-site stalls required. Do you Agree?

Response:

Yes,  $141 - 119 = 22$ .

Dan

**From:** Jeff Pielage [mailto:[jpelage@exd-az.com](mailto:jpelage@exd-az.com)]  
**Sent:** Thursday, October 06, 2016 6:27 PM  
**To:** Symer, Daniel  
**Subject:** Re: BLK - Parking Stall Resolution

Dan:

I believe the patio space line item above is still incorrect. Should be  $(10400 \text{ sqft} - 200 - 992 = 9208 / 200 = 46)$ . Do you agree? We can also do the shower reduction...3 existing showers = 6 stall reduction.

If you agree with the above then we are now removing a total of 11 stalls from your total.  $33 - 11 = 22$ . So final tally is 22 additional off-site stalls required. Do you Agree?

Thanks  
Jeff

On Thu, Oct 6, 2016 at 5:26 PM, Symer, Daniel <[DSymer@scottsdaleaz.gov](mailto:DSymer@scottsdaleaz.gov)> wrote:  
Jeff,

I thought I responded to your questions yesterday. Regardless, here they are again, and your new questions.

Regarding your questions, which the following clarifications:

I would like to make one revision to my prior answers. The restaurant and live music space operate independently as stated above however I was told that the restaurant does not card patrons. It's always run as a restaurant.

1) Yes two different operations. BLK-3 is the restaurant and BLK-Live is the live music/bar. Food from the kitchen will be served in both uses during stated hours. The restaurant space will be open during live music events for the public so it will need to be included in the calculations. Remember this is a restaurant that serves alcohol not a bar that serves food. I assume that since it can technically be classified under both use you must the most stringent which is a divisor of 50 instead of 60 as it's calc'd now. That's what you meant by calculated "Differently"? We'd like to know exactly how many parking stalls that will need to add to our total required before proceeding with DR.

Response:

Yes, the calculation are based on the most appropriate requirement for the uses of the building. Based on your information, we are willing to look at the parking calculations as follows:

Existing Restaurant + Kitchen =  $1838+2438+= 4276 \text{ sqft} / 120 = 35.63$   
Shared entry =  $545 \text{ sqft} / 120 = 4.54$   
Patio =  $2500 \text{ sqft} - 1000 / 350 = 4.28$   
Storage =  $253 \text{ sqft} / 800 = 0.31$   
Music space  $3347 \text{ sqft} / 60 = 55.78$   
Patio space =  $10400 \text{ sqft} - 200 - 992 \text{ for landscaping} / 200 = 51$   
Storage =  $163 / 800 = 0.20$   
Total Parking Required = 151.74 or 152 space

Since there is only 119 space, the property owner may obtain a lease from a property within 600 feet that has extra parking for 33 spaces. Extra parking, is parking that is not required in accordance with the zoning ordinance.

2) No depending on season, weather, and time of day the live music may be held outside or inside. Why does this matter when all the SF for both areas is included in the calculation. Other codes?

Response:

I matters based on the methodology used to calculated the parking. Please see the calculation above.

3) As you know we would like to get through DR and obtain a building permit asap. Assuming leasing stalls will ultimately resolve this parking stall issue I have released my landscape and civil consultants to start gathering site info in preparation for DR. How and where exactly do you want us to start this process?

Response:

To start the DRB process, you need to submit a pre-application and subsequent DRB applications. Assuming that the modification are limited to the patio, we may be able to handle the DRB process administratively. I would suggest that you submit the new site plan with the new patio, patio wall details and elevations, and landscape plans with the pre-application. I am still concerned about the grading and drainage of the retention area in the front with the patio. Typically, we address the case review. If you have the modification to the G&D, and volume analysis, please include. Below is the link to the pre-application:

<http://www.scottsdaleaz.gov/Assets/ScottsdaleAZ/Building/PAREquest.pdf>

As it pertains to the parking, any parking spaces that are leased from a property (parking owner) shall within 600 feet must be extra parking that the parking owner is not required to have in accordance with the zoning ordinance.

Example. If the parking owner has 200 spaces but is required to have 175 space in accordance with the zoning ordinance, the parking owner can be only be approved to lease you 25 space.

Before entering into a lease for parking, please verify with us that parking owner has parking that is extra and available to lease.

In addition, the property owner (parking owner) of the parking space to be lease and the property owner of the BLK-3 and BLK-Live (parking user) must enter into a parking assurance with the City. The city will not enter into an agreement with any tenant – only the property owner. Below is the link to the form:

<http://www.scottsdaleaz.gov/Assets/ScottsdaleAZ/Building/Assurance-RemoteParking.pdf>

These typically need to be provided with the case application. Also, the agreement must be the originally signed documents. Copies, faxes, and document signed be a tenant will not be accepted.

I hope this is helpful

Dan Symer, AICP  
Senior Planner  
City of Scottsdale  
Planning and Development Services Division  
Current Planning Services  
[480-312-4218](tel:480-312-4218)  
[dsymer@scottsdaleaz.gov](mailto:dsymer@scottsdaleaz.gov)

**From:** Jeff Pielage [mailto:[jjpielage@exd-az.com](mailto:jjpielage@exd-az.com)]  
**Sent:** Thursday, October 06, 2016 4:11 PM  
**To:** Symer, Daniel; Jeffrey Benice; Kevin Royce Johnson  
**Subject:** Fwd: BLK - Parking Stall Resolution

Mr. Symer

As mentioned prior my client has settled on leasing the parking stalls required from an adjacent site. He's already in contact with the owner and ready to set up the leasing. I would just like to finalize the total amount of stalls that he needs to lease. Below is the entire email-string on this. We just need to adjust the calculations a bit.

As you know we would like to get through DR and obtain a building permit asap. Assuming leasing stalls will ultimately resolve this parking stall issue I have released my landscape and civil consultants to start gathering site info in preparation for DR. How and where exactly do you want us to start this process?

Thank you

Jeff Pielage  
Extollo Design  
[480-888-6565](tel:480-888-6565)

----- Forwarded message -----

From: **Jeff Pielage** <[jjpielagepm@gmail.com](mailto:jjpielagepm@gmail.com)>

Date: Sun, Oct 2, 2016 at 9:06 PM

Subject: Fwd: BLK - Parking Stall Resolution

To: "Symer, Daniel" <[dsymer@scottsdaleaz.gov](mailto:dsymer@scottsdaleaz.gov)>, "JSB@JeffreyBenice" <[JSB@jeffreybenice.com](mailto:JSB@jeffreybenice.com)>, Kevin Royce Johnson <[kevinjohnson2k@yahoo.com](mailto:kevinjohnson2k@yahoo.com)>

Mr. Symer

I would like to make one revision to my prior answers. The restaurant and live music space operate independently as stated above however I was told that the restaurant does not card patrons. It's always run as a restaurant.

Thanks

Jeff Pielage

----- Forwarded message -----

From: **Jeff Pielage** <[jpielagepm@gmail.com](mailto:jpielagepm@gmail.com)>

Date: Fri, Sep 30, 2016 at 2:36 PM

Subject: Re: BLK - Parking Stall Resolution

To: "Symer, Daniel" <[DSymer@scottsdaleaz.gov](mailto:DSymer@scottsdaleaz.gov)>

Cc: Jeffrey Benice <[JSB@jeffreybenice.com](mailto:JSB@jeffreybenice.com)>, Kevin Royce Johnson <[kevinjohnson2k@yahoo.com](mailto:kevinjohnson2k@yahoo.com)>

Mr. Symer

Answers as follows:

1) Yes two different operations. BLK-3 is the restaurant and BLK-Live is the live music/bar. Food from the kitchen will be served in both uses during stated hours. The restaurant space will be open during live music events for the public so it will need to be included in the calculations. **Remember this is a restaurant that serves alcohol not a bar that serves food.** I assume that since it can technically be classified under both use you must take the most stringent which is a divisor of 50 instead of 60 as it's calc'd now. That's what you meant by calculated "Differently"? We'd like to know exactly how many parking stalls that will need to add to our total required before proceeding with DR.

2) No depending on season, weather, and time of day the live music may be held outside or inside. Why does this matter when all the SF for both areas is included in the calculation. Other codes?

Again our overall goal is to get your blessing on this before DR. If we end up adding some spots that's fine. We just want to know how many before obtaining leases.

I believe that should answer all of your questions. If not please let me know. Thanks again.

Jeff Pielage

Pixela Design

[480-888-6565](tel:480-888-6565)

On Thu, Sep 29, 2016 at 4:25 PM, Symer, Daniel <[DSymer@scottsdaleaz.gov](mailto:DSymer@scottsdaleaz.gov)> wrote:  
Jeff,

Before I respond, it is my understanding that the restaurant and live entertainment operate as two different suites and operations. This is the methodology used in the calculations below for the restaurant and live entertainment area. Is this correct, and does the uses have different names?

Please be advised that the under this situation the restaurant does not require a cover charge or i.d. carding to enter. Otherwise, the restaurant would be a bar use with a different parking calculations.

Also, are my assumptions correct the live entertainment area will be an indoor area?

Dan

**From:** Jeff Pielage [mailto:[jpielagepm@gmail.com](mailto:jpielagepm@gmail.com)]  
**Sent:** Thursday, September 29, 2016 3:51 PM  
**To:** Symer, Daniel; Jeffrey Benice; Kevin Royce Johnson  
**Subject:** BLK - Parking Stall Resolution

Mr. Symer

After speaking with my client last night he has decided to rent the additional parking stalls required to run the entire facility as originally proposed...All uses at the same time.

I would just like to verify the final calculations to confirm the exact number of additional stalls we need. I would also like to ask you about next steps in the DR process and if there is anything we can do to expedite the building permit.

Your original calculations:

C) Restaurant and Live Entertainment area, and food service is available to the restaurant and live entertainment – operating at the same time:

Existing Restaurant + Kitchen =  $1838+2438+= 4276 \text{ sqft} / 120 = 35.63$

Shared entry =  $545 \text{ sqft} / 120 = 4.54$

Patio =  $2500 \text{ sqft} - 1000 / 350 = 4.28$

Storage =  $253 \text{ sqft} / 800 = 0.31$

Music space  $3347 \text{ sqft} / 60 = 55.78$

Patio space =  $10400 \text{ sqft} - 200 - 992 \text{ for landscaping} / 200 = 51$

Storage =  $163 / 800 = 0.20$

Total Parking Required = 151.74 or 152 space

Since there is only 119 space, the establishment cannot be used in this manner unless the property owner obtain a lease from a property within 600 feet that has extra parking for 33 spaces.

I would like to make one correction, introduce the shower stall reduction, and request an exemption of the restrooms.

Revised calcs as follows:

C) Restaurant and Live Entertainment area, and food service is available to the restaurant and live entertainment – operating at the same time:

Existing Restaurant + Kitchen =  $1838+2438+= 4276 \text{ sqft} / 120 = 35.63$

Shared entry =  $545 \text{ sqft} / 120 = 4.54$

Patio =  $2500 \text{ sqft} - 1000 / 350 = 4.28$

Storage =  $253 \text{ sqft} / 800 = 0.31$

Music space  $3347 \text{ sqft} / 60 = 55.78$

Patio space = 10400 sqft - 200 - 992 for landscaping / 200 = 51 (JTP Correction: 10400-200-992 = 9208. 9208/200 = 46 stalls NOT 51 stalls).

Storage = 163 / 800 = 0.20  
(JTP Restrooms excluded??)

Total Parking Required = 151.74 or 152 space (JTP Correction: 146.47 or 147 spaces required. 147-119 = 28 stall deficit.  
28 - 6 ((6) stall reduction for (3) existing showers) = GRAND TOTAL OF (22) ADDITIONAL STALLS REQUIRED.

Dan - We would like to get your blessing on the revised calculations directly above. Also we want to start the DR process asap. How would you suggest we proceed?

Thank you  
Jeff

--  
Thank you

Jeff Pielage, LEED AP

**EXD**

Extollo Design  
480-888-6565

--  
Thank you

Jeff Pielage, LEED AP

**EXD**

Extollo Design  
480-888-6565





# STAFF APPROVAL LETTER

158-SA-2013

El Santo/ Morning Squeeze

## STEP 1

### STAFF APPROVAL NOTIFICATION

This letter is notification that your request has been conceptually approved by Current Planning Services staff.

Additional review and permits may be required. Refer to Final Plan Review Submittal Requirements below.

This approval expires two (2) years from date of approval if a permit has not been issued, or if no permit is required, work for which approval has been granted has not been completed.

### PROJECT INFORMATION

LOCATION: 7301 E Butherus Dr  
PARCEL: 215-56-024B  
Q.S.: 34-45  
CODE VIOLATION.#:

APPLICANT: Paul Smith  
COMPANY: Technical Solutions  
ADDRESS: 4350 E Camelback Rd Ste G200 Phoenix, AZ 85018  
PHONE: 602-957-3434

Request: Request for patio expansion on existing building

### STIPULATIONS

1. The site plan shall comply with the plans dated 06/10/2013 by City Staff.
2. The Floor Plan shall comply with the plans dated 06/10/2013 by City Staff.
3. The patio rail shall be painted to match the building.
4. The final site plan shall include the proposed finish grades and flow arrows.

Related Cases: 158-SA-2013

SIGNATURE:

Dan Symer, AICP

DATE APPROVED:

6-10-2013

## STEP 2

### FINAL PLAN REVIEW SUBMITTAL REQUIREMENTS

Submit one copy of this approval letter, and a completed Owner/Builder form if applicable, along with the following plan set(s) to the One-Stop-Shop for plan review:

ARCHITECTURAL:  4 sets of architectural plans and 1 additional site plan and elevation

## El Santo/ Morning Squeeze

Old Town Group is dividing the property at 7301 E. Butherus with two different restaurants by adding an additional breakfast menu and restaurant hours from 6:30am-2:30pm daily. The existing El Santo Property will become two different restaurants on the public side with both menus coming from one shared kitchen. The northwest dining room will become the interior of Morning Squeeze. This room will operate with the new proposed patio to the west of the current building. Morning Squeeze will operate from 6:30am to 2:30 pm daily. El Santo will remain at the existing hours of operation of 11am to 2am daily as a bar/restaurant use. The property currently has a #6 liquor license that will control the entire property. We are requesting approval of 1320 square feet of outdoor patio space for the Morning Squeeze use only. These two concepts together will allow us to make use of the 115 onsite parking spaces for Morning Squeeze for breakfast and lunch when they are not being used. This will give the property a morning, afternoon, and evening use.

### El Santo - Bar: 11am-2am daily

\*Patio:  $12466 \text{ sf} - 992(\text{ldscp}) - 200 / 200 = 56.37$  spaces required

\*Interior:  $3326\text{sf} / 80 = 41.575$  spaces required

\*Total:  $97.945 - 6$  (space credit for 3 showers) = 91.945 or 92 spaces required

### Morning Squeeze - Restaurant: 6:30am-2:30pm daily

\*Patio:  $1320 \text{ sf} - 500 / 350 = 2.434$  spaces required

\*Interior:  $1390\text{sf dining} / 120 = 11.583$  spaces required

\*Total:  $11.583 + 2.434 = 13.926$  or 14 spaces required

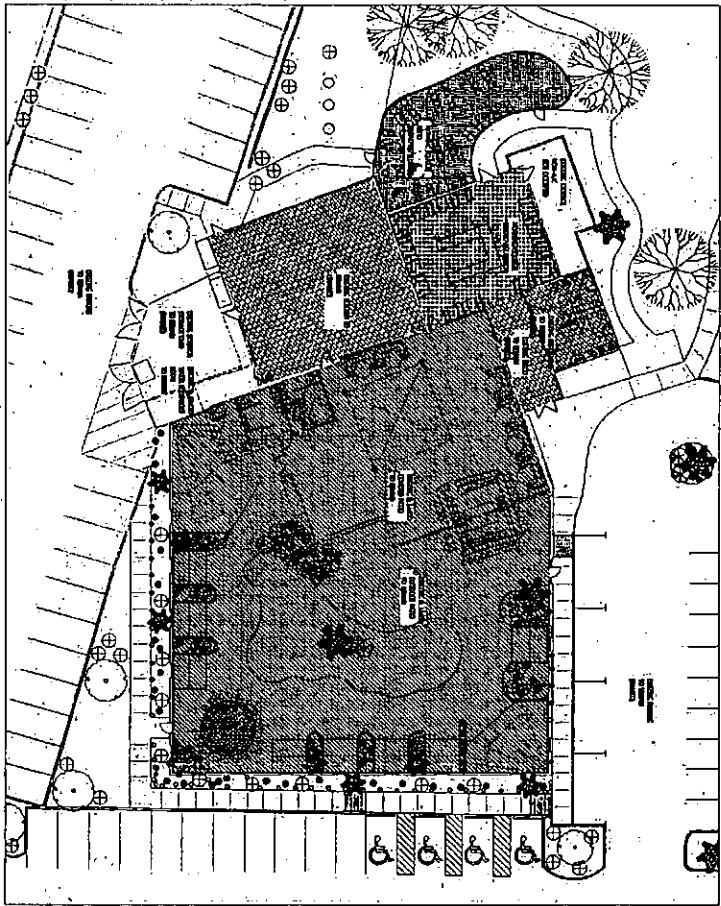
**Total parking needed for operation 106**

**Total parking provided onsite 115**

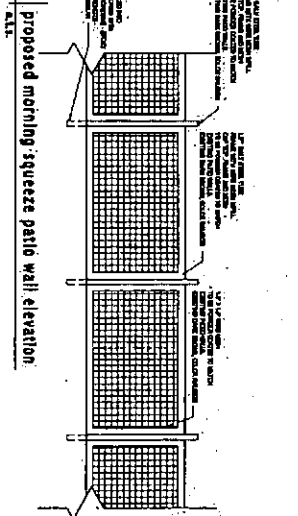
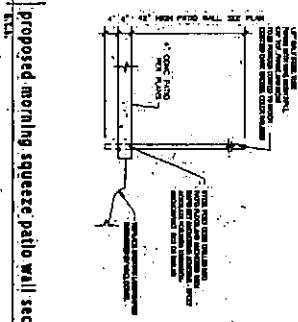
STIPULATION SET  
RETAIN FOR RECORDS  
APPROVED:  
6-10-2013  
D/TE INITIALS



Floor Plan Worksheet



proposed site / floor plan  
SCALE: 1/8" = 1'-0"



proposed morning squeeze patio wall section  
SCALE: 1/8" = 1'-0"

proposed morning squeeze patio wall elevation  
SCALE: 1/8" = 1'-0"

Floor Plan Allocation

- ROOM LABEL - RM
- ROOM NUMBER - RM
- ROOM NAME - RM
- ROOM TYPE - RM
- ROOM AREA - RM
- ROOM PERMITS - RM
- ROOM COMMENTS - RM

Morning Squeeze Restaurant & El Santo Bar

7301 East Buttherus Drive  
Phoenix, AZ 85024

Client: Morning Squeeze Restaurant & El Santo Bar  
Architect: triARC  
Project No: 13-037  
Date: 05/31/13

Project Information

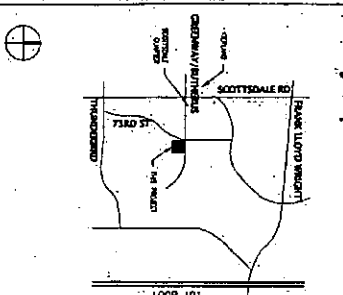
Project Name: Morning Squeeze Restaurant & El Santo Bar  
Project Address: 7301 East Buttherus Drive, Phoenix, AZ 85024  
Project No: 13-037  
Date: 05/31/13  
Client: Morning Squeeze Restaurant & El Santo Bar  
Architect: triARC  
Project No: 13-037  
Date: 05/31/13

STIPULATION SET  
RETAIN FOR RECORDS  
APPROVED  
DATE: 6-10-13  
INITIALS: [Signature]

Parking Calculations

Project Name: Morning Squeeze Restaurant & El Santo Bar  
Project Address: 7301 East Buttherus Drive, Phoenix, AZ 85024  
Project No: 13-037  
Date: 05/31/13  
Client: Morning Squeeze Restaurant & El Santo Bar  
Architect: triARC  
Project No: 13-037  
Date: 05/31/13

Vicinity Map



EL SANTO BAR AND  
MORNING SQUEEZE RESTAURANT  
7301 E BUTHERUS DRIVE  
SCOTTSDALE, AZ 85024

N.F.C.

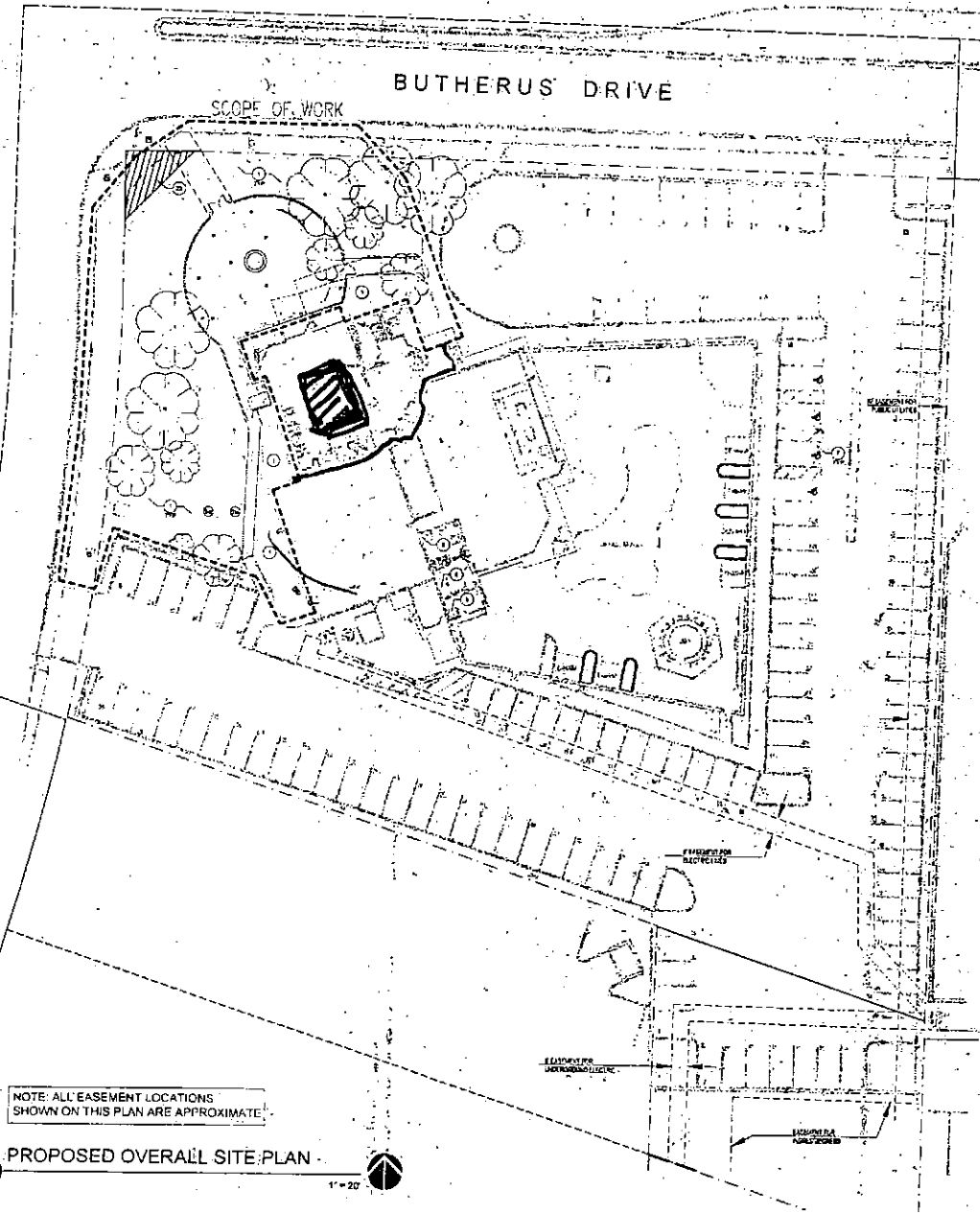
triARC  
architecture & design

PROJECT NUMBER: 13-037  
SCALE DATE: 05/31/13  
SHEET TITLE: SITE/FLOOR ALLOCATION PLAN  
SHEET NUMBER: A-100

73RD STREET

BUTHERUS DRIVE

SCOPE OF WORK



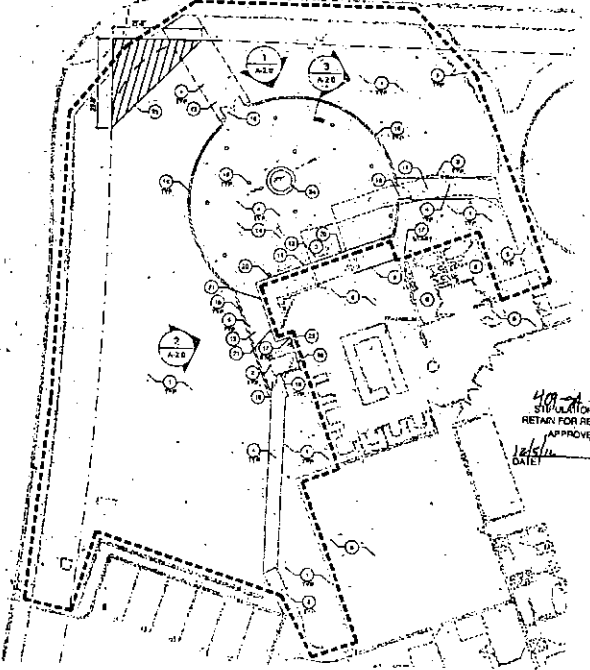
NOTE: ALL EASEMENT LOCATIONS SHOWN ON THIS PLAN ARE APPROXIMATE.

PROPOSED OVERALL SITE PLAN 1" = 20'

ENLARGED SITE PLAN KEYNOTES

- 1 SEE PRELIMINARY PLANNING PLAN FOR UNDERSTANDING OF NOTATION AND SEE CONCEPT GRADING & DRAINAGE PLAN THIS SET
- 2 SHARED WALLS TO EXISTING STRUCTURES CONTRACTOR'S TO BE REWORKED
- 3 SHARED WALLS TO EXISTING STRUCTURES CONTRACTOR'S TO BE REWORKED
- 4 EXISTING CONCRETE FOUNDATION TO BE REWORKED TO ACCOMMODATE NEW FOUNDATION WALLS AND FOUNDATION
- 5 EXISTING CONCRETE FOUNDATION AND CURB SHALL BE DEMOLISHED TO FINISH
- 6 EXISTING BUILDING INTERIOR TO BE DEMOLISHED TO FINISH
- 7 EXISTING ACCESSIBLE PARKING SPACES TO BE DEMOLISHED TO FINISH
- 8 EXISTING ACCESSIBLE PARKING SPACES TO BE DEMOLISHED TO FINISH
- 9 EXISTING ACCESSIBLE PARKING SPACES TO BE DEMOLISHED TO FINISH
- 10 EXISTING ACCESSIBLE PARKING SPACES TO BE DEMOLISHED TO FINISH
- 11 EXISTING ACCESSIBLE PARKING SPACES TO BE DEMOLISHED TO FINISH
- 12 EXISTING ACCESSIBLE PARKING SPACES TO BE DEMOLISHED TO FINISH
- 13 EXISTING ACCESSIBLE PARKING SPACES TO BE DEMOLISHED TO FINISH
- 14 EXISTING ACCESSIBLE PARKING SPACES TO BE DEMOLISHED TO FINISH
- 15 EXISTING ACCESSIBLE PARKING SPACES TO BE DEMOLISHED TO FINISH
- 16 EXISTING ACCESSIBLE PARKING SPACES TO BE DEMOLISHED TO FINISH
- 17 EXISTING ACCESSIBLE PARKING SPACES TO BE DEMOLISHED TO FINISH
- 18 EXISTING ACCESSIBLE PARKING SPACES TO BE DEMOLISHED TO FINISH
- 19 EXISTING ACCESSIBLE PARKING SPACES TO BE DEMOLISHED TO FINISH
- 20 EXISTING ACCESSIBLE PARKING SPACES TO BE DEMOLISHED TO FINISH
- 21 EXISTING ACCESSIBLE PARKING SPACES TO BE DEMOLISHED TO FINISH
- 22 EXISTING ACCESSIBLE PARKING SPACES TO BE DEMOLISHED TO FINISH
- 23 EXISTING ACCESSIBLE PARKING SPACES TO BE DEMOLISHED TO FINISH
- 24 EXISTING ACCESSIBLE PARKING SPACES TO BE DEMOLISHED TO FINISH
- 25 EXISTING ACCESSIBLE PARKING SPACES TO BE DEMOLISHED TO FINISH
- 26 EXISTING ACCESSIBLE PARKING SPACES TO BE DEMOLISHED TO FINISH
- 27 EXISTING ACCESSIBLE PARKING SPACES TO BE DEMOLISHED TO FINISH
- 28 EXISTING ACCESSIBLE PARKING SPACES TO BE DEMOLISHED TO FINISH
- 29 EXISTING ACCESSIBLE PARKING SPACES TO BE DEMOLISHED TO FINISH
- 30 EXISTING ACCESSIBLE PARKING SPACES TO BE DEMOLISHED TO FINISH
- 31 EXISTING ACCESSIBLE PARKING SPACES TO BE DEMOLISHED TO FINISH
- 32 EXISTING ACCESSIBLE PARKING SPACES TO BE DEMOLISHED TO FINISH
- 33 EXISTING ACCESSIBLE PARKING SPACES TO BE DEMOLISHED TO FINISH
- 34 EXISTING ACCESSIBLE PARKING SPACES TO BE DEMOLISHED TO FINISH
- 35 EXISTING ACCESSIBLE PARKING SPACES TO BE DEMOLISHED TO FINISH
- 36 EXISTING ACCESSIBLE PARKING SPACES TO BE DEMOLISHED TO FINISH
- 37 EXISTING ACCESSIBLE PARKING SPACES TO BE DEMOLISHED TO FINISH
- 38 EXISTING ACCESSIBLE PARKING SPACES TO BE DEMOLISHED TO FINISH
- 39 EXISTING ACCESSIBLE PARKING SPACES TO BE DEMOLISHED TO FINISH
- 40 EXISTING ACCESSIBLE PARKING SPACES TO BE DEMOLISHED TO FINISH
- 41 EXISTING ACCESSIBLE PARKING SPACES TO BE DEMOLISHED TO FINISH
- 42 EXISTING ACCESSIBLE PARKING SPACES TO BE DEMOLISHED TO FINISH
- 43 EXISTING ACCESSIBLE PARKING SPACES TO BE DEMOLISHED TO FINISH
- 44 EXISTING ACCESSIBLE PARKING SPACES TO BE DEMOLISHED TO FINISH
- 45 EXISTING ACCESSIBLE PARKING SPACES TO BE DEMOLISHED TO FINISH
- 46 EXISTING ACCESSIBLE PARKING SPACES TO BE DEMOLISHED TO FINISH
- 47 EXISTING ACCESSIBLE PARKING SPACES TO BE DEMOLISHED TO FINISH
- 48 EXISTING ACCESSIBLE PARKING SPACES TO BE DEMOLISHED TO FINISH
- 49 EXISTING ACCESSIBLE PARKING SPACES TO BE DEMOLISHED TO FINISH
- 50 EXISTING ACCESSIBLE PARKING SPACES TO BE DEMOLISHED TO FINISH

SCOPE OF WORK



ENLARGED PROPOSED SITE PLAN 1" = 20'

EXTOLLO DESIGN

11111 11111 11111 11111 11111



BLK PATIO ADDITION  
1201 E. BUTHERUS DRIVE  
SCOTTSDALE, AZ 85066

PRELIMINARY OVERALL SITE PLAN & ENLARGED PROPOSED SITE PLAN

4/10/2014  
SITE PLAN SET  
RETAIN FOR RECORDS  
APPROVED  
DATE: 4/10/14  
INITIALS

DRAWN: JJP  
JOB NO: 15.001  
DATE: 10.25.10  
REVISED:

A-1.0