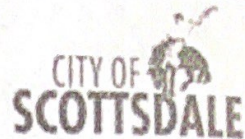


Development Application



Development Application Type:

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

Zoning	Development Review	Land Divisions
<input type="checkbox"/> Rezoning (ZN)	<input type="checkbox"/> Development Review (Major) (DR)	<input checked="" type="checkbox"/> Subdivision (PP)
<input type="checkbox"/> In-fill Incentive (II)	<input type="checkbox"/> Development Review (Minor) (SA)	<input type="checkbox"/> Subdivision (Minor) (MD)
<input checked="" type="checkbox"/> Conditional Use Permit (UP)	<input type="checkbox"/> Wash Modification (WM)	<input type="checkbox"/> Land Assemblage
<input type="checkbox"/> Text Amendment (TA)	<input type="checkbox"/> Historic Property (HP)	Other
<input type="checkbox"/> Development Agreement (DA)	Wireless Communication Facilities	<input type="checkbox"/> Annexation/De-annexation (AN)
Exceptions to the Zoning Ordinance	<input type="checkbox"/> Small Wireless Facilities (SW)	<input type="checkbox"/> General Plan Amendment (GP)
<input type="checkbox"/> Minor Amendment (MN)	<input type="checkbox"/> Type 2 WCF DR Review Minor (SA)	<input checked="" type="checkbox"/> In-lieu Parking (IP)
<input type="checkbox"/> Hardship Exemption (HE)	Signs	<input type="checkbox"/> Abandonment (AB)
<input type="checkbox"/> Variance/Accommodation/Appeal (BA)	<input type="checkbox"/> Master Sign Program (MS)	Other Application Type Not Listed
<input type="checkbox"/> Special Exception (SX)	<input type="checkbox"/> Community Sign District (MS)	<input type="checkbox"/> Other:

Project Name: Churchill's Fine Cigars

Project Address: 18529 N. Scottsdale Rd. Ste. 127A Scottsdale AZ 85255

Property's Current Zoning District Designation: PCD, PRC, PSD

The property owner shall designate an agent/applicant for the Development Application. This person shall be the owner's contact for the city regarding this Development Application. The agent/applicant shall be responsible for communicating all city information to the owner and the owner application team.

Owner: <u>BCB GROUP INVESTMENTS</u>	Agent/Applicant: <u>Bart Gebler</u>
Company:	Company: <u>Churchill's Fine Cigars</u>
Address: <u>7500 E. McDonald Dr #100A</u>	Address: <u>5011 N. 44th St. Phoenix AZ 85018</u>
Phone: <u>480 947-8800</u> Fax: <u>480 947-8830</u>	Phone: <u>602 369 4256</u> Fax:
E-mail: <u>Kelly@dpcre.com</u>	E-mail: <u>Bartgebler@gmail.com</u>
Designer:	Engineer:
Company:	Company:
Address:	Address:
Phone: Fax:	Phone: Fax:
E-mail:	E-mail:

Please indicate in the checkbox below the requested review methodology (please see the descriptions on page 2).

- This is not required for the following Development Application types: AN, AB, BA, II, GP, TA, PE and ZN. These applications will be reviewed in a format similar to the Enhanced Application Review methodology.

☒ **Enhanced Application Review:** I hereby authorize the city of Scottsdale to review this application utilizing the Enhanced Application Review methodology.

☐ **Standard Application Review:** I hereby authorize the city of Scottsdale to review this application utilizing the Standard Application Review methodology.

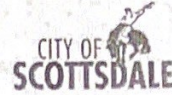
Owner Signature: [Signature] Agent/Applicant Signature: [Signature]

Official Use Only: Submittal Date: _____ Development Application No.: _____

Planning and Development Services

7447 E. Indian School Road, Suite #105, Scottsdale, AZ 85251 • www.ScottsdaleAZ.gov

Request for Site Visits and/or Inspections
Development Application (Case Submittals)



This request concerns all property identified in the development application.

Pre-application No: 854-PA-2021

Project Name: Churchill's Fine Cigars

Project Address: 18529 N. Scottsdale Rd Ste 127A Scottsdale AZ 85255

STATEMENT OF AUTHORITY:

1. I am the owner of the property, or I am the duly and lawfully appointed agent of the property and have the authority from the owner to sign this request on the owner's behalf. If the land has more than one owner, then I am the agent for all owners, and the word "owner" refer to them all.
2. I have the authority from the owner to act for the owner before the City of Scottsdale regarding any and all development application regulatory or related matter of every description involving all property identified in the development application.

STATEMENT OF REQUEST FOR SITE VISITS AND/OR INSPECTIONS

1. I hereby request that the City of Scottsdale's staff conduct site visits and/or inspections of the property identified in the development application in order to efficiently process the application.
2. I understand that even though I have requested the City of Scottsdale's staff conduct site visits and/or inspections, city staff may determine that a site visit and/or an inspection is not necessary, and may opt not to perform the site visit and/or an inspection.

Property owner/Property owner's agent: _____

Walter B. Brown Jr.
Print Name

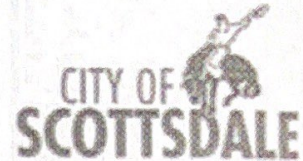
[Signature]
Signature

City Use Only:

Submittal Date: _____ Case number: _____

Planning and Development Services
7447 E Indian School Road, Suite 105, Scottsdale, AZ 85251 ♦ www.ScottsdaleAZ.gov

Affidavit of Authorization to Act for Property Owner



1. This affidavit concerns the following parcel of land:

- a. Street Address: 18529 N. Scottsdale Rd Ste 177A Scottsdale AZ 85255
- b. County Tax Assessor's Parcel Number: 215-07347
- c. General Location: Scottsdale & Channing Road Scottsdale, AZ
- d. Parcel Size: 234,304
- e. Legal Description: See attached legal description - Exhibit A
(If the land is a platted lot, then write the lot number, subdivision name, and the plat's recording number and date. Otherwise, write "see attached legal description" and attach a legal description.)

- 2. I am the owner of the land or I am the duly and lawfully appointed agent of the owner of the land and have authority from the owner to sign this affidavit on the owner's behalf. If the land has more than one owner, then I am the agent for all of the owners, and the word "owner" in this affidavit refers to all of them.
- 3. I have authority from the owner to act for the owner before the City of Scottsdale with regard to any and all reviews, zoning map amendments, general plan amendments, development variances, abandonments, plats, lot splits, lot ties, use permits, building permits and other land use regulatory or related matters of every description involving the land, or involving adjacent or nearby lands in which the owner has (or may acquire) an interest, and all applications, dedications, payments, assurances, decisions, agreements, legal documents, commitments, waivers and other matters relating to any of them.
- 4. The City of Scottsdale is authorized to rely on my authority as described in this affidavit until three work days after the day the owner delivers to the Director of the Scottsdale Planning & Development Services Department a written statement revoking my authority.
- 5. I will immediately deliver to the Director of the City of Scottsdale Planning & Development Services Department written notice of any change in the ownership of the land or in my authority to act for the owner.
- 6. If more than one person signs this affidavit, each of them, acting alone, shall have the authority described in this affidavit, and each of them warrant to the City of Scottsdale the authority of the others.
- 7. Under penalty of perjury, I warrant and represent to the City of Scottsdale that this affidavit is true and complete. I understand that any error or incomplete information in this affidavit or any applications may invalidate approvals or other actions taken by the City of Scottsdale, may otherwise delay or prevent development of the land, and may expose me and the owner to other liability. I understand that people who have not signed this form may be prohibited from speaking for the owner at public meetings or in other city processes.

Name (printed)

Walter Brown III

Bart Gerber

Date

9-22, 2021

9-22, 2021

_____, 20____

_____, 20____

Signature

[Signature]

[Signature]

Planning and Development Services

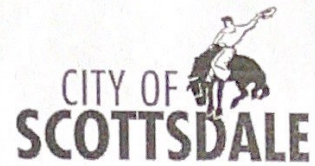
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EXHIBIT A

The Property

Lot 2 of SEC SCOTTSDALE ROAD & UNION HILLS DRIVE, according to the plat of record in Book 1131 of Maps, page 32, records of the Maricopa County, Arizona Recorder

Community Input Certification



CASE NO: 854 PA-2021

PROJECT LOCATION: 18529 N. Scottsdale Rd Ste 127A Scottsdale AZ 85255

COMMUNITY INPUT CERTIFICATION

In the City of Scottsdale it is important that all applicants for rezoning, use permit, and/or variances inform neighboring residents, affected school districts, and other parties that may be impacted by the proposed use, as well as invite their input. The applicant shall submit this completed certification with the application as verification that such contact has been made.

DATE	NAME (Person, Organization, Etc. and Address)	Type of Contact		
		Meeting	Phone	Letter
9-15-21	Pillar Communities James Almen, 7010 E. Acoma Scottsdale AZ 85254			✓
9-15-21	North Scottsdale Hospitality Jonathan Gardner 358 S. Rio Grande Ste 150 Salt Lake City UT 84101			✓
9-15-21	Halston-King JLB Scottsdale Marketplace James Bell			✓
9-15-21	Chovney Retail Partners Bret Anderson 140 E. Rio Salado Pkwy #209 Tempe AZ 85281			✓
9-15-21	Schumacher European M&I Investments Christopher Schumacher PO Box 27710 Scottsdale AZ 85255			✓
9-15-21	Levine Investments William Levine 1702 E. Highland Ste 310 Phoenix AZ 85016			✓
9-15-21	BCB Group Investments Brent Berse 4255 W. Thunderbird Phoenix AZ 85053			✓
9-15-21	See attached for list of interested parties			✓


Signature of owner/applicant

9-22-21
Date

Planning and Development Services

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

Owner APPLICANT	Company	Address	City	State	Zip
OWNER					
Commissioner, Renee J. Higgs	City of Scottsdale Planning Commission	15192 N. 104th Way	Scottsdale	AZ	85255
Commissioner, William Scarborough	City of Scottsdale Planning Commission	5639 E. Edgemont Ave.	Scottsdale	AZ	85257
Commissioner Joe Young	City of Scottsdale Planning Commission	7234 E. Sheehan Lane, Suite #8	Scottsdale	AZ	85251
Commissioner, George Ertel	City of Scottsdale Planning Commission	111725 N. 129th Way	Scottsdale	AZ	85259
Commissioner, Graham, Barry	City of Scottsdale Planning Commission	7842 E. Montecosa St.	Scottsdale	AZ	85251
Commissioner, Christian Serena	City of Scottsdale Planning Commission	6929 N. Hayden Rd., Suite C4194	Scottsdale	AZ	85250
Commissioner, Barney Gonzales	City of Scottsdale Planning Commission	6349 N. Cattletrack Rd.	Scottsdale	AZ	85250
Audry Villaverde	City of Scottsdale Planning Commission	2525 E. Arizona Biltmore Circle, Suite A-212	Phoenix	AZ	85016
Bob Griffith	Withey Morris, PLC	7127 E. Rancho Vista Dr. #4002	Scottsdale	AZ	85251
Carla		3420 N. 78th Street	Scottsdale	AZ	85251
Chris Schaffner		7346 E. Sunnyside Dr.	Scottsdale	AZ	85260
Community Development Director		6401 E. Lincoln Drive	Paradise Valley	AZ	85253
Constance Laub	Town of Paradise Valley	10105 E. Via Linda Suite 345	Scottsdale	AZ	85258
Dan Sommer		12005 N 84th Street	Scottsdale	AZ	85260
David G. Gulino		5235 N. Woodmere Fairway	Scottsdale	AZ	85250
Dr. Sonnie Kirtley	COGS	8507 East Highland Avenue	Scottsdale	AZ	85251-1822
Ed Toschik, President		7657 E. Mariposa Grande Dr	Scottsdale	AZ	85255
Edwin Bull	Burch & Cracholito PA	1850 N. Central Ave. ste 1700	Phoenix	AZ	85004
Eric Gold		25499 N. 104th Way	Scottsdale	AZ	85255
Guy Phillips		7131 E. Cholla St.	Scottsdale	AZ	85254
Howard Myers		6631 E. Horned Owl Trail	Scottsdale	AZ	85266
Jim Funk	Gainey Ranch Community Association	7720 Gainey Ranch Road	Scottsdale	AZ	85258
Jim Haxby		7336 E. Sunnyside Dr.	Scottsdale	AZ	85260
John Berry/Michele Hammond	Berry Riddell, LLC	6750 E. Camelback Rd, Ste 100	Scottsdale	AZ	85251
John Washington		3518 N. Chambers Court	Scottsdale	AZ	85251
Kathy Littlefield	City of Scottsdale City Council	3939 N. Drinkwater Blvd.	Scottsdale	AZ	85251
Lori Hays		9681 E. Chuckwagon Lane	Scottsdale	AZ	85262
Maricopa County Superintendent of Schools		P.O. Box 426	Cave Creek	AZ	85327
Michael Leary		4041 N. Central Avenue Suite 1200	Phoenix	AZ	85012
Mike McNeal, Supervisor	Commercial Land Development Consulting AT&T	10278 East Hillery Drive	Scottsdale	AZ	85255
Mike Ratzken		1231 W. University Drive	Mesa	AZ	85201
Patti Badenoch		8725 E. Palo Verde Dr	Scottsdale	AZ	85250
Planning & Development Department		5027 N. 71st Pl	Scottsdale	AZ	85253
Planning & Development Director	Maricopa County Planning & Development	501 N. 44th Street, Suite 200	Phoenix	AZ	85008
Planning & Engineering Section Manager	City of Phoenix	200 West Washington Street, 2nd Floor	Phoenix	AZ	85003
Planning and Zoning	Arizona State Land Department	1616 W. Adams Street	Phoenix	AZ	85007
Planning Department	Town of Carefree	8 Sundial Circle P.O. Box 740	Carefree	AZ	85377
Planning Department	Town of Cave Creek	37622 N. Cave Creek Road	Cave Creek	AZ	85331
Project Management	SRP-MIC	10005 E. Osborn Road	Scottsdale	AZ	85256
Randall P. Brown	Arizona Department of Transportation	205 S. 17th Avenue MD 6012E	Phoenix	AZ	85007
Planning & Zoning Division	Spring Creek Development	7144 E. Stetson Dr. #425	Scottsdale	AZ	85251
	Town of Fountain Hills	16705 E. Avenue of the Fountains	Fountain Hills	AZ	85268

Revised 07-13-2017

SRP Land Department attn: Sherry Wagner/Right-of-Way T Mail Station PAB10W

Steve Tyrell
Superintendent
Susan McGarry
Tom Durham
Vickie Felen
Dave Ortega - Mayor
Wade Tinant

Cave Creek Unified School District
Scottsdale Unified School District

City of Scottsdale City Council

City of Scottsdale City Council

Granite Reef Neighborhood Resource Center
Southwest Gas Corporation

Withey Morris, PLC
Paradise Valley Unified School District
Arizona Commerce Authority

Tiffany & Bosco, P.A.
Vice Chair Community Council of Scottsdale
Chair Community Council of Scottsdale
Gammage & Burnham
Technical Solutions

Maggie Keasler
Steve Perone
Kurt Jones
Edmond Richard
Nancy Cantor
Nick A. Sobraske
Prescott Smith
Paul Alessio

P.O. Box 52025	Phoenix	AZ	85072-2025
7753 E. Catalina Drive	Scottsdale	AZ	85251
P.O. Box 426	Cave Creek	AZ	85327
8500 E. Jackrabbit Rd	Scottsdale	AZ	85250
8074 E. Theresa Drive	Scottsdale	AZ	85255
3939 N. Drinkwater Blvd.	Scottsdale	AZ	85251
10520 N 117th Pl	Scottsdale	AZ	85259
3939 N. Drinkwater Blvd.	Scottsdale	AZ	85251
4614 E. Running Deer Trail	Scottsdale	AZ	85331
1700 N Granite Reef Road	Cave Creek	AZ	85257
2200 N. Central Avenue Ste 101	Scottsdale	AZ	85004
2525 E. Arizona Biltmore Circle, Suite A-212	Phoenix	AZ	85016
15002 N. 32nd Street	Phoenix	AZ	85032
333 N. Central Avenue, Suite 1900	Phoenix	AZ	85004
7127 E. 6th Ave.	Phoenix	AZ	85251
7474 E. Earl Dr. #108	Scottsdale	AZ	85251
2528 E. Camelback Road	Phoenix	AZ	85016
2119 N 69th Place	Scottsdale	AZ	85257
3408 N Pauline Way #5	Scottsdale	AZ	85251
40 N. Central Ave., 20th Floor	Phoenix	AZ	85004
5111 N. Scottsdale Road, Suite 260	Scottsdale	AZ	85260
7527 E. Talispin Lane	Scottsdale	AZ	85255



AA

eservices.scottsdaleaz.gov



COS Maps

★ Favorites

CITY OF
SCOTTSDALE
ARIZONA

Zoom to desired location and click on the map to get additional information.

Parcel Information

Map

Aerials



Themes



COUNTY

E CHAUNCEY LN

N SCOTTSDALE RD

E MAYO BL

E MAYO BL

750'

750'

750'

750'

E CHAUNCEY LN

X

from this date to in this date

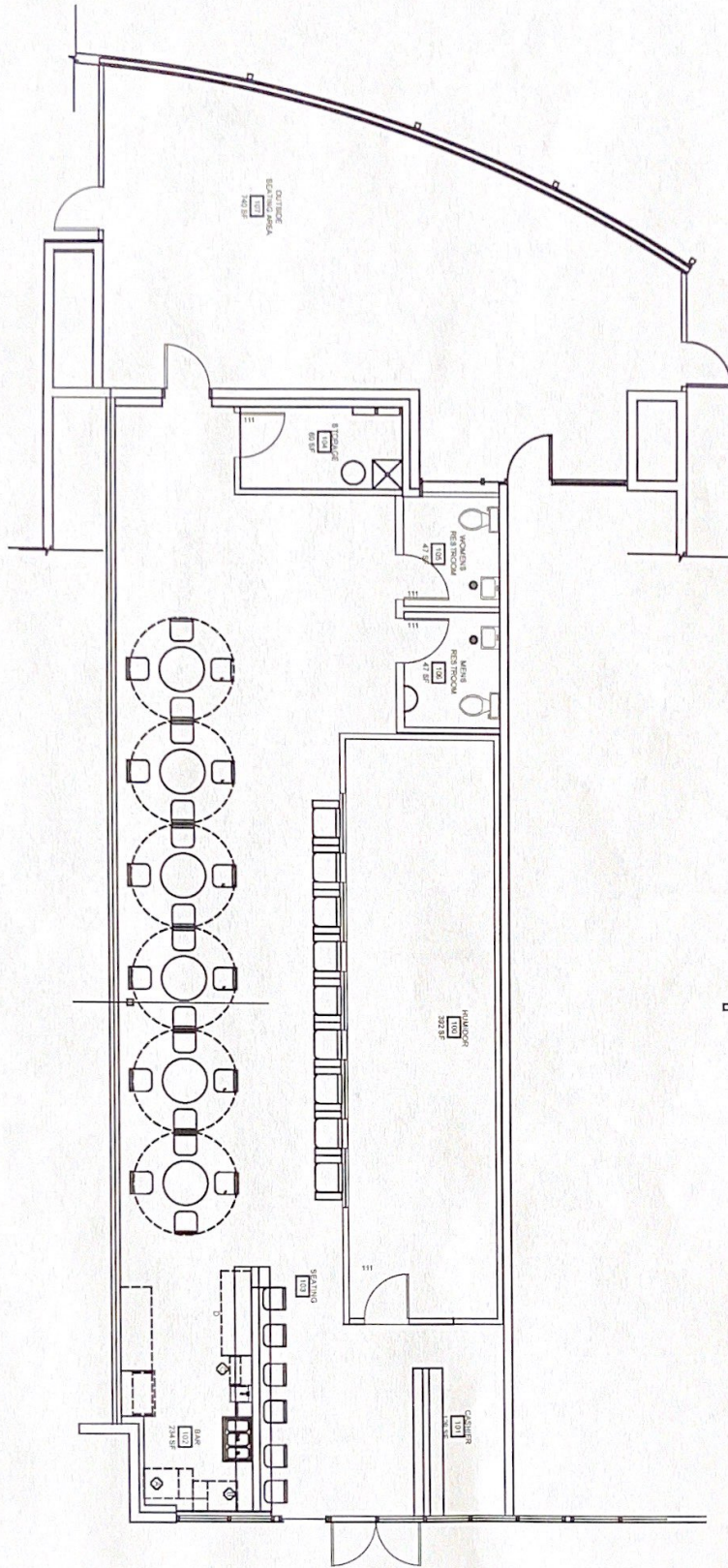
The documents, maps, and data available thru this web site are provided for general informational purposes only. The City of Scottsdale does not warrant their accuracy, completeness, or suitability for any purpose. They should not be relied upon without proper field verification.

Terms of Use

14-UP-2021
10/1/2021

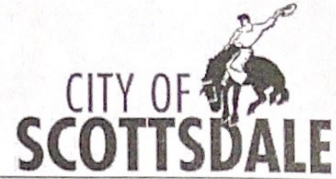


Floor plan



North ↑

Operation Plan



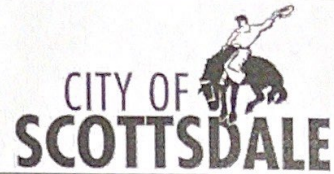
An Operation Plan explains operational characteristics of a proposed use.

1. Business use type: Retail sales of cigars, liquor bar serving drinks
2. Days of Operation: Monday Through Sunday
3. Hours of Operation: Mon-Thursday 10-11 ~~for~~ Friday-Saturday 10-Midnight Sunday 11-11
4. Number of employees
 - a. Full time, indicate work shift 1 Mon-Fri 10-6
 - b. Part time, indicate work shift 3 Mon-Sunday 10-Midnight
5. Other business officials on site if not employees _____
6. Customer characteristics
 - a. Patron seating 70
 - b. Frequency and peak time of customer activity 7:00 p.m. - 10:00 p.m.
7. Outdoor operations
 - a. Explain all outdoor activities (e.g. everything that takes place outside the confines of an enclosed building):
 - Parking valet parking is provided
 - Loading N/A
 - Storage N/A
 - Display N/A
 - Product demonstrations/testing N/A
 - Activities that take place within areas that are walled but not roofed or covered N/A
 - Other activities _____
8. Description of service activities such as parking lot sweeping, loading, trash hauling and similar associated activities. Landlord provides
 - a. Frequency of service Activities: days of week, hours of day _____
 - b. Location of Service Activities relative to lower intensity uses _____
9. Description of refuse removal:
 - a. The location of anticipated parking area for customers including those located off the site. _____
 - b. The area surrounding the property that will be cleaned of debris by the applicant _____
 - c. Time of day of refuse removal. _____

Planning and Development Services

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Operation Plan



An Operation Plan explains operational characteristics of a proposed use.

10. Description of activities that generate noise that will be apparent to/from adjoining properties.
 - a. Source of noise N/A
 - b. Noise level in DBA at source of noise and point of impact N/A
 - c. Description and diagrams of noise source location N/A
 11. Description and documentation of how noise is abated
 - a. Narrative description N/A
 - b. Attach site plans, elevation, and other plans that visually demonstrate noise source and noise levels, and how noise will be abated
 12. Proposal for noise monitoring and maintenance of acceptable noise level: N/A
- Schools Only:
1. Number of students on site at any given time: _____
 2. Frequency of drop offs and pick-ups (start and stop times) on each day of the week: _____

Planning and Development Services

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Conditional Use Permit Application Narrative

To operate a cocktail lounge (utilizing a Series 6 Liquor License) along with a retail cigar store. This will be a high-end operation, the same as the existing Churchill's Fine Cigars located at 5041 N. 44th St. in Phoenix which has been in continuous operation for over 26 years, with the cocktail lounge component operating within it for the last 7 years.

The main focus of the business is the retail sale and consumption of fine cigars with the cocktail lounge as an added amenity. It's a very quiet operation with no dancing, games, entertainment or live music. It's only about guests enjoying both a fine cigar and a premium cocktail in an upscale environment.

Addressing zoning ordinance section 1.403©:

1. The only nighttime use currently on the property is Cold Beer and Cheeseburgers; Churchill's operations will not disrupt the existing balance of daytime and nighttime uses.
2. Churchill's operations do not extend into any pedestrian areas and thus will not disrupt any pedestrian-oriented daytime activities.
3. The site is not located within the Downtown Overlay District D-O.
4. The only residential use within 500 feet is one apartment complex. This use will not adversely impact residential uses. There will be no music or loud activities of any kind associated with the use so no buffering is necessary.
5. An active management and security plan has been filed with the City of Scottsdale Police Department and is awaiting approval.
6. Refuse control for the property is handled by the property management company, Diversified Partners.
7. There will be no noise or light generated by this use so no mitigation will be necessary.
8. The use conforms to the parking requirements of Article IX and does not exceed capacity for traffic in the area.
9. There will be no after hours for this use.

SECURITY, MAINTENANCE AND OPERATIONS PLAN

For Bars and Live Entertainment Use Permits



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

480.312.5000

FAX 480.312.7701

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

480-312-7000

FAX 480-312-7088

Assigned Planner:

Kathryn Posler

Police Detective:

Establishment:

Churchill's Fine Cigars

Address:

18529 N. Scottsdale Rd Ste-127A Scottsdale AZ 85255

Business Phone:

Business FAX:

Maximum Occupancy:

70

Effective Date of the Plan:

Date of Plan Review:

Use Permit Issue Date:

Liquor License Number:

Contact Person (1):

Bart Gerber

Home Phone:

602-369-4256

Contact Person (2):

Alex Harding

Home Phone:

480-626-3149

Operations and Hours

1. Permittee: Churchill's North Scottsdale
 Type of Organization: ☐ Arizona Corporation ☐ Corporation
☐ Sole Proprietorship ☒ LLC
☐ Partnership ☐ Other

2. Managing Agents Name: Bart Gerber
 Title: Managing Member
 Address: 5841 N. 44th St. Phoenix AZ 85018
 Phone Numbers: 602-369-4256
 Fax or Other Numbers:

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: Kelly Gantner
7500 E. McDonald Scottsdale AZ 85250 480-947-8800

5. Hours of Operation: Sunday - Thursday 10 a.m. - 11:00 p.m. Friday - Saturday 10:00 a.m. - Midnight

	Peak/Non-Peak Night	Open to Customers	Liquor Sale Begin	Liquor Sale Ends	Closed to Customers
Monday		Yes	10:00 a.m.	11:00 p.m.	
Tuesday		Yes	10:00 a.m.	11:00 p.m.	
Wednesday		Yes	10:00 a.m.	11:00 p.m.	
Thursday		Yes	10:00 a.m.	11:00 p.m.	
Friday		Yes	10:00 a.m.	Midnight	
Saturday		Yes	10:00 a.m.	Midnight	
Sunday		Yes	11:00 a.m.	11:00 p.m.	

6. Promotional Events: (Attach an addendum which describes week to week promotional events you plan to have throughout the year i.e. "Ladies night." Do not include special events) N/A

7. Program Format/Entertainment/Advertising: (Complete for Live Entertainment Use Permit Only. Attach addendum that describes

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

8. Special Events:

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

9. Cooperation/Complaints/Concerns:

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

Bart *5841 N. 44th St*
Name: Gerber Address: Phoenix AZ 85018 Phone: 602-369-4256

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

Security and Maintenance

Security Attire

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

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

Security Officer Responsibilities

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

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

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

1. ___ Security officer(s) will be responsible for roaming the interior of the business and identifying hazards, problems, and maintaining guest safety.
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. ___ Security officer(s) will be responsible for conducting roaming patrol of the exterior in an effort to prevent criminal behavior, maintain the peace and prevent refuse issues. This patrol shall include all parking areas to prevent a gathering of patrons during business hours and up to thirty (30) minutes after closing.

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

Management Responsibilities

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

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

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

Uniformed Sworn Officer Responsibilities:

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

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

☐ I plan to hire _____ officer(s) during peak nights from (name of agency) _____.

☒ I do not plan to hire off-duty law enforcement.

Parking

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

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

Refuse Plan

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

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

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: *Bart Gerber*

Address: *5041 W-44th St. Phoenix AZ 85018*

Phone: *602-369-4256*

Date: *9-22-21*

Signature: 

APPROVED BY:

Detective:

Phone:

Date:

Signature: _____