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February 27, 2025

City of Scottsdale
Planning & Development Services
7447 E Indian School Road
Scottsdale, Arizona 85251
Attn: Mr. Casey Steinke, Planner

Re: 10-UP-2024 with Addendum for Code Section
1.401(A), 1.401(B) and 1.403(C)

Sir:

Our firm represents Orangedale Lounge LLC dba Orangedale, a, applicant for a City of Scottsdale Conditional Use Permit ("CUP") for the purpose of operating a Bar located at 10112 East Bell Road, Unit# 110. The premises correspond to Maricopa County Parcel 217-14-986 which S zoned by the City of Scottsdale for the intended purpose.

Orangedale Lounge LLC S a duly registered Arizona Limited Liability Company with the Arizona Corporation Commission with file # 23746046. The Members/Managers are Nathan Babb and Justin Trangsrud.

Orangedale will be operating a bar type business with a, Arizona Department of Liquor Licenses & Control ("ADLLC") Series 6 liquor license. Their hours of operation will be 11:00 AM until 10:00 PM daily.

Orangedale will be employing designated security personnel to ensure strict compliance with all Scottsdale codes and ARS Title 4 (the Arizona Liquor Law).

Orangedale will properly execute and file a, approved Security, Maintenance and Operation Plan ("SMO") with the Scottsdale Police and Fire Departments, as required for a business having a "Bar Use" permit.

The premises total one thousand five hundred fifty-two (1,552) square feet, with one thousand three hundred eighty-eight (1,388) square feet of interior space and one hundred sixty-eight (168) square feet of attached outdoor patio.

The patio will have four (4) low voltage directional speakers facing inwards to mitigate any ambient sound and will only be playing background pre-recorded music. The patio will be illuminated with low voltage string-type lighting, with each light source capped for directionality and as a protection from the weather.

The Management of Orangedale has developed a coordinated plan with the other tenants for solid waste removal multiple times each week. In addition, Orangedale employees will remove any remaining cups, glasses or other trash left outside on the attached outdoor patio each evening at closing time to ensure no items of trash leave the premises; the premises will be neat and orderly each evening. This is to eliminate any Orangedale trash items littering the surrounding areas.

The business will not offer any type of kitchen prepared food and accordingly will have no kitchen. They will offer pre-packaged incidental food items such as pretzels, peanuts and popcorn.

The patio will have four (4) low voltage directional speakers facing inwards to mitigate any ambient sound and will only be playing background pre-recorded music. The patio will be illuminated with low voltage string-type lighting, with each light source capped for directionality and as a protection from the weather.

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The business will have no live entertainment as defined by the Scottsdale codes. They will be playing background pre-recorded music in the interior and on the attached outdoor patio. The outdoor patio will have four (4) low voltage exterior directionally inward speakers designed to mitigate any ambient sound. The illumination on the patio will be via low voltage string-type lighting with each light source capped for light directivity and to protect the light source from weather.

The approval of the CUP applied for herein will not cause any significant vehicle or pedestrian traffic in the adjacent areas. The surrounding area contains stores, restaurants and studios and therefore, will not cause any additional nuisances such as odors, dust, gas, vibration, smoke heat or glare.

Respectfully,

Jeffrey Craig Miller on behalf of Orangedale Lounge dba Orangedale

Sec. 1.401. - Issuance.

Conditional use permits, which may be revocable, conditional or valid for a specified time period, may be granted only when expressly permitted by this ordinance and, except in the case of conditional use permits for adult uses under [Section 1.403\(A\)](#), only after the Planning Commission has made a recommendation and the City Council has found as follows:

A

That the granting of such a conditional use permit will not be materially detrimental to 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.

2.

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

Applicant Response:

Section #1 Response: The applicant's CUP application is for the EXACT same premises as the prior Tenint which was a BAR, and it operated for more than 1 year. The nature and character of the applicant's business will be idenucal to the previous tenant, except for the series of liquor license. The approval of this CUP will not create any damage or nuisance arising from noise, smoke, odor, dust, vibration or illumination. The applicant will have no live entertainment as defined by Scottsdale Codes. Improvements will be made to the attached outdoor patio to control occupancy and conform to ARS Title IV stipulations for such patios to be included as the licensed serving area(s).

Section #2 Response: The impact on surrounding areas as it relates to an unusual volume or character of traffic will be extremely low, if at all. The nature of this business is that of a small, neighbor bar catering to residents who may walk or drive to the business. The applicant will be doing no wide area advertising of any type. Further, the seating capacity of the business (interior and exterior) is not consistent with large crowd venues for concerts, public events, etc.

This business and it's applicants seek to offer their products and environments to local customers and operate a quiet and respectful neighborhood bdr.

8.

Section B

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

Applicant Response:

The nature of the applicant's business is that of a small, quiet, neighbor bar catering to the residents of the area primarily. The business will have no live entertainment as defined by Scottsdale Codes. Accordingly, there will be no large venue type concerts, promotional gatherings or other such sources of potential noise, traffic congestion, etc.

The closest series 6 liquor license is greater than three (3) miles away at McDowell Mountain Course Course Clubhouse. The prior tenant operated a Bar in this location for more than 1 year and was compatible with the surrounding businesses and property owners. The applicant will be taking measures to keep their premises, both interior and exterior, neat and orderly always, being respectful and a good neighbor of surrounding businesses and property owners.

Accordingly, the applicant's characteristics will be compatible with the types of permitted uses in the area.

City of Scottsdale Ordinance 1.403 (c):

C.

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

1.

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

2.

The use shall not disrupt pedestrian-oriented daytime activities.

3.

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

a.

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

b.

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

4.

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

a.

The use shall not adversely impact residential uses.

b.

The use shall provide methods of buffering residential uses.

5.

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

6.

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

7.

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

8.

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

9.

After-hour establishments must maintain a valid after-hours establishment lic

Applicant's Response to Required Issues:

1. The hours of operation will be daily from 11:00 AM until 10:00 PM daily. Accordingly, there will be no disruption of the existing balance of daytime and nighttime uses.
2. The interior location of the business on the interior portion of the property will not cause any disruption to pedestrian-oriented activities.
3. The business is located at 10121 E Bell Road and is not in the recognized Downtown District.
 - a. The business is located on the ground floor and will not displace any daytime retail uses.
 - b. On-site will be satisfactory for the required number of required spaces; eighteen spaces required and 315 spaces available.

4. The business is located within five hundred feet of a residential district.
 - a. The business will not adversely impact residential uses.
 - b. The business will have no live entertainment, and sound buffering will not be required.
5. The business has developed a comprehensive management and security plan which will be implemented upon the opening of the business. Management personnel will be on-site during all hours of operation to ensure compliance with the management and security plan and compliance with ARS Title IV.
6. The property owner and tenant have a coordinated plan for regular pick-up of all solid trash.
7. The business will have no live entertainment and will not generate any detectable noise. Exterior Lighting for the attached outdoor patio will be “string-type” low voltage lighting, with each light sources “capped” to direct light downward and protect form the elements/.
8. The required parking spaces for the business are eighteen spaces. The site has 315 on-site parking permitted by the parking calculation submitted herein.
9. The business will not have “after-hours” operation and accordingly will not require an after-hours license.