

Archaeological Resources

Airport Vicinity Development Checklist

Parking Study

Trip Generation Comparison

Parking Master Plan

Instructions for Security, Maintenance, and Operations Plans

Follow these steps for Review and Approval

Scottsdale Police Department Liquor Investigations Step 1

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

Step 2

Send a Copy of Your SMO Plan to the Scottsdale Police Department. Detective John Miller 480.312.8333 JohMiller@scottsdaleaz.gov

Step 3

Contact Police Detective to Discuss Your Plan.

Step 4

Meet with Police Detective, If Necessary.

Step 5

Submit your reviewed plan to Scottsdale Planning and Development.

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-

| 312-3 | 7000 FAX 480-312-7088 |
|-----------------------------|--|
| Assigned Planner: | Meredith Tessier, Senior Planner |
| Police Detective: | J. MILLER #S79 |
| Establishment: | BENEDETTO'S, LLC |
| Address: | 20707 N. Pima Road, #L-200, Scottsdale, AZ 85255 |
| Business Phone: | (480) 515-1931 |
| Business FAX: | N/A |
| Maximum Occupancy: | 200 |
| Effective Date of the Plan: | 8/1/2019 8/8/19 |
| Date of Plan Review: | TBD |
| Use Permit Issue Date: | TBD |
| Liquor License Number: | 012070007210 |
| Contact Person (1): | Sheila Bryson (Owner) |
| Home Phone: | 480-889-4822 |
| Contact Person (2): | John Auer (General Manager) |
| Home Phone: | 724-858-6187 |



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:

BENEDETTO'S, LLC

Type of Organization:

__Arizona Corporation __Corporation __Sole Proprietorship _xx_LLC ___Partnership _Other

2. Managing Agents:

Sheila Bryson (owner)

20707 N. Pima Road, L-200 Scottsdale, AZ 85255

(480) 889-4822 (mobile)

- 3. Business Owner(s) (if different than Managing Agent)Name, Address, Phone: <u>N/A</u>
- 4. Property Owner or Property Manager (if different from Managing Agent) Name, Address, Phone:

Brett Barendrick, Whitestone REIT, 20789 N. Pima Road, Suite 210, Scottsdale, AZ 85255, 480-397-1900

- Peak/Non-Open to Liquor Sales Liquor Sales Closed to Peak Night Customers Begin Ends Customers Monday N/A 8 AM 8 AM 12 AM 12 AM Tuesday N/A 8 AM 8 AM 12 AM 12 AM Wednesday N/A 8 AM 8 AM 12 AM 12 AM Thursday N/A 8 AM 8 AM 12 AM 12 AM Friday N/A 8 AM 8 AM 12 AM 12 AM Saturday N/A 8 AM 8 AM 12 AM 12 AM Sunday N/A 8 AM 8 AM 12 AM 12 AM
- 5. Hours of Operation:

- 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): <u>N/A</u>
- 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. <u>Please see the attached addendum</u>
- 8. Special Events:

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

9. Cooperation/Complaints/Concerns:

Permittee will maintain communications with establishments located on and adjacent to the premises, and with residents and other businesses that may be affected by patrons or operations of the Permittee. Permittee designates

the following person to receive and respond to concerns or complaints from other residents or businesses:

Name: <u>Sheila Bryson</u> Address: <u>20707 N. Pima Road, Suite L-200, Scottsdale, AZ</u> <u>85255</u> Phone: <u>480-889-4822 (mobile)</u>

And

Name: <u>Dan Kovacevic</u> Address: <u>20789 N. Pima Road, Suite 210, Scottsdale, AZ</u> <u>85255</u> Phone: <u>480-397-1900 (office)</u>

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 <u>zero (0)</u> uniformed security officer(s). (Wearing the above-described uniform). The following responsibilities shall be agreed upon and adhered to:

- 1. <u>Zero (0)</u> Security officer(s) will be responsible for roaming the interior of the business and identifying hazards, problems, and maintaining guest safety.
- 2. <u>Zero (0)</u> 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. <u>Zero (0)</u> 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 <u>one(1)</u> 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 followina:

- 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)_____.
 - XX 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

XX Addendums attached

No enclosures

APPLICANT/MANAGEMENT:

| Name: Jason Bowles, Whitestone REIT (Landlord) |
|--|
| Address: 20789 N. Pima Road, Suite 210, Scottsdale, AZ 85255 |
| Phone: <u>480-397-1910</u> |
| Date: 7/31/2019 |
| Signature: |
| |

APPROVED BY: Detective: 480.312.83 Phone: 080819 Date: Signature:

Addendum Live Entertainment

- Purpose of the Request: The owner of BENEDETTO'S, LLC (operator) and Whitestone REIT (Landlord) are requesting a Conditional Use Permit to allow the use of live entertainment within a restaurant. This establishment will only be open for private events such as weddings, birthdays and corporate parties;
- Size: This establishment is 3,818 square feet;
- <u>Address: 20789 N. Pima Road, Suite L-200, Scottsdale,</u> <u>Arizona, 85255</u>
- Live Entertainment: This establishment will host private events such as birthday parties, weddings and corporate events. The live entertainment will depend on what kind of private event is being hosted at the establishment. The live entertainment will include DJ's, live music and dancing.

| SPD File# | |
|---------------------------|--|
| Returned for Corrections: | |
| Expiration Date: | |
| Cos TPT | |



| Date Submitted: | |
|-----------------------|--|
| Date of Approval: | |
| Liquor License #: | |
| CoS Spirituous Liquor | |

City of Scottsdale Public Safety Plan Application

1. Objective:

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

2. Identification:

- A. Scottsdale Address: 20707 N. Pima Road, Suite 200, Scottsdale, AZ 85255
- B. SFD Building Occupancy Limit: 200
- C. Occupancy Type (circle one): A-2 (bar, tavern, night club, restaurant), -3 (dance hall), or A-4 (skating rink, WestWorld)
- D. Staffing Ratios:
 - a. 1:50+1:75 (500+Patrons) 1:75 (60% Food Sales) 100 (90% Fixed Seating)
 - b. You must include supporting documentation for ratios of 1:75 and 1:100.
- E. Company Entity (Corporation, LLC, Partnership, etc): <u>BENEDETTO'S, LLC</u>
- F. DBA (doing business as): Benedetto's
- G. Company Members: (please use addendum, if necessary: Sheila Bryson (owner)

H. Contact Information:

- a. Mobile Phone: <u>480-889-4822</u>
- b. Business Phone: (480) 515-1931
- c. Email: <u>sheila@soulscottsdale.com</u>
- d. In Case of Emergency: John Auer, 724-858-6187
- 3. **APPLICABILITY:** This application for a Public Safety Plan is submitted because my business engages in the following activity(ies) (MARK ONE OR MORE ACTIVITIES IN WHICH YOU ENGAGE):
 - Age Verification is Requested for Admittance.
 - Xx Provide a Disc Jockey
 - Provide an Adult Service as Defined in Section SRC 16-237
 - Teen Dances, Consistent with Section SRC 16-391, are conducted.
 - A Promoter is Utilized.

4. PLAN OF OPERATION:

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

| Monday: By appointment only but shall not exceed 8 AM to 12 AM | |
|---|--|
| Tuesday: By appointment only but shall not exceed 8 AM to 12 AM | |
| Wednesday: By appointment only but shall not exceed 8 AM to 12 AM | |
| Thursday: By appointment only but shall not exceed 8 AM to 12 AM | |
| Friday: By appointment only but shall not exceed 8 AM to 12 AM | |
| Saturday: By appointment only but shall not exceed 8 AM to 12 AM | |
| Sunday: _By appointment only but shall not exceed 8 AM to 12 AM | |

Initials of Applicant

PD2013-9898PSPA

Peak Hours:

5. NARRATIVE:

- a. YOU MUST ATTACH A NARRATIVE OF YOUR PLAN OF OPERATION TO THIS APPLICATION WHICH INCLUDES THE FOLLOWING ELEMENTS:
 - i. Diagram of Building Including Interior Build-Outs; 8.5"x11" (see example)
 - ii. Diagram of Parcel or Lot; 8.5"x11" (see example)
 - iii. Scottsdale Fire Department Approved Occupancy Limit
 - iv. Safety Conditions and Considerations
 - v. Crowd Management Plan
 - vi. Patron Parking, Ingress, Egress, Vehicular and Pedestrian Traffic Control
 - vii. Log of All Employees Including: Full Legal Name, Date of Birth, Current Address, Job Title, and Contact Phone Number (see SRC 23-57 for special requirements and ratio of security officers to patrons) (Similar to the Title 4 Requirements)
 - viii. Contact Person and Information Designating Who Is Authorized to Receive and Handle Complaints from the Public or City of Scottsdale on Behalf of the Business
 - ix. Evacuation Routes
 - x. Evidence of Security Uniform With the Word "Security" on Both Front and Back and In Letters At Least 3-Inches in Height(see SRC 23-57.F)
 - xi. Statement Regarding the Number of Security Staff Available During Peak Times and the Ratio of Security Staff to Patrons
 - xii. Statement Regarding Use, if Applicable (i.e. 60% food sales, 90% fixed seating)
- 6. All final documents, including the narrative required by Section 5, submitted in support of this public safety plan application are incorporated into the approved public safety plan as conditions and requirements by this reference.
- 7. The provisions of Scottsdale Revised Code Sections 23-50 through 23-76 are incorporated into this public safety plan as conditions and requirements by this reference. Failure to comply with these code sections shall be considered a violation of this public safety plan.

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

Signature of Applicant

Date Signed

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



PD2013-9898PSP.

8-UP-2019 9/06/2019

Department of Liquor Licenses and Control



- Series 12 license

Business Name: BENEDETTO

1 record found as of August 22, 2019

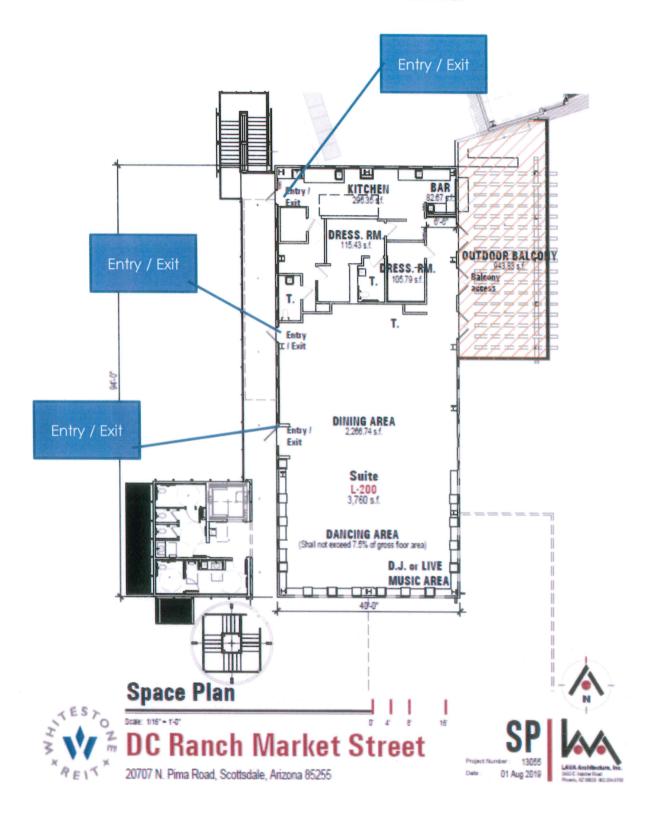
| License Number: | 012070007210 | Status: | Active |
|---------------------------|-----------------------------|------------|------------|
| Business Name: | BENEDETTO'S | | |
| Location Address | 20707 N PIMA Road STE L-200 | | |
| | SCOTTSDALE | Arizona | 85255 |
| County | Maricopa | Bus. Phone | 4805156254 |
| Licensee/Agent/Tel: | BRYSON, SHEILA | 4805156254 | |
| Owner/Exp Date/Issue Date | BENEDETTO'S LLC | 03/31/2020 | 07/24/2019 |
| Status Date/ IP Exp Date | 07/24/2019 - 03/31/2020 | Lic. Type: | 012) |

Narrative

- <u>Sentence (i): Diagram of Building please see the enclosed</u>
- Sentence (ii): Diagram of Parcel Please see the enclosed
- <u>Sentence (iii): Scottsdale Fire Department Approved Occupancy Limit- 200</u>
- <u>Sentence (iv): Safety Conditions and Consideration:</u>
 - o There are no safety conditions or considerations.
- <u>Sentence (v): Crowd Management Plan: Please see the attached checklist</u>
- <u>Sentence (vi): Patron Parking, Ingress, Egress, Vehicular and Pedestrian</u> <u>Traffic Control – please see the attached site plan of the shopping center.</u>
- <u>Sentence (vii): Log of All Employees Including: Full Legal Name, Date of</u> <u>Birth, Current Address, Job Title and Phone number</u>
 - <u>Sheila L Bryson, DOB: 12/22/1960, 13021 N. 69th Street, Scottsdale, AZ</u> 85254, owner 480-889-4822
 - John Auer, DOB: 11/14/1990, 7615 E. Pinnacle Peak Road, Scottsdale, AZ 85255, General Manager, 724-858-6187
- <u>Sentence (viii): Contact Person and Information Designated to handle</u> <u>complaints:</u>
 - o <u>Sheila L Bryson, 12/22/1960, owner 480-889-4822</u>
- Sentence (ix): Evacuation Routes
 - Please see the attached diagram of the building.
- <u>Sentence (x): Evidence of Security Uniform with "Security" on both back</u> and front – please see the attached uniform
- <u>Sentence (xi): Statement regarding the Number of Security available during</u> <u>peak times and ratio of Security Staff of Patrons - We will have one security</u> <u>staff only during times of live entertainment (disc jockey or live music):</u>
- <u>Sentence (xii): Statement regarding use:</u>
 - 1. Purpose of the request: The owner of Market Street at DC Ranch is requesting a Conditional Use Permit to allow the use of live entertainment within a restaurant.
 - 2. Size: Suite L-200 is 3,818 square feet;
 - 3. Floor: Suite L-200 is on the second floor of Building L:
 - 4. Address: The address for Suite L-200 is 20707 N. Pima Road, Scottsdale, Arizona 85255;
 - 5. Zoning: The zoning for the property is PNC PCD;

Initials of Applicant

Diagram of Building:



PD2013-9898PSP;

8-UP-2019 9/06/2019

.........

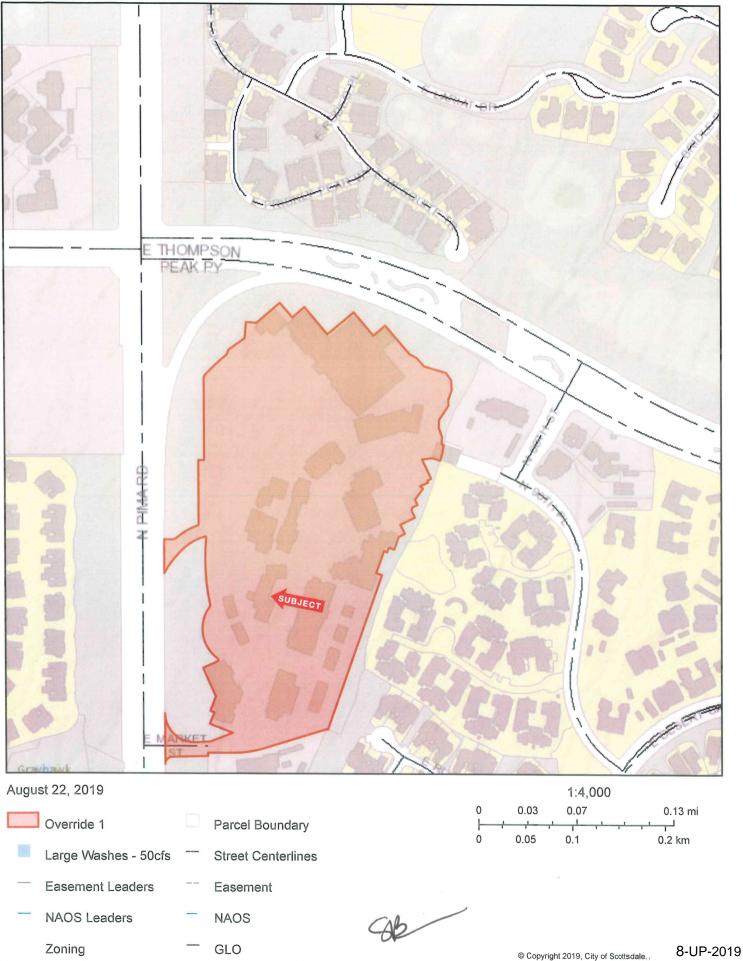




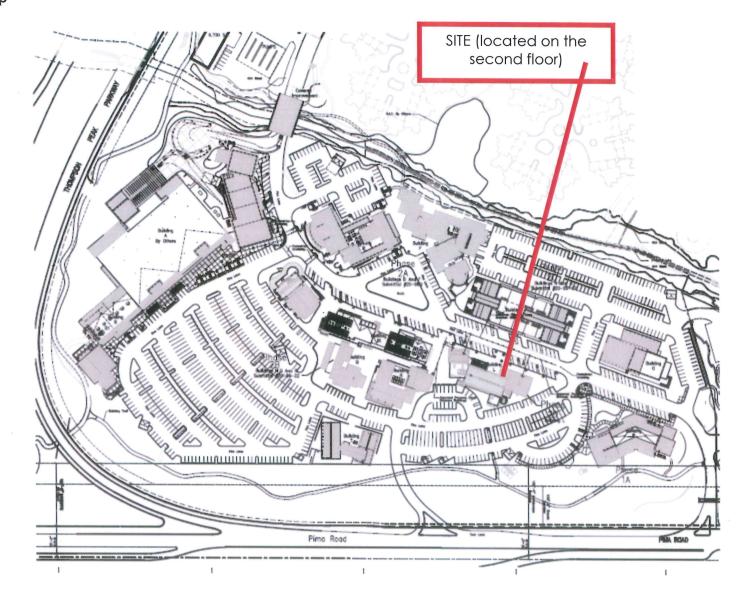
Initials of Applicant

PD2013-9898PSP, 11 (10 0010) 8-UP-2019

9/06/2019



9/06/2019



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Initials of Applicant

PD2013-9898PSP/

8-UP-2019 9/06/2019



Scottsdale Fire Department

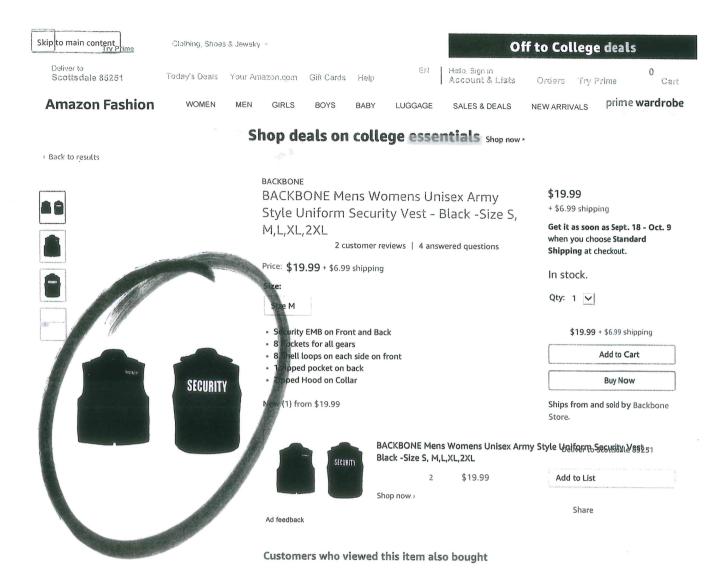
Scottsdale Public Safety Plan - Crowd Management Plan General Checklist

- Verify the fire extinguishers are visible and accessible prior to opening.
 - Verify Exits are marked and illuminated prior to opening.
 - Test emergency lights and exit signs monthly.
- Verify all exits and egress paths to the exits are not blocked or obstructed inside and outside of the building prior to opening and throughout business hours. This includes being obstructed by patrons waiting in line.
- Verify that all security personnel have working radio communication with each other and management.
- Verify that security personnel have counters to count occupants IN and OUT at all entrances and exits. (General admission, VIP and all exits if separate from entrance)
- Verify that security staff knows the maximum occupant load for the building and patio.
- Verify that security staff knows that when the occupant load is reached, they hold the door and compare patrons IN for equal patrons OUT, for the rest of operating business hours.
- The establishment is required to obtain Scottsdale Fire Department approval/permits for special events, fireworks, fire dancers and haze machines. Birthday Sparklers/Open flame devices are **NOT** permitted in bars, night clubs or restaurants.
- The establishment needs to number the security personnel locations on the floor plan and provide details on their responsibilities. Refer to the Scottsdale Fire Department – Scottsdale Public Plan – Security Positions & Responsibilities and the establishment Floor Plan documents.

Page 1 of 1

PSP_FD_CrowdManagmentPlanGeneralChecklist_v1_131105

Amazon.com: BACKBONE Mens Womens Unisex Army Style Uniform Security Vest - ... Page 1 of 5





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For Bars and Live Entertainment Use Permits



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480.312.5000 FAX 480.312.7701

City of Scottsdale Planning, 7447 E. Indian School, Scottsdale AZ 85251 480-

| 312-3 | 7000 | FAX 480-312-7088 |
|-----------------------------|------------|---|
| Assigned Planner: | Meredith 7 | Tessier, Senior Planner |
| Police Detective: | | |
| Establishment: | BENEDETT | O'S, LLC |
| Address: | 20707 N. | Pima Road, #L-200, Scottsdale, AZ 85255 |
| Business Phone: | (480) 515 | 1931 |
| Business FAX: | N/A | |
| Maximum Occupancy: | 200 | |
| Effective Date of the Plan: | 8/1/2019 | |
| Date of Plan Review: | TBD | |
| Use Permit Issue Date: | TBD | |
| Liquor License Number: | 01207000 | 7210 |
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| Home Phone: | 480-889-4 | 822 |
| Contact Person (2): | John Aue | (General Manager) |
| Home Phone: | 724-858-6 | 187 |

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BENEDETTO'S, LLC

Type of Organization:

____Arizona Corporation

____Sole Proprietorship

__Corporation _<u>xx_</u>LLC Other

2. Managing Agents:

Sheila Bryson (owner)

20707 N. Pima Road, L-200 Scottsdale, AZ 85255

(480) 889-4822 (mobile)

- 3. Business Owner(s) (if different than Managing Agent)Name, Address, Phone: N/A
- 4. Property Owner or Property Manager (if different from Managing Agent) Name, Address, Phone:

Brett Barendrick, Whitestone REIT, 20789 N. Pima Road, Suite 210, Scottsdale, AZ 85255, 480-397-1900

- Peak/Non-Open to Liquor Sales Liquor Sales Closed to Peak Night Customers Begin Ends Customers Monday 8 AM N/A 8 AM 12 AM 12 AM Tuesday N/A 8 AM 8 AM 12 AM 12 AM Wednesday N/A 8 AM 8 AM 12 AM 12 AM Thursday N/A 8 AM 8 AM 12 AM 12 AM Friday N/A 8 AM 8 AM 12 AM 12 AM Saturday 8 AM N/A 8 AM 12 AM 12 AM Sunday N/A 8 AM 8 AM 12 AM 12 AM
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- 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): <u>N/A</u>
- 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. Please see the attached addendum
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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.

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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: <u>Sheila Bryson</u> Address: <u>20707 N. Pima Road</u>, <u>Suite L-200</u>, <u>Scottsdale</u>, <u>AZ</u> <u>85255</u> Phone: <u>480-889-4822 (mobile</u>)

And

Name: Dan Kovacevic Address: 20789 N. Pima Road, Suite 210, Scottsdale, AZ 85255 Phone: 480-397-1900 (office)

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 <u>zero (0)</u> uniformed security officer(s). (Wearing the above-described uniform). The following responsibilities shall be agreed upon and adhered to:

- 1. <u>Zero (0)</u> Security officer(s) will be responsible for roaming the interior of the business and identifying hazards, problems, and maintaining guest safety.
- 2. <u>Zero (0)</u> 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. <u>Zero (0)</u> 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 <u>one(1)</u> 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)_____.
 - XX 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

XX Addendums attached

No enclosures

APPLICANT/MANAGEMENT:

| Name: Jason Bowles, Whitestone REIT (Landlord) |
|--|
| Address: 20789 N. Pima Road, Suite 210, Scottsdale, AZ 85255 |
| Phone: <u>480-397-1910</u> |
| Date: 7/31/2019 |
| Signature: |
| |

APPROVED BY:

| Detective: Phone: | |
|----------------------|--|
| Date: | |
| Signature: | |

Addendum Live Entertainment

- Purpose of the Request: The owner of BENEDETTO'S, LLC (operator) and Whitestone REIT (Landlord) are requesting a Conditional Use Permit to allow the use of live entertainment within a restaurant. This establishment will only be open for private events such as weddings, birthdays and corporate parties;
- Size: This establishment is 3,818 square feet;
- <u>Address: 20789 N. Pima Road, Suite L-200, Scottsdale,</u> <u>Arizona, 85255</u>
- Live Entertainment: This establishment will host private events such as birthday parties, weddings and corporate events. The live entertainment will depend on what kind of private event is being hosted at the establishment. The live entertainment will include DJ's, live music and dancing.

8-UP-2019 9/06/2019

Instructions for Security, Maintenance, and Operations Plans

Follow these steps for Review and Approval

Scottsdale Police Department Liquor Investigations Step 1

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

Step 2

Send a Copy of Your SMO Plan to the Scottsdale Police Department. Detective John Miller 480.312.8333 JohMiller@scottsdaleaz.gov

Step 3

Contact Police Detective to Discuss Your Plan.

Step 4

Meet with Police Detective, If Necessary.

Step 5

Submit your reviewed plan to Scottsdale Planning and Development.

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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-

| 312-3 | 7000 FAX 480-312-7088 |
|-----------------------------|--|
| Assigned Planner: | Meredith Tessier, Senior Planner |
| Police Detective: | J. MILLER #579 |
| Establishment: | BENEDETTO'S, LLC |
| Address: | 20707 N. Pima Road, #L-200, Scottsdale, AZ 85255 |
| Business Phone: | (480) 515-1931 |
| Business FAX: | N/A |
| Maximum Occupancy: | 200 |
| Effective Date of the Plan: | 8/1/2019 8/8/19 |
| Date of Plan Review: | TBD |
| Use Permit Issue Date: | TBD |
| Liquor License Number: | 012070007210 |
| Contact Person (1): | Sheila Bryson (Owner) |
| Home Phone: | 480-889-4822 |
| Contact Person (2): | John Auer (General Manager) |
| Home Phone: | 724-858-6187 |

8-UP-2019 9/06/2019

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:

BENEDETTO'S, LLC

Type of Organization:

__Arizona Corporation __Sole Proprietorship __Corporation __Partnership __Other

2. Managing Agents:

Sheila Bryson (owner)

20707 N. Pima Road, L-200 Scottsdale, AZ 85255

(480) 889-4822 (mobile)

- 3. Business Owner(s) (if different than Managing Agent)Name, Address, Phone: <u>N/A</u>
- 4. Property Owner or Property Manager (if different from Managing Agent) Name, Address, Phone:

Brett Barendrick, Whitestone REIT, 20789 N. Pima Road, Suite 210, Scottsdale, AZ 85255, 480-397-1900

- Peak/Non-Open to Liquor Sales Liquor Sales Closed to Peak Night Customers Begin Ends Customers Monday N/A 8 AM 8 AM 12 AM 12 AM Tuesday N/A 8 AM 8 AM 12 AM 12 AM Wednesday N/A 8 AM 8 AM 12 AM 12 AM Thursday N/A 8 AM 8 AM 12 AM 12 AM Friday N/A 8 AM 8 AM 12 AM 12 AM Saturday N/A 8 AM 8 AM 12 AM 12 AM Sunday N/A 8 AM 8 AM 12 AM 12 AM
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> **7/11/1** 8-UP-2019 9/06/2019

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8-UP-2019 9/06/2019

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8-UP-2019 9/06/2019

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APPLICANT/MANAGEMENT:

| Name: Jason Bowles, Whitestone REIT (Landlord) |
|--|
| Address: 20789 N. Pima Road, Suite 210, Scottsdale, AZ 85255 |
| Phone: <u>480-397-1910</u> |
| Date: 7/31/2019 |
| Signature: |
| |

APPROVED BY: Detective: 480.312.83 Phone: 080819 Date: Signature:

Addendum Live Entertainment

- Purpose of the Request: The owner of BENEDETTO'S, LLC (operator) and Whitestone REIT (Landlord) are requesting a Conditional Use Permit to allow the use of live entertainment within a restaurant. This establishment will only be open for private events such as weddings, birthdays and corporate parties;
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8-UP-2019 9/06/2019