

PLANNING COMMISSION REPORT



Meeting Date: December 13, 2023
General Plan Element: *Land Use*
General Plan Goal: *Create a sense of community through land uses*

ACTION

Pinnacle Brewing Company 8-UP-2023

Request to consider the following:

1. A recommendation to City Council regarding a request by owner for a Conditional Use Permit for a Bar use (Pinnacle Brewing Company) in a +/- 4,333 square foot suite with +/- 1,636 square feet of outdoor patio space, located at 15111 N. Hayden Road, Suite 100 with Highway Commercial(C-3) zoning.

Goal/Purpose of Request

The applicant's request is to operate a brewery out of an existing commercial establishment

Key Items for Consideration

- Conditional Use Permit Criteria
- The Planning Department has not received any public comment on the request as of the writing of this report

OWNER

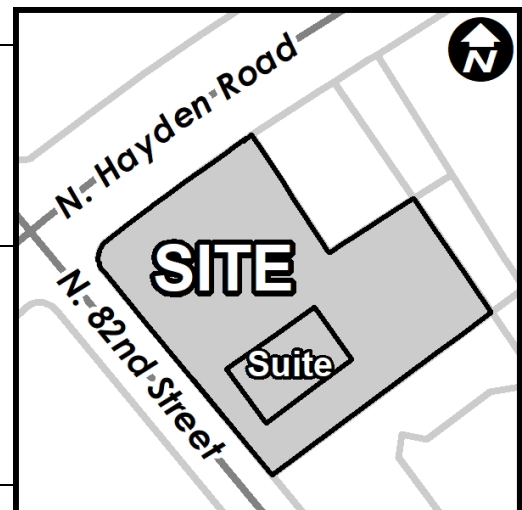
Airpark Corner Square, LLC
(480) 991-7076

APPLICANT CONTACT

Leslie Chatburn
Burch & Cracchiolo, P.A.
(602) 234-8787

LOCATION

15111 N Hayden Rd Ste 100



BACKGROUND

Zoning

This site is zoned Highway Commercial (C-3) by Ordinance 1338, (Cases 64-Z-79 & 58-Z-80) approved by the City Council on November 17th, 1980. The C-3 zoning district allows a broad range of general merchandise and service uses including, but not limited to, retail, office, restaurants, bars, and live entertainment. Bars and live entertainment activity require conditional use permits.

Context

The subject property is located at the southwest corner of north 82nd street and north Hayden Road. The Corner Center building is a mixed-use, multi-tenant building with a contemporary design style. The subject of this application is for suite 100, located in the most southwestern tenant space of this existing shopping center. Please refer to context graphics attached.

Adjacent Uses and Zoning

- North: Hayden Road, Office uses, Zoned Industrial Park (I-1)
- South: Car Wash, Case 40-UP-1987, Zoned Highway Commercial (C-3)
- East: Scottsdale Business center, multi-use, Zoned Highway Commercial (C-3)
- West: 82nd Street, Enterprise rental, Zoned General Commercial (C-4)

Other Related Policies, References:

Scottsdale General Plan 2035, as amended
Greater Airpark Character Area Plan, as amended
Zoning Ordinance
64-Z-1979 & 58-Z-1980

APPLICANT'S PROPOSAL

Development Information

The development proposal includes the operation of a brewery establishment that offers bar services. Pinnacle Brewery has already been approved to operate a Microbrewery with limited bar services offered under a Series 3 (microbrewery) liquor license. The applicant's desire is to implement a specific operational procedure (food sales less than 40% of net sales) which by definition classifies the use as a bar use. Bar uses are allowed in the C-3 zoning district subject to approval of a Conditional Use Permit.

- Existing Use: Vacant, Gas station
- Proposed Use: Microbrewery (Bar)
- Parking Required: 37 Spaces
- Parking Provided: 77 Spaces
- Floor Area: 4,333 square feet (interior)
1,636 square feet (patio)
5,696 square feet (total)

IMPACT ANALYSIS

Land Use

Conditional Use Permit

Conditional Use Permits, which may be revocable, conditional, or valid for a specified time period, may be granted only when expressly permitted after the Planning Commission has made a recommendation and City Council has found as follows:

- A. That the granting of such Conditional Use Permit will not be materially detrimental to the public health, safety or welfare. In reaching this conclusion, the Planning Commission and the City Council's consideration shall include, but not be limited to, the following factors:
 1. Damage or nuisance arising from noise, smoke, odor, dust, vibration or illumination.
 - **The granting of a conditional use permit for a bar use will not increase damage or nuisance arising from noise, smoke, odor, dust vibration, or illumination. All brewery equipment is within an enclosed building. The plans submitted do not display any outdoor speakers.**
 2. Impact on surrounding areas resulting from an unusual volume or character of traffic.
 - **Parking for the proposed use requires 37 spaces and the overall commercial center requires 76 spaces. Seventy-seven (77) spaces are provided for the overall commercial center.**
 - **The proposed use will not have a negative impact on the volume or character of traffic. This commercial area contains restaurants, retail, and office uses. Per the trip generation information provided, this use will generate fewer trips than the gas station use that previously occupied this tenant suite.**
- B. The characteristics of the proposed conditional use are reasonably compatible with the types of uses permitted in the surrounding areas.
 - **This use is permitted under the C-3 zoning district with an associated conditional use permit. The shopping center has a variety of other commercial uses that are compatible with this request.**
- C. The additional conditions specified in Section 1.403, as applicable, have been satisfied. The proposal meets the provisions for Bars, cocktail lounges, and/or after hours establishments as identified in Zoning Ordinance Section 1.403.C., including:
 1. The use shall not disrupt existing balance of daytime and nighttime uses.
 - **The area currently has a variety of both daytime and nighttime uses including the adjacent restaurant and caterer which are open from morning to approximately 3 pm, the nearby car wash open from 8 am to 6 pm, and the nearby furniture and rug stores open until approximately 5 pm. Pinnacle's hours of operation will be in conformance with the area as they are planned to be open from approximately noon to 9 pm. This use will not disrupt the area or existing mix of uses.**

2. The use shall not disrupt pedestrian-oriented daytime activities.
 - **The use will not disrupt pedestrian-oriented daytime activities. The new proposed patio includes a sidewalk connection to N 82nd Street, which currently does not exist and will enhance the existing pedestrian connectivity for the area.**
3. If the site is located within the downtown overlay district then
 - a. The use shall not encourage displacement of daytime retail uses unless it can be demonstrated that the proposed use shall promote diversity of first floor uses along the street.
 - b. The required parking for the use shall be within six hundred (600) feet of the property and shall not be separated from the property by a major or minor arterial street.
 - **The site is not located within the DO District.**
4. If the use is located within five hundred (500) feet of a residential use or district then:
 - a. The use shall not adversely impact residential uses.
 - b. The use shall provide methods of buffering residential uses.
 - **The site is not located within 500 feet of a residential use.**
5. An active management and security plan shall be created, approved, implemented, maintained, and enforced for the business.
 - **An active management and security plan is included in this submittal.**
6. The applicant shall provide, with the application for a conditional use permit, a written exterior refuse control plan which must be approved by the planning and development department staff as complying with the written guidelines of the department.
 - **A refuse control plan is included in this submittal.**
7. The applicant shall demonstrate how noise and light generated by the use shall be mitigated.
 - **The proposed plans do not include information about external speakers and any noise is regulated by the noise ordinance. All proposed lighting improvements comply with the requirements of Zoning Ordinance Section 7.600. for Outdoor Lighting.**
8. The applicant shall demonstrate that the use shall meet required parking and shall not exceed capacity for traffic in the area.
 - **As calculated the required parking for this use is 37 parking spaces and the overall commercial center requires 76 spaces. The existing commercial center includes 77 parking spaces for all users. As a part of the building improvements the applicant will provide 5 additional parking spaces in front of the proposed patio to meet the parking requirements.**

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

- **The proposal and applicant narrative does not request after-hours operations.**

Water/Sewer

All infrastructure upgrades necessary to serve this project will be completed by the applicant through the final plans and permitting process.

Fire/Police

The nearest fire station is within .3 miles of the site and located at 8014 E McClain Dr. The subject site is served by Police District Foothills, Beat 15. As with any project that contributes to growth, the fire department and police department continually anticipate and evaluate resource needs for the city's budget process.

Community Involvement

Property owners within a 750-foot radius of the subject site were notified and the site was posted. Staff has not received any comments from the public regarding this application. Throughout the process, staff received comments about a nearby tenant space within the same commercial center which does not directly pertain to this request.

STAFF RECOMMENDATION

Recommended Approach:

Staff recommends that the Planning Commission find that the Conditional Use Permit criteria have been met and determine that the proposed bar use is consistent and conforms with the adopted General Plan, and make a recommendation to City Council for approval, per the attached stipulations.

RESPONSIBLE DEPARTMENT

Planning and Development Services

Current Planning Services

STAFF CONTACT

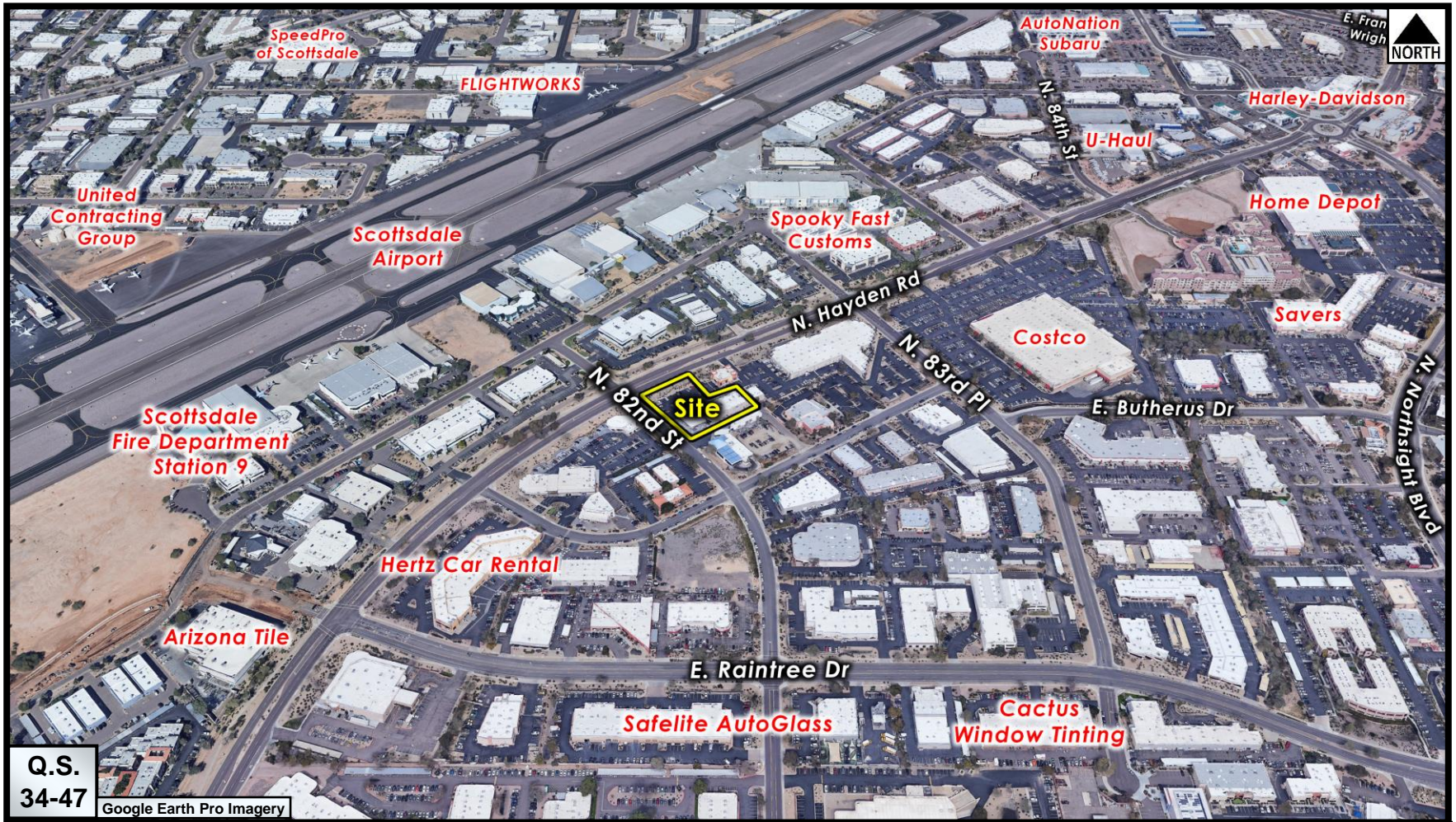
Chris Zimmer
Planner
480-312-2347
E-mail: czimmer@ScottsdaleAZ.gov

APPROVED BY

 _____ Christopher Zimmer, Report Author	_____ 11/30/2023 Date
 _____ Tim Curtis, AICP, Current Planning Director Planning Commission Liaison Phone: 480-312-4210 Email: tcurtis@scottsdaleaz.gov	_____ 11/30/2023 Date
 _____ Erin Perreault, AICP, Executive Director Planning, Economic Development, and Tourism Phone: 480-312-7093 Email: eperreault@scottsdaleaz.gov	_____ 12/05/2023 Date

ATTACHMENTS

1. Context Aerial
2. Resolution No. 13002 DRAFT
Exhibit 1: Aerial Close Up
Exhibit 2: Stipulations
Exhibit A to Exhibit 2: Site Plan
Exhibit B to Exhibit 2: Floor Plan
Exhibit 3: Additional Conditions
3. Applicant Narrative
4. Existing Zoning Map
5. Security, Maintenance & Operations plan
6. Community Outreach
7. City Notification Map



Context Aerial

8-UP-2023

RESOLUTION NO. 13002

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, ADOPTING A CONDITIONAL USE PERMIT FOR A BAR USE WITHIN AN APPROXIMATELY +/-4333 SQUARE FOOT AREA AND A +/-1636 SQUARE FOOT PATIO WITH HIGHWAY COMMERCIAL (C-3) ZONING LOCATED AT 15111 N. HAYDEN ROAD.

WHEREAS, the Planning Commission held a public hearing on December 13, 2023; and

NOW, THEREFORE, LET IT BE RESOLVED, by the City Council of the City of Scottsdale, Maricopa County, Arizona, as follows:

Section 1. That the City Council finds:

- a) that the granting of this conditional use permit per stipulations set forth on **Exhibit 2** will not be materially detrimental to the public health, safety or welfare based on, but not limited to, the following factors: damage or nuisance arising from noise, smoke, odor, dust, vibration or illumination and impact on surrounding areas resulting from an unusual volume or character of traffic;
- b) that the characteristics of the proposed conditional use are reasonably compatible with the types of uses permitted in the surrounding areas; and
- c) that compliance with the additional conditions for bars, set forth on **Exhibit 3**, is required.

Section 2. That a description of the conditional use permit is set forth in Case No. 8-UP-2023. The property that is subject to the conditional use permit is shown on **Exhibit 1** and the conditional use permit approval is conditioned upon compliance with all of the stipulations that are set forth in **Exhibits 2** and **Exhibit 3**. All exhibits are incorporated herein by reference.

PASSED AND ADOPTED by the Council of the City of Scottsdale, Maricopa County, Arizona this _____ day of _____, 2024.

ATTEST:

CITY OF SCOTTSDALE, an Arizona
Municipal Corporation

By: _____
Ben Lane
City Clerk

By: _____
David D. Ortega
Mayor

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

By: _____
Sherry R. Scott, City Attorney
By: Joe Padilla, Deputy City Attorney



Close-up Aerial

8-UP-2023

Conditional Use Permit – Bar
Stipulations
Pinnacle Brewing Company
Case Number: 8-UP-2023

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

OPERATIONS

1. CONFORMANCE TO THE CONCEPTUAL FLOOR PLAN. The interior layout of the premises shall be in substantial conformance with the conceptual floor plan submitted by Urban Rebuild and with the city staff date of 12/6/2023, attached as Exhibit B to Exhibit 2. Any proposed significant change to the conceptual floor plan as determined by the Zoning Administrator, shall be subject to additional action and public hearings before the Planning Commission and City Council.
2. CONFORMANCE TO CONCEPTUAL SITE PLAN. Development shall conform with the conceptual site plan submitted by Urban Rebuild and with the city staff date of 12/6/2023, attached as Exhibit A to Exhibit 2. Any proposed significant change to the conceptual site plan as determined by the Zoning Administrator, shall be subject to additional action and public hearings before the Planning Commission and City Council.
3. NO LIVE ENTERTAINMENT. This Conditional Use Permit is for a bar use only, and no live entertainment is approved as part of this request.
4. SECURITY, MAINTENANCE, AND OPERATIONS PLAN. The operations of the bar shall conform to the Security, Maintenance, and Operations Plan approved by, and on record with the City of Scottsdale's Police Department and the Planning and Development Services Department. A copy of the approved Security, Maintenance, and Operations shall be maintained on site. Within 10 days after a request by the City Manager or designee, the owner shall provide an update of the Security, Maintenance, and Operations Plan to the Scottsdale Police Department and the Planning and Development Services Department. At least ten (10) days before any operational change of the bar, or any promotional event (excluding Special Events), that modifies the requirements or contents of the Security, Maintenance, and Operations Plan, the owner shall submit a revised Security, Maintenance, and Operations Plan to the Scottsdale Police Department and the Planning, Neighborhoods, and Transportation Division. Any revised Security, Maintenance, and Operations Plan shall be subject to approval by the City of Scottsdale's Police Department and the Planning and Development Services Department.
5. NOISE. In addition to the City's Noise Ordinance (Ordinance No. 3192, Article II, Chapter 19 of the Scottsdale Revised Code), noise generated from this use, including any speakers or other amplification equipment, shall not exceed ambient noise levels consistent to the use and the character of the area during hours of operation, as determined by the Zoning Administrator, or designee. Amplified music shall be limited to the times that State law allows liquor sales at this bar.

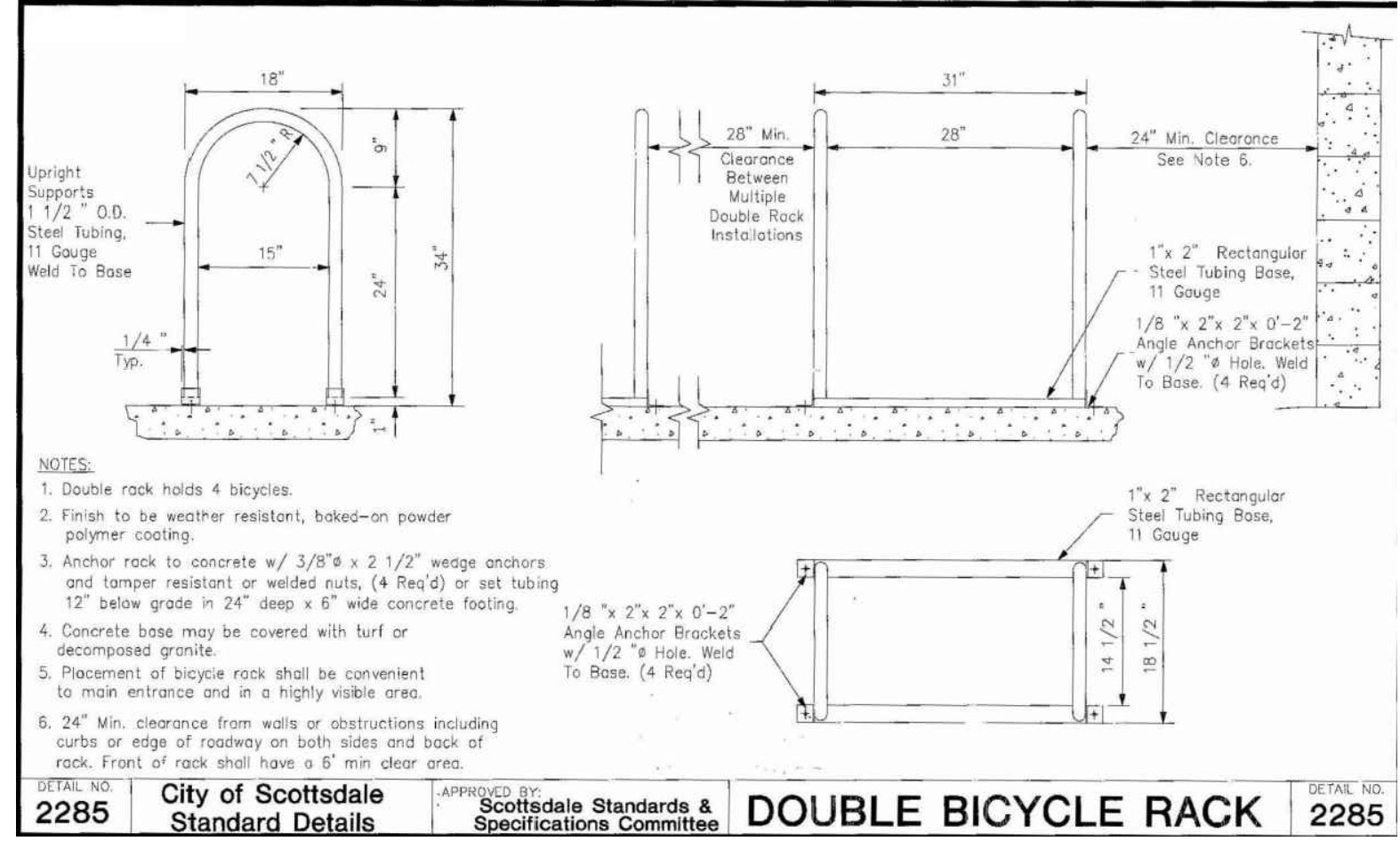
6. EXTERNAL DOORS. All external doors shall be closed but not locked during business hours.

PARKING

7. MINIMUM PARKING. The site shall be required to provide parking, as required by the Zoning Ordinance, through on-site parking, off-site parking, in-lieu parking spaces, or any combination thereof, at all times. Failure to provide required parking for the use, to the satisfaction of the Zoning Administrator, or designee, may be grounds for revocation of the Conditional Use Permit.

ADMINISTRATIVE/PROCESS

8. CONDITIONAL USE PERMIT ADMINISTRATIVE REVIEW. Within ten (10) days after a request by the Zoning Administrator or designee, the owner shall submit a letter to the Zoning Administrator or designee demonstrating compliance with all stipulations. A deviation from any stipulations or change in the floor plan may be grounds for revocation of the Conditional Use Permit.
9. CHANGES IN OWNERSHIP. Within ten (10) days after a change in ownership, the owner shall provide notice to the Zoning Administrator in writing of any such ownership change.



City of Scottsdale Standards & Specifications Committee
DOUBLE BICYCLE RACK
 2285

PARKING REQUIRED:

SUGAR JAM:	3,020 S.F. / 120 = 25.16 STALLS
AQUA-TOTS - SWIMMING POOL:	2,000 S.F. / 1000 = 2.00 STALLS
INDOOR RECREATIONAL USE:	1,500 S.F. / 250 = 6.00 STALLS
VACANT SUITE:	884 S.F. / 250 = 3.54 STALLS
ORGANIC CHEF (CATERING KITCHEN):	704 S.F. / 250 = 2.82 STALLS
PINNACLE BREWING (INTERIOR):	
MANUFACTURING:	1,820 S.F. / 500 = 3.64 STALLS
STORAGE:	490 S.F. / 800 = 0.62 STALLS
BAR/BREWERY:	2,023 S.F. / 80 = 25.29 STALLS
PINNACLE BREWING (PATIO):	1,636-200 = 1,436 / 200 = 7.18 STALLS
TOTAL SITE PARKING REQUIRED:	76.47 (77) STALLS

PARKING PROVIDED (INCLUDING 4 ADA): 77 STALLS

BICYCLE CALCULATION:

1 BICYCLE STALL PER 10 PARKING STALLS	7 STALLS
TOTAL PROVIDED:	8 STALLS

PROJECT INFORMATION

PROJECT NAME: PINNACLE BREWING CO.
 PROJECT ADDRESS: 15111 NORTH HAYDEN ROAD SUITE 100 SCOTTSDALE, AZ 85260
 APN: 215-55-017A AND 215-55-041A (IN PROCESS OF A LOT TIE / ASSEMBLAGE)
 ZONING: C-3
 OCCUPANCY: A-2 RESTAURANT
 EXISTING SUITE FLOOR AREA: 2,982 S.F.
 NEW ADDITION: 1,351 S.F.
 NEW TOTAL FLOOR AREA: 4,333 S.F.
 NEW PATIO AREA: 1,636 S.F.

SITE PLAN NOTES

- CONTRACTOR SHALL PROTECT ALL ADJACENT LANDS FROM DAMAGE DURING CONSTRUCTION. ANY OFF-SITE AREAS DISTURBED SHALL BE RETURNED TO A CONDITION EQUAL TO OR BETTER THAN THE EXISTING CONDITION.
- NO DEMOLITION MATERIALS SHALL BE DISPOSED OF ON-SITE. ALL DEBRIS SHALL BE HAULED OFF-SITE TO A RECYCLING AREA APPROVED BY THE LOCAL JURISDICTION FOR THE HANDLING OF DEMOLITION DEBRIS.
- CONTRACTOR SHALL NOTIFY ARCHITECT OF DISCREPANCIES BETWEEN PLANS AND FIELD CONDITIONS.
- NECESSARY BARRIERS, SUFFICIENT LIGHTS, SIGNS AND OTHER TRAFFIC CONTROL METHODS AS MAY BE NECESSARY FOR THE PROTECTION AND SAFETY OF THE PUBLIC SHALL BE PROVIDED AND MAINTAINED THROUGHOUT THE LIFE OF THE PROJECT.
- CONTRACTOR TO COORDINATE ALL UTILITY RELOCATIONS WITH THE LOCAL UTILITY COMPANIES.
- THE LOCATIONS, SIZES AND TYPES OF ALL EXISTING UTILITIES, SUCH AS WATERMANS, SEWERS, ETC. AS SHOWN ON THESE PLANS HAVE BEEN DETERMINED FROM THE BEST AVAILABLE INFORMATION AND ARE GIVEN FOR THE CONVENIENCE OF THE CONTRACTOR. THE ARCHITECT AND OWNER ASSUME NO RESPONSIBILITY FOR THE ACCURACY OF THE LOCATIONS SHOWN. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO CONTACT ALL UTILITY COMPANIES 72 HOURS PRIOR TO THE COMMENCEMENT OF ANY DEMOLITION AND HAVE THEIR FACILITIES LOCATED IN THE FIELD PRIOR TO ANY WORK BEING DONE. SEE M, P, E, & FP SHEETS FOR MORE INFORMATION.
- COORDINATE WITH THE CITY PRIOR TO ANY CONSTRUCTION IN THE PUBLIC RIGHT-OF-WAY.
- ALL NECESSARY PERMITS FOR SITE WORK AND CONSTRUCTION SHALL BE OBTAINED BY THE CONTRACTOR PRIOR TO BEGINNING WORK.
- THE PROPOSED PROJECT (LAND SURFACE CHANGE FOR THE ADDITIONAL AREA AND NEW PATIO AREA) WILL NOT INCREASE THE IMPERVIOUS AREA, NOR INCREASE THE ON-SITE Q100. BOTH THE PROPOSED ENCLOSED BUILDING AREA AND NEW PATIO AREA ARE BEING CONSTRUCTED ON THE EXISTING IMPERVIOUS AREA BELOW A LARGE EXISTING CANOPY STRUCTURE. THE EXISTING DRAINAGE WILL NOT BE IMPACTED BY THE PROPOSED PROJECT AS BOTH THE EXISTING CANOPY AND CONCRETE PAD BELOW IT ARE ALREADY INCLUDED IN THE DRAINAGE CALCULATIONS FOR THE SITE.
- THE PROPOSED NEW CONSTRUCTION WILL NOT DISRUPT THE FLOW DIRECTION OF THE DRAINAGE FLOW PATTERN AS DRAINAGE IS DESIGNED TO FLOW AWAY FROM THE CANOPY COVERED AREA ON ALL THREE OPEN SIDES. WATER DOES NOT FLOW UNDER THE EXISTING CANOPY AREA.
- ALL EXTERIOR LIGHTING IS UNDER AND WITHIN THE AREA OF THE CANOPY STRUCTURE. SEE PHOTOMETRIC PLAN FOR REVIEW OF MINIMAL LIGHT SPILLAGE BEYOND THE CONFINES OF THE CANOPY. TVS ARE LOCATED AND SUSPENDED BELOW THE CANOPY AT THE PERIMETER OF THE PATIO AND WILL BE DIRECTED INWARD TOWARD THE INTERIOR OF THE NEW BUILDING AREA AND AWAY FROM THE STREETS. TV SPEAKERS WILL BE MUTED AND THERE WILL BE NO OUTSIDE SPEAKER SYSTEM.

SITE PLAN KEYNOTES

MARK	DESCRIPTION
S01	EXISTING BUILDING TO REMAIN
S02	EXISTING CANOPY TO REMAIN
S03	EXISTING PARKING TO REMAIN
S04	AREA OF REMODEL/GRAY SHELL
S05	NEW OUTDOOR SETTING AREA UNDER EXISTING CANOPY
S06	NEW ENCLOSED SPACE UNDER EXISTING CANOPY
S07	NEW STOREFRONT GLAZING
S08	EXISTING LANDSCAPING TO REMAIN
S09	EXISTING CURBING TO REMAIN
S10	NEW 36" HIGH PATIO RAIL
S11	NEW CONC RAMP TO MATCH EXISTING CONC PAD
S12	NEW LANDSCAPE PLANTER
S13	EXISTING ACCESSIBLE PARKING AND AISLE TO REMAIN
S14	DASHED LINE INDICATES ACCESSIBLE PATH OF TRAVEL TO NEW DOOR LOCATION
S15	BIKE RACK LOCATION - COORDINATE REQUIREMENTS BASED ON STANDARD DETAIL FROM JURISDICTION ABOVE
S16	GENERAL CONTRACTOR TO PROVIDE IRRIGATION SYSTEM TO PROPOSED LANDSCAPED AREAS - UTILIZE THE EXISTING IRRIGATION SYSTEM
S17	NEW GREEN SCREEN IN BACK OF PLANTER
S18	EXISTING DRAINAGE FLOW TO REMAIN UNCHANGED
S19	NEW CONCRETE STAIR - SEE DTLS 9 & 10 / A5.02

01 SITE PLAN
 SCALE: 1" = 20'-0"

Exhibit A to Exhibit 2

PINNACLE BREWING CO. TENANT IMPROVEMENT

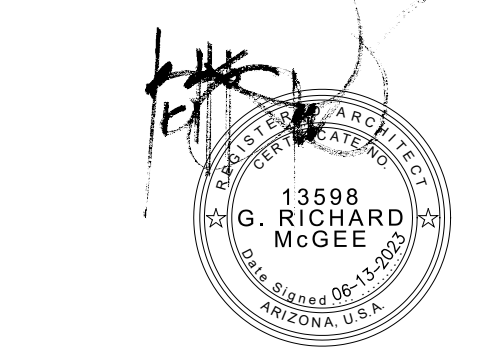
15111 N. HAYDEN ROAD SUITE #100 SCOTTSDALE, AZ 85260

AS1.00 SITE AND LANDSCAPE PLANS

PERMIT REVIEW 2nd SUBMITTAL - 09/20/2023
 PERMIT REVIEW SUBMITTAL - 06/16/2023
 PROJECT NO. 22-15-120

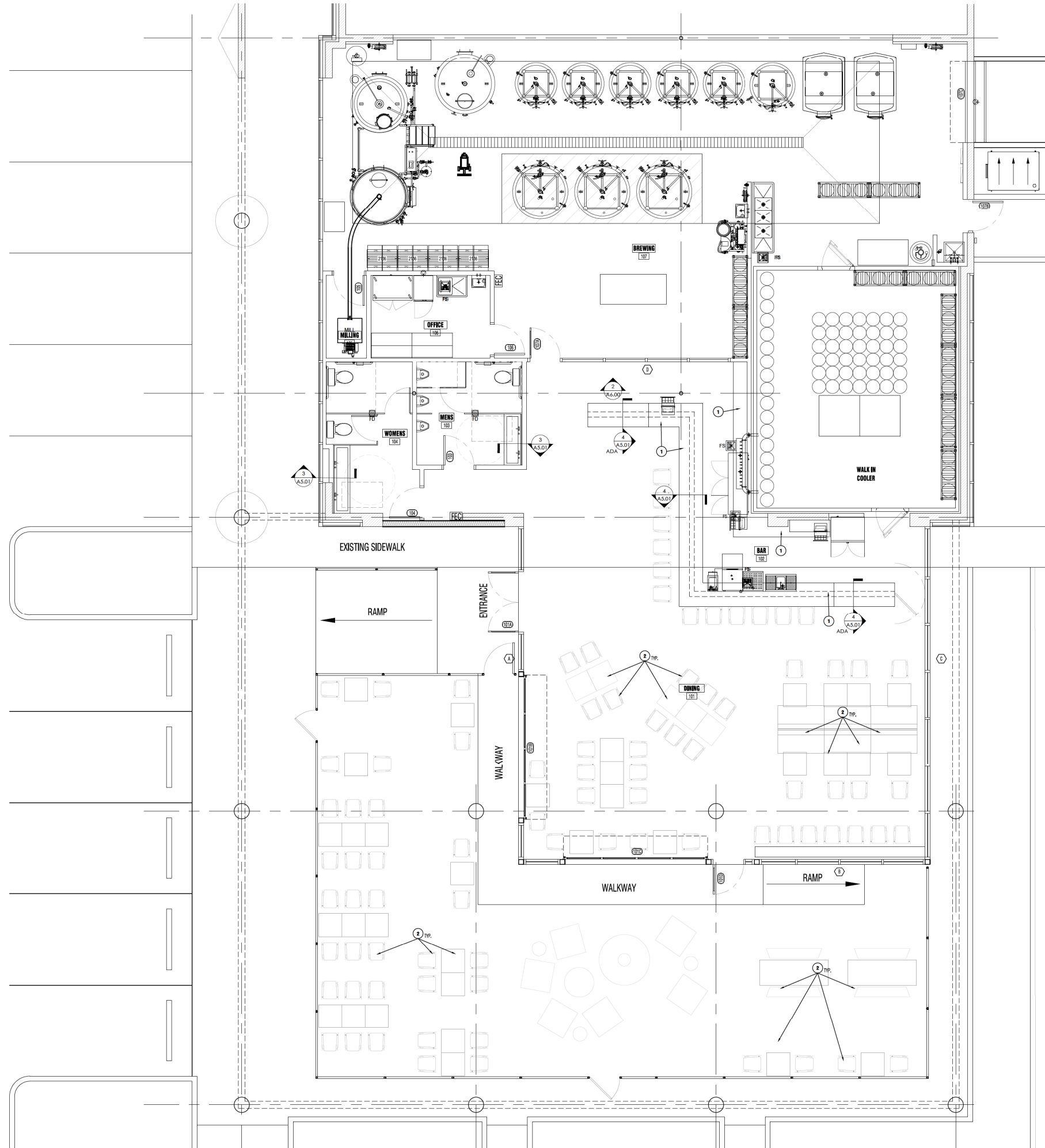
REVISIONS:

NO.	DESCRIPTION



EXPIRES: 09-30-24





- KEYNOTES**
1. MILLWORK - SEE INTERIOR DRAWINGS
 2. FURNITURE - SEE INTERIOR DRAWINGS
- SYMBOLS LEGEND**
- DOOR NUMBER SEE A6.00 FOR DOOR SCHEDULE
 - WINDOW TYPE SEE A6.00 FOR WINDOW ELEVATIONS

PINNACLE BREWING CO. TENANT IMPROVEMENT

15111 N. HAYDEN ROAD
SUITE #100
SCOTTSDALE, AZ 85260

A1.10 ENLARGED FLOOR PLAN

PERMIT REVIEW SUBMITTAL - 06/16/2023

PROJECT NO. 22-10-109

REVISIONS:

NO.	DESCRIPTION	DATE



EXPIRES: 09-30-24



APPENDIX B – BASIC ZONING ORDINANCE
1.403

C.1 *Bars, cocktail lounges, and/or after-hours establishments.*

1. The use shall not disrupt 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 for the use shall be within six hundred (600) feet of the property and shall not be separated from the property by a major or minor arterial street.
4. If the use is located within five hundred (500) feet of a residential use or district then:
 - a. The use shall not adversely impact residential uses.
 - b. The use shall provide methods of buffering residential uses.
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 hours establishments must maintain a valid after-hours establishment license.

**Pinnacle Brewing Company
SEC Hayden Road & 82nd Street
15111 North Hayden Road, Ste 100**

Use Permit Narrative – Bar Use

**Case No. 8-UP-2023
Resubmitted: November 21, 2023**

I. Explanation of Request

On behalf of Pinnacle Brewing Company (“Pinnacle”) we request a Use Permit for a “bar” use in order to sell beer in Pinnacle’s approximately 5,969 square foot brewery and taproom in an existing pad within the Airpark Corner Square located near the southeast corner of Hayden Road and 82nd Street (“Site”). The Site is in the process of submitting a land assemblage to combine the two parcels that make up the Airpark Corner Square—APNs 215-55-017A and 215-55-041E. The Site is zoned C-3, permitting a “bar” subject to a Conditional Use Permit. A regional aerial of the Site is attached as **Exhibit 1**.

Pinnacle is a family-run business that will offer a variety of craft beers in an indoor/outdoor space. Pinnacle’s space will be comprised of a large brewing area, an indoor service and seating area, and a large, approximately 1,636-square-foot patio area. Pinnacle will utilize existing strip mall circulation and has added several additional parking spaces for the use of the center. See **Exhibit 2**, Floor Plan. Pinnacle will update the existing pad, previously utilized as a gas station, to convert the prior gas-pump area to a patio. See **Exhibit 3**, Elevations.

The Site is zoned C-3 and designated “Employment: Light Industrial/Office” on the General Plan. The Site is also located within the Airpark Corner Square Center consisting of restaurants, a caterer, a bank, a swim school, and other uses, all zoned C-3. To the North, across Hayden Road, exists a corporate center zoned I-1. To the immediate south exists a carwash zoned C-3, to the west, across 82nd Street, exists a car rental agency zoned C-4. To the immediate west is a restaurant in the Airpark Corner Square Center zoned C-3. Accordingly, this proposal is fitting for the area and is the type of use envisioned in the Airpark Area.

II. Conditional Use Permit Criteria, Section 1.401

As specified in Section 1.403 of the Zoning Ordinance, the following is an analysis of the general use permit criteria applicable to all use permit requests.

A. That the granting of such conditional use permit will not be materially detrimental to the public health, safety or welfare. In reaching this conclusion, the Planning Commission and the City Council's consideration shall include, but not be limited to, the following factors:

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

The granting of a conditional use permit for a bar use will not increase damage or nuisance arising from noise, smoke, odor, dust vibration, or illumination. Rather, a brewery is the precise type of use that is fitting for the area. Further, this location is not one that is inappropriate for the serving of alcohol. Other nearby establishments, including Sugar Jam in the same center, serve alcohol and other bars and breweries are nearby. Given the proximity to the Airport and Hayden Road, any noise should not be above ambient conditions. Pinnacle plans to have a single point of

access facing the parking lot and Hayden Road. Further, Pinnacle’s bar use should create less emission than the gas station previously operating on the Site.

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

Pinnacle’s proposed use will not have a negative impact on the volume or character of traffic. This commercial area contains restaurants, retail, and offices. Patrons may come to visit one business or visit another while there. Pinnacle is occupying an existing pad and will not increase traffic more than other commercial uses that could occupy the pad by right. Further, this use will generate fewer trips than the gas station use that previously occupied this pad. Per the below trip generation, Pinnacle will greatly reduce the trips generated compared to the prior use. This center is well-equipped with parking and well-planned circulation to handle a variety of uses. See below for more information regarding parking.

Time Period	Previous Use	Proposed Use	Difference	% Difference
	12 Fueling Position Convenience Store/Gas Station	Brewery Tap Room 4,299 square feet + 1,636 square foot patio		
	LUC 945	LUC 971		
Weekday In (vpd)	1,543	183	-1,360	-88%
Weekday Out (vpd)	1,543	183	-1,360	-88%
WEEKDAY TOTAL (vpd)	3,086	366	-2,720	-88%
AM Peak In (vph)	162	4	-158	-98%
AM Peak Out (vph)	162	0	-162	-100%
AM PEAK TOTAL (vph)	324	4	-320	-99%
PM Peak In (vph)	137	34	-103	-75%
PM Peak Out (vph)	136	24	-112	-82%
PM PEAK TOTAL (vph)	273	58	-215	-79%

vpd - vehicles per day, vph - vehicles per hour

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

Pinnacle Brewing is fitting for this commercial area and will be an asset to the area and benefit other nearby businesses. Other uses in the immediate area include a variety of airport-related uses, auto uses, offices, shops, restaurants, and entertainment—including several establishments that serve alcohol. Pinnacle will be a welcome addition that makes good sense in the area. Further, the Site is located in the Greater Airpark Growth Area. This proposal supports the Airpark Growth Area’s goals of “attract[ing] new businesses”, “attracting a diversified business base”, and “support[ing] and enhance[ing] existing tourist attractions.” For all of these reasons, Pinnacle Brewery’s proposal of a family-owned brewery is compatible with the surrounding area.

C. The additional conditions specified in Section 1.403, as applicable, have been satisfied.

See below.

III. Additional Conditional Use Permit Criteria 1.403

The following is an analysis of the specific criteria for a bar as included in Section 1.403 of the Zoning Ordinance.

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

- 1. The use shall not disrupt existing balance of daytime and nighttime uses.**
The area currently has a variety of both daytime and nighttime uses including the adjacent restaurant and caterer which are open from morning to approximately 3 pm, the nearby car wash open from 8 am to 6 pm, and the nearby furniture and rug stores open until approximately 5 pm. Later uses include nearby dispensaries open until 10 pm and restaurants open until 8 pm. Consequently, Pinnacle's use is well-suited for the area and will not disrupt the existing balance. Pinnacle's hours of operation will be in conformance with the area as they are planned to be open from approximately noon to 9 pm.
- 2. The use shall not disrupt pedestrian-oriented daytime activities.**
Pinnacle will not disrupt pedestrian-oriented daytime activities. Unlike other "bars" Pinnacle is both a daytime and nighttime use and has hours in line with many restaurants. This brewery will not disrupt any pedestrian activities and hours of operation will be similar to nearby uses.
- 3. If the site is located within the Downtown Overlay District D-O then:**
The Site is not located within the DO District.
 - a. The use shall not encourage displacement of daytime retail uses unless it can be demonstrated that the proposed use shall promote diversity of first floor uses along the street.**
 - b. The required parking for the use shall be within six hundred (600) feet of the property and shall not be separated from the property by a major or minor arterial street.**
- 4. If the use is located within five hundred (500) feet of a residential use or district then:**
 - a. The use shall not adversely impact residential uses.**
The Site is not located within 500 feet of a residential use. The nearest residential use is approximately half a mile away.
 - 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.**
An active management and security plan is included in this submittal.
- 6. The property owner shall create a written exterior refuse control plan for approval by the City.**

A refuse plan is included in this submittal.

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

The bar use will not create a significant amount of noise or light. Given the proximity to the Airpark and Hayden Road, any noise should be within ambient conditions and similar to with any restaurant-type use that may occupy this pad.

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

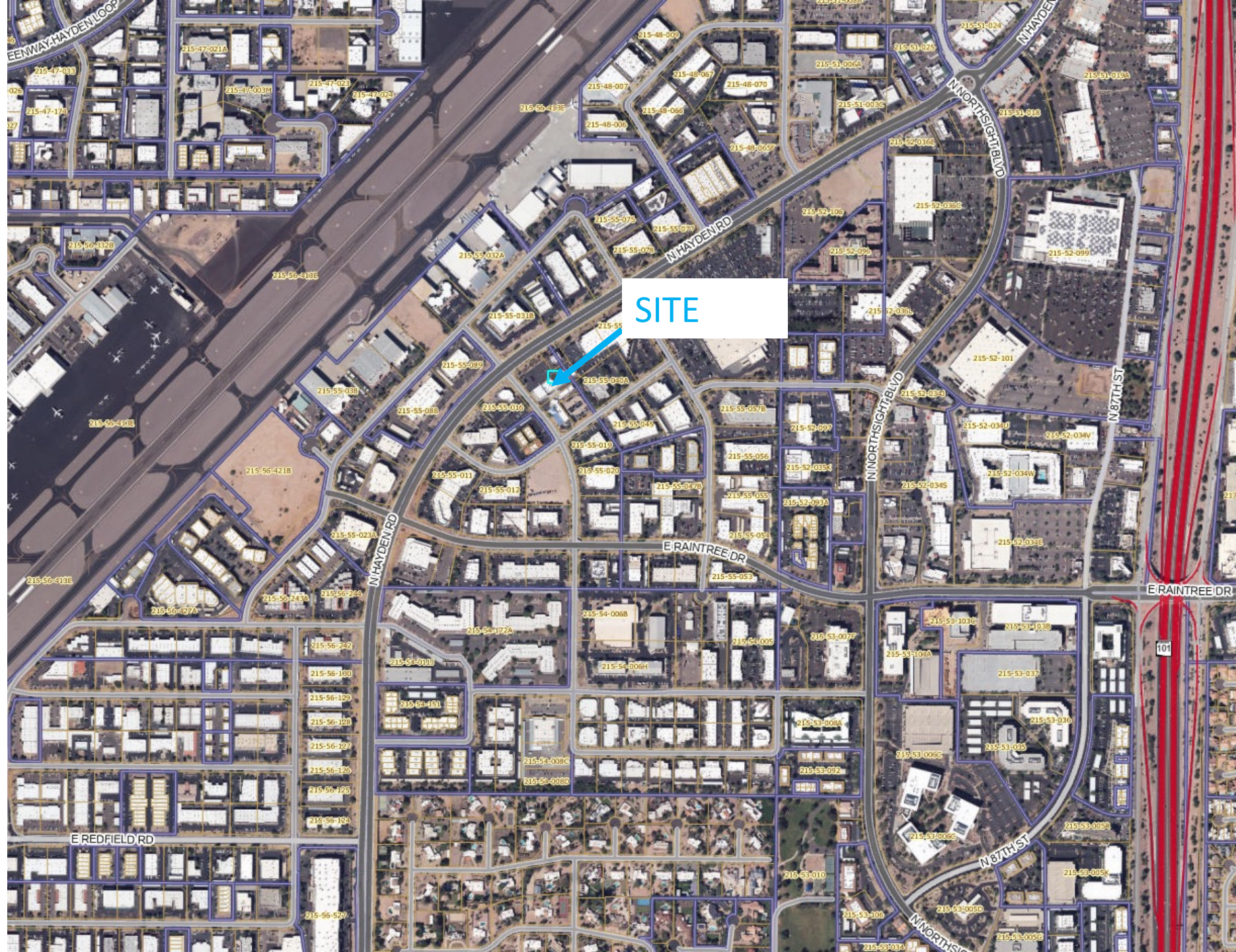
Pinnacle will be located in the Airpark Corner Square. As part of this process, a land assemblage is being requested to combine the two current parcels that makeup the Airpark Corner Square, in part so that the center may be parked as one parcel. When calculating the required parking for the center as a whole, 77 spaces are required (36.95 for Pinnacle), and 77 spaces are provided in the center. Eight bicycle stalls are also provided.

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

No after hours license is required. Pinnacle plans to be open approximately from noon to 9 pm.

For the foregoing reasons, we request your approval of this Use Permit.

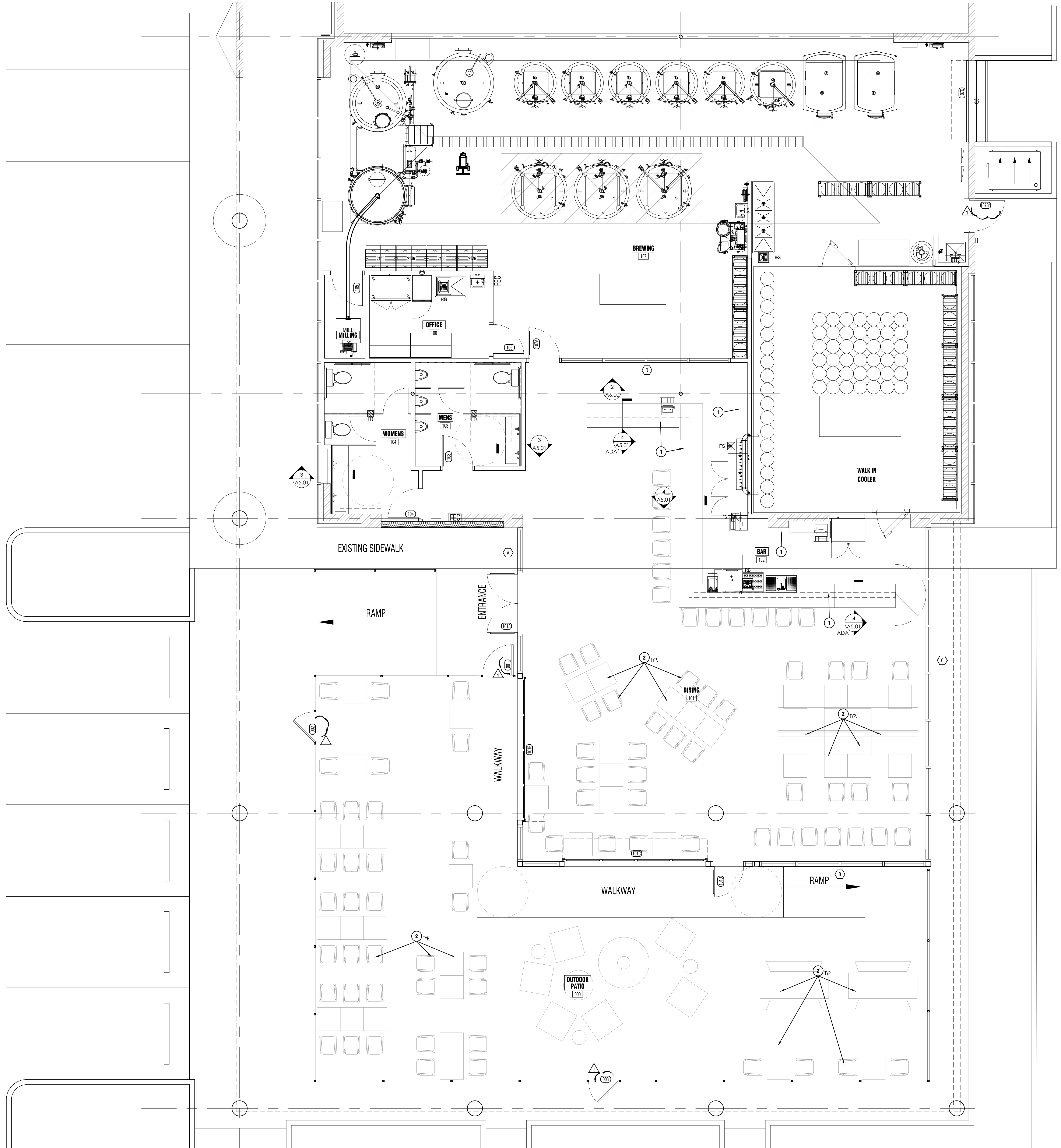
Exhibit 1



SITE



Exhibit 2



KEYNOTES

- 1. MILLWORK - SEE INTERIOR DRAWINGS
- 2. FURNITURE - SEE INTERIOR DRAWINGS

SYMBOLS LEGEND

- DOOR NUMBER SEE A6.00 FOR DOOR SCHEDULE
- * - INDICATES PANIC HARDWARE IS REQUIRED
- WINDOW TYPE SEE A6.00 FOR WINDOW ELEVATIONS

**PINNACLE
BREWING CO.
TENANT
IMPROVEMENT**

15111 N. HAYDEN ROAD
SUITE #100
SCOTTSDALE, AZ 85260

A1.10
ENLARGED FLOOR PLAN

PERMIT REVIEW 2nd SUBMITTAL - 09/20/2023
PERMIT REVIEW SUBMITTAL - 06/16/2023
PROJECT NO. 22-15-120

REVISIONS:

NO.	DESCRIPTION	DATE
1	1st CITY COMMENTS	09/20/2023



EXPIRES: 09-30-24

01 ENLARGED FLOOR PLAN
SCALE: 1/4" = 1'-0"

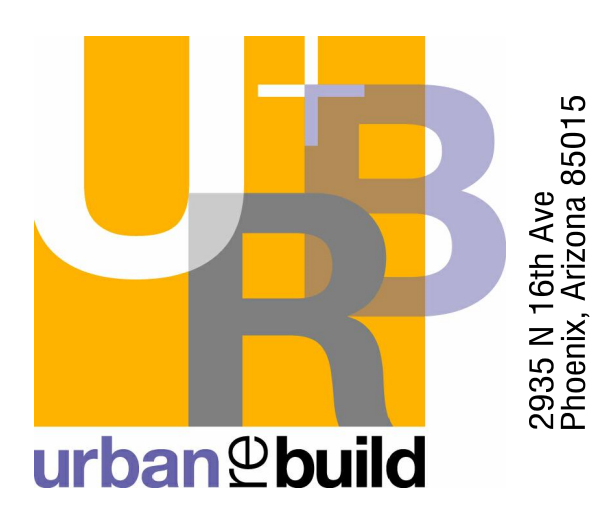


Exhibit 3



01 NORTH ELEVATION (PARTIAL)
SCALE: 1/4" = 1'-0"

- EXTERIOR KEYNOTES**
- ① EXISTING BUILDING TO REMAIN
 - ② NEW STOREFRONT SYSTEM
 - ③ NEW DOOR
 - ④ NEW SECTIONAL GARAGE DOOR
 - ⑤ NEW STUCCO BULKHEAD TO MATCH EXISTING
 - ⑥ NEW STEEL PLANTERS

- FINISH SCHEDULE**
- P1 PAINT SHERWIN WILLIAMS "DAKOTA WHEAT" SW9023 LRV 54
 - P2 PAINT SHERWIN WILLIAMS "SUBDUED SIENNA" SW9009 LRV 26



02 WEST ELEVATION
SCALE: 1/4" = 1'-0"



03 SOUTH ELEVATION (PARTIAL)
SCALE: 1/4" = 1'-0"

PINNACLE BREWING CO. TENANT IMPROVEMENT

15111 N. HAYDEN ROAD
SUITE #100
SCOTTSDALE, AZ 85260

EXTERIOR ELEVATIONS

PROJECT NO. 22-15-120
REVISIONS:

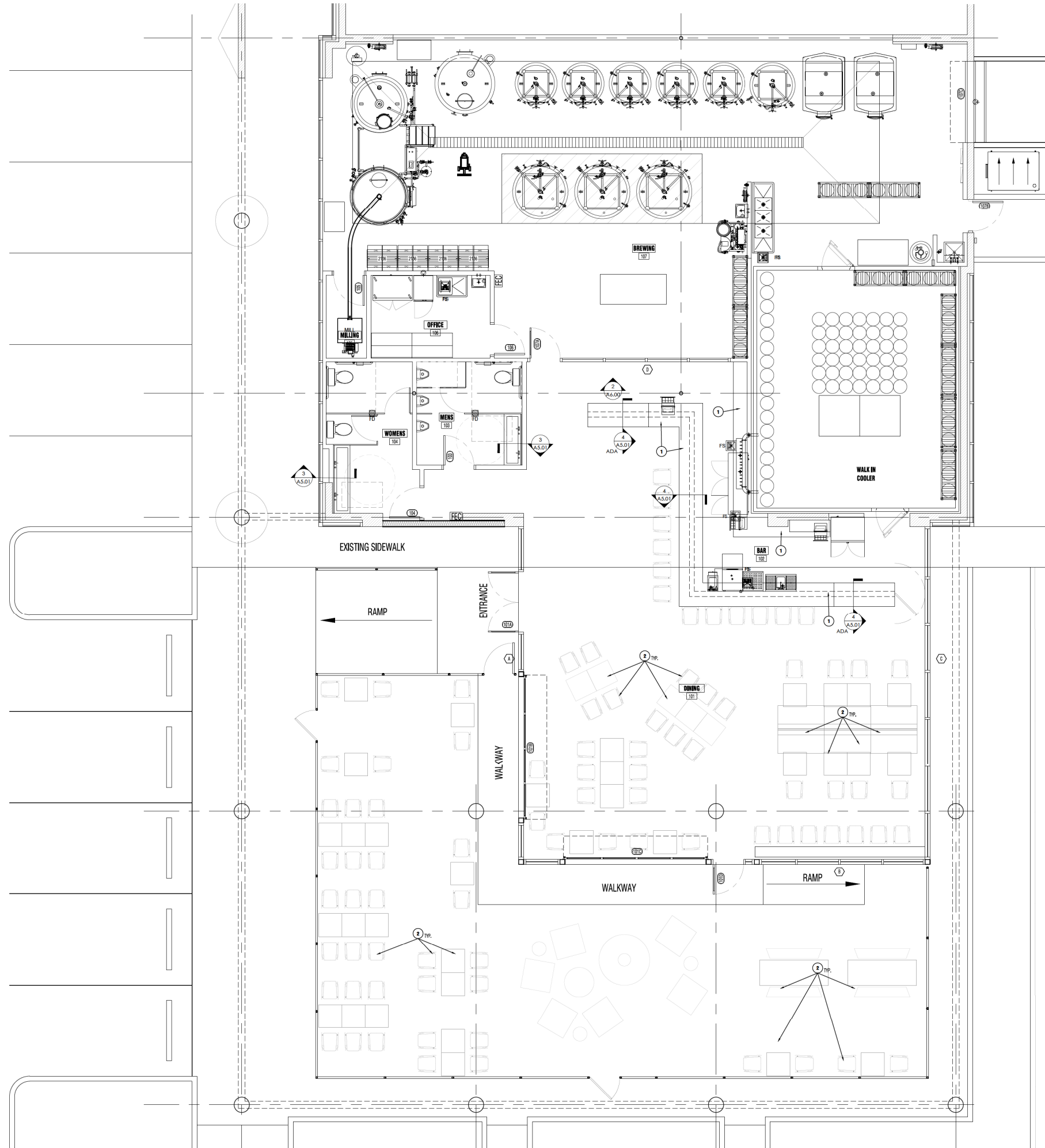
NO.	DESCRIPTION



EXPIRES: 09-30-24



DR APPROVAL # 3-DR-2019



- KEYNOTES**
- 1. MILLWORK - SEE INTERIOR DRAWINGS
 - 2. FURNITURE - SEE INTERIOR DRAWINGS
-
- SYMBOLS LEGEND**
- 101 DOOR NUMBER SEE A6.00 FOR DOOR SCHEDULE
 - 1 WINDOW TYPE SEE A6.00 FOR WINDOW ELEVATIONS

PINNACLE BREWING CO. TENANT IMPROVEMENT

15111 N. HAYDEN ROAD
SUITE #100
SCOTTSDALE, AZ 85260

A1.10 ENLARGED FLOOR PLAN

PERMIT REVIEW SUBMITTAL - 06/16/2023

PROJECT NO. 22-10-109

REVISIONS:

NO.	DESCRIPTION	DATE



EXPIRES: 09-30-24





Q.S.
34-47

Aerial

Zoning Aerial

8-UP-2023

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

480-312-7000 FAX 480-312-7088

Assigned Planner: Christopher Zimmer

Police Detective: _____

Establishment: Pinnacle Brewing Company

Address: 15111 N. Hayden, Suite 100, Scottsdale, AZ 85016

Business Phone: 602-341-5059

Business FAX: _____

Maximum Occupancy: _____

Effective Date of the Plan: October 1, 2023

Date of Plan Review: _____

Use Permit Issue Date: _____

Liquor License Number: _____

Contact Person (1): Wyatt Wilson

925-451-8338

Home Phone: _____

Contact Person (2): Robert Wilson

415-215-6399

Home Phone: _____

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: Pinnacle Brewing Company
 Type of Organization: Arizona Corporation Corporation
 Sole Proprietorship LLC
 Partnership Other

2. Managing Agents Name: Bob Wilson
 Title: Principal
 Address:
 Phone Numbers: 415-215-6999
 Fax or Other Numbers:

3. Business Owner(s) (if different than Managing Agent) Name, Address, Phone: Wyatt Wilson, 8688 E Raintree Dr #2053 Scottsdale, AZ 85260 925-451-8338
4. Property Owner or Property Manager (if different from Managing Agent) Name, Address, Phone:
5. Hours of Operation:

	<u>Peak/Non-Peak Night</u>	<u>Open to Customers</u>	<u>Liquor Sale Begin</u>	<u>Liquor Sale Ends</u>	<u>Closed to Customers</u>
Monday		2 PM	2 PM	9 PM	9 PM
Tuesday		2 PM	2 PM	9 PM	9 PM
Wednesday		2 PM	2 PM	9 PM	9 PM
Thursday		2 PM	2 PM	9 PM	9 PM
Friday		12 PM	12 PM	10 PM	10 PM
Saturday		12 PM	12 PM	10 PM	10 PM
Sunday		12 PM	12 PM	9 PM	9 PM

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 no include special events)*
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:

Name: Robert Wilson Address: 9820 E Thompson Phone: 415-215-6399
Peak Pkwy #640

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: Wyatt Wilson

Address: 8688 E Raintree Dr #2053

Phone: 925-451-8338

Date: 5/2/23


Signature: 

APPROVED BY:

Detective:

Phone:

Date:

Signature:  # 1304

Pinnacle Brewing
Public Safety Conditions & Considerations

The following Plan shall be effective upon opening.

The Manager of Record of Pinnacle Brewing Company (“Licensee”) will supervise the premises located at 15111 N Hayden, Suite 100 (the “Premises”), together with members of Licensee’s personnel and managerial staff who are responsible for monitoring and patrolling both the interior and the immediate exterior of the Premises. The Premises is anticipated to be open from approximately noon to 9 pm. The Licensee shall utilize the following procedures:

General Procedures

1. The Licensee shall have staff members posted throughout the venue for observation of patrons both inside and outside of the Premises. All staff members will wear clothing and/or tags which will readily identify them as staff and/or security.

2. Staff and Security Training
As a small brewery, security staff will not be hired. However, Pinnacle Brewing will ensure managers attend Scottsdale Public Safety Plan courses.

3. ID Checks
At all times, before serving a patron with alcohol, Pinnacle Brewing staff shall ensure customers are 21 years or older. Staff will also monitor the number of guests attempting to enter and/in the Premises and shall take steps to ensure that all such patrons entering and/or queuing outside of the Premises do not become unruly and maintain compliance with all rules and regulations including these measures, and shall advise other persons not to loiter outside and/or inside of the Premises and to disperse the area immediately if no additional persons may be admitted to the Premises at a given time. If a person fails or refuses to comply with these requirements, the Licensee will not allow the guest entry to the Premises and will ask the guest to leave immediately. In accordance with Arizona trespass law, all Staff is empowered to call police if a guest is asked to leave and refuses.

4. Roving Personnel: Pinnacle Brewing Staff will also monitor patrons coming and going to the restrooms. Staff member(s) shall regularly patrol the restroom facilities and other nonpublic areas of the Premises.

5. Staff shall regularly patrol the immediate exterior of the Premises and shall act reasonably and diligently to disperse loiterers or patrons who attempt to congregate in front of or at the Premises, and shall take such steps as are necessary and reasonably possible to prevent patrons from leaving the Premises with open alcoholic beverages.

6. Surveillance Systems: Pinnacle Brewing will install and operate a surveillance system.

7. Unruly Patrons: When a patron acts in a manner that is violent, abusive, indecent, profane, boisterous, or otherwise disorderly, staff will work to de-escalate the situation and will contact the police to have the patron removed from the Premises if and when they are unable to convince the patron to cease disorderly behavior or leave the Premises voluntarily.

8. Patrons Who Are Intoxicated: Licensee may not sell, dispense, or provide alcohol to any person who is intoxicated, nor shall such a person be permitted on the Premises. When a guest has been “cut off” or denied the service of alcohol, the server will notify the other associates. Management will support the server’s decision to terminate service to any patron. If a patron is too impaired to drive safely, Licensee will try to persuade the guest not to drive and arrange for a safe ride. If the guest refuses, management will notify the police with a description of the person and the license plate number of the vehicle, if possible.

9. Patrons Presenting False IDs: All forms of identification (“ID”) used to prove age must be valid (i.e., may not be expired), and must be government-issued. If the ID is expired or appears at all questionable, the associate shall request a second form of ID. The associate shall make sure that the individual purchasing alcoholic beverages resembles the person who appears on the ID. Associates are encouraged to ask purchasers questions relating to their ID in order to verify the information contained therein. If the associate checking an ID has a strong suspicion that an ID is false, altered, or belongs to someone other than the person presenting the ID, he/she shall confiscate the ID and turn it over to management, to be presented to the police if this can be performed safely.

10. Control/Supervision of Patrons Under 21: Licensee will request proof of age from all patrons, and will refuse service to any guest who cannot produce adequate ID. Separate types of glassware will be used to distinguish alcohol drinks from non-alcohol drinks. All alcohol servers shall be TIPs trained and certified.

11. Circumstances Under Which the Police Will be Called: The police will be called, in a timely manner, any time management or staff has reason to believe a crime has been or is about to be committed and/or whenever a threat of or act of violence occurs on the Premises or off Premises in areas that would be considered in view or earshot of the establishment. Staff shall not make bodily contact with a patron unless to protect other patrons or themselves from being injured by an unruly patron.

12. Handling of Physical Disturbances, Including Fights: Staff or management will ask anyone who is being disruptive, acting in a manner that may result in a fight, or engage in fighting to leave. Staff or management will contact the police for assistance in the event of an assault.

NOTE: the above procedures are subject to change, including in the event the City of Scottsdale issues revised guidance or policies concerning security protocols or other recommendations concerning Covid-19.

**PUBLIC PARTICIPATION PLAN
FOR**

PINNACLE BREWING COMPANY

**SEC of Hayden Road & 92nd Street
(15111 North Hayden Road, Ste 100)**

Case No. _____

1st Submittal: June 21, 2023

Public Participation Plan for Pinnacle Brewing Company

Overview

The Public Participation Plan (“Plan”) provides information about how the Applicant intends to reach out to citizens, neighbors, homeowner associations, public agencies and interested persons to communicate with them and gather their input on the proposed plans and actions addressed in the Conditional Use Permit Application. Comments, petitions, letters, summary sheets, and other materials will be submitted after each of the steps in the Plan have been executed.

Parties Affected by Application

The parties affected by the Conditional Use Permit will include property owners within 750’ of the site, interested parties, and public agencies (“Affected Parties”). A map and list of owners within 750’ can be found at **Exhibit A**. The list of interested parties can be found at **Exhibit B**.

Notification and Information Procedures

The methods for reaching out to the Affected Parties who may be interested in the development may include: (a) mailings; (b) individual and group meetings with the Affected Parties; (c) sign postings; (d), telephone calls; (e) emails and correspondence; and (f) public meetings notices to those expressing interest in the development.

Response Procedures

On June 9, 2023, notification letters were mailed to owners within 750’ of the Site as well as to the interested parties that were furnished to the Applicant by staff. The letter informed the property owners and interested parties that a Conditional Use Permit application is going to be processed on behalf of Pinnacle Brewing Company for a bar use that will permit serving alcoholic beverages at its new proposed establishment located at 15111 North Hayden Road, Ste 100, Arizona. The letter with the attachments and the lists of the 750’ owners and list of interested parties are attached at **Exhibit C**.

When hearing dates are set, notices will be mailed to all Affected Parties as well as to any individuals and/or organizations who request notice through contact with the Project Team, or through contact with staff. Signs of the hearing dates will also be posted on the Site.

Neighborhood Outreach

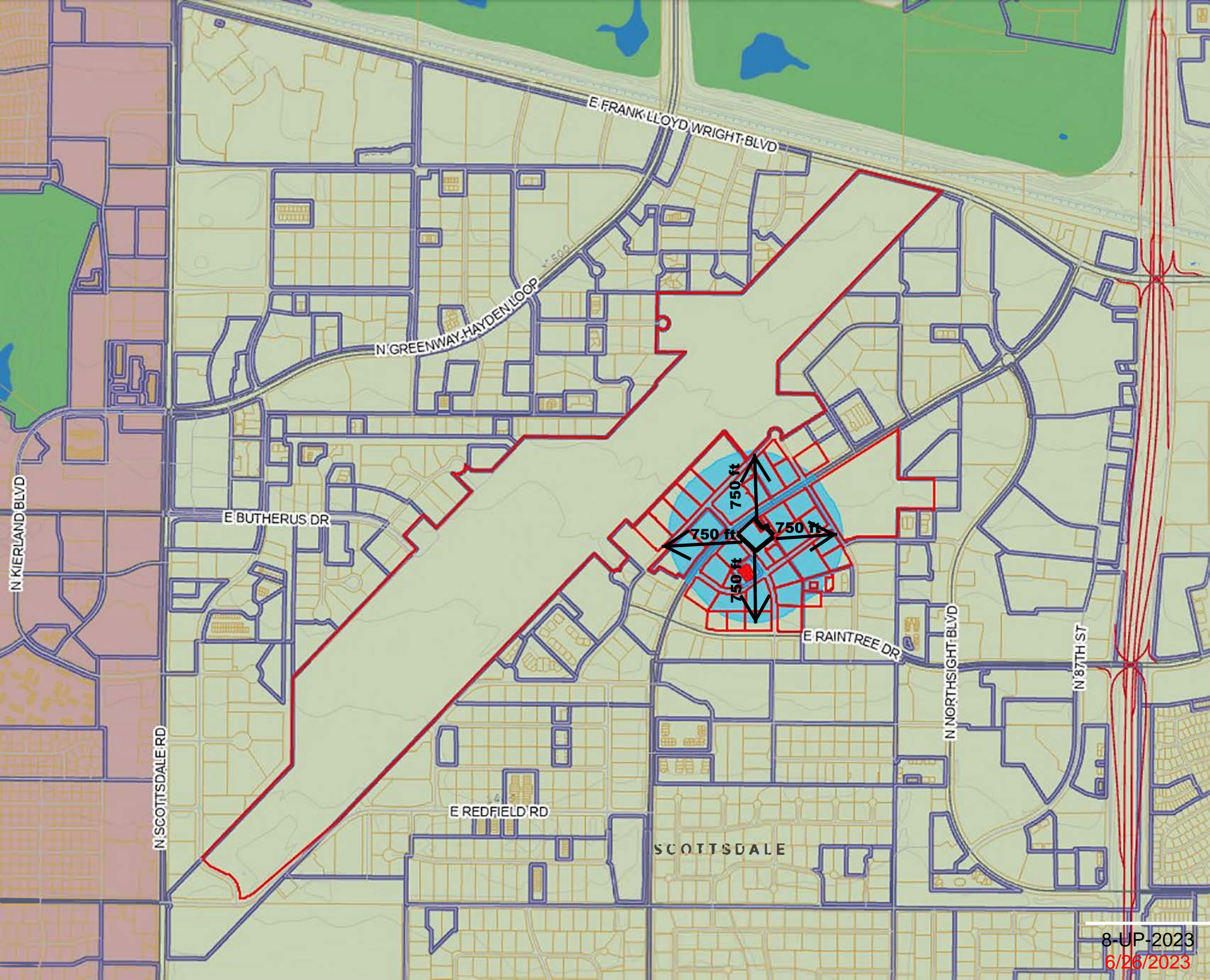
Out of the approximately 92 notification letters mailed, Applicant received two emails from neighbors who were in support of and excited for the opening of Pinnacle Brewing Company. Applicant and Pinnacle Brewing Company will continue to provide an

open dialogue with neighbors and/or interested parties either by telephone, emails, as well as one-on-one and/or group meetings, if necessary.

Schedule of Completion

When the Citizen Review process is complete, a Public Participation Results Report will be submitted to the City.

EXHIBIT A



N KIERLAND BLVD

N SCOTTSDALE RD

E BUTHERUS DR

E REDFIELD RD

SCOTTSDALE

E RAINTREE DR

N NORTHSIGHT BLVD

N 87TH ST

N GREENWAY-HAYDEN LOOP

E FRANK LLOYD WRIGHT BLVD



EXHIBIT B

750' Ownership List
Pinnacle Brewing Company
SEC Hayden Rd & 82nd St

215-55-031B
15150 SACC LLC
9393 N 90TH ST PMB
SCOTTSDALE, AZ 85258

215-55-058
8160 OFFICE CONDO LLC
15100 N 78TH WAY 200
SCOTTSDALE, AZ 85260

215-55-017A&041E
AIRPARK CORNER SQUARE LLC
14988 N 78TH WAY STE 112
SCOTTSDALE, AZ 85260

215-55-041C;042&043A
BDC PROPERTIES L L C
30600 N PIMA RD
SCOTTSDALE, AZ 85262

215-55-012
CITATION DEVELOPERS LLP
PO BOX 18-2144
CORONADO, CA 92178

215-55-065
DIVINITY CAPITAL LLC
8600 E SAN ARDO DR
SCOTTSDALE, AZ 85258

215-55-013;014A;015&016
HARDY PROPERTIES LLC
4207 E PALO VERDE DR
PHOENIX, AZ 85018

215-55-036
KNIGHT-DAME LLC
20225 N SCOTTSDALE
SCOTTSDALE, AZ 85255

215-55-046
MAMBA ENTERPRISES LLC
14950 N 83RD PL
SCOTTSDALE, AZ 85260

215-55-061
8160 BUTHERUS PROPERTIES LLC
1631 E CHEERY LYNN RD
PHOENIX, AZ 85016

215-55-059
A & D COM LLC
8160 E BUTHERUS DR STE 2
SCOTTSDALE, AZ 85260

215-55-021
ALVIN S PEARL WA QTIP RESIDUARY TRUST
8230 E RAINTREE DR 201
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215-55-007
BURK UTAH 243-253 LLC
1480 DAVIS AVE
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215-55-070
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215-55-088&089
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215-55-031A
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EXHIBIT C

Pinnacle Brewing
Interested Parties
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City of Scottsdale Planning Commission
5639 E. Edgemont Ave.
Scottsdale, AZ 85257

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6750 E Camelback Rd, Ste 100
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Planning & Development Director
City of Phoenix
200 West Washington Street, 2nd Floor
Phoenix, AZ 85003

Planning & Engineering Section Manager
Arizona State Land Department
1616 W. Adams Street
Phoenix, AZ 85007

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8 Sundial Circle P.O. Box 740
Carefree, AZ 85377

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16705 E. Avenue of the Fountains
Fountain Hills, AZ 85268

SRP Land Department atten: Sherry
Wagner/Right-of-Way Technician, SR.
Mail Station PAB10W
P.O. Box 52025
Phoenix, AZ 85072-2025

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7753 E. Catalina Drive
Scottsdale, AZ 85251

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Cave Creek Unified School District
P.O. Box 426
Cave Creek , AZ 85327

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Scottsdale Unified School District
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Phoenix, AZ 85032

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Edmond Richard
Vice Chair Community Council of Scottsdale
2119 N 69th Place
Scottsdale, AZ 85257

Susan Demmitt/Nick Sobraske
Gammage & Burnham
40 N. Central Ave., 20th Floor
Phoenix , AZ 85004

Prescott Smith
Technical Solutions
5111 N. Scottsdale Road, Suite 260
Scottsdale , AZ 85260

Paul Alessio
7527 E. Tailspin Lane
Scottsdale, AZ 85255

Commissioner Renee J. Higgs
City of Scottsdale Planning Commission
15192 N 104th Way
Scottsdale, AZ 85255

EXHIBIT D

BURCH & CRACCHIOLO, P.A.

1850 N. Central Ave., Ste. 1700

Phoenix, Arizona 85004

(602) 234-8791

mleake@bcattorneys.com

TO: Area Neighbors and Interested Parties
FROM: Madison Leake
DATE: June 9, 2023
RE: 15111 North Hayden Road, Ste 100
Case No.: 231-PA-2023

Dear Area Neighbors and Interested Parties:

This letter is to inform you that we anticipate filing an application for a Conditional Use Permit on behalf of Pinnacle Brewing Company ("Pinnacle") for a bar use in order to sell beer in their approximately 5,935 square foot (including patio) brewery and taproom in an existing pad within the Airpark Corner Square located near the southeast corner of Hayden Road and 82nd Street (the "Site"). The Site is zoned C-3, permitting a bar subject to a Conditional Use Permit.

Pinnacle is a family-run business that will offer a variety of craft beers in an indoor/outdoor space. Pinnacle's space will be comprised of a brewing area, an indoor service and seating area, and a large patio area. A regional aerial, conceptual site plan, and conceptual elevations are attached.

We would be happy to answer your questions or hear concerns you may have regarding this proposal or set up a meeting to discuss. You may contact me ([602-234-8791](tel:602-234-8791)/mleake@bcattorneys.com) or Leslie Chatburn at Burch & Cracchiolo ([602-234-8787](tel:602-234-8787)/lchatburn@bcattorneys.com).

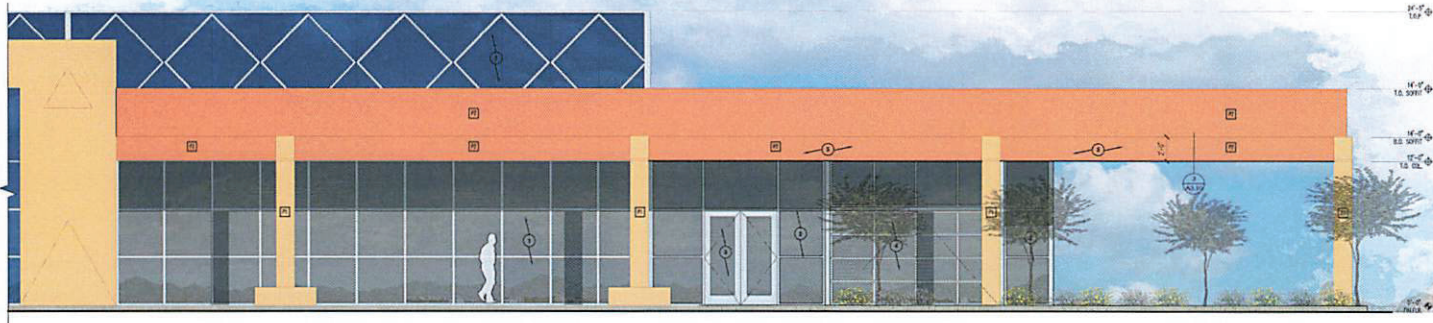
You can also contact Chris Zimmer, Planner at the City of Scottsdale (480-312-2347/czimmer@scottsdale.gov) if you have any questions or comments for City of Scottsdale Planning Staff. Thank you.

Sincerely,



Madison Leake

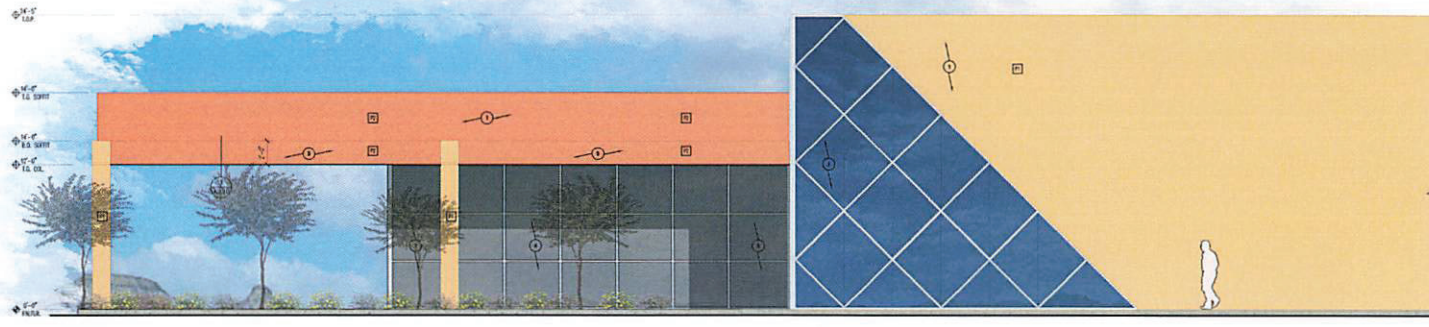
/lc
Attachments



01 NORTH ELEVATION (PARTIAL)
SCALE 1/4" = 1'-0"



02 WEST ELEVATION
SCALE 1/4" = 1'-0"



03 SOUTH ELEVATION (PARTIAL)
SCALE 1/4" = 1'-0"

EXTERIOR KEYNOTES

- ① EXISTING BUILDING TO REMAIN
- ② NEW STOREFRONT SYSTEM
- ③ NEW DOOR
- ④ NEW SECTIONAL GARAGE DOOR
- ⑤ NEW STUCCO BULKHEAD TO MATCH EXISTING
- ⑥ NEW STEEL PLANTERS

FINISH SCHEDULE

- PAINT SHERWIN WILLIAMS "DAKOTA WHEAT" SW9023 LRV 54
- PAINT SHERWIN WILLIAMS "SUBDUED SIENNA" SW9009 LRV 25

DR APPROVAL # 3-018-2019

PINNACLE BREWING CO. TENANT IMPROVEMENT

15111 N. HAYDEN ROAD
SUITE #100
SCOTTSDALE, AZ 85260

EXTERIOR ELEVATIONS

NO.	DATE	DESCRIPTION



750' Ownership List
Pinnacle Brewing Company
SEC Hayden Rd & 82nd St

215-55-031B
15150 SACC LLC
9393 N 90TH ST PMB
SCOTTSDALE, AZ 85258

215-55-058
8160 OFFICE CONDO LLC
15100 N 78TH WAY 200
SCOTTSDALE, AZ 85260

215-55-017A&041E
AIRPARK CORNER SQUARE LLC
14988 N 78TH WAY STE 112
SCOTTSDALE, AZ 85260

215-55-041C;042&043A
BDC PROPERTIES L L C
30600 N PIMA RD
SCOTTSDALE, AZ 85262

215-55-012
CITATION DEVELOPERS LLP
PO BOX 18-2144
CORONADO, CA 92178

215-55-065
DIVINITY CAPITAL LLC
8600 E SAN ARDO DR
SCOTTSDALE, AZ 85258

215-55-013;014A;015&016
HARDY PROPERTIES LLC
4207 E PALO VERDE DR
PHOENIX, AZ 85018

215-55-036
KNIGHT-DAME LLC
20225 N SCOTTSDALE
SCOTTSDALE, AZ 85255

215-55-046
MAMBA ENTERPRISES LLC
14950 N 83RD PL
SCOTTSDALE, AZ 85260

215-55-061
8160 BUTHERUS PROPERTIES LLC
1631 E CHEERY LYNN RD
PHOENIX, AZ 85016

215-55-059
A & D COM LLC
8160 E BUTHERUS DR STE 2
SCOTTSDALE, AZ 85260

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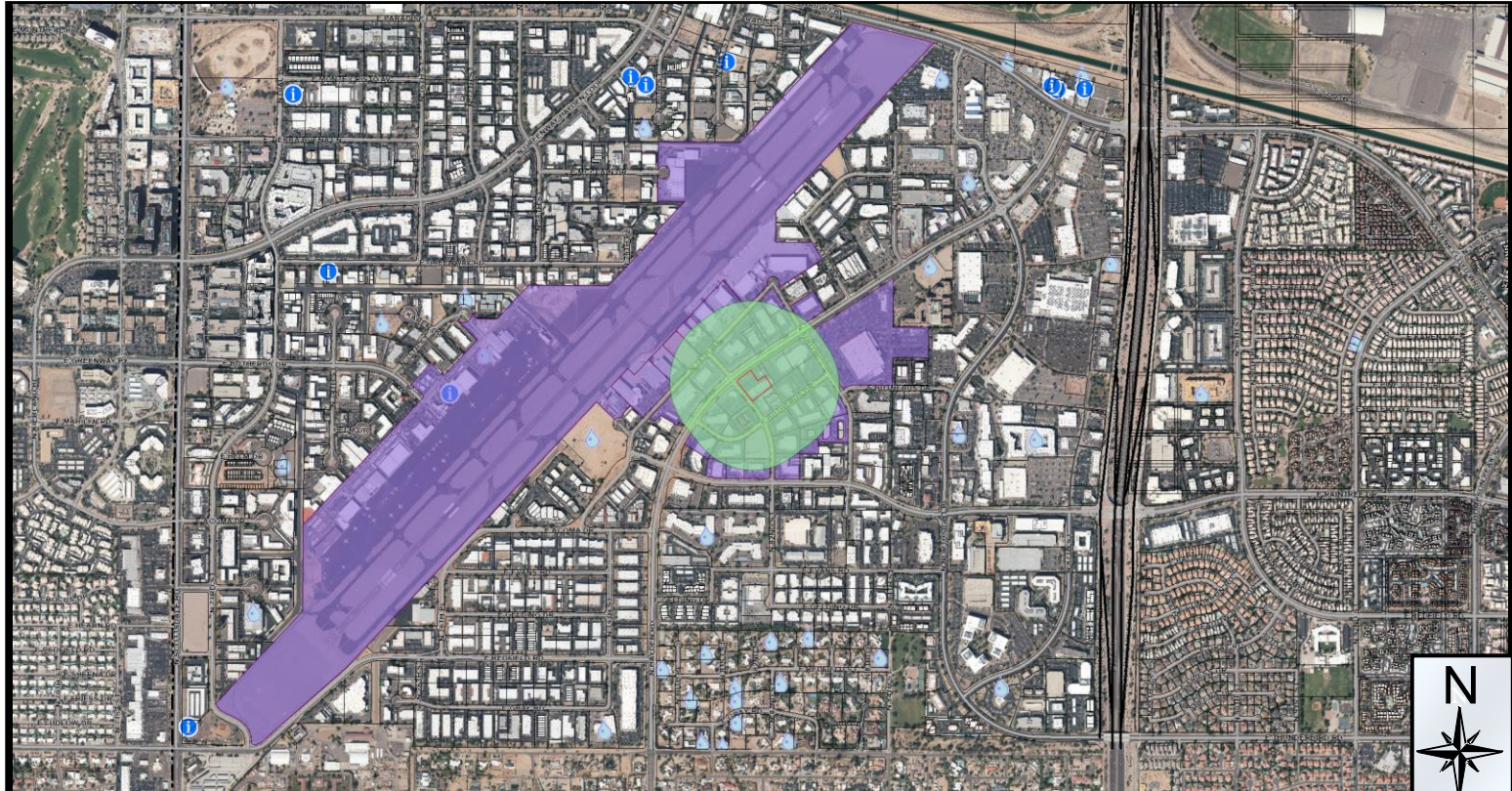
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City Notifications – Pinnacle Brewing Company


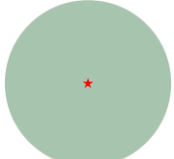


Additional Notifications:

- Interested Parties List
- Adjacent HOA's
- P&Z E-Newsletter
- Facebook
- Nextdoor.com
- City Website-Projects in the hearing process

Pulled Labels
November 20, 2023

Map Legend:

-  Site Boundary
-  Properties within 750-feet

Postcards: 74

8-UP-2023