CITY COUNCIL REPORT



Meeting Date: General Plan Element: General Plan Goal: March 1, 2016 Land Use Support a diversity of businesses.

ACTION

Bar Liquor License Request for Blk Live 12-LL-2016. To consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Person Transfer of a Series 6 (bar) State liquor license for an existing location and new owner.

OWNER

Blk III LLC

APPLICANT CONTACT

Randy D. Nations

LOCATION

7301 E Butherus Dr.

BACKGROUND

This request is for a Person Transfer of a Series 6 (bar) liquor license. This has been a licensed location since 2000, most recently operating with liquor as El Santo/Morning Squeeze.

APPLICANT'S PROPOSAL

The applicant is seeking a favorable recommendation on a Series 6 (bar) liquor license. This allows a bar retailer to sell and serve spirituous liquors, primarily by individual portions, to be consumed on the premises and in the original container for consumption on or off the premises. The applicant has indicated that this establishment will serve liquor between the hours of 8:00 a.m. to 2:00 a.m. and; however, due to State liquor license processing requirements, they are not required to notify the City or the State if they change their hours of operation.

Action Taken

IMPACT ANALYSIS

Reliability and Location

A.R.S. Section 4.-203.A and R19-1-702 Granting a License for a New Owner for a Certain Location.

The capability, qualifications and reliability of the applicant has been shown.

Bar/Restaurant

This owner intends to continue to operate this location as a restaurant with Live Entertainment. This establishment is 17,537 sq. ft. in size, including an existing 12,466 sq. ft. patio.

Zoning.

This site is zoned Central Business District (C-2). The C-2 district allows restaurants permitted by right and allows bars as a conditional use. A conditional Use Permit for a bar was approved for this site under case 33-UP-2011 in 2011 and a Live Entertainment Conditional Use Permit was approved under 12-UP-2013 in 2014.

Public Safety

Police Department: Recommendation No Opposition

Major life safety issues: None noted.

Code Enforcement: There are no current cases of code violations at this time in relation to the liquor license.

Public Notice and Proximity

A.R.S. Section 4-201.B. Petitions from Persons in Close Proximity.

The applicant has maintained the required posting notice for the State mandated 20-day period. No petitions or protests were received during the 20 (twenty) day posting period.

COUNCIL OPTIONS & STAFF RECOMMENDATION

Council Options

The City Council has the option of recommending approval, disapproval or no recommendation to the Arizona Department of Liquor Licenses and Control.

Staff Recommendation

The City of Scottsdale staff has conducted a review and advises that the license request meets the criteria imposed for determining the capability, qualifications and reliability of the applicant. **Next Steps**

The City Council's recommendation of approval, disapproval or no recommendation will be forwarded to the Department of Liquor Licenses and Control for their consideration. If the application is approved by the Department of Liquor Licenses and Control, the applicant should receive their license from the State within 105 days of original application.

RESPONSIBLE DEPARTMENT(S)

Teri Gleason, Planning Assistant, tgleason@scottsdaleaz.gov **Planning and Development Services**

Joseph LeDuc, Lieutenant, jleduc@scottsdaleaz.gov **Public Safety Division**

Raun Keagy, Neighborhood Planning Director, rkeagy@scottsdaleaz.gov **Planning and Development Services**

APPROVED BY

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

FOR

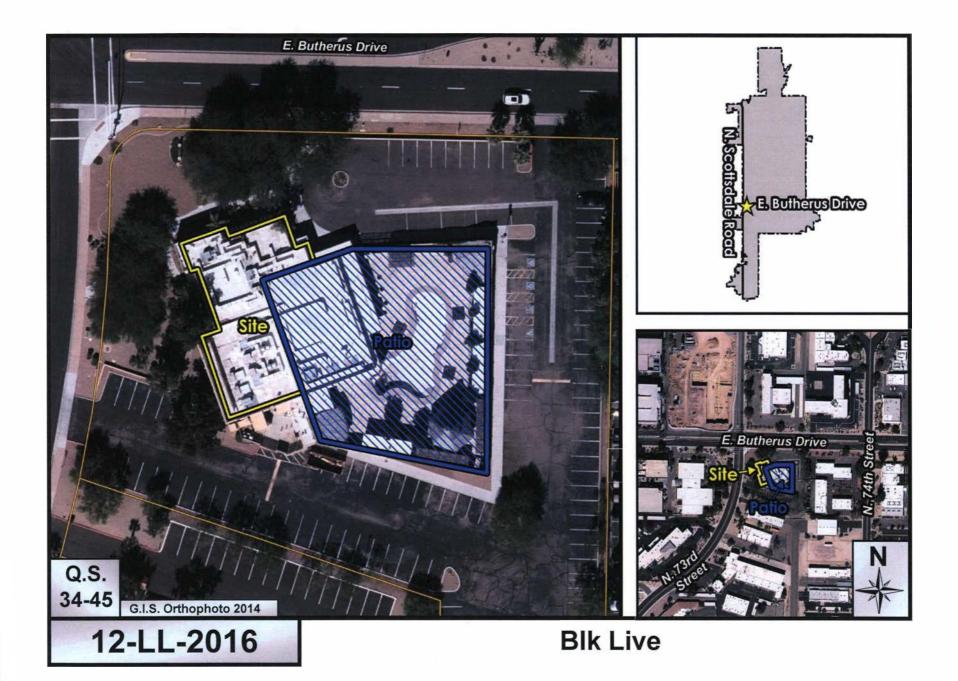
Randy Grant, Director Planning and Development Services 480-312-2664, rgrant@scottsdaleaz.gov

ATTACHMENTS

- #1: Map
- City of Scottsdale Applicant Questionnaire #2:
- State Application #3:

Date Date

2/9/2016





Liquor License Questionnaire

Restaurants & Bars (Series 11, 12, 6, 3, 7, 13)

Please complete all questions and return within 3 business days.
Name of Business: Blk Live
Business Address: 7301 E Butherus Dr Scottsdale AZ 85260
Total Gross Square Footage of Establishment: 17,537
Was liquor sold at this location prior to this application? Ves No
Is this business currently open?
If yes , is this business operating with an Yes I Yos Yes
If no, what is the proposed opening date? Upon Approval
Is this business under construction or being remodeled? Ves No
Does this business have an existing patio? Yes No Dimensions of patio <u>12,466 sq ft</u>
Does this business have a proposed patio?
For Restaurants, Bars and Restaurants/Bars: Will the bar service area be in excess of 15% of the gross floor area? Image: Comparison of the gross square footage of bar service area: 1273
(includes the floor area under indoor and outdoor bars and the floor area behind the bars used for storage, prep and serving of food or drinks)
Will the kitchen be less than 15% of the gross floor area?
Gross square footage of kitchen: 2484
(do not include refrigerators or areas used for storage of food or beverages)
During what hours will the establishment provide full kitchen service? 8 am-2 am
During what hours will the establishment offer liquor sales? <u>8am-2am</u>
Will age verification be required/requested for admittance at any time Yes* V No during business operations?
Is a cover charge required for admittance at any time during business operations?
Will less than 40% of gross revenues be derived from the sale of prepared food?
*May require a Conditional Use Permit
Please check one of the following that best describes the primary business operation:
manufacturing hotel / tourist accommodation residential facility sports / theater
Planning and Development Services 7447 E. Indian School Road, Suite 105, Scottsdale, AZ 85251 + Phone: 480-312-7000 + Fax: 480-312-7088

Revision Date: 19-Sep-14



Liquor License Questionnaire

Restaurants & Bars (Series 11, 12, 6, 3, 7, 13)

Yes

Yes*

Yes*

Yes*

No

No

No

VNo

Please complete all questions and return within 3 business days.

Will this business feature any of the following:

Patron Dancing?	L Y
Live Bands?	IN IN
Amplified music?	Y 🖸
Adult Entertainment?	Y 🗌
After hours?	Y

\square	Yes*		No
2	Yes*		No
2	Yes*		No
	Yes*	$\mathbf{\nabla}$	No
	Yes*	$\mathbf{\nabla}$	No

Karaoke?
DJ?
Games?
Four or more pool tables?

*May require a Conditional Use Permit

Applicant Narrative:

ARS 4-201-G: In all proceedings before the governing body of a city or town, the Board of Supervisors of a County or the Board, the applicant bears the burden of showing that the public convenience requires and that the best interest of the community will be substantially served by the issuance of this license.

- 1. I have the capability, qualifications and reliability to hold a liquor license because: We are going to be very strict with our liquor policies and own 4 other liquor licensed establishments.
- 2. The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:

We would like to continue to offer our patrons an alcoholic beverage.

3. Please describe your business: Upscale restaurant with event center

The City's forwarding of a recommendation to the AZ Department of Liguor Licenses and Control does not waive and is not a substitute for the Licensee's obligation to comply with all state, local and federal laws, policies and regulations applicable to the license. The Recommendation is not a permit or regulatory approval to hold any events or construct or demolish any improvements. Zoning processes, building permit processes, and similar regulatory requirements may apply to Licensee's contemplated improvements and are completely separate from the Recommendation. Licensee shall be responsible to, separate and apart from this Recommendation, directly obtain all necessary permits and approvals from any and all governmental or other entities including the City's having standing or jurisdiction over the subject areas. For more information regarding zoning processes, building permit processes, and similar regulatory requirements and approvals please call 480-312-2611.

Print Name: Monda Kodniquez Signature: Date: Submit

Planning and Development Services

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

800 W Washington 5th Floor Phoenix, AZ 85007 www.azliquor.gov (602) 542-5141 Application for Liquor License 12.12.2016 Type or Print with Black Ink SECTION 2 Type of Ownership: SECTION 1 This application is for a: Interim Permit (Complete Section 5) J.T.W.R.O.S. (Complete Section 6) New License (Complete Sections 2, 3, 4, 13, 14, 15, 16) Individual (Complete Section 6) Person Transfer (Complete Section 2, 3, 4, 12, 13, 14, 16) Partnership (Complete Section 6) Location Transfer (Bars and Liquor Stores Only) Corporation (Complete Section 7) (Complete Section 2, 3, 4, 11, 13, 14, 16) Limited Liability Co (Complete Section 7) Probate/ Will Assignment/ Divorce Decree Club (Complete Section 8) (Complete Sections 2, 3, 4, 9, 13, 14, 16) Government (Complete Section 10) (Fee not required) Trust (Complete Section 6) Government (Complete Sections 2, 3, 4, 10, 13, 16) Tribe (Complete Section 6) Seasonal Other (Explain) LICENSE # 06070027 **SECTION 3** Type of license 1. Type of License: Series 6 APPLICATION FEE AND INTERIM PERMIT FEES (IF APPLICABLE) ARE NOT REFUNDABLE A service fee of \$25 will be charged for all dishonored checks (A.R.S. § 44-6852) P1002484 SECTION 4 Applicants Nations D. Randy 1. Individual Owner/Agent's Name: Last First Middle B1056027 Blk III LLC 2. Owner Name: (Ownership name for type of ownership checked on section 2) B1010038 3. Business Name: Blk Live (Exactly as it appears on the exterior of premises) 4. Business Location Address: 7301 E Butherus Dr Scottsdale AZ 85260 Maricopa Street (Do not use PO Box) City State **Zip Code** County 5. Mailing Address: PO Box 2502 Chandler AZ 85244 (All correspondence will be mailed to this address) Street City State Zlp Code Daytime Contact Phone: 480-730-2675 6. Business Phone: Pending 7. Email Address: rhonda@azlic.com 8. Is the Business located within the incorporated limits of the above city or town? Yes No 9. Does the Business location address have a street address for a City or Town but is actually in the boundaries of another City, Town or Tribal Reservation? Yes If Yes, what City, Town or Tribal Reservation is this Business located in: 10. Total Price paid for Series 6 Bar, Series 7 Beer & Wine Bar or Series 9 Liquor Store (license only) \$80,000.00

Arizona Department of Liquor Licenses and Control

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Fees: 200°		Department	Use Only	66°°	, 266-
Application	Interim Permit	Site Inspection	- L	Finger Prints	Total of All Fees
Is Arizona Statement of	Gitizenship & Alien Statu	s for State Benefits c	amplete?	JYes □No	NTA- MIT
Accepted by:(\checkmark	Date:/	27/16	_ License #_	01070021

page 1 of 9 Individuals requiring ADA accommodations please call (602)542-9027



STATE OF ARIZONA DEPARTMENT OF LIQUOR LICENSES AND CONTROL ALCOHOLIC BEVERAGE LICENSE License 06070027

Issue Date: 6/6/2013

Issued To:

JOHN WHEELER MEISSNER, Agent SHAKERS SPORTS BAR AND GRILL LLC, Owner

location:

SHAKERS SPORTS BAR AND GRILL 8040 E MCDOWELL RD SCOTTSDALE, AZ 85257 Expiration Date: 1/31/2016

Mailing Address:

JOHN WHEELER MEISSNER SHAKERS SPORTS BAR AND GRILL LLC SHAKERS SPORTS BAR AND GRILL 8040 E MCDOWELL RD SCOTTSDALE, AZ 85257

SECTION 5 Interim Permit

- If you intend to operate business when your application is pending you will need an interim permit pursuant to ARS § 4-203.01
- There **MUST** be a valid license of the same type you are applying for currently issued to the location or for the replacement of a Hotel/Motel license with a Restaurant license pursuant to A.R.S. § 4-203.01.

1. Enter license number currently at the location: _

2. Is the license currently in use? Yes No If no, how long has it been out of use?

Attach a copy of the license currently issued at this location to this application.

I,		declare that I am the	CURRENT OWNER, AGE	NT, OR CONTROLLING			
	(Print Full Name)	PERSON on the state	PERSON on the stated license and location.				
x	·						
	(Signature)						
		State The foregoing	County of instrument was acknowledge	d before me this			
		day of	· .				
		Day	Month	Year			
My Commi	ssion Expires on:						
	Date		(Signature of Notary Public)				

SECTION 6 Individual, Partnership, J.T.W.R.O.S, Trust, Tribe Ownerships

EACH PERSON LISTED MUST SUBMIT A COMPLETED QUESTIONNAIRE, AN "APPLICANT" TYPE FINGERPRINT CARD AND \$22 PROCESSING FEE FOR EACH CARD.

Individual First Middle %Owned Mailing Address City State Zip Code Last First Middle %Owned Mailing Address City State Zip Code Is any person other than above, going to share in profit/losses of the business? Yes No If Yes, give name, current address, and telephone number of person(s). Use additional sheets if necessary. Last First Middle Mailing Address City State Zip Code Phone

Partnership

Name of Partnership: _____

General-Limited	Last	First	Middle	%Owned	Mailing Address	City	State	Zlp Code

J.T.W.R.O.S (Joint Tenant with Rights of Survivorship)

Name of J.T.W.R.O.S:

Last	First	Middle	Malling Address	City	State	Zip Code

SECTION 6 - continued

<u>TRUST</u>

Name of Trust: ____

Last	First	Middle	Mailing Address	City	State	Zip Code
			· · ·			

<u>TRIBE</u>

Name of Tribal Ownership: _

Last	First	Middle	Mailing Address	City	State	Zip Code
					· · · ·	
		· · · · · · · · · · · · · · · · · · ·				
	The Property of the Property o		· · · ·			

SECTION 7 Corporations/ Limited Liability Co

EACH PERSON LISTED MUST SUBMIT A COMPLETED QUESTIONNAIRE AN "APPLICANT" TYPE FINGERPRINT CARD AND \$22 PROCESSING FEE FOR EACH CARD.

Corporation Complete Questions 1, 2, 3, 4, 5, 6, and 7

- LL.C.
- Complete Questions 1, 2, 3, 4, 5, 6, and 7

1. Name of Corporation/L.L.C: Blk III LLC

2. Date Incorporated/Organized: 6/23/2015 _____State where Incorporated/Organized: Arizona

3. AZ Corporation or AZ L.L.C File No: L20148558 Date authorized to do Business in AZ: 6/25/2015

4. Is Corp/L.L.C. Non Profit? Yes Vo

5. List Directors, Officers, Members in Corporation/L.L.C:

Last	First	Middle	Title	MaiIIng Address	City	State	Zip Code	
Benice	Jeffrey	Stephan	Manager	3080 Bristol St 6th FI S	te 630 Cost	a Mesa CA	92626	
Johnson	Kevin	Royce	Manager	4639 E Timberline Rd Gilbert AZ 85297				
Fischer	George	Jamie	Manager	30 Aquila Way Tral	ouco Cany	on CA 92	2678	
		- 						

(Attach additional sheet if necessary)

6. List all Stockholders / percentage owners who own 10% or more:

Last	First	Middle	%Owned	Mailing Address	City	State	Zip Code		
Benice	Jeffrey	Stephan	33.3	3080 Bristol St 6th Fl	Ste 630 Cos	ta Mesa CA	92626		
Johnson	Kevin	Royce	33.3	4639 E Timberline Rd Gilbert AZ 85297					
Fischer George Jamie 33.3 30 Aquila Way Trabuco Canyon						yon CA 9	2678		
N	o one et	se onas lol o	1 mile						

(Attach additional sheet if necessary)

7. If the corporation/L.L.C are owned by another entity, attach an Organizational **FLOWCHART** showing the structure of the ownership. Attach additional sheets as needed in order to disclose the Officers, Directors, Members, Managers, Partners, Stockholders and percentage owners of those entities.

SECTION 8 Club Applicants

5

EACH PERSON LISTED MUST SUBMIT A COMPLETED QUESTIONNAIRE, AN "APPLICANT" TYPE FINGERPRINT CARD, AND \$22 PROCESSING FEE FOR EACH CARD.

والمحافظ والمراجع

 Name of Club: Is Club non-profit? Yes No List all controlling members (minimum of four (4) requested) Last First Middle Mailing Address City State : (Attach additional sheet if necessary) 	Zip Code
3. List all controlling members (minimum of four (4) requested) Last First Middle Mailing Address City State State	Ilp Code
	Zip Code
(Attach additional sheet if necessary)	
(Attach additional sheet if necessary)	
(Attach additional sheet if necessary)	
SECTION 9 Probate, Will Assignment or Divorce Decree of an existing Liquor License	
1. Current Licensee's Name:	
(Exactly as it appear on the license) Last First Middle	
2. Assignee's Name:	
Last First Middle	<u>-</u>
3. License Type: License Number:	
ATTACH TO THIS APPLICATION A CERTIFIED COPY OF THE WILL, PROBATE DISTRIBUTION INSTRUMENT, OR DIVORCE DECREE THAT SPECIFICALLY DISTRIBUTES THE LIQUOR LICENSE TO THE ASSIGNEE.	
SECTION 10 Government (for cities, towns, or counties only)	
1. Government Entity:	
1. Government Entity:	
1. Government Entity:	 #
1. Government Entity:	
1. Government Entity:	
1. Government Entity:	
1. Government Entity: 2. Person/Designee:	
1. Government Entity:	
T. Government Entity: 2. Person/Designee: First Last Middle Day time Contact Phone + A SEPARATE LICENSE MUST BE OBTAINED FOR EACH PREMISE FROM WHICH SPIRITUOUS LIQUOR IS SERVED SECTION 11 Location to Location Transfer: Series 6 Bar, Series 7 Beer & Wine Series 9 Liquor Stores only) Shakers Sports Bar and Grill	
T. Government Entity: 2. Person/Designee: First Last A SEPARATE LICENSE MUST BE OBTAINED FOR EACH PREMISE FROM WHICH SPIRITUOUS LIQUOR IS SERVED SECTION 11 Location to Location Transfer: Series 6 Bar, Series 7 Beer & Wine Series 9 Liquor Stores only) 1. Current Business:	
1. Government Entity: 2. Person/Designee: First Last A SEPARATE LICENSE MUST BE OBTAINED FOR EACH PREMISE FROM WHICH SPIRITUOUS LIQUOR IS SERVED SECTION 11 Location to Location Transfer: Series & Bar, Series 7 Beer & Wine Series 9 Liquor Stores only) 1. Current Business: Name: Shakers Sports Bar and Grill Address: 8040 E McDowell Rd Scottsdale AZ 85257	
1. Government Entity:	
1. Government Entity:	
1. Government Entity: 2. Person/Designee: First Last A SEPARATE LICENSE MUST BE OBTAINED FOR EACH PREMISE FROM WHICH SPIRITUOUS LIQUOR IS SERVED SECTION 11 Location to Location Transfer: Series & Bar, Series 7 Beer & Wine Series 9 Liquor Stores only) 1. Current Business: Name: Shakers Sports Bar and Grill Address: 8040 E McDowell Rd Scottsdale AZ 85257 (Exactly as It appears on Ilcense)	

page 4 of 9 Individuals requiring ADA accommodations please call (602)542-9027

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SECTION 12 Person to Person Transfer
Questions to be completed by Current Licensee (Bar and Liquor Stores Only- Series, 06, 07, and 09)
1. Individual Owner / Agent Name: MEISSNER JOHN Whether Entity: AGENT
2. Ownership Name: SHAKERS SPORTS BAR AND GRILL LLC (Exactly as it appears on license)
3: Business Name: SHAKERS SPORTS BAR AND GRILL (Exactly as It appears on license)
4. Business Location Address: 8040 E MCDOWELL RD SCOTTSDALE AZ 85257
5. License Type: Bar License Number: 06070027 6. Current Mailing Address: PO Box 2502 Chardler, Ac 55244 Street City State Zip
7. Have all creditors, lien holders, interest holders, etc. been notified? 🗹 Yes 🔲 No
8. Does the applicant intend to operate the business while this application is pending? 🔲 Yes 🗹 No
If yes, complete Section 5 (Interim Permit) of this application, attach fee, and current license to this application.
9. 1, (Print Full Name) JOHN MEISSNER hereby authorize the department to process this Application to
transfer the privilege of the license to the applicant provided that all terms and conditions of sale are met. Based on
the fulfillment of these conditions, I certify that the applicant now owns or will own the property rights of the license by
the date of issue. WWWW
I, (Print Full Name) JOHN MEISSNER , declare that I am the CURRENT OWNER, MEMBER, PARTNER
STOCKHOLDER or LICENSEE of the stated license. I have read the above Section 12 and confirm that all statements are
true, correct, and complete.
× / Classing
(Signature of CURRENT Individual Owner/Agent)
· · · ·
State ofCounty ofCo

1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 -

11 A.

The Day day The foregoing instrument was acknowledged before me this $\underline{5}$ anuari 16 Month Year My commission expires on Signeture of OTARY PUBLIC Day/ Month/Year

page 5 of 9 Individuals requiring ADA accommodations please call (602)542-9027

7/27/2015

Bill of Sale

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IN CONSIDERATION OF THE SUM OF:

TEN DOLLARS AND NO CENTSlawful currency of the United States of America, and other valuable consideration, receipt of which is hereby acknowledged, the SELLER:

Shakers Sports Bar and Grill, LLC, an Arizona Limited Liability Company

hereby grants, bargains, sells and transfers unto the BUYER:

BLK III, LLC, an Arizona Limited Liability Company

and his, her or their heirs, personal representatives, or assigns, to have and to hold forever, the following described personal property, goods or chattels:

That certain State of Arizona Liquor License #06070027

FURTHERMORE, Seller warrants that he, she or they are the lawful owner of said goods and hereby certifies, under oath, that he, she or they have good right to sell the same as aforesaid, and that the above described property is free and clear of all claims, liens and other encumbrances whatsoever, EXCEPT, as specified herein. Seller further agrees to warrant and defend same against the lawful claims and demands of all persons whomsoever.

DATED: January 5, 2016

Shakers Sports Bar and Grill, LLC, an Arizona Limited Liability Company

John Meissner, Member

State of ARIZONA County of Maricopa }ss:

On January 5, 2016, before me, the undersigned, a Notary Public in and for said County and State, personally appeared John Meissner, Member, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Escrow No.: 00154824



SECTION 13 Proximity to Church or School

Questions to be completed by all in-state applicants <u>EXCLUDING those applying for a Series 5 Government</u>, <u>Series 11 Hotel/Motel</u>, and <u>Series 12 Restaurant licenses</u>,

A.R.S. § 4-207 (A) and (B) state that no retailer's license shall be issued for any premises which are at the time the license application is received by the director, within three hundred (300) horizontal feet of a church, within three hundred (300) horizontal feet of a church, within three hundred (300) horizontal feet of a public or private school building with kindergarten programs or grades one (1) through (12) or within three hundred (300) horizontal feet of a school building. The above paragraph DOES NOT apply to:

a) Restaurant license (§ 4-205.02) b) Hotel/motel license (§ 4-205.01)		c) Government license (§ 4-205.03) d) Fenced playing area of a golf course (§ 4-207 (B) (5))
1. Distance to nearest School:	4.15 Mi	Name of School: Benchmark School
(If less than one (1) mile note footage)		Address: 4120 E Acoma Dr Phoenix AZ 85032
2. Distance to nearest Church:	2534.4 Ft	Name of Church: North Bible Church
(if less than one (1) mile note footage)	· · · · · · · · · · · · · · · · · · ·	Address: 15678 N Greenway Hayden Loop Scottsdale AZ 85260

SECTION 14 Business Financials

1. I am the: 🗹 Less	see 🗌 Sub-lessee 🗌 Owne	r 🔲 Purchaser [] Manage	ement Com	pany			
2. If the premise is	leased give lessors:	Name: SDL Restaurant Group LLC						
		Address: 1498	38 N 78th	Way Ste	112 Scott	sdale AZ	85260	
3. Monthly Rent/ L	ease Rate: \$ <u>15,850.00</u>		Street		City	State	Zip	
	aining length of the lease?			nonths				
5. What is the penalty if the lease is not fulfilled? \$ or other: personal guarantee (Give details-attach additional sheet if necessary)								
6. Total money borrowed for the Business not including lease? \$ <u>0</u> Please List Lenders/People you owe money to for business.							• •	
LastFirst	Middle	Amount Owed	Malli	ng Address	City	State	Zip	
			[
(Attach additional sheet if necessary)								
7. What type of bu Restaurant	usiness will this license be us	ed for (be speci	fic)?			_		
						_		
year? Yes Ves No 9. Does any spirituc	a transfer license for the pr o If yes, attach explanation. ous liquor manufacture, who currently license with a liquo	lesaler, or emplo	yee have		·			
If yes, give license	number and licensee's nam	ie:						
license #·	Individual Ow	(ner /Agent Nam	e.					

(Exactly as it appears on license)

<u>SECTION 15</u> Restaurant or hotel/motel license applicants

1. Is there an existing Restaurant or Hotel/Motel Liquor License at the proposed location? Yes No

2. If the answer to Question 1 is YES, you may qualify for an Interim Permit to operate while your application is pending; consult A.R.S. § 4-203.01; and complete SECTION 5 of this application.

3. All Restaurant and Hotel/Motel applicants must complete a Restaurant Operation Plan form provided by the Department of Liquor Licenses and Control.

4. As stated in A.R.S. § 4-205.02. (H)(2), a Restaurant is an establishment which derives at least forty (40) percent of its gross revenue from the sale of food. Gross revenue is the revenue derived from sales of food and spirituous liquor on the licensed premises. By applying for this Restaurant Hotel/Motel, I certify that I understand that I must maintain a minimum of forty (40) percent food sales based on these definitions and have included the <u>Restaurant Hotel/Motel Records Required for Audit form</u> with this application.

(Applicant's Signature)

(Applicant's Initials)

5. I understand it is my responsibility to contact the Department of Liquor Licenses and Control to schedule an inspection when all tables and chairs are on site, kitchen equipment, and, if applicable, patio barriers are in place on the licensed premises. With the exception of the patio barriers, these items are not required to be properly installed for this inspection. Failure to schedule an inspection will delay issuance of the license. If you are not ready for your inspection 90 days after filing your application, please request an extension in writing; specify why the extension is necessary; and the new inspection date you are requesting.

<u>SECTION 16</u> Diagram of Premises Check ALL boxes that apply to your business:						
	Entrances/Exits	Liquor storage areas	Patio:	Contiguous		
	Walk-up windows	Drive-through windows		Non Contiguous		
 Is your licensed premises currently closed due to construction, renovation or redesign? Yes No If yes, what is your estimated completion date? 						
	Month/Day/Year					
 <u>Restaurants and Hotel/Motel</u> applicants are required to draw a detailed floor plan of the kitchen and dining areas including the locations of all kitchen equipment and dining furniture. Place for diagram is on section 16 number 6. 						
 The diagram (a detailed floor plan) you provide is required to disclose only the area(s) where spirituous liquor is to be sold, served, consumed, dispensed, possessed or stored on the premises unless it is a restaurant (see # 3 above). 						
 Provide the square footage or outside dimensions of the licensed premises. Please do not include non-licensed premises such as parking lots, living quarters, etc. 						
As stated in A.R.S. § 4-207.01 (B), I understand it is my responsibility to notify the Department of Liquor Licenses and Control when there are changes to the boundaries, entrances, exits, added or deleted doors, windows, service windows or increase or decrease to the square footage after submitting this initial diagram.						

(Applicant's initials)

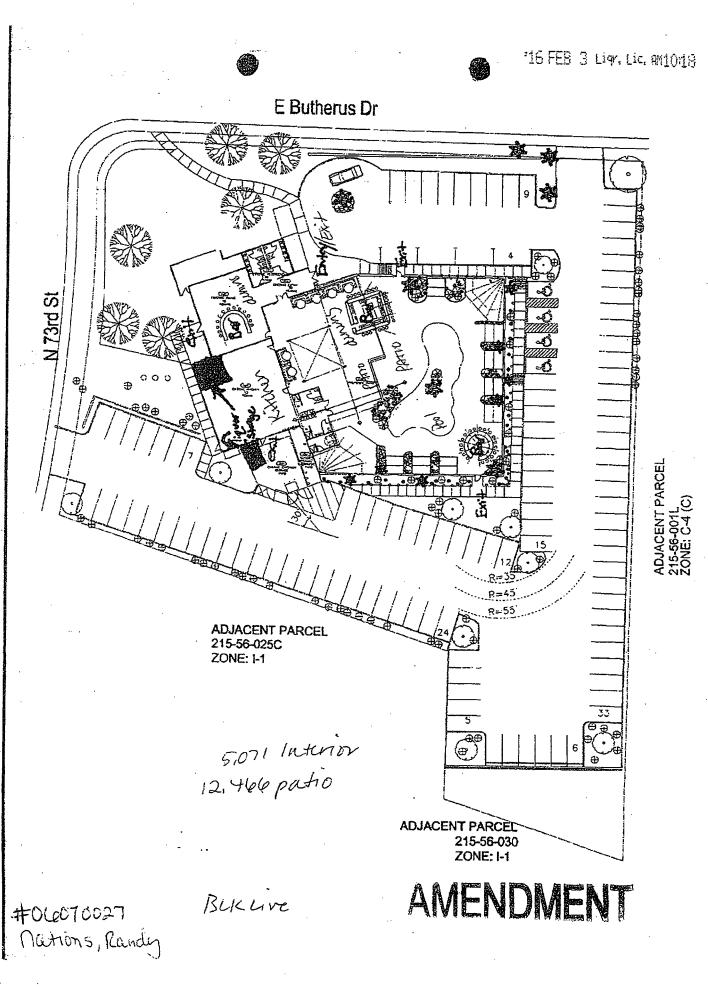
<u>SECTION 16</u> Diagram of Premises – continued

6. On the diagram please show only the areas where spirituous liquor is to be sold, served, consumed, dispensed, possessed or stored. It must show all entrances, exits, interior walls, bars, hi-top tables, dining tables, dining chairs, dance floor, stage, game room, and the kitchen. DO NOT include parking lots, living quarters, etc. When completing diagram, North is up ↑.

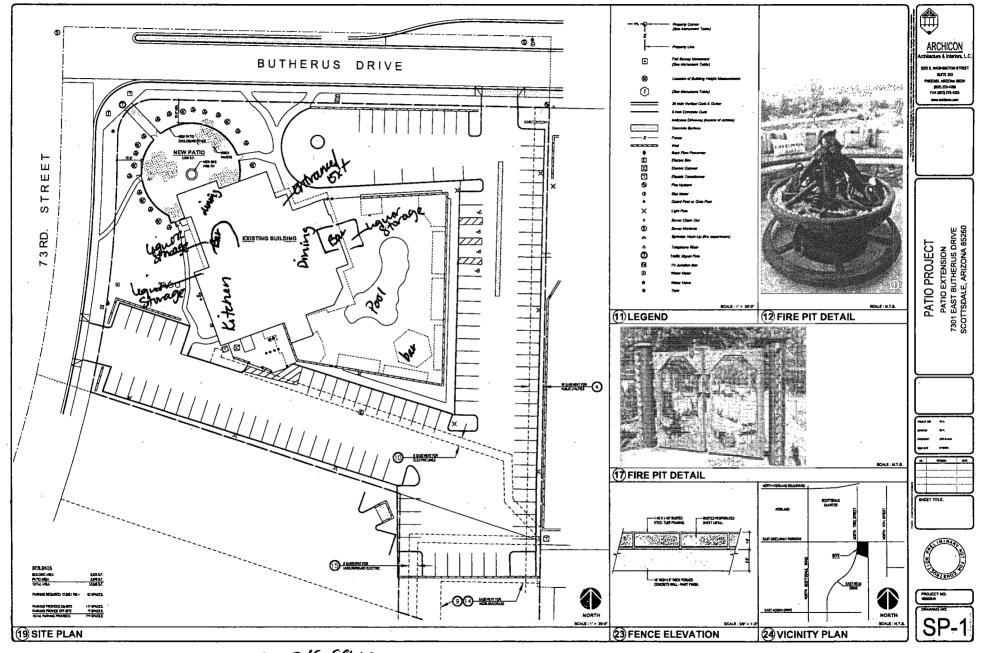
If a legible copy of a rendering or drawing of your diagram of the premises is attached to this application, please write the words "DIAGRAM ATTACHED" in the box provided for the diagram on the application.

Diagram Attached

DIAGRAM OF PREMISES



.....



11,228 Sq. pt. 2.970 patio Sq. Kb.

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SECTION 17 SIGNATURE BLOCK

, (Print Full Name)

Randy D. Nations

, hereby declare that I am the Owner/Agent filing this

application as stated in Section 4 # 1. I have read this application and verify all statements to be true, correct and complete.

X (Slanature)

<u>FNZONACOUNTY OF Mancopa</u> State of 2

The foregoing instrument was acknowledged before me this

RHONDA J RODRIGUEZ Notary Public - Arizona Maricopa County My commission expires o Commission Expir December 28, 2016

Year Signature

A.R.S. § 41-1030. Invalidity of rules not made according to this chapter; prohibited agency action; prohibited acts by state employees; enforcement; notice

B. An agency shall not base a licensing decision in whole or in part on a licensing requirement or condition that is not specifically authorized by statute, rule or state tribal gaming compact. A general grant of authority in statute does not constitute a basis for imposing a licensing requirement or condition unless a rule is made pursuant to that general grant of authority that specifically authorizes the requirement or condition.

D. THIS SECTION MAY BE ENFORCED IN A PRIVATE CIVIL ACTION AND RELIEF MAY BE AWARDED AGAINST THE STATE. THE COURT MAY AWARD REASONABLE ATTORNEY FEES, DAMAGES AND ALL FEES ASSOCIATED WITH THE LICENSE APPLICATION TO A PARTY THAT PREVAILS IN AN ACTION AGAINST THE STATE FOR A VIOLATION OF THIS SECTION.

E. A STATE EMPLOYEE MAY NOT INTENTIONALLY OR KNOWINGLY VIOLATE THIS SECTION. A VIOLATION OF THIS SECTION IS CAUSE FOR DISCIPLINARY ACTION OR DISMISSAL PURSUANT TO THE AGENCY'S ADOPTED PERSONNEL POLICY. F. THIS SECTION DOES NOT ABROGATE THE IMMUNITY PROVIDED BY SECTION 12-820.01 OR 12-820.02.