

# CITY COUNCIL REPORT



Meeting Date: January 21, 2020  
General Plan Element: ***Land Use***  
General Plan Goal: ***Support a diversity of businesses.***

## **ACTION**

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**Liquor License Request for 105-LL-2019 Hotel Valley Ho.** To consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a State liquor license for an existing location and owner, new license Series 6 (bar).

## **OWNER**

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MSR Properties LLC

## **APPLICANT CONTACT**

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Peter Henry Schelstraete

## **LOCATION**

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6850 E. Main Street

## **BACKGROUND**

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This establishment is currently operating with a Series 11 (hotel) liquor license. This establishment is 412,292 sq. ft. in size. The operational characteristics and floor plan qualify as a hotel.

## **APPLICANT'S PROPOSAL**

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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 6:00 a.m. to 2:00 a.m.; 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.

## **IMPACT ANALYSIS**

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### **Reliability and Location**

#### **A.R.S. Section R19-1-702 Granting a License for a Certain Location.**

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

### **Zoning**

This site is zoned C-3 DO HP (Highway Commercial. Development Overlay, Historic Preservation). The C-3 DO HP district allows bars as an accessory use to a hotel. The applicant has been notified of the City's expectation that the business will operate as a hotel as defined by City Code.

### **Public Safety**

**Police Department:** Recommendation No Opposition

**Major life safety issues:** None noted

### **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**

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### **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)


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Alex Acevedo, Planning Specialist, aacevedo@ScottsdaleAZ.gov  
Planning and Development Services

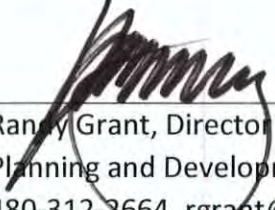
Thomas Myers, Lieutenant, tmyers@scottsdaleaz.gov  
Police Special Investigations

## APPROVED BY

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

12/30/2019  
\_\_\_\_\_  
Date

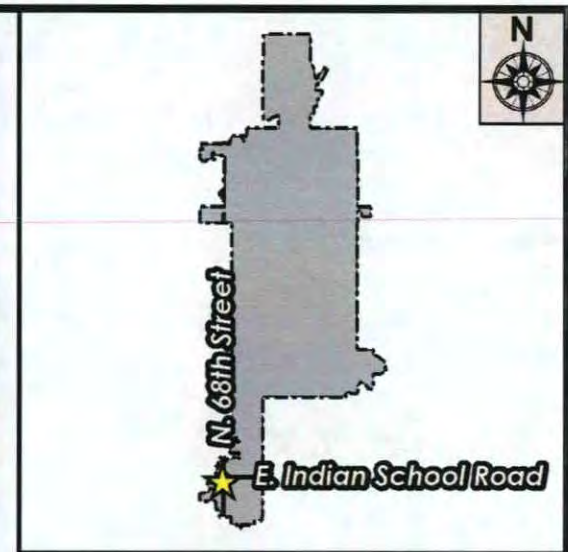
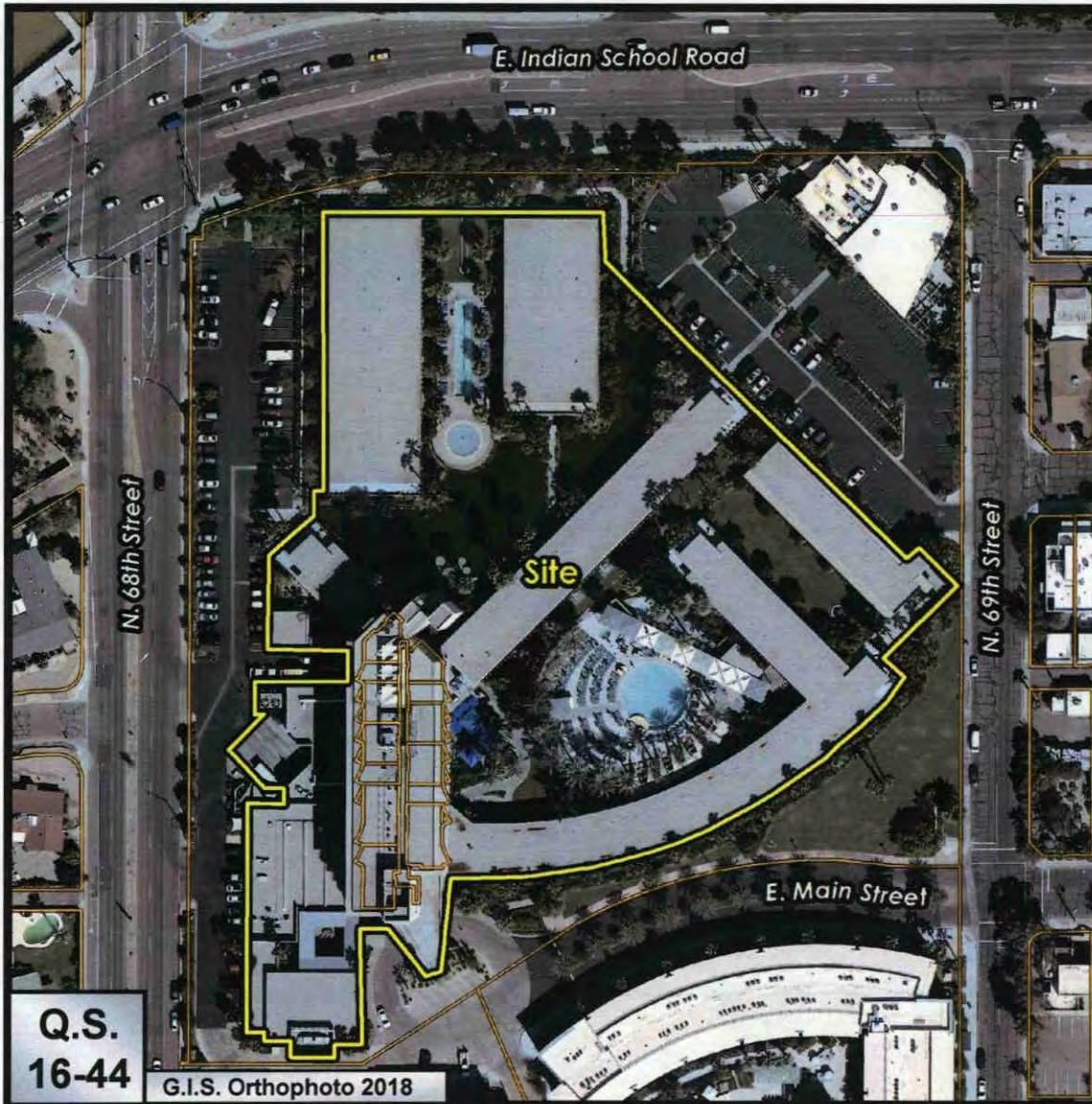
  
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Randy Grant, Director  
Planning and Development Services  
480-312-2664, rgrant@scottsdaleaz.gov

12/31/19  
\_\_\_\_\_  
Date

## ATTACHMENTS

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1. Map
2. City of Scottsdale Applicant Questionnaire
3. State Application (Front Page)
4. Floor Plan



105-LL-2019

Hotel Valley Ho

# Liquor License Questionnaire

## (New Location)

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



Please complete all questions and return within 3 business days.

Name of Business: Hotel Valley Ho

Business Address: 6850 E Main St Scottsdale AZ 85251

Total Gross Square Footage of Establishment (Minus the Patio): 412,292

Is this business under construction or being remodeled? ☐ Yes ☒ No

Does this business have an existing patio? ☒ Yes ☐ No Dimensions of patio \_\_\_\_\_

Does this business have a proposed patio? ☐ Yes ☒ No Dimensions of patio \_\_\_\_\_

Was liquor sold at this location prior to this application? ☒ Yes ☐ No

If yes, what type of license? Series 11

Is this business currently open? ☒ Yes ☐ No

If yes, is this business operating with an interim license? ☐ Yes ☒ No

If no, what is the proposed opening date? Operating off of Series 11

#### For Restaurants, Bars and Restaurants/Bars:

Will the bar service area be less than 15% of the gross floor area? ☒ Yes ☐ No\*

Gross square footage of bar service area: N/A  
(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. NOT kitchen/backroom storage)

Will the kitchen be less than 15% of the gross floor area? ☐ Yes\* ☒ No

Gross square footage of kitchen: N/A

Will the full kitchen close before 9:00 p.m.? ☐ Yes\* ☒ No

Will less than 40% of gross revenues be derived from the sale of prepared food? ☐ Yes\* ☒ No

During what hours will the establishment offer liquor sales? 6am-2am

#### For admittance:

Will age verification be required/requested at any time during business operations? ☐ Yes\* ☒ No

#### For admittance:

Is a cover charge required at any time during business operations? ☐ Yes\* ☒ No

\*May require a Conditional Use Permit

Please check one of the following that best describes the primary business operation:

- ☐ packaged retail ☐ restaurant ☐ bar ☐ personal service ☐ education service  
☐ manufacturing ☒ hotel / tourist accommodation ☐ residential facility ☐ sports / theater

## Planning and Development Services

7447 E. Indian School Road, Suite 105, Scottsdale, AZ 85251 ♦ [www.ScottsdaleAZ.gov](http://www.ScottsdaleAZ.gov)

# Liquor License Questionnaire

## (New Location)

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



Please complete all questions and return within 3 business days.

### Will this business feature any of the following:

Patron Dancing?	<input type="checkbox"/> Yes*	<input checked="" type="checkbox"/> No	Karaoke?	<input type="checkbox"/> Yes*	<input checked="" type="checkbox"/> No
Live Bands?	<input checked="" type="checkbox"/> Yes*	<input type="checkbox"/> No	DJ?	<input type="checkbox"/> Yes*	<input checked="" type="checkbox"/> No
Amplified music?	<input checked="" type="checkbox"/> Yes*	<input type="checkbox"/> No	Games?	<input type="checkbox"/> Yes*	<input checked="" type="checkbox"/> No
Adult Entertainment?	<input type="checkbox"/> Yes*	<input checked="" type="checkbox"/> No	Four or more pool tables?	<input type="checkbox"/> Yes*	<input checked="" type="checkbox"/> No
After hours?	<input type="checkbox"/> Yes*	<input checked="" type="checkbox"/> No			

\*May require a Conditional Use Permit

### Applicant Narrative:

ARS 4-201-G: Except for a person to person transfer of a transferable license for use at the same location and as otherwise provided in section 4-203, subsection A, 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 a license.

1. I have the capability, qualifications and reliability to hold a liquor license because:

We currently own and operate under a Series 11 liquor license. We will continue to abide by Arizona Liquor Laws.

2. The best interest of the community will be substantially served by the issuance of the liquor license because:

We are switching series licenses and would like to continue to offer our patrons an adult beverage if they choose to have one.

3. Please describe your business:

Hotel

The City's forwarding of a recommendation to the AZ Department of Liquor 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: Rhonda Rodriguez Signature: [Signature] Date: 12/16/17

### Planning and Development Services

7447 E. Indian School Road, Suite 105, Scottsdale, AZ 85251 ♦ [www.ScottsdaleAZ.gov](http://www.ScottsdaleAZ.gov)

**State of Arizona**  
**Department of Liquor Licenses and Control**

Created 12/05/2019 @ 03:02:55 PM

**Local Governing Body Report**

<b>LICENSE</b>
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Number:	06070225	Type:	006 BAR
Name:	HOTEL VALLEY HO		
State:	Pending		
Issue Date:		Expiration Date:	01/31/2020
Original Issue Date:	12/23/1975		
Location:	6850 E MAIN STREET SCOTTSDALE, AZ 85251 USA		
Mailing Address:	6850 E MAIN STREET SCOTTSDALE, AZ 85251 USA		
Phone:	(480)248-2000		
Alt. Phone:	(602)799-9313		
Email:	RIVIRAM@HOTELVALLEYHO.COM		

Currently, this license has pending applications.

<b>AGENT</b>
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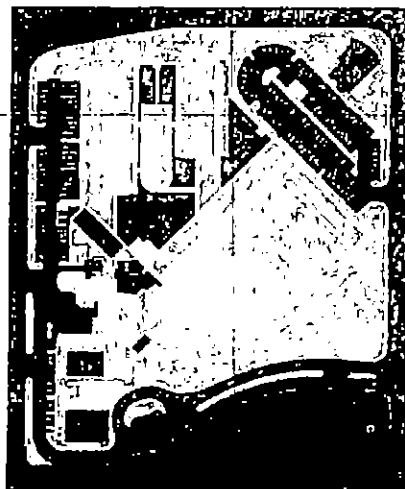
Name:	PETER HENRY SCHELSTRAETE
Gender:	Male
Correspondence Address:	PO BOX 2452 LA JOLLA, CA 92038 USA
Phone:	(602)799-9313
Alt. Phone:	
Email:	PETER@SCHELSTRAETELAW.COM

<b>OWNER</b>
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Name:	MSR PROPERTIES LLC		
Contact Name:	PETER HENRY SCHELSTRAETE		
Type:	LIMITED LIABILITY COMPANY		
AZ CC File Number:	L10285712	State of Incorporation:	AZ
Incorporation Date:			
Correspondence Address:	60 E RIO SALADO PARKWAY STE 900 TEMPE, AZ 85281 USA		
Phone:	(480)248-2000		
Alt. Phone:	(602)799-9313		
Email:	RIVIRAM@HOTELVALLEYHO.COM		

**Officers / Stockholders**

# Valley Ho

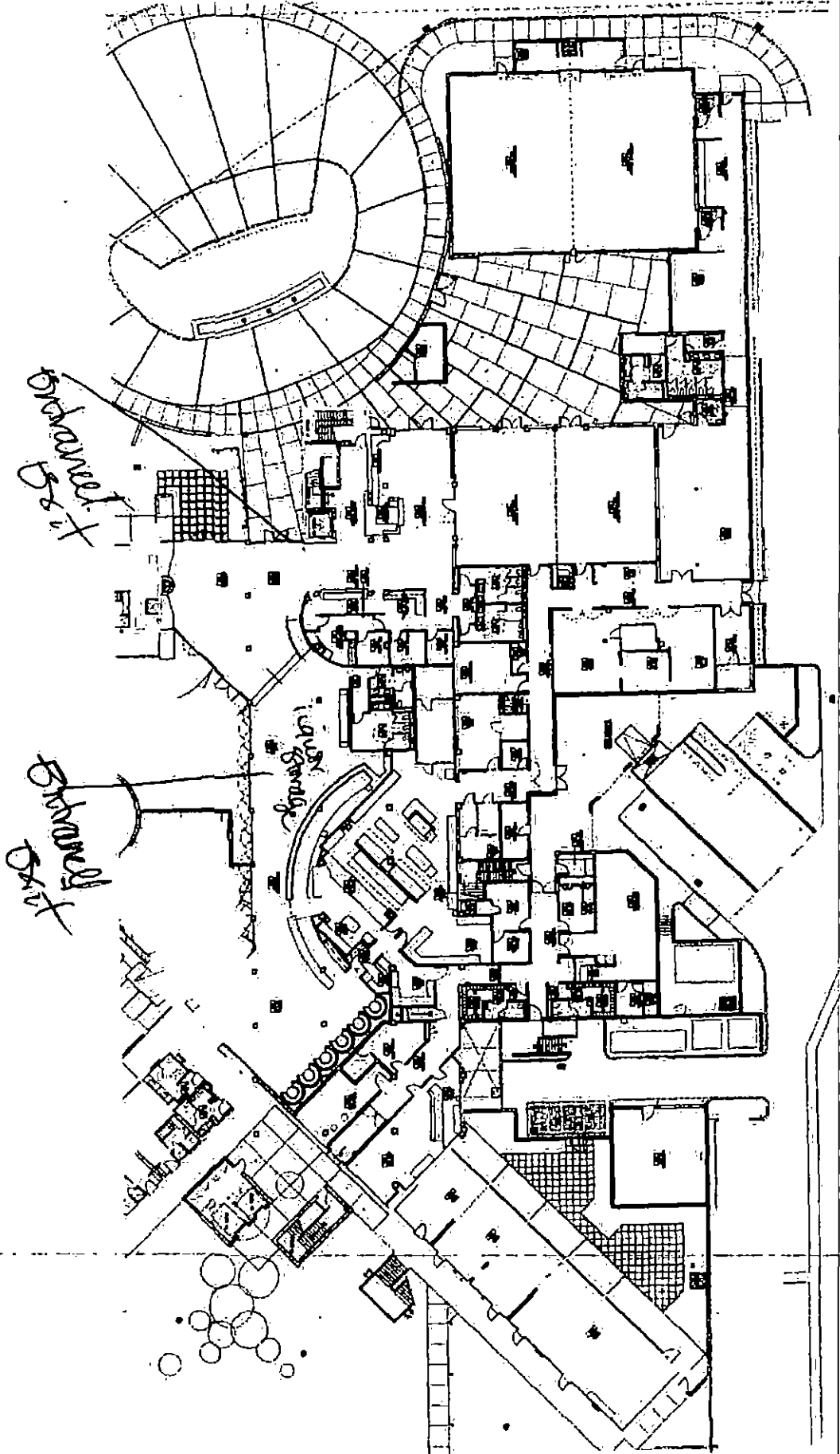


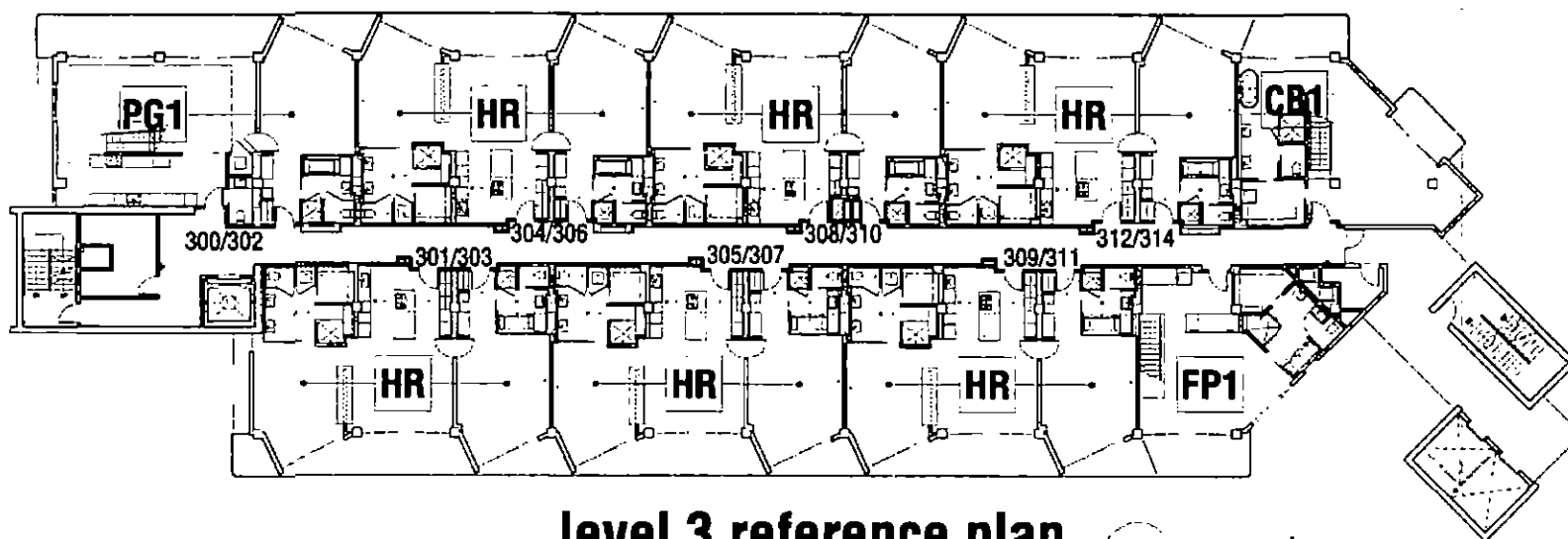
Hotel Property Map



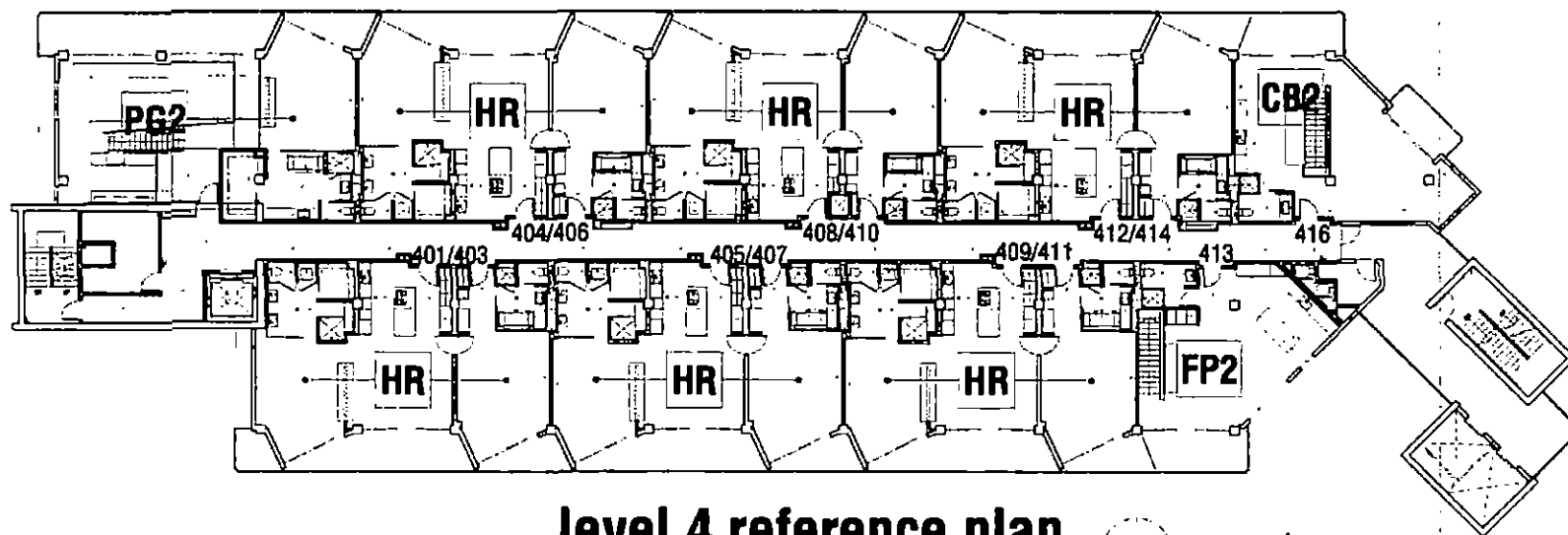
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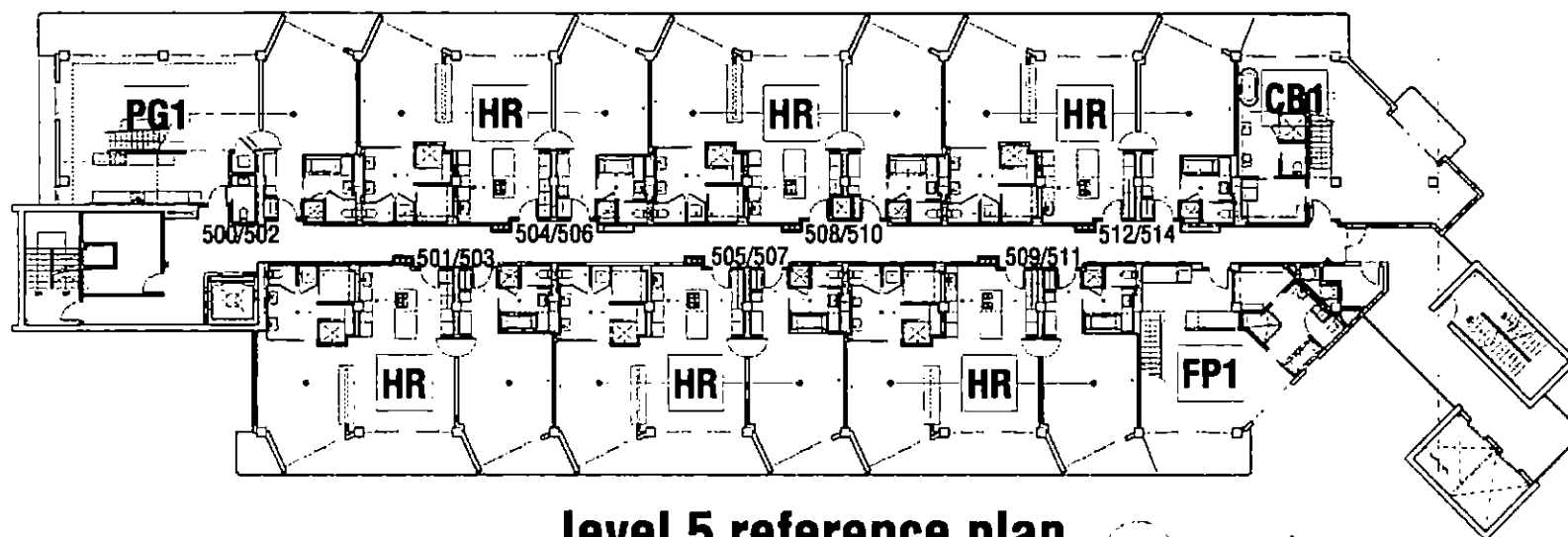
**level 3 reference plan**



**level 4 reference plan**



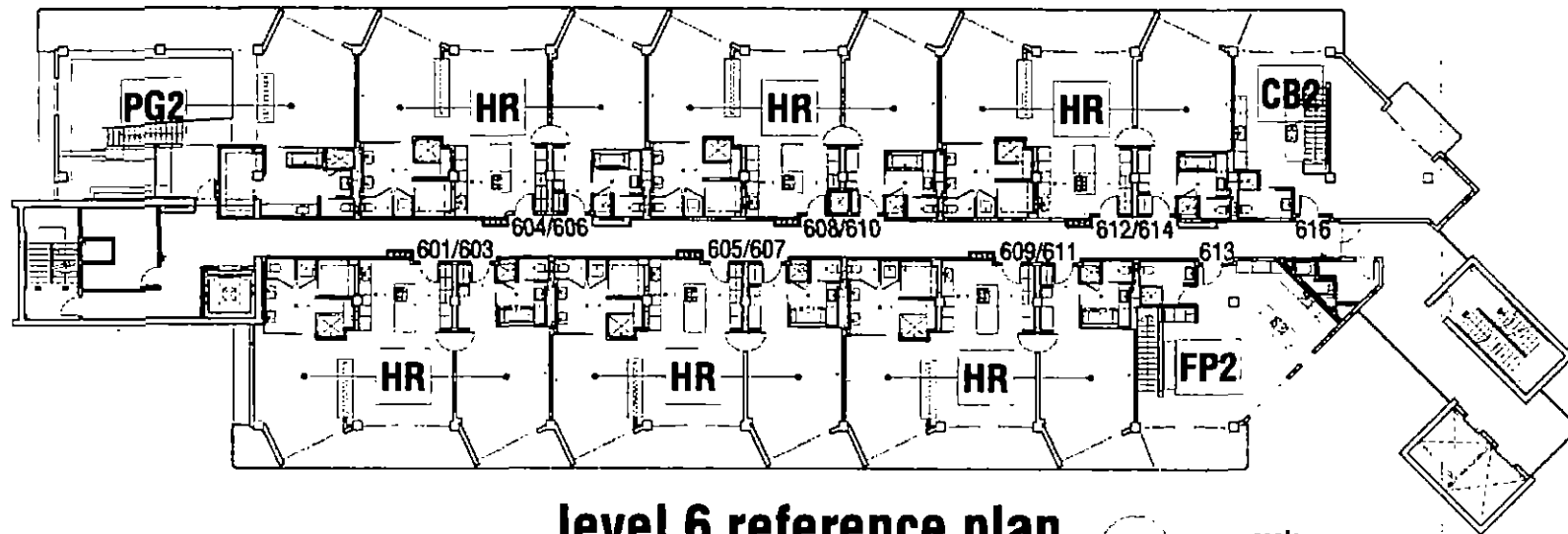
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**level 5 reference plan**



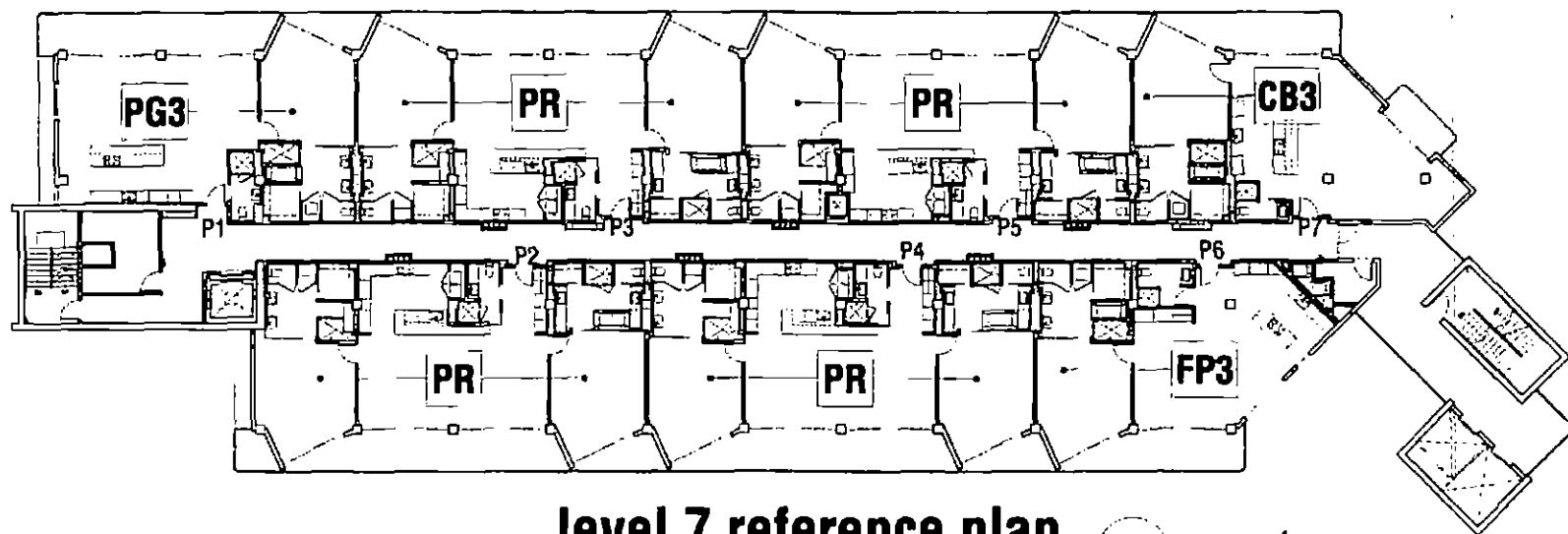
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**level 6 reference plan**



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**level 7 reference plan**



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