### Item 28A



Community & Economic Development Division Planning and Development Services

7447 East Indian School Road, Suite 105 Scottsdale, Arizona 85251

To: Honorable Mayor and City Council

From: Tim Curtis, Director of Current Planning

Date: August 19, 2021

Re: Agenda Item #28A, Case 38-LL-2021 Old Town Scottsdale Liquor

Attached is the updated City Council Action Report with revisions made to the description that this is a request for an *existing* owner, new location. The previous report incorrectly indicated this is a *new* owner. This owner is transferring their existing license to this new location. This is relevant in that license evaluation criteria apply only to the location of the proposed license.

Attachment: City Council Action Report (revised)

# CITY COUNCIL REPORT



Meeting Date: General Plan Element: General Plan Goal: August 24, 2021 Land Use Support a diversity of businesses.

### ACTION

**Liquor License Request for 38-LL-2021 Old Town Scottsdale Liquor (149934).** To consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 9 (Liquor Store) State liquor license for an existing owner, new location.

### **OWNER**

OLDTOWN1 LLC

### **APPLICANT CONTACT**

SAMIR S-M YONO

### LOCATION

4439 N Saddlebag Tr

### REQUEST

The applicant is seeking a favorable recommendation on a Series 9 (Liquor Store) liquor license for an existing owner, new location.

This liquor license allows a spirituous liquor store retailer to sell all spirituous liquors, only in the original package, to be taken away from the premises of the retailer and consumed off the premises.

The applicant has indicated that this establishment will serve liquor between the hours of 8 AM and 2 AM; 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**

### **Reliability and Location**

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

The public convenience and best interest of the community will be substantially served by the issuance.

### Zoning

This site is zoned C-2/P-3 DO & P-2 DO (Central Business/Parking P-3 Downtown Overlay & Parking P-2; Passenger Vehicle Parking Downtown Overlay). The C-2/P-3 DO & P-2 DO district allows retail sales as a permitted use. The applicant has been notified of the City's expectation that the business will operate as a retail liquor store.

### **Parking and Traffic**

The surrounding street network provides sufficient access.

A total of one (1) space per three hundred fifty (300) square feet of gross floor area are required for this use. A total of 5 spaces are required for this use and 6 spaces are provided in the parking lot. Parking is in compliance with the zoning ordinance.

### **Public Safety**

Police Department: Recommendation No Opposition

**Major life safety issues:** This is in the center of our entertainment district. The potential for patrons purchasing alcohol and then consuming on the street is high. The possibility of alcohol purchase and consumption immediately prior to or after venue attendance is an additional area of concern. These factors increase the potential of disturbances and altercations surrounding the establishment. Lastly, if a special event is to be held this would be an access point for additional alcohol sales.

### 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.

There are no school buildings or church buildings within 300 feet. Other surrounding uses are compatible.

### **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**

Staff advises that the license request may meet the criteria imposed for determining that the community's best interest is substantially served by the issuance of the liquor license and advises that the license request meets the criteria imposed.

### **Next Steps**

The City Council's 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)**

Nicole Garcia, Planning Specialist, ngarcia@ScottsdaleAZ.gov Planning and Development Services

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

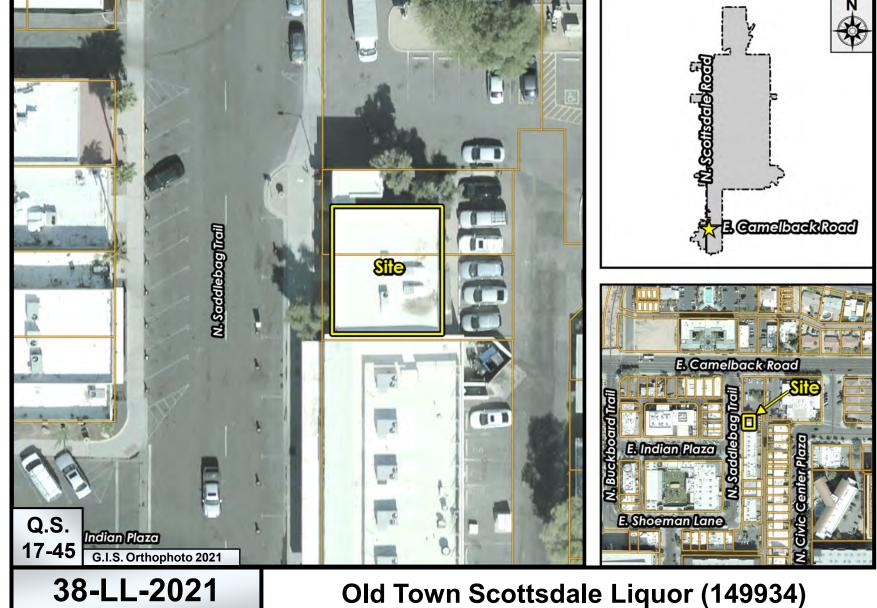
### **APPROVED BY**

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

8/19/2021

Date

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



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pe of Business (packaged retail, wholesale, manufactur	ring): parcka	ged retail	
otal Gross Square Footage of Establishment: <u>1231</u>			
as liquor sold at this location prior to this application?		☐ Yes	✓ No
If <b>yes</b> , what type of license?		Yes	✓ No
If yes, is this business operating with an Interim lic	cense?		
If <b>no</b> , what is the proposed opening date? $\frac{10/01/2}{2}$			_
-	_		
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Liquor License Questionnaire -- Retail, Wholesale, Manufecturing -- New Location

	ng (Series 1, 2, 3, 4, 9,	3	CITY OF TO COTTSDA
Please complete all quest	ions and return within 3 b	usiness days	
The City's forwarding of a recommendation to the and is not a substitute for the Licensee's obligation regulations applicable to the license. The Recom- events or construct or demolish any improveme regulatory requirements may apply to Licensee's the Recommendation. Licensee shall be respons obtain all necessary permits and approvals from having standing or jurisdiction over the subject and permit processes, and similar regulatory requirem	on to comply with all state, I nmendation is not a permit nts. Zoning processes, built contemplated Improvements ible to, separate and apart f any and all governmental o eas. For more information re	ocal and federa or regulatory a ling permit pro and are comp rom this Recon r other entities garding zoning	I laws, policies and oproval to hold any cesses, and similar etely separate from mendation, directly including the City's processes, building
int Name: <u>Samir Yono</u> si	gnature:	Da	e: <u>6 2 202</u>

State of Arizona Department of Liquor Licenses and Control

Created 05/19/2021 @ 09:50:29 AM

Local Governing Body Report

### LICENSE

Number:	009070013522	Type:	009 LIQUOR STORE
Name:	OLD TOWN SCOTTSDALE	LIQUOR	
State:	Pending		
Issue Date:		Expiration Date:	12/31/2021
Original Issue Date:	04/14/2021		
Location:	4439 N SADDLEBAG TRAII SCOTTSDALE, AZ 852581 USA		
Mailing Address:	8776 E SHEA BOULEVARD #106-310 SCOTTSDALE, AZ 85261 USA		
Phone:	(602)770-4964		
Alt. Phone:	(480)370-0023		
Email:	VAVGLOBAL@GMAIL.CO	M	

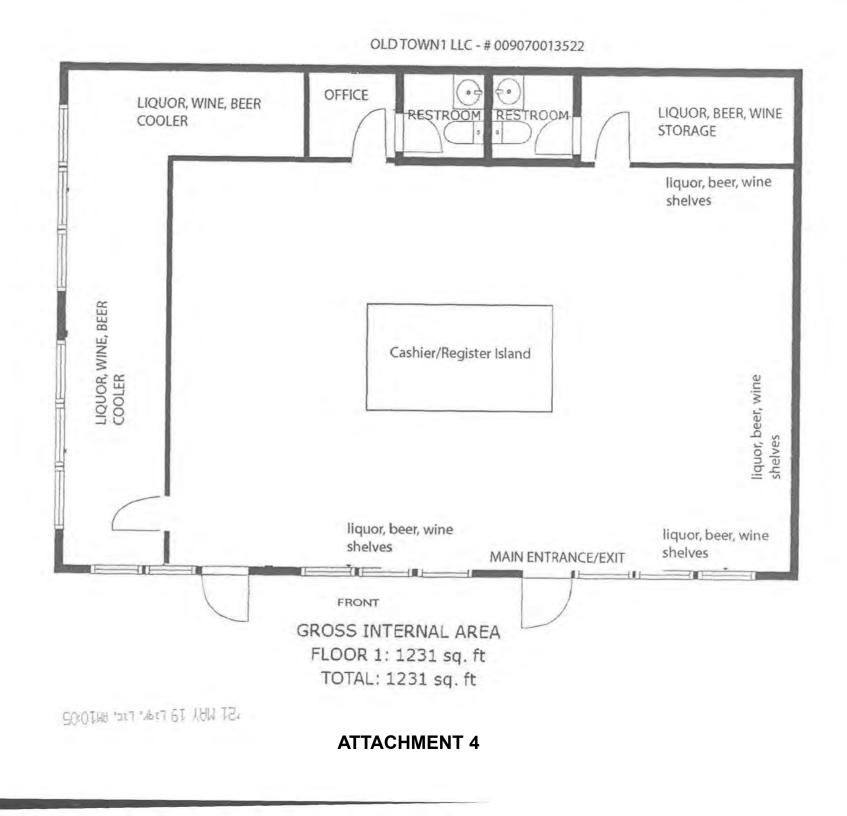
Currently, this license has pending applications.

### AGENT

Name:	SAMIR S-M YONO
Gender:	Male
Correspondence Address:	8776 E SHEA BOULEVARD #106-310 SCOTTSDALE, AZ 85261 USA
Phone:	(480)370-0023
Alt. Phone:	
Email;	VAVGLOBAL@GMAIL.COM

### **OWNER**

Page 1 of 4



Item 28A



# Old Town Scottsdale Liquors 38-LL-2021

• Forwarding a recommendation to the AZ Dept of Liquor Licenses and Control for a Series 9 (Liquor Store) State liquor license

• 4439 N Saddlebag Trail

• Entertainment District









**Street View** 



### State Licensing Criteria: Location

- The public convenience and best interest of the community will be substantially served by the issuance.
- Commercial zoning allows retail sales
- Building in good condition
- No liquor violations at this location (building) for the past 5 years



Location Evaluation Criteria (cont.):

- Residential population likely to increase in the area
- Commercial population likely to increase in the area
- Market for retail (hotel guests, residences, businesses)
- Compatibility with area activity
- Number of liquor licenses within one mile
- Vehicular traffic accommodated
- No school buildings or church buildings within 300 feet



- 20-day posting
- No written arguments in favor or opposition
- Police Dept. expressed concerns:
  - Potential for purchase and consumption on the street.
  - Potential for purchase and consumption immediately prior to or after venue attendance.
  - Potential of disturbances and altercations surrounding the establishment.



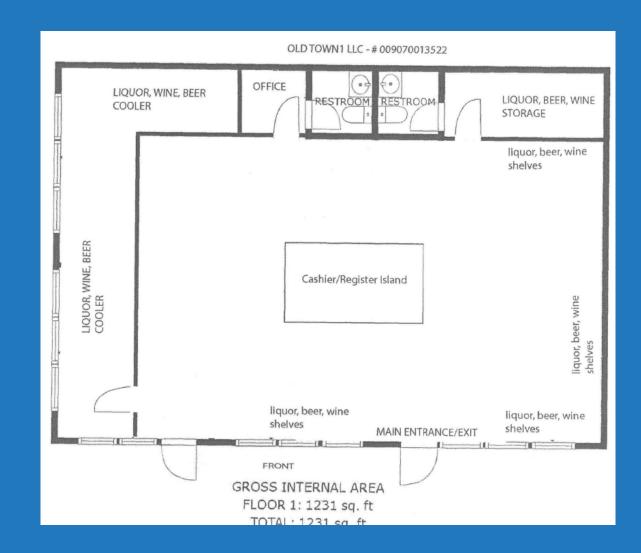
Action Requested:

The City Council has the option of recommending approval, disapproval, or no recommendation

Next Step:

Recommendation will be forwarded to the AZ Dept of Liquor Licenses and Control for their consideration





### Cordova, Rommel

From:	Curtis, Tim
Sent:	Friday, August 20, 2021 3:39 PM
To:	Cordova, Rommel
Subject:	FW: Liquor License 38-LL-2021 - Council Hearing 9/24/2021
Attachments:	2021.08.20 - Ltr to Det Bailey re Old Town LL License - FINAL v2.pdf

From: VAV GLOBAL <vavglobal@gmail.com> Sent: Friday, August 20, 2021 3:31 PM To: Garcia, Nicole <NGarcia@Scottsdaleaz.gov>; george@witheymorris.com Cc: Ibsen, Bronte <BIbsen@Scottsdaleaz.gov>; Jason@witheymorris.com; Curtis, Tim <tcurtis@scottsdaleaz.gov>; ChristianBailey@scottsdaleaz.gov Subject: Re: Liquor License 38-LL-2021 - Council Hearing 9/24/2021

A External Email: Please use caution if opening links or attachments! Hi Nicole

Thank you for the attached correspondence.

Hi George,

Your letter is incorrect as we have spoke with business owners in the neighborhood and also defamatory to Samir. Samir Yono (full name: Samir S-M Yono) does not have a criminal record. Samir Yono and Vanessa Yono are the agents with no other joint ownership. They do not have any criminal records. Samir Yono has had several liquor licenses in the City of Scottsdale, Fountain Hills, and Phoenix with no violations. This liquor license has already been approved for ownership and is only for change of location.

Going forward you should do the correct due diligence before making such statements.

Regards

Vanessa

On Aug 20, 2021, at 6:20 PM, Garcia, Nicole <<u>NGarcia@Scottsdaleaz.gov</u>> wrote:

Hi Vanessa,

FYI, we just received this correspondence regarding your case.

Nicole Garcia Planning Specialist Planning & Development Services ngarcia@scottsdaleaz.gov (480) 312-4213



From: Curtis, Tim <<u>tcurtis@scottsdaleaz.gov</u>> Sent: Friday, August 20, 2021 2:54 PM To: Garcia, Nicole <<u>NGarcia@Scottsdaleaz.gov</u>>; lbsen, Bronte <<u>Blbsen@Scottsdaleaz.gov</u>> Subject: FW: Liquor License 38-LL-2021 - Council Hearing 9/24/2021

From: George Pasquel <george@witheymorris.com>
Sent: Friday, August 20, 2021 2:41 PM
To: ChristianBailey@scottsdaleaz.gov
Cc: Jason Morris <Jason@witheymorris.com>; Curtis, Tim <tcurtis@scottsdaleaz.gov>
Subject: Liquor License 38-LL-2021 - Council Hearing 9/24/2021

A External Email: Please use caution if opening links or attachments!

Please see attached letter regarding pending Liquor License application 33-LL-2021 scheduled for City Council on Tuesday.

Feel free to contact me with any questions. Thank you

#### George A. Pasquel III

Withey Morris, PLC 2525 East Arizona Biltmore Circle Suite A-212 Phoenix, Arizona 85016 Office: 602-230-0600 Fax: 602-212-1787 george@witheymorris.com www.witheymorris.com





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2525 E. Arizona Biltmore Circle, Suite A-212, Phoenix, AZ 85016

August 20, 2021

(Via Email)

Detective Christian Bailey Scottsdale Police Department 8401 E. Indian School Road Scottsdale, AZ 85251 ChristianBailey@scottsdaleaz.gov

### Re: 38-LL-2021 – Old Town Scottsdale Liquor (149934)

Dear Det. Bailey:

Our office represents several property and business owners in the immediate vicinity of this proposed liquor store and associated liquor license – this includes the property owner directly south, directly north, and directly west across the street from this proposal. As you can imagine, our clients have grave concerns regarding this application.

We compliment your observations and share your concerns noted in the Public Safety portion of the Staff Report for 38-LL-2021, in particular;

The potential for patrons purchasing alcohol and then consuming on the street is high. The possibility of alcohol purchase and consumption immediately prior to or after venue attendance is an additional area of concern. These factors increase the potential of disturbances and altercations surrounding the establishment.

We fully concur.

While the proposed land use is clearly flawed - (a liquor store within an entertainment district) – our research regarding the Applicant(s) is of even greater concern. The application contact is noted as "Samir S-M Yono" and the application appears to be signed by "Samir Yono." This appears to be the middle name of 'Alvin Samir Yono' who was convicted and sentenced for pandering to minors and who then violated probation by failing to report back to jail. See information attached at **TAB A**.

Also, per Mr Yono's Liquor License Questionnaire (attached at TAB B) he states:

"Downtown Scottsdale has no liquor stores. We believe this will be a very welcome addition to the neighborhood and the entire downtown area. It will be very popular with our hotel visitors that don't want to go to the bars."

However, the owner of all three (3) hotels within 600 feet of the proposed application adamantly opposes this use. Further, Mr Yono has not spoken with even one business owner in the direct area – yet surmises this will be a welcomed addition.

Lastly, there are discrepancies regarding the actual liquor license. (See attachments at **TAB C**). It appears this license was originally located at 4165 Craftsman Court and was issued on April 14, 2021. The ownership entity is noted as Oldtown1, LLC whose managing members are Samir Yono and Vanessa Yono. Vanessa appears to be a recent graduate of NAU as of 2019 and has a different last name of Vanessa Banda.

We thank you for your time and continued due diligence on this Application. If you need anything else or would like to speak directly with us or any of our clients in this regard, please do not hesitate to reach out.

Very truly yours,

WITHEY MORRIS P.L.C.

Bv Jason B. Morris

GAP/em Enclosures

cc: Riot Hospitality Stockdale Capital

# Tab B

Liquor	License	Question	naire
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Please complete all questions and return	within 3 busine	ess days.
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usiness Address: 4439 N Saddlebag Trail #101-102 Scottsdale		· · · · · · · · · · · · · · · · · · ·
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otal Gross Square Footage of Establishment: 1231	<del>.</del>	
/as liquor sold at this location prior to this application? If <b>yes</b> , what type of license?	Yes	☑ No
s this business currently open?	☐ Yes —	✓ No
If yes, is this business operating with an Interim license?	C) Yes	🗋 No
If <b>no</b> , what is the proposed opening date? 10/01/2021	<u> </u>	
his business under construction?	10	
<b>plicant Narrative:</b> S 4-201-G: Except for a person to person transfer of a transferable rerwise provided in section 4-203, subsection A, in all proceedings b and of supervisors of a county or the board, the applicant bears the l puires and that the best interest of the community will be substantial	before the governi burden of showing ly served by the is	ng body of a city or t that the public conv suance of a license.
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7447 E. Indian School Road, Suite 105, Scottsdale, AZ 85251 • www.ScottsdaleAZ.gov

Liquar License Questionnairo -- Reteil, Wholosale, Manufacturing -- New Location

Page 1 of 2

10/05/2017

### **Liquor License Questionnaire**

Packaged Retail, Wholesale, Manufacturing (Series 1, 2, 3, 4, 9, 10, 19)



#### Please complete all questions and return within 3 business days.

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: <u>Samir Yono</u>	Signature:	Date: (0/2/202)

### **Planning and Development Services**

7447 E. Indian School Road, Suite 105, Scottsdale, AZ 85251 + www.ScottsdaleAZ.gov

# Tab C

ACC			eCorp se	arch File	IA
ACC		Search	i for sn Entity Name		
Entity Information					
Search Date and Time: 8/20/2021 1:13:26 PM					
Entity Details					
Entity Name: Entity Type:	OLDTOWN1 LLC Domestic LLC	Entity ID: Entity Status:	23152275 Active		
Formation Date:	11/18/2020	Reason for Status:	In Good Standing		
Approval Date:	11/18/2020	Status Date:	11/18/2020		
Original Incorporation Date:	11/18/2020	Life Period:	Perpetual		
Business Type:	Retail Trade (44)	Last Annual Report Filed:			
Domicile State:	Arizona	Annual Report Due Date:			
Original Publish Date:		Years Due:			
Statutory Agent Information					
Name:	Samir Yono	Appointed Status:	Active 11/18/2020		
Attention:		Address:	8776 E Shea Blvd, #1 SCOTTSDALE, AZ 852		
Agent Last Updated:	11/18/2020	E-mail:			
Attention:		Mailing Address:	8776 E Shea Bivd, #1 SCOTTSDALE, AZ 852		
County:	Maricopa				
Principal Information					
Title Name	atention Address	D	ate of Taking Office	Last Upda	ited
Member and Manager Samir Yono	8776 E Shea Blvd, #1	06-310, SCOTTSDALE, AZ, 85260, USA		11/18/20	20
Member and Manager Vanessa Yono	B776 E Shea Blud #1	.06-310, SCOTTSDALE, AZ, 85260, USA		11/18/20	20

### Application Kits & Forms Frequently Asked Questions Liquor Law Training Liquor Laws About DLLC

### DLLC

### Arizona Department of Liquor

ENHANCED BY G

Q

License Search				
Renewals	License Numbe	er: 0090700135	522	
Liquor Board Hearings				
Restaurant Audits				
Liquor License Lottery	License Number:	009070013522	Status:	Inactive
Contact Us	Business Name:	OLD TOWN SCOTTS	DALE LIQUORS	
Prevention Unit	Location Address	4165 N CRAFTSMAN	l Court	
Required Documents		SCOTTSDALE	Arizona	85251
	County	Maricopa	Bus. Phone	602-770-4964
Annual Production Report	Licensee/Agent/Tel:	YONO, SAMIR	602-770-4964	
Business Data Report	Owner:	OLDTOWN1 LLC	Exp Date:	12/31/2021
Direct Shipment (17W)	Issue Date:	04/14/2021	Status Date:	04/14/2021
Request Sampling Event Liquor Violations				
Report Liquor Violations				

### Cordova, Rommel

From: Sent: To: Subject: Attachments: Curtis, Tim Friday, August 20, 2021 6:29 PM Cordova, Rommel FW: Letter of opposition to 38-LL-2021 38-LL-2021.pdf

From: Jude Nau <jude.nau@bwsundial.com> Sent: Friday, August 20, 2021 6:04 PM To: Curtis, Tim <tcurtis@scottsdaleaz.gov> Cc: azsonnie@gmail.com; Boyce Obrien (bobrien@stockdalecapital.com) <bobrien@stockdalecapital.com>; Shawn Yari <shyari@stockdalecapital.com>; Harriet Polk <harrietpolk1@gmail.com>; petersoninteriors@hotmail.com; iamfitness@aol.com; lcorieri@aol.com; laurelpacult@hotmail.com Subject: Letter of opposition to 38-LL-2021

External Email: Please use caution if opening links or attachments!
Hello Tim,

Please see attached. I have also completed the online form to speak at the 8/24 meeting.

Feel free to contact me with any questions.

Have a nice day,

Jude

Jude Nau Owner Best Western Plus Sundial 7320 E Camelback Road Scottsdale, Az. 85251

<u>www.bwsundial.com</u> Hotel: 480-994-4170 cell/text: 480-440-8669



Dear Mayor Ortega and Scottsdale City Council,

8/20/2021

Regarding the proposed Liquor Store 4439 N Saddlebag Tr. I urge you to recommend denial.

#### Public Safety:

The Scottsdale PD statement Recommends NO, SPD obviously OPPOSE the application and site MAJOR LIFE SAFETY ISSUES "This is in the center of our entertainment district. The potential for patrons purchasing alcohol and then consuming on the street is high. The possibility of alcohol purchase and consumption immediately prior to or after venue attendance is an additional area of concern. These factors increase the potential of disturbances and altercations surrounding the establishment. Lastly, if a special event is to be held this would be an access point for additional alcohol sales."

#### Parking:

Contrary to the applicant's weak impact study, the surrounding street network does NOT provide sufficient access to this 2AM business. The Scottsdale PD closes Saddlebag Trail completely during the peak hours of the Entertainment District. There is a total of ZERO available parking spaces during peak hours and little to NO parking the rest of the day.

Public Notice and Proximity:

I will share this with my neighbors to make them aware of the request as few if any have been notified. Alcohol is easily accessible from Circle K, Sprouts, Frys and Safeway and I do NOT feel those living within the downtown area will patronize this proposed business nearly as much as the out-of-town herds of bachelor party attendees.

When the applicant's representative asked to me to sign a "legal" petition supporting the proposed I asked her the name of the owner, she replied "I do NOT know his last name" additionally the names she presented to me on her signature collection page were NOT business or property owners, and I doubt they are a stakeholder in our community.

#### I respectfully challenge all the signatures of support the applicant presents to the city.

The current stakeholders and Scottsdale PD have done a good job maintaining our clean streets and current quality of life. The proposed Liquor store promises to bring an undesired element, negatively impacting our downtown Scottsdale Neighborhood.

Please forward a recommendation of DENIAL for Liquor License Request 38-LL-2021

Sincerely,

Juch Kan

Owner Best Western Plus Sundial

### Sundial

7320 E. Camelback Road, Scottsdale, AZ 85251 P: (480) 994-4170 Reservations: (800) 528-1234 bestwestern.com

Wherever Life Takes You, Best Western Is There.\*

Each Best Western' branded hotel is independently owned and operated.

### Cordova, Rommel

**External Email: Please use caution if opening links or attachments!** Greetings,

Please find the attached opposition letter for item 38- LL-2021

**Bill Crawford** 

#### 08/20/2021

Re: Proposed Liquor Store 4439 N. Saddlebag Trail # 38 LL-2021

Greetings Scottsdale Mayor and Scottsdale City Council Members,

As you may know, I am a twenty-four-year downtown Scottsdale business owner. I have worked with the Entertainment District, the non-entertainment business community, and the residential neighbors for many years to ensure compatibility and safety downtown. Early in the rapid success of the Entertainment District, we identified several issues and worked with the city to solve these problems, which included six policies and ordinances that have served us well for many years.

Now before you is a proposal that is a very bad idea.

If approved, this proposal will be detrimental to the surrounding entertainment businesses, nonentertainment businesses and the nearby residents.

The main issue is public safety. The Scottsdale Police Department has spent considerable time and resources developing policies and procedures for the nightclubs which are closely followed. These include de-escalation training and safeguards to protect everyone from overserving.

If approved, having a liquor dispensary imbedded in the center of the nightclubs will make it impossible to protect against overserving.

The inclination of predictable human behavior tells us this is extremely problematic.

Along with the overserving issues will be littering. The alcohol will be consumed on public streets and in parking lots, and we will return to the days of massive clean-up as we had before the littering ordinance. Do we really want valuable law enforcement resources spent on monitoring the disposal of massive amounts of containers? Many of these containers are glass, which present additional health and safety issues when they break.

Yes, there are businesses that sell alcohol nearby, but bringing it into the Entertainment District requires several steps. It is inconvenient and there are barriers making it difficult, and in some cases, illegal. This proposed operation will provide seamless, convenient accessibility to uncontrolled, unmeasurable consumption.

Also, the quantity of alcohol sold, as with most liquor stores, will be in pints and quarts. Bad idea. We must also consider the impact on DUIs.

I'm sure the applicants are nice people with an entrepreneur's concept that would bring benefit to themselves, but it will also bring serious, unmanageable problems for the Entertainment District and the citizens of Scottsdale. I know it's in our ideology not to regulate free enterprise, but the first responsibility of government is public safety. You should not approve this proposal.

Thank you for your consideration regarding this matter.

Bill Crawford

Owner, Basic Training MedX

### Cordova, Rommel

From:	George Pasquel <george@witheymorris.com></george@witheymorris.com>
Sent:	Monday, August 23, 2021 1:32 PM
To:	City Council
Cc:	Ryan Hibbert; Curtis, Tim
Subject:	Opposition Signatures - Old Town Liquor - 33-LL-2021
Attachments:	Opposition to OldTown Liquor Store LL.pdf

**A External Email: Please use caution if opening links or attachments!** Dear Mayor and City Council;

Please see attached signatures of opposition from Downtown property owners and businesses regarding the proposed liquor store at 4439 N. Saddlebag Trail (38-LL-2021), currently scheduled to come before you tomorrow (Tuesday) evening. As I am sure you are aware, opposition to this application is near unanimous.

Thank you for your consideration.

George A. Pasquel III Withey Morris, PLC 2525 East Arizona Biltmore Circle Suite A-212 Phoenix, Arizona 85016 Office: 602-230-0600 Fax: 602-212-1787 george@witheymorris.com www.witheymorris.com





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Mayor David D. Ortega Scottsdale City Council Members 3939 N. Drinkwater Blvd Scottsdale, AZ 85251 <u>CityCouncil@ScottsdaleAZ.gov</u>

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We urge you to do your research on this application and to ultimately deny this request.

Thank you

Alex Mundy

Owner, Rockbar Inc.

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We urge you to do your research on this application and to ultimately deny this request.

Muelule Billsley Michae Billsrey Ston suede 7369 E stetson DR #102 Slottsd Ale, AL 85251

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<u>AL: Lynch</u> 7314 E Stelsa Dr. Scotlibne MZ 85251

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1345 Shuemen Ln

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Chur Ferguson Chare Ferguson 4422 N. CNR Center Plaza Scottsdale, AZ 85251

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1200 offices of Come 4356 N. Civic Cent Scotts d>1e, AZ 855

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Perhaps even more concerning than the concept itself – are the operators that are behind it. <u>A simple Google search of those who would purchase the building and/or operate the</u> <u>liquor license reveals a long list of nefarious activities and arrest (soliciting minors!!!)</u> <u>clearly not deserving of the Council's blessing to operate a liquor license in Downtown</u> Scottsdale.

Additionally, recent and significant efforts and investments have been made to transform this area from "bar and club" district, to a more sophisticated, mixed-use area appealing to a more mature demographic of patrons and residents. This vision has been supported by property owners, operators, supporters of Downtown and by the City. The introduction of a liquor store would be a complete contradiction to these efforts and would mark a significant setback for the area.

We urge you to do your research on this application and to ultimately deny this request.

OHN DOWLAS

JOHN DOUGLAS ARCHITECTS 4900 N. CIVIC CENTER PLAZA KOWNER 7

### Subject: Liquor License Application in Downtown (38-LL-2021)

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Thank you

### Cordova, Rommel

From:	VAV GLOBAL <vavglobal@gmail.com></vavglobal@gmail.com>
Sent:	Tuesday, August 24, 2021 8:28 AM
То:	City Council
Cc:	Butteweg, Cathie; Cordova, Rommel; Garcia, Nicole; Bailey, Christian - 1150; Curtis, Tim
Subject:	Re: Old Town Liquor
Attachments:	oldtown 1 packet.pdf; support signatures.pdf

A External Email: Please use caution if opening links or attachments! Hi City Council,

Please see attached information packet for Old Town Scottsdale Liquor as well as favorable signatures for the location transfer. I will bring hard copies of packet for your reference as well.

Please note there continues to be opposition signatures based on false information in regards to the liquor license owner which should be withdrawn for the city council meeting. Having people sign a document based on false information should not be accepted nor is appropriate behavior from a law firm. As you are aware the liquor board and police department do a complete background check and fingerprinting for applicants. Also as I mentioned that Samir has been in the community for over 30 years and has had over 10 liquor licenses in Scottsdale, Phoenix, and Fountain Hills.

Thank You Vanessa Yono

On Aug 20, 2021, at 3:59 PM, VAV GLOBAL <<u>vavglobal@gmail.com</u>> wrote:

Hi Betty/Solange/Tom,

I received information from The City of Scottsdale in regards to case for Old Town Liquor and I wanted to clarify some points that were discussed incorrectly.

1. Samir Yono and Vanessa Yono are the agents with no other joint ownership. They <u>do not</u> have any criminal records. Samir Yono has had several liquor licenses in the City of Scottsdale, Fountain Hills, and Phoenix with no violations. He has always been involved with the community and is great friends with Mayor Kate Gallego and previous Fountain Hills Mayor Jay Schlum.

2. This will be a very high end liquor store with bottles ranging in the thousands of dollars and catering to high end clients and high end hotel guests.

3. There will be no neon signage and all finishings will be high end and designed to fit the entertainment district.

4. This liquor license has already been approved by The City of Scottsdale and is only being submitted for a location change.

Hope that information helps and let me know if you need anything else.

Regards,

Vanessa

# OLD TOWN SCOTTSDALE LIQUOR

## **INSPIRATION**

The concept is inspired by several liquor stores that are currently located in entertainment districts located in major cities. Two major liquor stores we studied that are succeeding in San Diego, CA noted below:

- Harbor Market- Located in downtown San Diego on the ground floor of the 5star InterContinental hotel.
- Gaslamp Liquor-Located in San Diego's Gaslamp Quarter

## **EXECUTIVE SUMMARY**

Old Town Scottsdale Liquor is a licensed liquor store to be located in Old Town Scottsdale.

Being a retail liquor store, the products on sale will include a variety of brands including assorted wines, beer, and liquor.

This will be driven by a professional and friendly customer service that will make customer satisfaction a top priority. In addition to walk in service we will be on major delivery apps.

## **OUR PRODUCTS**

The products we offer at our store are carefully selected brands and assorted types that include wines, liquor, spirits and even non-alcoholic beverages among a wide range of drinks and snacks available for sale to our clients.

## **MISSION STATEMENT**

Our Mission at Old Town Scottsdale Liquor is to have a store that provides unbeatable services to our highly esteemed clients through the availability of the widest range of drinks and snacks to accommodate the needs of all our clients and also ensure that they always come back.

## COMPETITIVE ADVANTAGE

Our competitive advantage is our unique services which include the sale of high-quality liquor, wine, beverages, snacks, etc. Also, our customer care service will be among the very best within the industry.

## TARGET MARKET

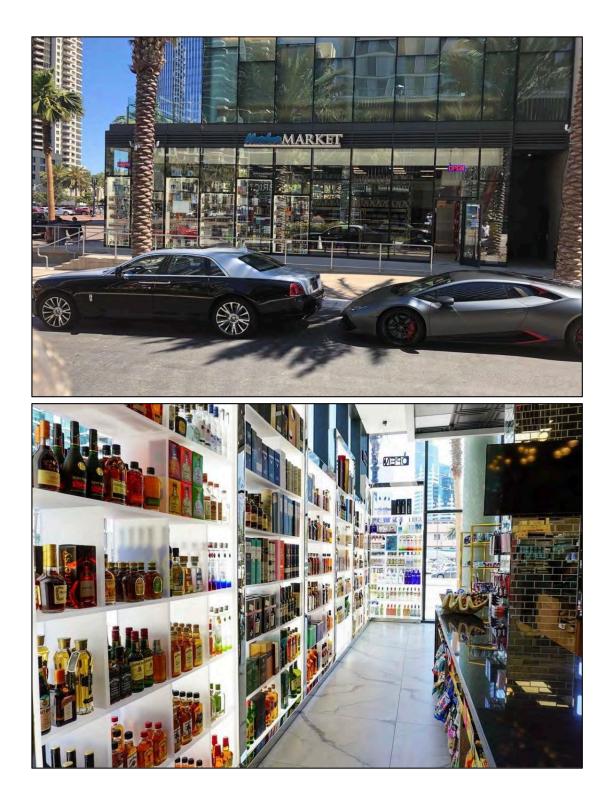
At Old Town Scottsdale Liquor, we already have a target market of clients who we intend to serve and treat with hospitality. Being in Old Town Scottsdale we will serve the many hotels and nearby residential which includes homes, apartments, and condominiums.

- In a 3 mile radius there is 99,094 population
- In a 3 mile radius there is 47,030 households
- Nearby Hotels: W hotel, Best Western, Aloft, Hyatt House, Hyatt Place, Marriott, Hilton Garden Inn, The Scott, Embassy Suites, Howard Johnson, The Saguaro
- Over 9 million estimated visitors a year to Scottsdale
- Nearby residential complexes: MZ Scottsdale, Camden, The Cortesian, San Marin, Broadstone, The Palladium, Oasis, 4020 Lofts, Optima

## **KEY NOTES**

- During the peak bar hours 10pm-2am
  - We will be limiting the amount of clients entering
  - We will have security
  - We will be prioritizing delivery service during this time through apps like Drizly
- Building has been vacant for over 7 years
- You can walk into any bar and purchase a full bottle of unopened liquor and walk out with it.
- Liquor stores in entertainment districts are already succeeding in major cities. We worked with liquor stores in downtown San Diego to get an idea of the high end assortment and fixtures.
- Experienced owner that has had over 10 liquor licenses with no violations in Scottsdale, Fountain Hills, and Phoenix.
- Discussed the case with security guards at the bars in the entertainment district which had no concerns with safety.
- High end concept with fixtures and design to fit the entertainment district.
- Amount of bars/restaurant within walking distance is almost identical to already approved location. Advantage to new location is visibility from main street and residential and hotels nearby.

## **CONCEPT IMAGES**







Oasis Café Anwar Nakib 4441 N Buckboard Trail Scottsdale, AZ 85251

Reference: Old Town Scottsdale Liquor Liquor License (38-LL-2021)

I would like to show support for the approval of Old Town Scottsdale Liquor License (38-LL-2021). This will be a welcome addition to the Entertainment District and I do not see this causing any issues for safety. This will help to make the entertainment district more upscale and bring retail to the area.

Thank You,

Anwar Nakib

Hello Venessa,

I have worked at Levrose Commercial Real Estate since 2007. Our office is located to the east of the Entertainment District, so I'm very aware of the developments and area. I feel with all the residential and hospitality development happening in the area, there is a definite need for a high end liquor store. The store will be located within walking distance of the residents in the area, as well as visitors staying in the hotels.



Please consider this as a formal notice for support of Liquor License Request for 38-LL-2021 Old Town Scottsdale Liquor (149934) at 4439 N Saddlebag Tr.

- 1. It will cater to the residential areas and hotel guests in the immediate area by providing beverages, snacks, and household goods.
- 2. This will serve the community by bringing employment and City tax dollars. The building has been vacant and an eye sore for many years.
- 3. The operators are experienced and have had several liquor stores in the community.

7979 E Camelback Rd Printed Name and/or Signature **Business Affiliation** # 110 Scottsdale AZ 85251 pather Kene 4725 N SCOTTSOALE JOITN WACKER SCOTTSOACK AD ESSOT 4725 N Scottsdak 120 Morgan Wester stottsdale AZ 85251 4725 N Scottsdale RD Mathew Mamella Scottschale AZ 85251 4725N Scottsdale Jern-Luc Criveby 12D Stottsdele A7 8522 4725 N. Srottsdale HutaRamos Scottschale A28525 4728 N. Sulhaly Subbit At 85281 Giovanni Capps 4725 N Scottsdale Keminyton Logue Scottsdale AZ 85251 4725 N Scottsdale Scattsdale AZ 85251 Josh Wilson 4725 N Sconsdark R MARK OSTASZEWSKI StotTSDALE, AZ 2005

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Address Signature Printed Name and/or **Business Affiliation** District Mark 1/2 MAJA Marya Maya W Will Phillips iv hotel NITE FENTEEIN hotel 11. 20885 hall Curios findention 11 Hote MACGKONNE BELLON Glass Menking 0 Robert Stringer Z319 E STEKEN Dr. Angelo Antonin: Bruce Rebert

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Address Signature Printed Name and/or **Business Affiliation** Oasis Amber Perez 4144 W Chic Cepter Alyssa Altogr 4414 N. Civic Genter Plaza Savrett Redicini 4414 N Civic Center Plazen Hunter Chasse Chris Hunh 4414 NCivil Centr Plata W. Mc Caber Proce Mother (EDNARD 4414 N civic center Plaza Dalton Riep Sattsdale 11 Lundon Mikernan 444 N. Civic Conter Plaza Scrifsies Jenna Moore 4414 BOWSEr N. UN

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Address Printed Name and/or Signature Mina Pappay DI Foshion square 4545 N Scottsdale Kandice , 51 4545, W Scottsdalr Mason Mans rd -4545 N. Scottsdale ponna Wirtel The Wirth kd 103 4545 N. Scottsdald Rd. #101 ANN 5 RISHELL 4545 N. Scotts dale Erica Davis US45 IV. Southsbake Jon Zahorshi RC# 101 4275 N. Scottsdale Rd. Javannah Watters Scottsdale, AZ 85251 4725 N SCOTTSDALER TRAY TOBUJES SCOTISOALE, AZ 8525 UPRS N, Soffacel Exoffedde AZ 85251

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1340 N 44th St Printed Name and/or Signature **Business** Affiliation Greunten phoenix 85302 michele Baunboldye 7055 E Camelback Ad. Rizar del Rosario 35251 AZ 9445 7055 E Camelback R& Mancy Johnston 85251 ASSAST HOUSED Francisco OSOMio 2 7655 Ecumulouse VA Kim Dellieser TOSS E Canblack Rd 7055 & Carnelback Rol ANDA David Potta 18525 N Scottsdale AZ Sunny Constalio Michell Il conic 480-570 -0171 Vilvar 6 ARTHER Josh Rus

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Address Printed Name and/or Signature 2016 W. ORange mood a **Business** Affiliation PLanix, Az OSODI Steven Kuasny mercedos benz of Scotts dale mph 12 8500 NBZ SUSOL MB scotteld 4414 N CIVIC Center Branden Mondrag HIL N. Civic Cast AULS 4414 N. Civic Conte lan wormer 49/4 N CIVIC ECNIER 4414 N, Civic Ceta Haz Joe Cosque

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Address Printed Name and/or Signature Cultured Capavas **Business** Affiliation ATC PINIDA KYK Scottsdalle RD Feder on Alexis Landeros Scottsdall. 4513 Halie Munizza Scottsdale STE 114 KSS ABY MALLETT Mattress Firm Carel buck & southshall Month few Contremes 4545 N. Scottsdele Riverton Piana Heuken RESSLER 4545 M. Sunsdale Troy Skigh Rd. Jours 454CN SCHEDGER FO

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Address Printed Name and/or Signature **Business Affiliation** Romond Souls RA 44411 Buckboned Tack Reymond Garales 4441 BuckLoned Tosl Amthow cea Anthony Crain Casa Amigos UESSICA Kochan P. 1 655 1200 AmigDr hunor lay M Cish ang russ 05 Zoë Schnierow Casa Amigos Hmigers lear CHIM ZASA anit ordan M AROAM

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Address Printed Name and/or Signature **Business** Affiliation, Lancomi/cosmetic, If Jinhee Callahan Urban Outfitters Jazmine Hawkins Owen Theyes Urban Outfitters Macy Fasher Spee F. ORTWEIN TLOLD avah Martiv Marca 2010 GRAN NEORI 0 Q1 law 10 Nata 29 050 Macys Jennifer Lopez enni emma macys 1P

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Address Signature Printed Name and/or Business Affiliation / hards. Misille ()asa rlee Pivera Marcus Williams gos Pron migos hiskey Row Gran Summer Son JAUNE

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Address Printed Name and/or Signature Clinique **Business Affiliation** GIVI Fort ONI Ashley Meyer rainey Rhodehouse \* Olive 3 IVY Refine Mens Salon Jacon webb 7055 E CAMELBAUE Rd Scottsdale AZ 8525 Ferrazas 7055 E Canelback Edgar Tomines Scottsdele Az 85257 7035 & Gamelback Bd Grvin Mancio Scottsdyle AZ 85051 7055 E Camelback Alexis Johnson rol scottsdate AZ 85251 7055 E comelback Rd Kyle Vincent-moore Scottsdale, AZ 85255

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Signature	Printed Name and/or Business Affiliation	Address
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A Contraction	Gunner Sinnet	+ 4414 N Civic Center + Switc 100, Scottsdule AZ 8025
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min	- Amy Bryan	11 11

### Cordova, Rommel

From:	Curtis, Tim
Sent:	Tuesday, August 24, 2021 2:19 PM
То:	Cordova, Rommel; Butteweg, Cathie
Cc:	Garcia, Nicole; Santaella, Luis
Subject:	FW: Opposition to liquor license application (38-LL-2021)

From: tim timlasota.com <tim@timlasota.com>
Sent: Tuesday, August 24, 2021 2:17 PM
To: Curtis, Tim <tcurtis@scottsdaleaz.gov>
Subject: Opposition to liquor license application (38-LL-2021)

A External Email: Please use caution if opening links or attachments! Dear Tim:

I write to urge the City Council to recommend denial of liquor license application 38-LL-2021 to the State Department of Liquor Licenses and Control.

There is no place in the state like downtown Scottsdale. We must make sure that it stays that way. The problem with this liquor application is that, because of the particulars, presents "*The possibility of alcohol purchase and consumption immediately prior to or after venue attendance is an additional area of concern. These factors increase the potential of disturbances and altercations surrounding the establishment*" according to the Scottsdale Police Department.

This is the reason that there is so much opposition to this application from the people closest to this--those doing business in the immediate vicinity of this, who will have to deal with the negative externalities of this should the applicant be granted the license. There are currently over 20-30 business owners within one mile that oppose this application of the proposed premises--the Council should listen to them.

It doesn't take much forethought to have an idea where this new establishment would take us:

• This liquor store applicant's customers will be foot traffic from the entertainment district, that will possibly be people that have been cut off from further alcohol use at well-managed and regulated bars.

<u>On this point, I can speak from some experience</u>. If I were 25 years younger, I would have loved the idea of this liquor store because I would have taken advantage of it to go drink much cheaper liquor in allies, parking lots etc. Of course, back then I used to drink too much, use "outdoor" bathroom facilities, and get kicked out of bars such as Craig's Place and Martini Ranch.

• This proposed business will contribute to the area devolving from high-end.

• Additionally, there is a high likelihood this liquor store application will attract vagrancy, homelessness and people looking to cruise the downtown for cheap liquor.

For the reasons cited above, I urge that the City of Scottsdale oppose this application for a retail liquore establishment at the 4439 Saddlebag building in Scottsdale.

Thank you.

Timothy A. La Sota 2198 East Camelback Road, Suite 305 Phoenix, Arizona 85016 Telephone: (602) 515-2649