

**CITY OF TEMPE
DEVELOPMENT REVIEW COMMISSION**

**Meeting Date: 10/22/2013
Agenda Item: 5**

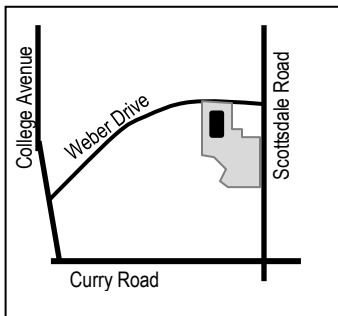
ACTION: Request for an Appeal of a denial by the Hearing Officer for a Use Permit for live entertainment at a reception hall for RIO SALADO CENTER – ELEGANT RECEPTION HALL, LLC located at 1290 N Scottsdale Road, Tempe. The appellant is Arnaldo Matos.

RECOMMENDATION: No staff recommendation on appeals.

FISCAL IMPACT: N/A

BACKGROUND INFORMATION: RIO SALADO CENTER – ELEGANT RECEPTION HALL PL110435 is located on the south side of Weber drive west of Scottsdale Road on the north end of a commercial center. The applicant has an existing Use Permit for live entertainment that was conditioned for twelve months, requiring review of the conditions and application for a new Use Permit for the following:

UPA13002 Appeal of the denial of a Use Permit to allow live entertainment at a reception facility.



Property Owner	Arnaldo Matos
Appellant	Arnaldo Matos, Elegant Reception Hall, LLC
Zoning District	PCC-1, Planned Commercial Center
Parcel Size	237,055 s.f. / 5.442 acres
Building Size	56,205 s.f.
Suite 120-122 Size	5,953 s.f.
Parking Required/Provided	119 for use, 331 for center per ZDC / 271 provided on site per approved time of use parking model.
Bike Parking Required	3 spaces for use
Live entertainment hours	9am to 10pm Sun-Thurs, 9am-12am Fri-Sat
Occupancy	300 Limited by Condition

ATTACHMENTS: Development Project File

STAFF CONTACT: Diana Kaminski, Senior Planner (480)858-2391

Department Director: Dave Nakagawara, Community Development Director
 Legal review by: N/A
 Prepared by: Diana Kaminski, Senior Planner
 Reviewed by: Steve Abrahamson, Planning & Zoning Coordinator

COMMENTS

Elegant Reception Hall is located on the north side of a multi-tenant commercial building located south east corner of Weber Drive and Scottsdale Road. The property has multi-family residential to the north and west, commercial to the north east and east. Land to the south is being developed as multi-family residential, and property to the southwest is zoned industrial but used primarily for light industrial office use. The building is approximately 140 feet from the nearest multifamily residence and 340 feet from the nearest single family residence. In 2010, a Use Permit for Pulse Teen Dance Club was approved subject to conditions; the Teen Dance Club later closed. In 2012 PJ Properties requested a Use Permit for a reception/event hall to have live entertainment (i.e. Wedding Receptions, Quinceaneras, Bar Mitzvahs and business meetings/seminars). The entertainment to vary per events and including DJ's, dancing and live bands. The Use Permit for live entertainment was approved with a condition that *the Use Permit is valid and operable only for the specific use for twelve month period and will cease on 6/3/13 as allowed per Section 6-308 (L)*. The applicant returned to the Hearing Officer to request a new Use Permit for Live Entertainment in compliance with this condition. Conference and assembly uses are allowed in the PCC-1 zoning without a Use Permit, live entertainment requires a Use Permit. The Use Permit request is not for renting the hall out for outside events, it is for the ability to have disc jockeys or bands or karaoke as live entertainment at these events.

Staff had recommended approval of the Use Permit. The Hearing Officer denied the Use Permit based on the calls for service to the whole property, the lack of an onsite business manager for the reception hall, and the public input, The applicant is appealing the decision of the Hearing Officer, based on further analysis of the calls for service, review of the security plan, and the recent hire of an experienced business manager for the reception hall. The applicant is also making modifications inside to further mitigate the complaints of the closest single family residence. Since the hearing, there has been one call from a resident of the multi-family community to the west, and additional calls from the original residents in attendance at the hearing. Staff allowed the business to continue with previously scheduled events, that were booked when the use permit was in effect, through the duration of the appeal process.

After the Hearing Officer Denial, the applicant attempted to find a new manager for the business. He began lease negotiations with a church, the Royal Priesthood Fellowship, to use the site for their place of worship, and manage the reception hall as a wedding chapel for revenue for the church. The church use is an allowed use, the reception hall as a function of the church, ancillary to the main use is also an allowed use; live music as part of a place of worship does not require a use permit. The use of the reception hall with live entertainment as a primary use requires a use permit, similar to a day care at a church that operates daily, as a primary function not ancillary to the place of worship. The Church could apply for a new use permit, but chose to work with the property owner on the appeal process which has been underway since July. The representative from the church provided additional information, provided in the attachments, to outline the organization, experience and intent for the use permit for live entertainment for the reception hall.

POLICE INPUT

A police report at this address indicated there were 111 calls for service from June 1, 2012-June 1, 2013, however the majority of these calls were attributed to other uses, or off-site activities that were reported at this address. Police indicated at the hearing that several of the cases that were attributed in the Hearing Officer report to this business were not related to the business. In the past year, there were eight calls related to Elegant Reception hall, they were all complaints for loud noise from one residence.

PUBLIC INPUT

A neighborhood meeting was voluntarily held on Wednesday October 16, 2013 at the North Tempe Multi-Generational Center. Members of the Royal Priesthood Fellowship Church, the property owner Mr. Matos and his attorney Carolyn Williams, City planning and police staff and approximately 5 residents of north Tempe neighborhoods attended. The church leadership introduced their management team and plans for operating the reception hall as a business. Residents were able to voice concerns about issues that have occurred in the past with other managers of the center. Issues raised were: what security plan will be used, will events that sell tickets to live entertainment be held, how many staff will be in attendance and will they stay for the entirety of events, what will be done to prevent loitering in the parking lot, will they allow re-entry into the facility (past problems with drinking alcohol in vehicles and returning to events), mitigation of noise from music particularly vibration from bass tones. Suggestions were made that events require invitations only with no re-entry for guests, and more patrolling of the parking lot. Ms. Williams read the existing conditions of approval for the Use Permit so that all present would be aware of the expectations staff had for the business to operate. The new security manager stated she intended to work

closely with the Tempe police staff to maintain a relationship of support for the community. The meeting lasted approximately two hours. The informational packet provided at the meeting has been provided in the attachments for reference.

HISTORY & FACTS:

- January 3, 2012 The Hearing Officer approved the request by Rio Salado Reception Center for a Use Permit for a banquet facility with live entertainment subject to conditions.
- February 14, 2012 The Development Review Commission continued the appeal of the Use Permit for the Rio Salado Reception Center.
- April 10, 2012 The Development Review Commission approved the appeal of the Use Permit for the Rio Salado Reception Center by 4-3 vote, thereby overturning and denying the Use Permit.
- May 31, 2012 The City Council continued the review of the appeal of the Development Review Commission denial of the Use Permit for PJ Properties to the 6/14/2012 Meeting to allow for more time to review and approve the security plan for the business.
- June 14, 2012 The City Council heard an appeal for PJ Properties and approved the appeal of the Development Review Commission decision, thereby approving the Use Permit for Live Entertainment at this location. This approval was contingent upon compliance with 20 conditions of approval, which included termination of the Use Permit in 18 months, with a requirement to apply for a new Use Permit by June 14, 2013.
- June 10, 2013 The applicant submitted his request on time to meet the condition of his Use Permit to continue operations of a reception facility with live entertainment.
- July 16, 2013 The Hearing Officer denied the requested Use Permit based on the criteria and information available at the time of the hearing. The minutes from the hearing are provided in the attachments for reference.
- October 16, 2013 The Applicant of the original Use Permit (Appellant of the Hearing Officer decision) held a neighborhood meeting with residents to introduce a new tenant for the suite, who would be managing the reception hall.

ZONING AND DEVELOPMENT CODE REFERENCE:

- Part 3, Chapter 2, Section 3-202 – Permitted Uses in Commercial and Mixed-Use Districts
- Part 6, Chapter 3, Section 6-308 – Use Permit
- Part 6, Chapter 8, Section 6-801-801 - Appeals



DEVELOPMENT PROJECT FILE

for

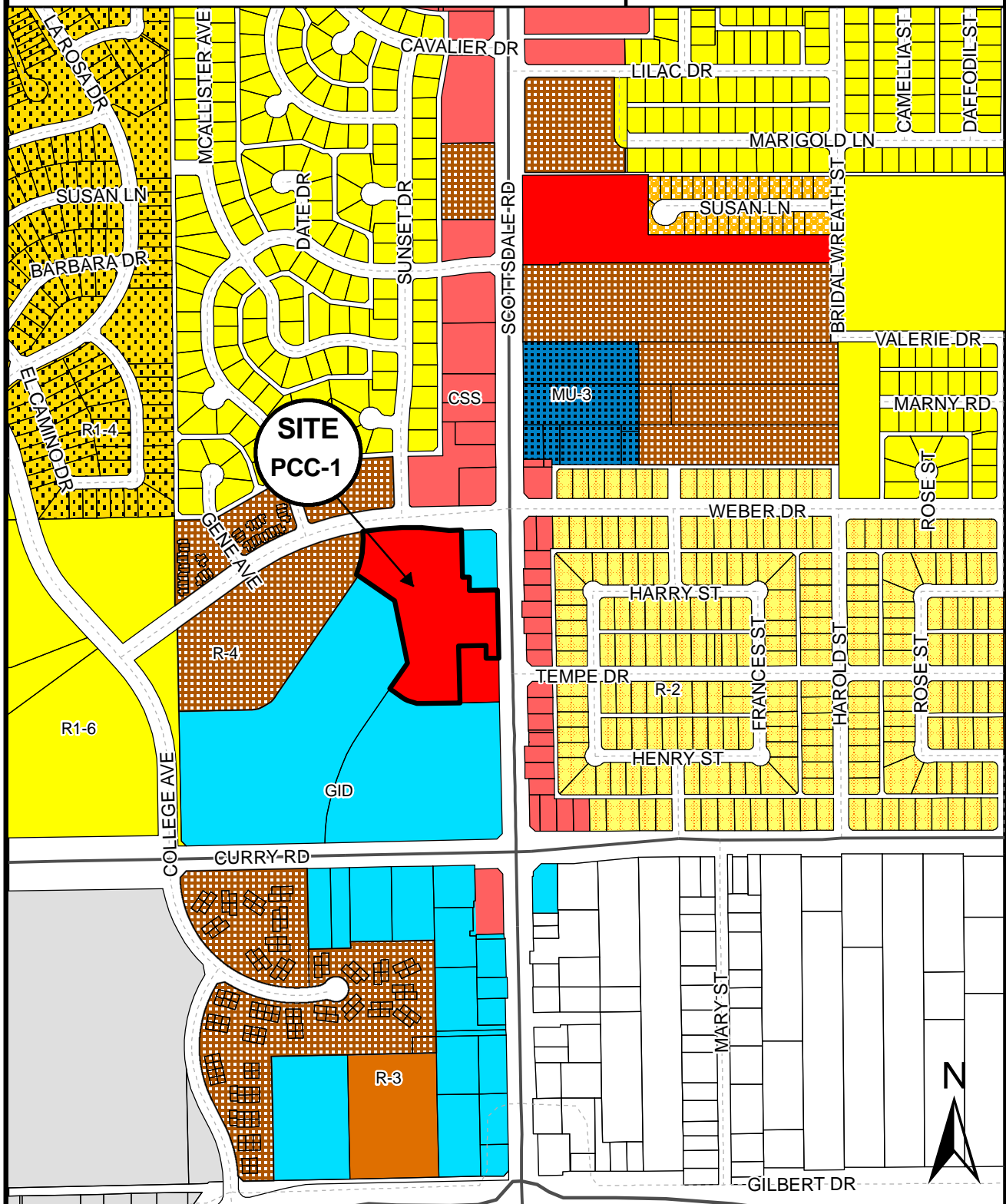
ELEGANT RECEPTION HALL

ATTACHMENTS:

1. Location Map
2. Aerial Photo
3. Letter of Application June 13, 2013
- 4-9. Letter of Appeal October 17, 2013
10. Site Plan
- 11-12. Existing and Proposed Floor Plan
13. Site Photos
- 14-15. Website for Elegant Reception Hall
- 16-19. Calls for Service Police Reports for listed address (*all tenants*) – January 2012 through October 2013 *under prior management*
20. Phoenix Sky Harbor Noise Contour Public Disclosure Map
- 21-23. Decibel Comparison Loudness Chart
- 24-29. July 16, 2013 Hearing Officer Report with staff recommendation and conditions of approval
- 30-37. 1/03/2012 Hearing Officer staff report and minutes for Use Permit - *for Historic Reference*
- 38-47. 2/14/2012 Development Review Commission staff report and minutes for Appeal of Use Permit - *for Historic Reference*
- 48-59. 4/10/2012 Development Review Commission staff report and minutes for Appeal of Use Permit - *for Historic Reference*
- 60-61. 6/14/2012 City Council staff letter and minutes for Appeal of Appeal of Use Permit - *for Historic Reference*
- 62-71. Public Input May 2013-July 2013
- 72-73. Letter from Pastor of Church inviting neighbors to neighborhood meeting
- 74-103. Supplemental packet provided to residents at neighborhood meeting: church organization & leadership experience for reception hall operations.

P J PROPERTIES

PL110435



Location Map



P J PROPERTIES (PL110435)

June 13, 2013

City of Tempe
Community Development
31 E. Fifth Street
Tempe, AZ 85280-5002

Re: Use Permit
Elegant Reception Hall, LLC
12090 N. Scottsdale Road, Suite 120-122
Tempe, AZ 85281

Elegant Reception Hall is a family owned business to accommodate family celebrations and corporate events. We have proven with the last year of operation, to be an asset to the City of Tempe, which prides itself on a diverse demographic population. We cater to all age groups and ethnicities.

Currently, the business operation are from 6:00 am to 1:30 am, however, we would like to change the closing time to 2:00 am, in order to compete with other venues that close at 2:00 am.

Our events range from as small as 20 people to capacity at 300.

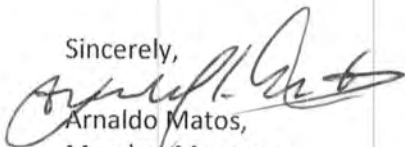
The traffic control has been set by our security plan. Our security staff directs traffic away from neighborhood streets to main roads.

There will be no odor because all food is prepared off premises and brought to the facility. We constantly monitor music levels and crowd control. All exterior doors stay closed during business hours of operation.

Since we opened for business, there has been several calls to the Police Department from neighbors, however, there was never any violations or any citations derived from any of those calls.

The facility being open is a definite deterrent to the drug and homeless problem surrounding the area which is a positive aspect of the operation.

Sincerely,



Arnaldo Matos,
Member Manager

I ARNOLD MATOS owner of ELEGANT Reception Hall would like to APPEAL THE decision to deny my Use Permit for Live Music @ my BANQUET facility.

LOCATION 1290 N. SCOTTSDALE RD
121
Tempe, AZ 85281

Arnold Matos

7-16-13

ELEGANT RECEPTION CENTER

Applicant's Letter of Explanation Use Permit Application

The Rio Salado Center – Elegant Reception Hall (“Elegant Reception Hall” or the “Applicant”) respectfully submits this letter of explanation to accompany our appeal of the Hearing Officer’s decision on July 16, 2013.

The Elegant Reception Hall is an existing business located in three adjoining suites on the south side of Weber Drive west of Scottsdale Road on the north end of a commercial center, at address 1290 North Scottsdale Road, Suite Nos. 120-122 (the “Site”). On June 14, 2012, the Tempe City Council (the “City Council”) approved a use permit to allow Elegant Reception Hall to host live entertainment (“2012 Use Permit”). The purpose of this application is to request renewal of the 2012 Use Permit.

Zoning

The Site is zoned PCC-1, Planned Commercial Center Neighborhood District. The PCC-1 district accommodates neighborhood retailing, services, and entertainment uses oriented to serve the needs of the neighborhood, or community. The PCC-1 zoning district allows a conference or assembly center—such as Elegant Reception Hall—by right. The use permit is required only for the live entertainment portion of the business.

Use Permit History

Since 1996, the City has approved numerous Use Permits for live entertainment on the Site. The businesses that have been granted a Use Permit on this Site include a Studebakers in 1996, a restaurant with live entertainment in 2009, and Elegant Reception Hall in 2012. The Center also received use permits for Goodwill in 2009 and a hookah lounge in 2010.

Last year, the City Council approved a one year use permit for live entertainment with conditions of approval. The City Council’s approval required the Applicant to reapply for the live entertainment use by June 14, 2013. On June 10, 2013, in conformance with the required stipulations, the Applicant filed a Use Permit for live entertainment. On July 16, 2013, the Hearing Officer denied the use permit application.

Use Permit Approval Criteria

The Applicant is requesting a use permit to allow live entertainment in the PCC-1 zoning district. The staff report supports the use permit renewal. The police department’s report shows that the Applicant has complied with the conditions of the 2012 Use Permit. On July 16, 2013 the Hearing Officer considered the request for a renewed Use Permit. At that hearing, the Hearing Officer denied the Application after finding that the Applicant had not complied with the conditions of approval and thus the Applicant failed four of the use permit criteria. The Elegant Reception Hall disagrees with the Hearing Officer’s decision.

One of the main problems that the Hearing Officer had with renewing the use permit was that in July at the time of the hearing, the Elegant Reception Hall had no manager. Since then, the owner of the property on which Elegant Reception Hall sits has negotiated a lease of the facility with the Royal Priesthood Fellowship Church. The Church will be hosting Sunday worship services, bible study classes, and other congregation meetings at Elegant Reception Hall. Additionally, when it is not utilizing the venue for Church meetings, the Church would like to manage Elegant Reception Hall as an event center to supplement its income and further its mission to bring Christ into the marketplace, as explained in more detail below.

1) Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat, or glare at a level exceeding that of ambient conditions

Hearing Officer's Findings: The Hearing Officer found the use was a nuisance arising from vibrations from noise that neighbors said they could feel in their homes.

Applicant's Response: Officer Ferraro testified that only 2 of the 10 noise complaints¹ over a one year time period resulted in a written police report, and no citations were issued and no violations of the Security Plan occurred. Nonetheless, to alleviate any vibrations or noise that may disturb neighbors, Elegant Reception has re-arranged the layout of the live performance stage and speakers inside the facility. This re-arrangement would redirect the sound away from the windows and neighbors towards the back wall of the facility, which adjoins the rest of the commercial complex. Moreover, rather than using the sound technique of "direct sound"—placing speakers on the stage area only and turning the sound up to reach the back—as part of its own congregational needs, the Church plans on remodeling the sound system to use "blanket sound"—when speakers are placed all around the room, directed into the center. Using "blanket sound" allows all people in the room to hear, but the music is significantly lower than when using "direct sound."

2) Contribution to the deterioration of the neighborhood or to the downgrading of property values which is in conflict with the goals, objectives or policies for rehabilitation, redevelopment or conservation as set forth in the city's adopted plans or General Plan

Hearing Officer's Findings: The Hearing Officer found that the use downgraded property values because if the neighbors felt vibrations from noise in their homes, it downgraded their quality of life.

Applicant's Response: The building is approximately 140 feet from the nearest multi-family residence and 340 feet from the nearest single family residence. The neighborhood is also nearby to McKellips Road and Scottsdale Road. As the staff report notes, the parcels to the east and northeast are zoned commercial, and the property to the southwest is zoned industrial. There are a lot of uses which could cause vibrations. Nonetheless, the Applicant believes that the re-arranged layout and well-trained management staff will alleviate this concern.

¹ Officer Ferraro testified that there were 10 noise complaints over the course of the year, but the police report shows only 6 noise complaints in total.

3) *Compatibility with existing surrounding structures and uses*

Hearing Officer's Findings: The Hearing Officer found that the use was not compatible with the neighborhood because of noise complaints by the neighbors.

Applicant's Response: The Applicant believes that the re-arranged layout and well-trained management staff will alleviate this concern.

4) *Adequate control or disruptive behavior both inside and outside the premises, which may create a nuisance to the surrounding area or general public*

Hearing Officer's Findings: The Hearing Officer found there were a large amount of police calls to the complex and that the Applicant did not have adequate control of guests' behavior.

Applicant's Solution: First, the use permit is for live entertainment *inside* the venue only. The use permit is not about the entire Center. The current zoning allows meetings and events at the venue as long as there is no live entertainment. Thus, there is no correlation between the amount of calls to the entire complex and live entertainment.

Second, the indoor live entertainment will not result in any disruptive guest behavior inside or outside the facility. The Applicant continues to comply with the Security Plan approved by the police department and that Officer Ferraro testified was not violated. The Security Plan states that the staff will be logging the security officer's names and locations for each event to prove that it is in compliance. As described below and in the accompanying Community Meeting Briefing Materials, the new management team has decades of experience managing events and there is an assistant manager with extensive security background who will be in charge of security and hiring security vendors.

Third, the police report was not interpreted correctly. At the Use Permit Hearing, Officer Ferraro testified that only 10 of the 111 calls could have been related to the facility, the majority of which were noise complaints, not guest behavior issues.

The vast majority of total incidents—34 calls—were for trespassing or investigating suspicious persons or vehicles. None of these incidents are ones that Officer Ferraro attributed to Elegant Reception Hall. The Applicant has "No Trespassing" signs posted, in accordance with the conditions of approval. The gas station on the corner is open 24 hours. Many times, the gas station patrons park in the Center because of the lack of parking at the gas station. To counter this, the Applicant recently built an approximate five foot wall between the commercial complex and the gas station and posted "No Trespassing" signs on the wall to deter trespassing at the commercial center.

Many of the 111 calls were unrelated to the commercial center. There were 7 incidents of traffic stops or accidents. The Applicant has no control over drivers speeding down the surrounding city streets, so those calls should not be counted against it. Nine incidents were when

an officer requested back-up or the police were investigating, and 8 calls were for welfare/security checks at the center. The police also served a warrant and attempted to locate a person on the property. Per Officer Ferraro's testimony, none of these 26 incidents were related to Elegant Reception Hall. Additionally, the Applicant has no control over police actions, so these should not count against it.

There were 10 calls for *false* 911 calls, burglary alarms, and robbery alarms—none of which were attributed to the Applicant or its guests. The Applicant has no control over other tenants' false alarms.

There were 22 incidents of shoplifting, burglary, theft, and similar crimes, none of which involved the Applicant. These will occur in any retail establishment, despite business's obvious desire to thwart it. The Applicant should not be held responsible for other tenants calling to report these crimes.

Noise complaints should be resolved through the new measures described below in the next section, and the new management and security will continue to dispel any disagreements it may have in the future at Elegant Reception Hall.

New Management and Plans

At the time of the Hearing Officer hearing, the Applicant / Owner was searching for a new manager since the previous manager had recently left on bad terms. The Applicant is finalizing a lease with the Church, who will manage events at the Elegant Reception Hall. The Community Meeting Briefing Materials included in this packet explains the philosophy of the Church and its Senior Pastor, Dr. Francis Myles. It explains their vision of integrating Christ with the marketplace and how they plan to implement that vision. It provides all of the Leadership's resumes, including Elegant Reception Hall's General Manager Ana Hersma who has 18 years of meeting and event planning experience, Associate Manager Linda Reiter, Associate Manager Jacqui Liwag, and the Security and Facility Administration Manager, Demetrius Lester. Ms. Lester has seven years of experience managing security personnel, most recently as the Security Director at Arizona Mills Mall.

Most importantly, the Church and its member managers want to be—and can only survive as—an integral part of the surrounding community. The Church and managers will be onsite for more than just Elegant Reception Hall events. As the Community Meeting Briefing Materials explain, the Church is dedicated to infusing their high standards into the business. This goal recognizes that the Church has its own reputation to protect. The managers are accountable for the work that they do at the facility not only to the neighbors and the City, but to their congregation, their Senior Pastor Dr. Myles, and their God. This is not business as usual.

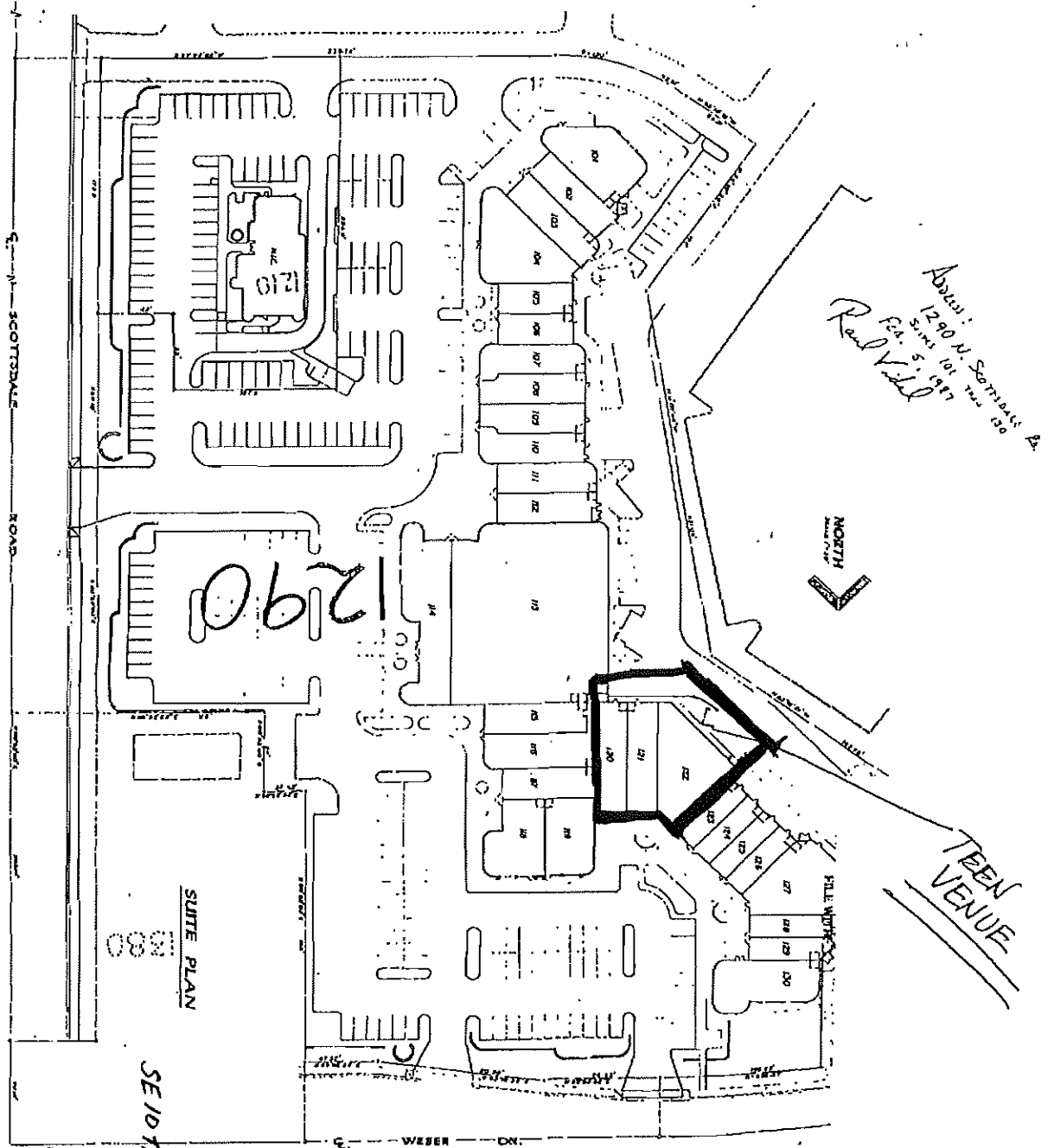
The Elegant Reception Hall has re-arranged the interior layout of the facility to reduce noise or vibrations from the live entertainment. Orienting the stage and speakers toward any windows in the event facility releases more noise and vibrations outside of the facility. Orienting the stage and speakers towards a wall, however, reduces the amount of noise and vibrations that escape outside of the venue. The existing floor plan included in this packet depicts the interior layout of the facility as it

existed earlier this year. The proposed floor plan attached depicts the new arrangement. Whatever the decibel reading outside the facility has been in the past, this change will reduce it further.

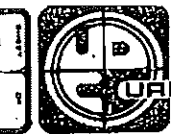
Additionally, the Church has implemented a strict Code of Conduct, which is included in the Community Meeting Briefing Materials, that anyone contracting with the Elegant Reception Hall will have to abide by. The Church will also prohibit all alcohol except champagne and wine. The Church has investigated three different security companies as outside vendors. Ms. Lester has explained to them the conditions of the 2012 Use Permit regarding the responsibilities of security personnel. All security personnel will sign in at the beginning of their shifts, and that log will be preserved. She will have a specialized security plan in place for each event based on the current 2012 Security Plan. She will direct security officers to what position each needs to cover, whether inside or outside the facility. Moreover, as the owner informed the Hearing Officer, security cameras have been installed in the facility recently. The owner now has the ability to log onto a computer or his phone, see the event, and ensure the correct security presence.

Conclusion

The Tempe Planning staff supports this Application. The police department report supports the application. The Church and new sound system plans addresses both the neighbor concerns and the Hearing Officer's findings. As such, the Elegant Reception Hall respectfully asks for your support and looks forward to discussing this with you at the upcoming Development Review Committee hearing.



1290 N. Scottsdale



MERCADO DEL RIO SHOPPING CENTER

URBAN DESIGN CONSULTANTS LIMITED
 ARCHITECTS • PLANNERS • LANDSCAPE ARCHITECTS
 7077 EAST MAIN, SCOTTSDALE, ARIZONA 85251 802-947-3880

DATE: _____
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 REVISIONS: _____

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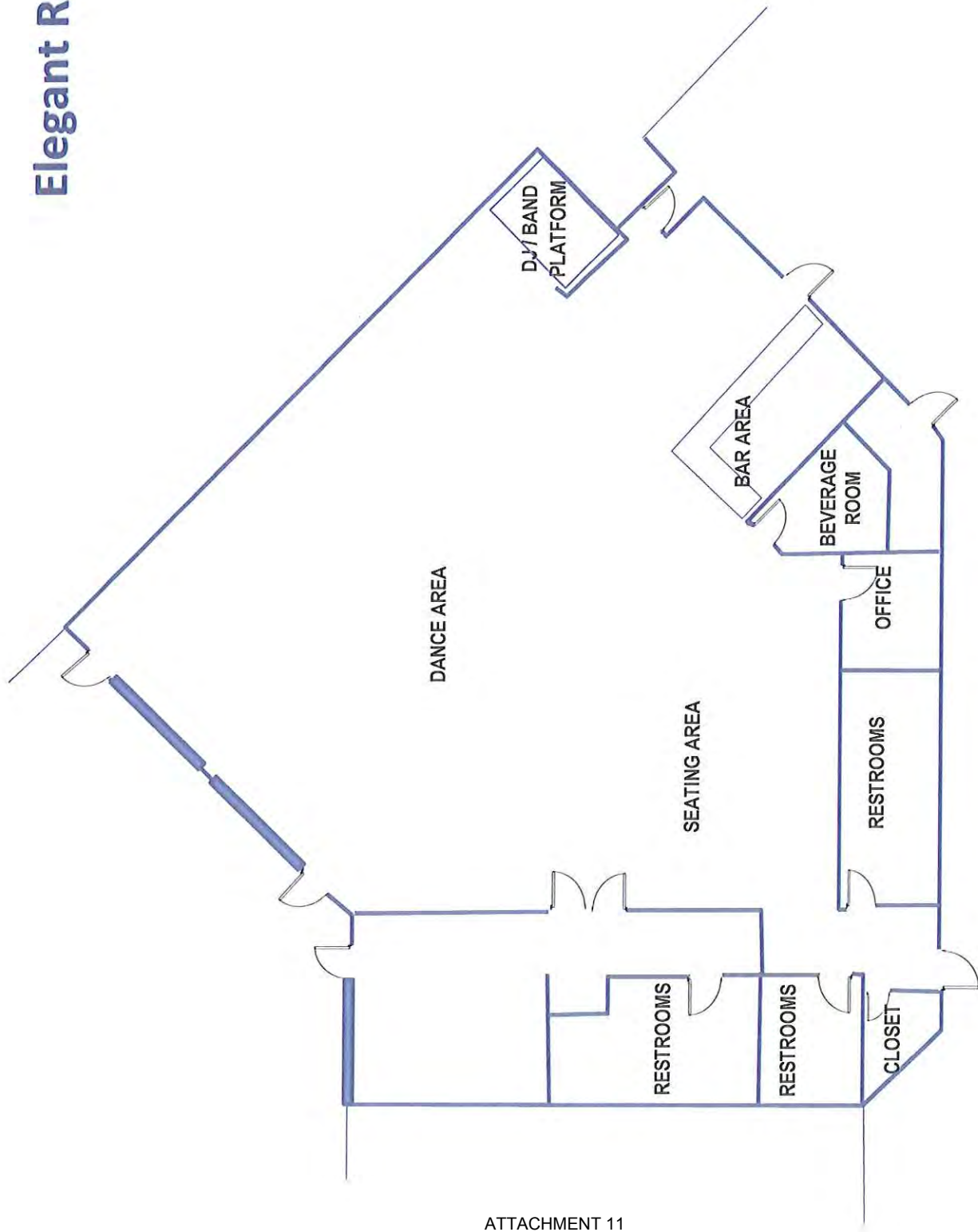
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ATTACHMENT 6

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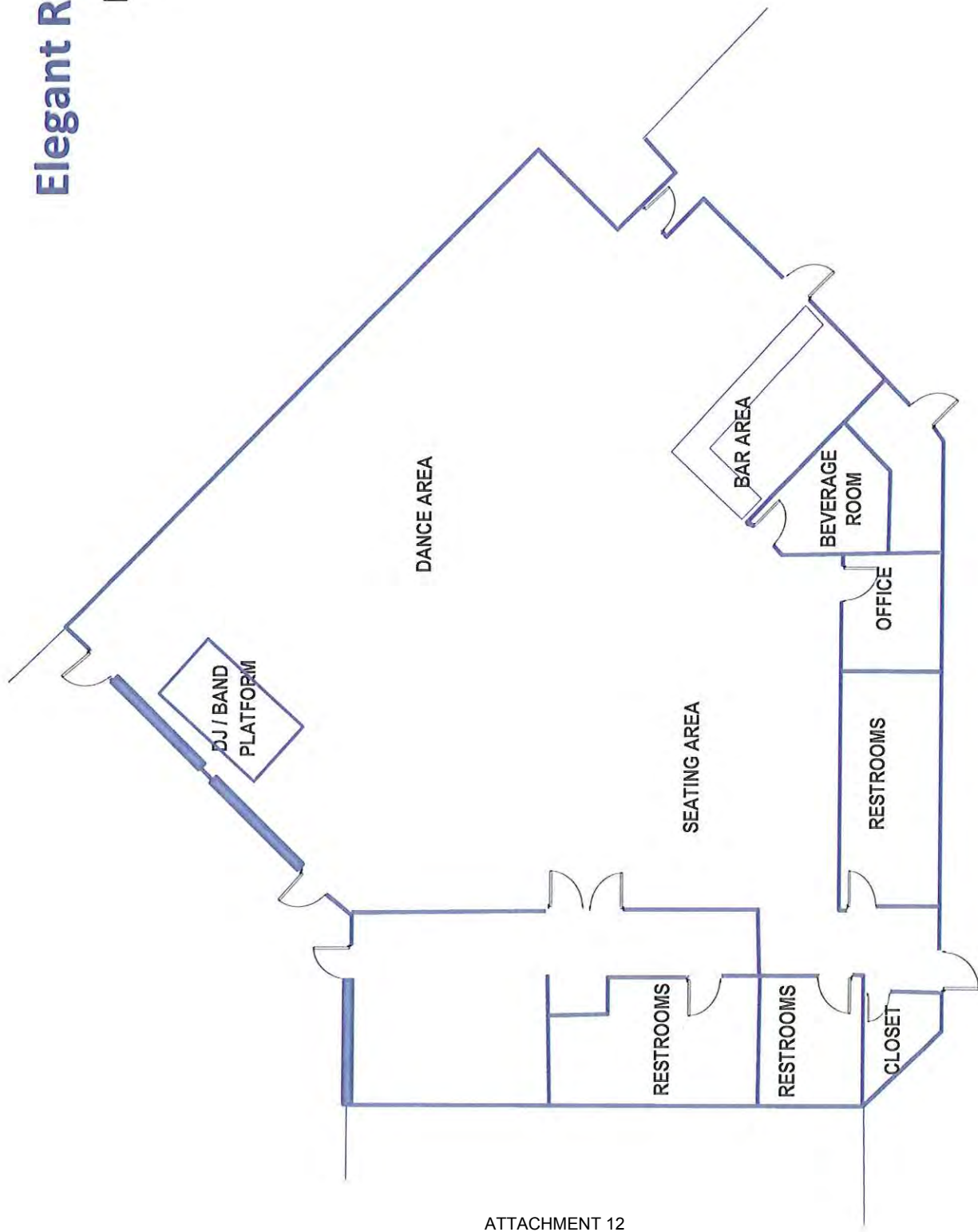
Elegant Reception Hall

Existing Floorplan



Elegant Reception Hall

Proposed Floorplan





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Welcome to Elegant Reception Hall, Arizona's Finest Reception Hall for Weddings, Quinceaneras, and all your events. We at Elegant Reception Hall are dedicated to provide the best possible service. We know how important your special occasion is, whether it's your Wedding or Quinceanera. We are committed to EXCELLENCE!! Our staff are well trained and can cater for all occasions.



Our Reception Hall seating capacity is 300 people. Our hall is a 6000 square feet facility with a dance floor and its own stage. We offer all types of services in our various packages, from Photographers to Limosines, DJ, Spa, and much more. Come visit our new hall and ask about our special deals.

Packages starting at \$500



TEMPE POLICE DEPARTMENT
COMPLETED COMPLAINT SEARCH

Date Report Run : Tue, Jun-11-2013

SEARCH CRITERIA: which_cad='P' and occ_date between '06/01/2012' and '06/01/2013' and address matches '*1290 N SCOTTSD' and 'jurisdiction='TE'
NUMBER OF RECORDS RETURNED: 111

OFF. DATE	TIME	COMP. #	TYPE OF CALL-INITIAL/FINAL	LOCATION	REPORT	FOUND	CLEARED BY
Jun-01-2012	18:33:38	69966	SUSPICIOUS VEHICLE	1290 N SCOTTSDALE RD TEMPE	2012-69966	YES	NO FURTHER ACTI
Jun-02-2012	14:42:58	70437	SUBJECT DISTUR/TRESPASSING	1290 N SCOTTSDALE RD TEMPE	2012-70437	YES	STREET CHECK
Jun-02-2012	20:26:30	70560	CHECK WELFARE	1290 N SCOTTSDALE RD TEMPE	2012-70560	YES	NO FURTHER ACTI
Jun-05-2012	16:23:55	71795	INVESTIGATING	1290 N SCOTTSDALE RD[REF IR 68420 TEMPE	2012-71795	YES	NO FURTHER ACTI
Jun-08-2012	16:51:32	73109	TRESPASSING	1290 N SCOTTSDALE RD TEMPE	2012-73109	YES	CIVIL SITUATION
Jun-16-2012	10:36:31	76680	VEHICLE STOP	1290 N SCOTTSDALE RD TEMPE	2012-76680	YES	DEPARTMENT REPO
Jun-18-2012	02:07:56	77426	SUSPICIOUS VEHICLE	1290 N SCOTTSDALE RD TEMPE	2012-77426	YES	NO FURTHER ACTI
Jun-18-2012	09:08:04	77524	CIVIL MATTER/STANDBY/DISPUTE	1290 N SCOTTSDALE RD TEMPE	2012-77524	YES	NO FURTHER ACTI
Jun-20-2012	06:39:22	78379	BURGLARY ALARM/FALSE ALARM	125 - 1290 N SCOTTSDALE RD TEMPE	2012-78379	YES	NO FURTHER ACTI
Jun-21-2012	06:43:09	78780	SUBJECT STOP	1290 N SCOTTSDALE RD TEMPE	2012-78780	YES	DEPARTMENT REPO
Jun-23-2012	19:46:05	80085	THEFT	1290 N SCOTTSDALE RD TEMPE	2012-80085	YES	DEPARTMENT REPO
Jun-25-2012	19:01:00	80886	INVESTIGATING	1290 N SCOTTSDALE RD[GOODWILL TEMPE	2012-80886	YES	NO FURTHER ACTI
Jul-13-2012	12:28:04	88973	SUBJECT STOP	1290 N SCOTTSDALE RD[OW 1 TEMPE	2012-88973	YES	STREET CHECK
Jul-15-2012	19:04:10	90135	SECURITY CHECK	1290 N SCOTTSDALE RD TEMPE	2012-90135	YES	NO FURTHER ACTI
Jul-15-2012	20:36:14	90159	EXTRA PATROL R/SECURITY CHECK	1290 N SCOTTSDALE ROAD	2012-90159	YES	NO FURTHER ACTI
Jul-16-2012	03:02:48	90308	SUBJECT STOP	1290 N SCOTTSDALE RD TEMPE	2012-90308	YES	NO FURTHER ACTI
Jul-22-2012	18:25:05	93132	TRESPASSING /SUSPICIOUS PERRS	127 - 1290 N SCOTTSDALE RD TEMPE	2012-93132	YES	NO FURTHER ACTI
Jul-23-2012	12:59:39	93403	THEFT - CALLBACK	1290 N SCOTTSDALE RD TEMPE	2012-93403	YES	NO FURTHER ACTI
Jul-25-2012	13:36:08	94155	CHECK WELFARE	1290 N SCOTTSDALE RD TEMPE	2012-94155	YES	STREET CHECK
Jul-27-2012	16:29:47	95047	CHECK WELFARE	1290 N SCOTTSDALE RD TEMPE	2012-95047	YES	NO FURTHER ACTI
Aug-17-2012	00:56:56	104699	FIGHT	1290 N SCOTTSDALE RD TEMPE	2012-104699	YES	DEPARTMENT REPO
Aug-25-2012	15:18:57	109533	THREAT	1290 N SCOTTSDALE RD TEMPE	2012-109533	YES	DEPARTMENT REPO
Sep-02-2012	23:03:48	113636	SUSPICIOUS PERSON	1290 N SCOTTSDALE RD TEMPE	2012-113636	YES	STREET CHECK
Sep-05-2012	11:34:43	114719	THEFT- DELAYED/THEFT	1290 N SCOTTSDALE RD TEMPE	2012-114719	YES	DEPARTMENT REPO
Sep-08-2012	10:18:23	116431	ASSAULT	1290 N SCOTTSDALE RD TEMPE	2012-116431	YES	STREET CHECK
Sep-09-2012	02:49:02	116864	TRESPASSING	1290 N SCOTTSDALE RD TEMPE	2012-116864	YES	STREET CHECK
Sep-09-2012	04:33:27	116890	SUBJECT STOP /SUBJECT DOWN	1290 N SCOTTSDALE RD[OW 1 TEMPE	2012-116890	YES	STREET CHECK
Sep-09-2012	17:28:25	117077	UNWANTED GUEST	1290 N SCOTTSDALE RD TEMPE	2012-117077	YES	NO FURTHER ACTI
Sep-15-2012	20:30:45	120055	UNWANTED GUEST	1290 N SCOTTSDALE RD TEMPE	2012-120055	YES	CALL CANCELLED
Sep-26-2012	23:29:05	125266	THEFT	1290 N SCOTTSDALE RD TEMPE	2012-125266	YES	DEPARTMENT REPO
Sep-27-2012	14:54:42	125539	THEFT- DELAYED	1290 N SCOTTSDALE RD TEMPE	2012-125539	YES	DEPARTMENT REPO
Sep-28-2012	20:12:25	126164	TRESPASSING	121 - 1290 N SCOTTSDALE RD TEMPE	2012-126164	YES	STREET CHECK
Oct-04-2012	02:46:09	128734	SUBJECT DISTURBING/HARRASSING	1290 N SCOTTSDALE RD TEMPE	2012-128734	YES	NO FURTHER ACTI
Oct-05-2012	23:19:53	129693	THEFT	1290 N SCOTTSDALE RD TEMPE	2012-129693	NO	NO FURTHER ACTI
Oct-08-2012	17:38:19	131075	THEFT- DELAYED	1290 N SCOTTSDALE RD TEMPE	2012-131075	YES	CALL CANCELLED
Oct-12-2012	10:46:18	132769	911 HANG UP /911 HANG UP - M	1290 N SCOTTSDALE RD TEMPE	2012-132769	YES	NO FURTHER ACTI
Oct-13-2012	14:52:29	133414	ACCIDENT NO INJURIES	1290 N SCOTTSDALE RD TEMPE	2012-133414	YES	ACCIDENT REPORT
Oct-15-2012	13:24:43	134302	SUBJECT STOP	1290 N SCOTTSDALE RD TEMPE	2012-134302	YES	DEPARTMENT REPO
Oct-17-2012	00:06:50	135011	TRESPASSING	1290 N SCOTTSDALE RD TEMPE	2012-135011	NO	NO FURTHER ACTI
Oct-17-2012	22:09:27	135454	BURGLARY ALARM/FALSE ALARM	1290 N SCOTTSDALE RD TEMPE	2012-135454	YES	NO FURTHER ACTI
Oct-24-2012	10:12:03	138530	THEFT - CALLBACK	1290 N SCOTTSDALE RD TEMPE	2012-138530	YES	NO FURTHER ACTI
Oct-25-2012	08:10:15	138956	WARRANT SERVICE	1290 N SCOTTSDALE RD TEMPE	2012-138956	YES	NO FURTHER ACTI
Oct-25-2012	19:47:31	139260	CHECK WELFARE	1290 N SCOTTSDALE RD TEMPE	2012-139260	NO	NO FURTHER ACTI
Nov-04-2012	00:07:23	144057	SHOPLIFTING	1290 N SCOTTSDALE RD TEMPE	2012-144057	YES	NO FURTHER ACTI

TEMPE POLICE DEPARTMENT
COMPLETED COMPLAINT SEARCH

Date Report Run : Tue, Jun-11-2013

Date	Time	Description	Location	Officer	Status
Nov-08-2012	07:47:54	VEHICLE STOP	1290 N SCOTTSDALE RD	145921	YES DEPARTMENT REPO
Nov-14-2012	18:08:18	VEHICLE STOP	1290 N SCOTTSDALE RD	148864	YES CITE/BACK OF CI
Nov-21-2012	16:59:34	ATTEMPT TO LOCATE	1290 N SCOTTSDALE RD	152201	YES CALL CANCELLED
Nov-24-2012	16:22:38	THEFT	1290 N SCOTTSDALE RD	153501	YES DEPARTMENT REPO
Nov-26-2012	03:30:00	SUBJECT STOP / SUSPICIOUS PERS	1290 N SCOTTSDALE RD	154120	YES NO FURTHER ACTI
Nov-28-2012	12:32:53	CHECK WELFARE	1290 N SCOTTSDALE RD	155150	YES STREET CHECK
Nov-29-2012	17:55:30	SHOPLIFTING /TRESPASSING	1290 N SCOTTSDALE RD	157666	YES STREET CHECK
Nov-30-2012	20:40:38	CRIMINAL DAMAGE	1290 N SCOTTSDALE RD	156325	YES DEPARTMENT REPO
Dec-02-2012	11:36:34	SUSPICIOUS PERSON	1290 N SCOTTSDALE RD	157215	YES STREET CHECK
Dec-05-2012	12:33:34	CITIZEN ASSIST/CRUELTY TO ANIM	1290 N SCOTTSDALE RD	158407	YES DEPARTMENT REPO
Dec-09-2012	00:16:38	FIGHT	1290 N SCOTTSDALE RD	160100	YES NO FURTHER ACTI
Dec-11-2012	17:15:53	SUSPICIOUS PERSON	1290 N SCOTTSDALE RD	161182	YES NO FURTHER ACTI
Dec-15-2012	22:03:15	LOUD MUSIC/NOISE	1290 N SCOTTSDALE RD	163056	NO NO FURTHER ACTI
Dec-18-2012	07:06:45	EXTRA PATROL REQUEST	1290 N SCOTTSDALE RD	164025	YES NO FURTHER ACTI
Dec-19-2012	19:10:30	SUSPICIOUS PERSON	1290 N SCOTTSDALE RD	164743	YES NO FURTHER ACTI
Dec-21-2012	14:04:54	ACCIDENT NO INJURIES	1290 N SCOTTSDALE RD	165513	YES NO FURTHER ACTI
Dec-26-2012	04:52:22	BURGLARY ALARM/FALSE ALARM	1290 N SCOTTSDALE RD	167295	NO NO FURTHER ACTI
Dec-31-2012	02:20:16	SUSPICIOUS VEHICLE	1290 N SCOTTSDALE RD	169381	YES NO FURTHER ACTI
Jan-02-2013	19:38:17	911 HANG UP /CRIMINAL DAMAGE	1290 N SCOTTSDALE RD	1799	YES DEPARTMENT REPO
Jan-03-2013	11:48:54	LOSS REPORT CBAK	1290 N SCOTTSDALE RD	1039	YES STREET CHECK
Jan-03-2013	14:26:14	LOSS REPORT	129 - 1290 N SCOTTSDALE RD	1093	YES STREET CHECK
Jan-05-2013	09:12:42	SUSPICIOUS PERSON	1290 N SCOTTSDALE RD	1889	YES STREET CHECK
Jan-14-2013	15:04:45	TRESPASSING	1290 N SCOTTSDALE RD	6092	YES NO FURTHER ACTI
Jan-15-2013	12:04:22	TRESPASSING	1290 N SCOTTSDALE RD	6397	YES DEPARTMENT REPO
Jan-26-2013	16:06:21	SUSPICIOUS PERSON	1290 N SCOTTSDALE RD	11388	YES STREET CHECK
Jan-29-2013	15:16:03	THEFT- DELAYED	1290 N SCOTTSDALE RD	12538	YES DEPARTMENT REPO
Jan-30-2013	07:31:33	BURGLARY ALARM/FALSE ALARM	107 - 1290 N SCOTTSDALE RD	12788	YES DEPARTMENT REPO
Jan-31-2013	10:11:15	AGENCY/UNIT ASSIST	1290 N SCOTTSDALE RD	13291	YES NO FURTHER ACTI
Feb-05-2013	11:06:22	TRANSIENT	127 - 1290 N SCOTTSDALE RD	15555	YES NO FURTHER ACTI
Feb-05-2013	11:40:51	THEFT- DELAYED/THEFT	1290 N SCOTTSDALE RD	15580	YES DEPARTMENT REPO
Feb-06-2013	04:01:07	TRANSIENT	127 - 1290 N SCOTTSDALE RD	15945	YES STREET CHECK
Feb-08-2013	22:46:06	VEHICLE STOP	1290 N SCOTTSDALE RD	17290	YES CITE/BACK OF CI
Feb-08-2013	23:27:23	ACCIDENT NO INJURIES	1290 N SCOTTSDALE RD	17316	YES NO FURTHER ACTI
Feb-09-2013	03:25:46	SUSPICIOUS VEHICLE	1290 N SCOTTSDALE RD	17469	YES NO FURTHER ACTI
Feb-09-2013	11:05:29	SHOPLIFTING /ATTEMPT TO LOCA	1290 N SCOTTSDALE RD	17572	YES CALL CANCELLED
Feb-15-2013	18:53:01	SHOPLIFTING	1290 N SCOTTSDALE RD	20382	YES DEPARTMENT REPO
Mar-07-2013	11:27:00	THREAT - DELAYED	129 - 1290 N SCOTTSDALE RD	29488	YES STREET CHECK
Mar-08-2013	16:33:19	ARMED ROBBERY /FALSE ALARM	107 - 1290 N SCOTTSDALE RD	30157	YES NO FURTHER ACTI
Mar-15-2013	14:34:43	SUSPICIOUS PER/TRESPASSING	1290 N SCOTTSDALE RD	32981	YES STREET CHECK
Mar-27-2013	13:34:58	INVESTIGATING	1290 N SCOTTSDALE RD	38388	YES NO FURTHER ACTI
Mar-27-2013	21:10:32	EXTRA PATROL REQUEST	1290 N SCOTTSDALE RD	38591	YES CALL CANCELLED
Mar-27-2013	21:49:38	SUSPICIOUS PERSON	1290 N SCOTTSDALE RD	38603	NO NO FURTHER ACTI
Apr-06-2013	14:23:20	FAMILY FIGHT	1290 N SCOTTSDALE RD	43064	YES DEPARTMENT REPO
Apr-10-2013	10:35:50	INVESTIGATING	1290 N SCOTTSDALE RD	44721	YES NO FURTHER ACTI
Apr-13-2013	21:10:58	LOUD MUSIC/NOISE	1290 N SCOTTSDALE RD	46311	YES NO FURTHER ACTI
Apr-18-2013	02:47:57	SECURITY CHECK	1290 N SCOTTSDALE RD	48153	YES NO FURTHER ACTI
Apr-18-2013	18:33:11	SUSPICIOUS PERSON	130 - 1290 N SCOTTSDALE RD	48414	NO NO FURTHER ACTI
Apr-20-2013	10:33:26	SUSPICIOUS VEHICLE	1290 N SCOTTSDALE RD	49156	YES NO FURTHER ACTI
Apr-20-2013	13:11:28	BURGLARY FROM /BURGLARY FROM V	1290 N SCOTTSDALE RD	49189	NO NO FURTHER ACTI
Apr-20-2013	13:13:58	AGENCY/UNIT ASSIST	1290 N SCOTTSDALE RD	49191	YES DEPARTMENT REPO
Apr-20-2013	18:50:09	BURGLARY ALARM/FALSE ALARM	130 - 1290 N SCOTTSDALE RD	49290	YES NO FURTHER ACTI

Date	Time	Case No.	Description	Address	City	Officer	Status
Apr-20-2013	21:57:50	49360	LOUD MUSIC/NOISE	1290 N SCOTTSDALE RD	TEMPE		YES NO FURTHER ACTI
Apr-20-2013	23:49:41	49409	LOUD MUSIC/NOISE	1290 N SCOTTSDALE RD	TEMPE		YES NO FURTHER ACTI
Apr-22-2013	13:48:23	50174	FAMILY FIGHT	1290 N SCOTTSDALE RD	TEMPE		YES STREET CHECK
Apr-24-2013	17:13:34	50882	THEFT- DELAYED	130 - 1290 N SCOTTSDALE RD	TEMPE		YES CALL CANCELLED
Apr-25-2013	11:26:25	51175	AGENCY/UNIT ASSIST	1290 N SCOTTSDALE RD	TEMPE		YES NO FURTHER ACTI
Apr-26-2013	02:03:00	51487	BURGLARY AL-ARM/FALSE ALARM	107 - 1290 N SCOTTSDALE RD	TEMPE		NO NO FURTHER ACTI
May-04-2013	20:51:45	55594	CITY CODE VIOLATION	121 - 1290 N SCOTTSDALE RD	TEMPE		YES DEPARTMENT REPO
May-06-2013	14:48:31	56508	911 HANG UP /911 HANG UP - M	125 - 1290 N SCOTTSDALE RD	TEMPE		YES NO FURTHER ACTI
May-08-2013	16:36:16	57412	SHOPLIFTING	1290 N SCOTTSDALE RD	TEMPE		YES DEPARTMENT REPO
May-10-2013	21:55:25	58572	CRIMINAL DAMAGE - DELAYED	1290 N SCOTTSDALE RD	TEMPE		YES DEPARTMENT REPO
May-17-2013	21:55:45	61742	LOUD PARTY IN /LOUD MUSIC/NOIS	1290 N SCOTTSDALE RD	TEMPE		NO NO FURTHER ACTI
May-19-2013	14:11:45	62489	THREAT	1290 N SCOTTSDALE RD	TEMPE		YES DEPARTMENT REPO
May-19-2013	16:32:52	62521	UNWANTED GUEST	1290 N SCOTTSDALE RD	TEMPE		YES STREET CHECK
May-23-2013	15:06:02	64195	THREAT	1290 N SCOTTSDALE RD	TEMPE		YES NO FURTHER ACTI
May-23-2013	20:31:31	64323	SUBJECT DOWN	1290 N SCOTTSDALE RD	TEMPE		YES OTHER AGENCY
May-25-2013	21:03:30	65291	LOUD MUSIC/NOISE	1290 N SCOTTSDALE RD	TEMPE		YES NO FURTHER ACTI

* END OF COMPLETED COMPLAINT SEARCH REPORT *

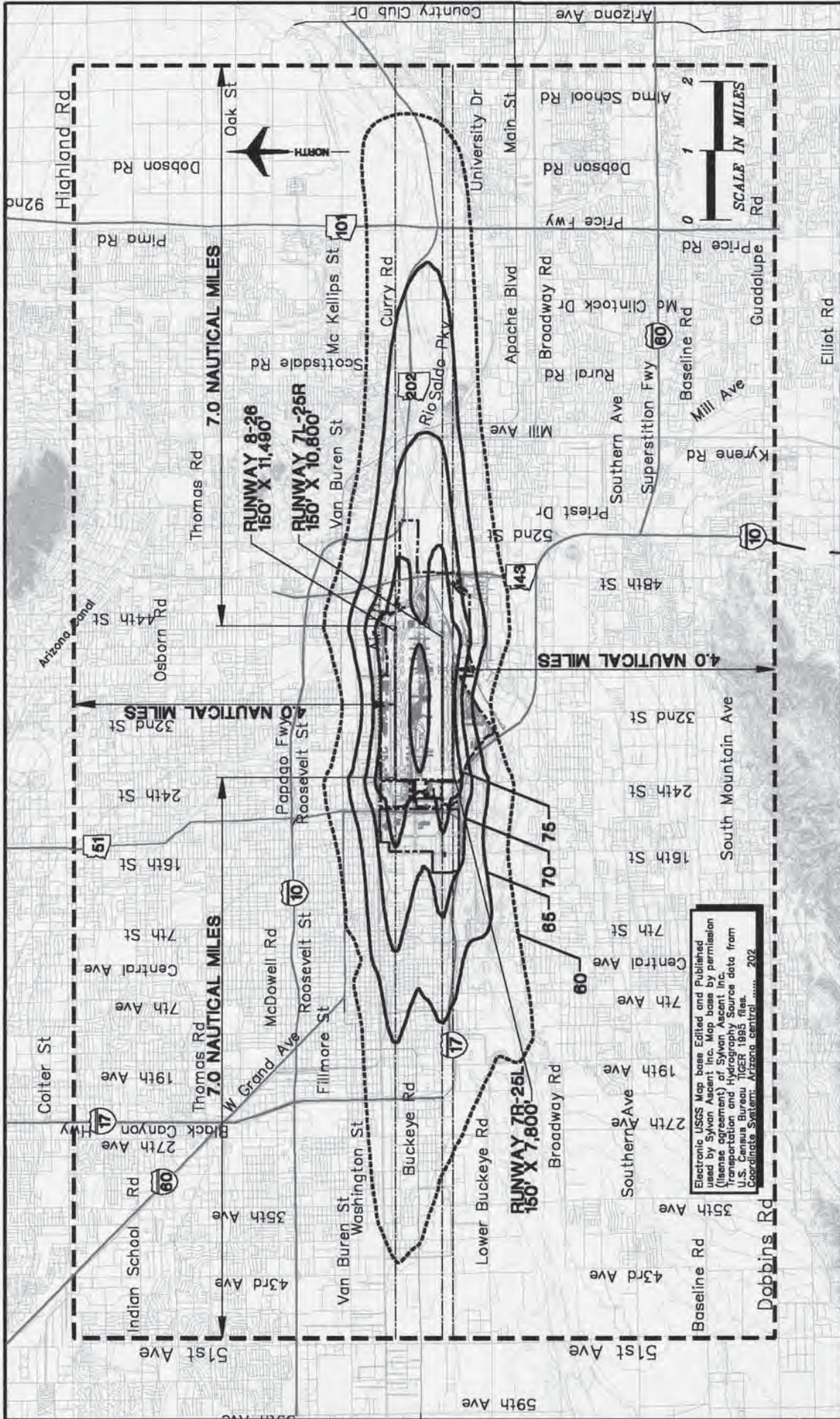
TEMPE POLICE DEPARTMENT
COMPLETED COMPLAINT SEARCH

Date Report Run : Mon, Oct-07-2013

SEARCH CRITERIA: which cad='P' and occ.date between '06/01/2013' and '10/07/2013' and address matches '*1290 N SCOTTSD
ALE*' and jurisdiction='TE'
NUMBER OF RECORDS RETURNED: 32

OFF_DATE	TIME	COMP.#	TYPE OF CALL-INITIAL/FINAL	LOCATION	REPORT	FOUND	CLEARED BY
Jun-03-2013	00:44:35	69125	LOUD MUSIC/NOI/LOUD PARTY IN P	121 - 1290 N SCOTTSDALE RD	2013-69125	YES	NO FURTHER ACTI
Jun-04-2013	13:52:51	69734	THREAT - DELAYED	107 - 1290 N SCOTTSDALE RD	2013-69734	YES	DEPARTMENT REPO
Jun-07-2013	21:27:32	71227	CHECK WELFARE	1290 N SCOTTSDALE RD	2013-71227	NO	NO FURTHER ACTI
Jun-13-2013	23:10:07	73802	TRESPASSING	101 - 1290 N SCOTTSDALE RD	2013-73802	YES	STREET CHECK
Jun-15-2013	20:25:30	74674	LOUD MUSIC/NOISE	1290 N SCOTTSDALE RD	2013-74674	YES	CALL CANCELLED
Jun-15-2013	22:14:54	74705	LOUD MUSIC/NOISE	1290 N SCOTTSDALE RD	2013-74705	YES	NO FURTHER ACTI
Jun-22-2013	02:18:49	77517	VEHICLE STOP	1290 N SCOTTSDALE RD	2013-77517	YES	WARNED
Jun-22-2013	07:56:50	77597	CHECK WELFARE	1290 N SCOTTSDALE RD	2013-77597	YES	NO FURTHER ACTI
Jun-22-2013	09:41:10	77618	ILLEGAL PARKING	1290 N SCOTTSDALE RD	2013-77618	YES	CITE/BACK OF CI
Jun-28-2013	14:09:34	80166	THEFT- DELAYED	1290 N SCOTTSDALE RD	2013-80166	YES	DEPARTMENT REPO
Jul-06-2013	14:43:19	83798	LOUD MUSIC/NOISE	1290 N SCOTTSDALE RD	2013-83798	YES	STREET CHECK
Jul-06-2013	20:19:49	83876	LOUD MUSIC/NOISE	1290 N SCOTTSDALE RD	2013-83876	YES	STREET CHECK
Jul-09-2013	12:39:58	84869	UNKNOWN TROUBLE	1290 N SCOTTSDALE RD	2013-84869	NO	NO FURTHER ACTI
Jul-17-2013	12:27:52	88308	FOUND PROPERTY - CRIMINAL INFORM	121 - 1290 N SCOTTSDALE RD	2013-88308	YES	DEPARTMENT REPO
Jul-17-2013	13:13:50	88326	FOUND PROPERTY - CONTRABAND	1290 N SCOTTSDALE RD	2013-88326	YES	STREET CHECK
Jul-17-2013	16:21:25	88395	AGENCY/UNIT ASSIST	1290 N SCOTTSDALE RD	2013-88395	YES	OTHER AGENCY
Jul-22-2013	11:04:30	90461	STOLEN VEHICLE	1290 N SCOTTSDALE RD	2013-90461	YES	CALL CANCELLED
Jul-24-2013	20:39:23	91472	ARMED ROBBERY /FALSE ALARM	107 - 1290 N SCOTTSDALE RD	2013-91472	YES	NO FURTHER ACTI
Jul-25-2013	08:24:41	91657	THEFT- DELAYED/THEFT	1290 N SCOTTSDALE RD	2013-91657	YES	DEPARTMENT REPO
Jul-25-2013	09:52:41	91677	THEFT- DELAYED	121 - 1290 N SCOTTSDALE RD	2013-91677	YES	NO FURTHER ACTI
Jul-25-2013	13:36:48	91757	SHOPLIFTING	1290 N SCOTTSDALE RD	2013-91757	YES	NO FURTHER ACTI
Jul-31-2013	20:51:07	94321	SUBJECT DISTURBING/HARRASSING	1290 N SCOTTSDALE RD	2013-94321	NO	NO FURTHER ACTI
Aug-05-2013	14:04:42	96520	THEFT - CALLBA/THEFT- DELAYED	1290 N SCOTTSDALE RD	2013-96520	YES	NO FURTHER ACTI
Aug-15-2013	18:34:46	101648	THEFT- DELAYED	1290 N SCOTTSDALE RD	2013-101648	YES	DEPARTMENT REPO
Aug-20-2013	10:54:29	104393	THEFT- DELAYED	121 - 1290 N SCOTTSDALE RD	2013-104393	YES	NO FURTHER ACTI
Aug-20-2013	17:12:22	104549	INVESTIGATING	1290 N SCOTTSDALE RD	2013-104549	YES	NO FURTHER ACTI
Aug-21-2013	10:39:07	104852	HIT & RUN ACCIDENT NO INJURY	1290 N SCOTTSDALE RD	2013-104852	YES	ACCIDENT REPORT
Aug-24-2013	18:17:08	106802	SUBJECT STOP /30 DAY IMPOUND	1290 N SCOTTSDALE RD	2013-106802	YES	DEPARTMENT REPO
Aug-28-2013	08:43:34	108467	THEFT- DELAYED	121 - 1290 N SCOTTSDALE RD	2013-108467	YES	NO FURTHER ACTI
Sep-11-2013	19:36:36	115443	BURGLARY ALARM/FALSE ALARM	103 - 1290 N SCOTTSDALE RD	2013-115443	NO	NO FURTHER ACTI
Sep-19-2013	00:39:51	118811	BURGLARY ALARM/FALSE ALARM	121 - 1290 N SCOTTSDALE RD	2013-118811	YES	NO FURTHER ACTI
Oct-03-2013	16:14:39	125473	CRIMINAL DAMAGE - CALLEACK	1290 N SCOTTSDALE RD	2013-125473	YES	DEPARTMENT REPO

* END OF COMPLETED COMPLAINT SEARCH REPORT *




PHOENIX SKY HARBOR INTERNATIONAL AIRPORT
PUBLIC AIRPORT DISCLOSURE MAP
 PHOENIX, ARIZONA


Prepared by: **Geotitles**
 Updated on: Phoenix, AZ, March 9, 2001
 Project No.: 01-001

- NOTES:**
1. This map has been prepared in accordance with A.R.S., Sec. 28-8486 related to public airport disclosure.
 2. Traffic Pattern Airspace boundaries have been established in accordance with the guidelines provided in FAA Order 7400.2D.
 3. The Airport Noise Contours were developed with the Integrated Noise Model (Version 6.0) and reflect on the 1999 Noise Exposure Map For Phoenix Sky Harbor International Airport (FAR Part 150 Study, Noise Exposure Maps—March 2000)
 4. 1 nautical mile = 6,080 feet or 1.1516 statute miles.

- LEGEND:**
- TRAFFIC PATTERN AIRSPACE
 - 75 --- NOISE CONTOURS DAY NIGHT LEVEL
 - EXISTING AIRPORT PROPERTY LINE
 - EXTENDED RUNWAY CENTERLINE



GALEN CAROL
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HOW-TO's

Decibel (Loudness) Comparison Chart

Here are some interesting numbers, collected from a variety of sources, that help one to understand the volume levels of various sources and how they can affect our hearing.

Environmental Noise	
Weakest sound heard	0dB
Whisper Quiet Library at 6'	30dB
Normal conversation at 3'	60-65dB
Telephone dial tone	80dB
City Traffic (inside car)	85dB
Train whistle at 500', Truck Traffic	90dB
Jackhammer at 50'	95dB
Subway train at 200'	95dB
<i>Level at which sustained exposure may result in hearing loss</i>	<i>90 - 95dB</i>
Hand Drill	98dB
Power mower at 3'	107dB
Snowmobile, Motorcycle	100dB
Power saw at 3'	110dB
Sandblasting, Loud Rock Concert	115dB
<i>Pain begins</i>	<i>125dB</i>
Pneumatic riveter at 4'	125dB
<i>Even short term exposure can cause permanent damage - Loudest recommended exposure <u>WITH</u> hearing protection</i>	<i>140dB</i>
Jet engine at 100'	140dB
12 Gauge Shotgun Blast	165dB
Death of hearing tissue	180dB
Loudest sound possible	194dB

OSHA Daily Permissible Noise Level Exposure	
Hours per day	Sound level
8	90dB
6	92dB
4	95dB
3	97dB
2	100dB

1.5	102dB
1	105dB
.5	110dB
.25 or less	115dB

NIOSH Daily Permissible Noise Level Exposure	
Hours per day	Sound level
8	85dBA
6	86dBA
4	88dBA
3	89dBA
2	90dBA
1.5	92dBA
1	94dBA
.5	97dBA
.25 or less	100dBA
0	112dBA

Perceptions of Increases in Decibel Level	
Imperceptible Change	1dB
Barely Perceptible Change	3dB
Clearly Noticeable Change	5dB
About Twice as Loud	10dB
About Four Times as Loud	20dB

Sound Levels of Music	
Normal piano practice	60 -70dB
Fortissimo Singer, 3'	70dB
Chamber music, small auditorium	75 - 85dB
Piano Fortissimo	84 - 103dB
Violin	82 - 92dB
Cello	85 -111dB
Oboe	95-112dB
Flute	92 -103dB
Piccolo	90 -106dB
Clarinet	85 - 114dB
French horn	90 - 106dB
Trombone	85 - 114dB
Tympani & bass drum	106dB
Walkman on 5/10	94dB
Symphonic music peak	120 - 137dB

Amplifier, rock, 4-6'	120dB
Rock music peak	150dB

NOTES:

- One-third of the total power of a 75-piece orchestra comes from the bass drum.
- High frequency sounds of 2-4,000 Hz are the most damaging. The uppermost octave of the piccolo is 2,048-4,096 Hz.
- Aging causes gradual hearing loss, mostly in the high frequencies.
- Speech reception is not seriously impaired until there is about 30 dB loss; by that time severe damage may have occurred.
- Hypertension and various psychological difficulties can be related to noise exposure.
- The incidence of hearing loss in classical musicians has been estimated at 4-43%, in rock musicians 13-30%.
- Recent NIOSH studies of sound levels from weapons fires have shown that they may range from a low of 144 dB SPL for small caliber weapons such as a 0.22 caliber rifle to as high as a 172 dB SPL for a 0.357 caliber revolver. *Double* ear protection is recommended for shooters, combining soft, insertable ear plugs and external ear muffs.

Statistics for the Decibel (Loudness) Comparison Chart were taken from a study by Marshall Chasin, M.Sc., Aud(C), FAAA, Centre for Human Performance & Health, Ontario, Canada. There were some conflicting readings and, in many cases, authors did not specify at what distance the readings were taken or what the musician was actually playing. In general, when there were several readings, the higher one was chosen.

Additional Resources

The National Institute for Occupational Safety and Health (NIOSH) -
<http://www.cdc.gov/niosh/topics/noise/>

[American Tinnitus Association](#) – Information and help for those with tinnitus

[Hear Tomorrow](#) – The Hearing Conservation Workshop

[H.E.A.R.](#) – Hearing Education and Awareness for Rockers

[American Tinnitus Association](#) – for musicians and music lovers

[Turn It to the Left](#) – from the American Academy of Audiology

[Listen to Your Buds](#) – from the American Speech-Language-Hearing Association

[Binge Listening: Is exposure to leisure noise causing hearing loss in young Australians? \[pdf\]](#) – report from Australian Hearing, National Acoustic Laboratories

[Hearing Aids and Music: Interview with Marshall Chasin, AuD](#) – from the American Academy of Audiology

[Safe Listening Resources](#) – from the National Hearing Conservation Association

[OSHA Noise and Hearing Conservation](#) -

**CITY OF TEMPE
HEARING OFFICER**

Meeting Date: 07/16/2013
Agenda Item: 6

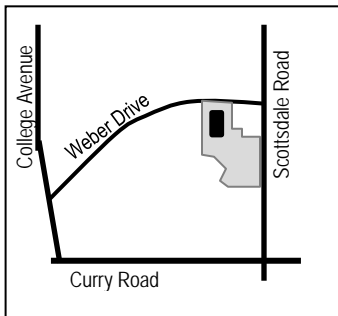
ACTION: Request approval for a Use Permit for live entertainment at a reception hall for RIO SALADO CENTER – ELEGANT RECEPTION HALL, LLC located at 1290 N Scottsdale Road, Tempe. The applicant is Arnaldo Matos.

FISCAL IMPACT: N/A

RECOMMENDATION: Staff – Approval, subject to conditions

BACKGROUND INFORMATION: RIO SALADO CENTER – ELEGANT RECEPTION HALL PL110435 is located on the south side of Weber drive west of Scottsdale Road on the north end of a commercial center. The applicant has an existing use permit for live entertainment that was conditioned for eighteen months, requiring review of the conditions and application for a new use permit for the following:

ZUP110435 Use Permit to allow live entertainment at a reception facility.



Property Owner	Arnaldo Matos
Applicant	Arnaldo Matos, Elegant Reception Hall, LLC
Zoning District	PCC-1, Planned Commercial Center
Parcel Size	237,055 s.f. / 5.442 acres
Building Size	56,205 s.f.
Suite 120-122 Size	5,953 s.f.
Parking Required/Provided	119 for use, 331 for center per ZDC / 271 provided on site per approved time of use parking model.
Bike Parking Required	3 spaces for use
Live entertainment hours	9am to 10pm Sun-Thurs, 9am-12am Fri-Sat
Occupancy	300 Limited by Condition

ATTACHMENTS: Development Project File

STAFF CONTACT: Diana Kaminski, Senior Planner (480)858-2391

Department Director: Lisa Collins, Interim Community Development Director
 Legal review by: N/A
 Prepared by: Diana Kaminski, Senior Planner
 Reviewed by: Steve Abrahamson, Planning & Zoning Coordinator

COMMENTS

Elegant Reception Hall is located on the north side of a multi-tenant commercial building located south east corner of Weber Drive and Scottsdale Road. The property has multi-family residential to the north and west, commercial to the north east and east. Land to the south is being developed as multi-family residential, and property to the southwest is zoned industrial but used primarily for light industrial office use. The building is approximately 140 feet from the nearest multifamily residence and 340 feet from the nearest single family residence. In 2010, a Use Permit for Pulse Teen Dance Club was approved subject to conditions; the Teen Dance Club later closed. In 2012 PJ Properties requested a Use Permit for a reception/event hall to have live entertainment (i.e. Wedding Receptions, Quinceaneras, Bar Mitzvahs and business meetings/seminars). The entertainment to vary per events and including DJ's, dancing and live bands. The Use Permit for live entertainment was approved with a condition that *the use permit is valid and operable only for the specific use for an eighteen month time period and will cease on 6/3/13 as allowed per Section 6-308 (L)*. The applicant is returning to the Hearing Officer to request a new Use Permit for Live Entertainment in compliance with this condition. Conference and assembly uses are allowed in the PCC-1 zoning without a use permit, live entertainment requires a use permit. This request is not about renting the hall out for outside events, it is for the ability to have disc jockeys or bands or karaoke as live entertainment at these events.

POLICE INPUT

A police report at this address indicated there were 111 calls for service from June 1, 2012-June 1, 2013: attributed to this use were six complaints for loud noise, two fights, two family fights, three threats and one assault. Other uses within the center, as well as subject stops in the area resulted in the remaining calls. This use accounted for approximately 14 calls for service in the past year.

PUBLIC INPUT

At the writing of this report, staff had received one call from resident who is in opposition to the requested live entertainment Use Permit. Minutes from the original request has been provided for historic reference.

USE PERMIT

The proposed use requires a Use Permit, to allow a Reception Hall with Live Entertainment within the PCC-1 Planned Commercial Center One Zoning District to ensure that the use is compatible with surrounding uses.

Section 6-308 E Approval criteria for Use Permit (*in italics*):

1. *Any significant increase in vehicular or pedestrian traffic.* The proposed use has minimal daytime traffic, but is open at 6am daily. The applicant has indicated events at capacity of 300 persons. The former Use Permit restricted occupancy to 300, and this condition has been included in this report. The parking file indicates there are 271 parking spaces approved through a parking model for the whole center. The business is primarily destination driven, not drawing from the local business or resident community. Based on the peak times of use, when other businesses are closed, and typical event traffic (carpooling, families, limousines, taxis) the parking on site appears sufficient for maximum occupancy. It does not appear there will be an increase in vehicular traffic to the center.
2. *Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat or glare at a level exceeding that of ambient conditions.* The introduction of live entertainment, in the form of amplified music from djs or bands has the potential for noise and vibration. The building is approximately 140 feet from the nearest multi-family residence and 340 feet from the nearest single family residence (as measured in a straight line on an aerial photo). Tempe Chapter 20 Noise Code states that noise level measured at either the property line or the area of the property affected by the noise emission shall not exceed:
 - o 45 decibels between 10pm and 7am in residential areas
 - o 55 dB between 7am and 10pm in residential areas
 - o 55 dB between 10pm and 7am in commercial areas
 - o 65 dB between 7am and 10pm in commercial areas

The ambient noise level as documented by Phoenix Sky Harbor airport is approximately 60 dB for this area.

A speaker source producing 110 dB of sound would attenuate to 67.08 dB at 140 feet and 59.37 dB at 340 feet, without any physical barrier (such as being located inside a building). For reference:

- a jet engine 100 feet away is 140 dB
- a live concert is approximately 115 dB
- a power saw 3 feet away is 110 dB
- brass instruments 90-114dB
- truck traffic is 90dB
- normal conversation is about 60dB.

Sound attenuation is greater when the sound source is inside, and blocked by physical structures. To minimize the impacts of vibrational effects of the music, a condition has been added to reduce the music level at 10pm so that it cannot be heard from the property lines of the business.

From June 1, 2012 to June 1, 2013 there have been 111 calls for service to this complex, of these, there have only been 14 calls attributed to this business and six of these were for loud music or noise in the past year. These calls came in after 10 pm. The website indicates closure at 1am. The applicant has requested being able to have live entertainment until 2am; staff has recommended keeping the existing hours for live entertainment and not expanding this use. Conditions of approval for on-site management and security will provide accountability for issues that may arise. The area is within the flight path of the airport and within a mile of the freeway and adjacent to an arterial street. It does not appear that the use in the past year has exceeded the ambient conditions of the area.

3. *Contribution to the deterioration of the neighborhood or to the downgrading of property values, the proposed use is not in conflict with the goals objectives or policies for rehabilitation, redevelopment or conservation as set forth in the city's adopted plans or General Plan.* Due to the high occupancy limits of the facility used as a reception hall, a condition has been included that the facility must maintain security and management of the site at all events; leasing the facility out to third party operators must be overseen by Elegant Reception Hall management for accountability of activities inside and outside the facility.
4. *Compatibility with existing surrounding structures and uses.* The Rio Salado Center has restaurants, a hookah lounge, a thrift resale store, a retail gun store, exotic bird rescue and several vacant suites. The reception hall is a compatible use to the other uses on site, with the majority of the business after closing hours of the other uses. The use of bands or disc jockeys is required for the operation of a reception hall and can be a compatible use if appropriately managed.
5. *Adequate control of disruptive behavior both inside and outside the premises which may create a nuisance to the surrounding area or general public.* Based on the past year of calls for service to this complex, which includes all uses on site, it appears there has been adequate control of disruptive behavior on site. Because the calls for service do not include calls made from addresses off site, it is difficult to determine if noise complaints registered through the police call line were documented in all cases as attributable to this location. Requiring Elegant Reception Hall to provide onsite security and management during all uses of the facility will provide accountability for behavior on site.

Conclusion

Based on the information provided by the applicant, the website for the business, and the calls for service in the past year, the manner of conduct for the proposed use should not be detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood, or to the public welfare in general. The use must be in full conformity to the conditions, requirement or standards prescribed by the code. The history of this site has been included for reference, and public input has been received in opposition to the request. Staff recommends approval of the requested Use Permit subject to compliance with conditions of approval. This request meets the required criteria and will conform to the conditions.

SHOULD AN AFFIRMATIVE ACTION BE TAKEN ON THIS REQUEST, THE FOLLOWING NUMBERED CONDITIONS OF APPROVAL SHALL APPLY, BUT MAY BE AMENDED BY THE DECISION-MAKING BODY.

**CONDITION(S)
OF APPROVAL:**

1. This Use Permit is valid only after a Building Permit has been obtained and the required inspections have been completed and a Final Inspection has been passed.
2. Business hours of operation: 6am-2am
Live entertainment hours: 9am to 10pm Sun-Thurs, 9am-12am (midnight) Fri-Sat
Events shall end at or before 1:30am, with thirty minutes thereafter permitted for clean-up.
3. A designated reception center management staff to be present on site for all events from set up to clean up.
4. Security provided by a licensed security company hired by Elegant Reception Hall for all activities. Lease of the space for events shall not allow separate security companies to oversee events.
5. A sound engineer or management staff shall continually monitor music and amplified sound levels; at 10pm, music shall be reduced so that it is not audible from any property line of the center.
6. Event capacity limited to 300 people maximum.
7. No valet parking shall be allowed off-site.
8. After 8pm, Elegant Reception Hall shall close the driveway on Weber Drive (facing Sunset Drive) by placement of cones across the driveway. These cones shall remain in place until 15 minutes past the end of any event.
9. Signs stating "No Loitering and No Trespassing" shall be posted throughout the parking area utilized by patrons. Signs shall be placed in locations visible to all patrons.
10. Security staff is responsible for implementation of the security plan and monitoring of the premises both indoors and in the parking lot.
11. The Use Permit is valid for the plans as submitted within this application. Any additions or modifications may be submitted for review during building plan check process.
12. If there are any complaints arising from the Use Permit that are verified by a consensus of the complaining party and the City Attorney's office, the Use Permit will be reviewed by City staff to determine the need for a public hearing to re-evaluate the appropriateness of the Use Permit, which may result in termination of the Use Permit.
13. The Use Permit is for the following activities: weddings and receptions (not Bachelor or Bachelorette Parties), Quincinas, Birthday Parties, Bar mitzvahs, Bat mitzvahs, Graduation Parties, Family Reunions, Anniversary Parties, Educational Seminars and Religious Services. Any intensification or expansion of use shall require a new Use Permit.
14. The facility may be used for live music, djs, karaoke, banquets, receptions and parties, but may not be used as a concert venue. No tickets may be sold for entry to the facility and the live music may not be the primary purpose for attendance.
15. All events with live entertainment are by invitation only.

16. Only licensed bar service vendors are to be used for events providing alcohol.
17. No outdoor speakers shall be allowed; doors must remain closed at all times.
18. The live entertainment use shall take place inside only. No live entertainment will be allowed outside.
19. The applicant shall contact the City of Tempe Crime Prevention Unit to review the existing security plan within 30 days of this approval. Contact the Police Department at 480-350-8749 before **August 16, 2013**.
20. An occupancy inspection and clearance from the Tempe Fire Department shall be obtained prior to the use permit becoming effective.

CODE/ORDINANCE REQUIREMENTS:

THE BULLETED ITEMS REFER TO EXISTING CODE OR ORDINANCES THAT PLANNING STAFF OBSERVES ARE PERTINENT TO THIS CASE. THE BULLET ITEMS ARE INCLUDED TO ALERT THE DESIGN TEAM AND ASSIST IN OBTAINING A BUILDING PERMIT AND ARE NOT AN EXHAUSTIVE LIST.

- The Use Permit is valid for Paragon Dance Center and may be transferable to successors in interest through an administrative review with the Community Development Director, or designee.
- Specific requirements of the **Zoning and Development Code (ZDC)** are not listed as a condition of approval, but will apply to any application. To avoid unnecessary review time and reduce the potential for multiple plan check submittals, become familiar with the ZDC. Access the ZDC through www.tempe.gov/planning/documents.htm or purchase from Development Services.
- **SITE PLAN REVIEW:** Verify all comments by the Public Works Department, Development Services Department, and Fire Department given on the Preliminary Site Plan Reviews. If questions arise related to specific comments, they should be directed to the appropriate department, and any necessary modifications coordinated with all concerned parties, prior to application for building permit. Construction Documents submitted to the Building Safety Department will be reviewed by planning staff to ensure consistency with this Design Review approval prior to issuance of building permits.
- All business signs shall receive a Sign Permit. Contact sign staff at 480-350-8372.
- Any intensification or expansion of use, including shall require a new Use Permit.
- All required permits and clearances shall be obtained from the Audit and Licensing Division of the City of Tempe prior to the Use Permit becoming effective.
- This use shall not violate the City of Tempe Smoking Ordinance or Smoke Free Arizona Act A.R.S. §36-601.01.
- This use shall not violate the City of Tempe Nuisance Ordinance.

HISTORY & FACTS:

- October 17, 1996 SGF-96.78 – The City Council approved the request by Studebakers for the following:
- a. Use Permit to allow a 7,900 s.f. restaurant/nightclub with entertainment (including 350 s.f. outdoor patio) to be located in the PCC-1 District
 - b. Use Permit to allow parking to be provided based on demand
 - c. Variance to allow a center with less than 100,000 s.f. in gross floor area to request permission to provide parking based on demand.

- October 5, 2000 SGF-2000.58 – The City Council denied the request by Metropolis for a transfer of ownership and time extension of a previous council condition for a bar with live entertainment at 1290 N Scottsdale Rd.

- February 27, 2001 SGF-2000.76 – The Planning & Zoning Commission accepted the withdrawal of the request by Club G for a use permit of a nightclub with live entertainment, DJ and dancing at 1290 N Scottsdale Rd.

- April 30, 2009 PL090156 – The Development Services Department Board of Adjustment staff approved the request by Mijana located at 1290 N Scottsdale Rd., Suite Nos. 107-110 for the transfer of an existing use permit to allow a restaurant with live entertainment.

- June 2, 2009 PL090171 – The Hearing Officer approved the request by Athena’s Temple LLC located at 1290 N Scottsdale Rd., Suite No. 101 for a use permit to allow a massage therapy establishment.

- December 1, 2009 PL090423 - The Hearing Officer approved the request by Goodwill of Central Arizona located at 1290 N Scottsdale Rd., Suite Nos. 113-119 for a use permit to allow a resale retailer (Goodwill of Arizona).

- January 5, 2010 PL090448 - The Hearing Officer approved the request by Hookahmania located at 1290 N Scottsdale Rd., Suite Nos. 111 & 112 for a use permit to allow a hookah lounge.

- April 13, 2010 DSM10009 - Shared Parking Approved.

- May 4, 2010 PL100060 - The Hearing Officer approved the request by Rio Salado Center – Pulse Teen Dance Club for a use permit for a teen dance club subject to conditions. Pulse Club later closed.

- January 3, 2012 The Hearing Officer approved the request by Rio Salado Reception Center for a Use Permit for a banquet facility with live entertainment subject to conditions.

- February 14, 2012 The Development Review Commission continued the appeal of the Use Permit for the Rio Salado Reception Center.

- April 10, 2012 The Development Review Commission approved the appeal of the Use Permit for the Rio Salado Reception Center by 4-3 vote, thereby overturning and denying the Use Permit.

- May 31, 2012 The City Council continued the review of the appeal of the Development Review Commission denial of the Use Permit for PJ Properties to the 6/14/2012 Meeting to allow for more time to review and approve the security plan for the business.

- June 14, 2012 The City Council heard an appeal for PJ Properties and approved the appeal of the Development Review Commission decision, thereby approving the Use Permit for Live Entertainment at this location. This approval was contingent upon compliance with 20 conditions of approval, which included termination of the Use Permit in 18 months, with a requirement to apply for a new Use Permit by June 14, 2013.

- June 10, 2013 The applicant submitted his request on time to meet the condition of his Use Permit to continue operations of a reception facility with live entertainment.

**ZONING AND DEVELOPMENT
CODE REFERENCE:**

Part 3, Chapter 2, Section 3-202 – Permitted Uses in Commercial and Mixed-Use Districts
Part 6, Chapter 3, Section 6-308 – Use Permit

Staff Summary Report



Hearing Officer Hearing Date: 1/03/12

Agenda Item Number: Z

SUBJECT: This is a public hearing for a request by **PJ PROPERTIES** located at 1290 North Scottsdale Road, Suite Nos. 120 – 122, for one (1) use permit.

DOCUMENT NAME: 20120103cdsl06 **PLANNED DEVELOPMENT (0406)**

COMMENTS: Request by **RIO SALADO CENTER – P J PROPERTIES (PL110435)** (Arnaldo Matos/P J Properties, applicant/property owner) located at 1290 North Scottsdale Road, Suite Nos. 120 – 122 in the PCC-1, Planned Commercial Center Neighborhood District for:

ZUP11116 Use permit to allow a reception center with live entertainment.

PREPARED BY: Sherri Lesser, Senior Planner (480-350-8486)

REVIEWED BY: Steve Abrahamson, Planning & Zoning Coordinator (480-350-8359) *SEA*

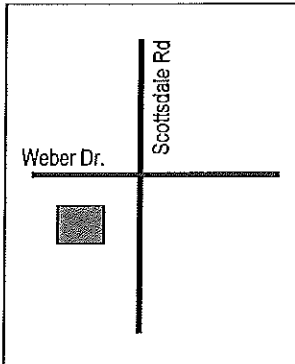
LEGAL REVIEW BY: N/A

DEPARTMENT REVIEW BY: Steve Abrahamson, Planning & Zoning Coordinator (480-350-8359)

FISCAL NOTE: There is no fiscal impact to City funds.

RECOMMENDATION: Staff – Approval, subject to conditions

ADDITIONAL INFO:



The applicant is requesting approval of a reception center with live entertainment. This proposed business will occupy the space previously occupied by Pulse Teen Night Club in the Rio Salado Shopping Center located at 1290 N. Scottsdale Road. Staff will return, on an upcoming Hearing Officer Agenda, and hold a revocation hearing for the teen night club use permit. Staff supports the requested use permit with the finding that it meets the criteria for approval to warrant support of the use permit. To date, staff received one telephone inquiry regarding this use. The caller was a representative of the single family neighborhood located to the north of the center. He will attend the Hearing Officer meeting in person to voice his comments regarding this use.

PAGES:

1. List of Attachments
2. Comments; Reasons for Approval
3. Conditions of Approval; History & Facts
4. Description; Zoning & Development Code Reference

ATTACHMENTS:

1. Location Map(s)
2. Aerial Photo(s)
3. Letter of Intent
4. Site plan
5. Floor plan

COMMENTS:

The property owner of the Rio Salado Center is also the applicant for this request. They are seeking the use permit to allow a reception center for a variety of events (i.e. Wedding Receptions, Quinceaneras, Bar Mitzvahs and business meetings/seminars). They will hire a manager to manage and lease the reception center. The property owner will be the ultimate party responsible for the conduct of the business. They will not serve food or liquor; all items will be brought in by the individuals associated with the events. The entertainment will vary per events and will include DJ's, dancing, and live bands. The applicant estimates that the hall will be used primarily on the weekends. The hours of operation will be in the evenings and in all cases the venue will be open no later than 1AM.

Use Permit

The Zoning and Development Code requires a use permit reception centers with live entertainment in the PCC-1, Planned Commercial Center Neighborhood District. This use permit request meets all applicable tests in the following manner:

Evaluating the use permit, the proposal appears to pass the use permit test listed below:

- a. Any significant increase in vehicular or pedestrian traffic in adjacent areas;
There should be no significant increase in vehicular or pedestrian traffic in adjacent areas not uncommon with a major shopping center.
- b. Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat, or glare at a level exceeding that of ambient conditions;
The live entertainment use is similar to others in the area; sound from music will have to conform to the noise ordinance.
- c. Contribution to the deterioration of the neighborhood or to the downgrading of property values which is in conflict with the goals, objectives or policies for rehabilitation, redevelopment or conservation as set forth in the City's adopted plans, or General Plan;
The proposed use should not contribute to neighborhood deterioration or downgrade property values.
- d. Compatibility with existing surrounding structures and uses;
The proposed use appears to be compatible with surrounding uses
- e. Adequate control of disruptive behavior both inside and outside the premises, which may create a nuisance to the surrounding area or general public;
Provisions within will be proposed within the security plan to maintain adequate control of disruptive behavior.

Conclusion

Staff recommends approval of the use permit, subject to conditions.

REASON(S) FOR APPROVAL:

- 1. The business is a general commercial use, and is compatible with the other businesses on the property and within the area.
- 2. No apparent nuisance resulting from noise, smoke, odor, dust, vibration, or glare.
- 3. No apparent hazards to persons or property from possible explosion, contamination, fire or flood.
- 4. The proposed use appears to have adequate control of disruptive behavior.

SHOULD THE HEARING OFFICER ELECT TO TAKE AFFIRMATIVE ACTION ON THE REQUEST, THE FOLLOWING CONDITIONS OF APPROVAL SHOULD APPLY.

**CONDITION(S)
OF APPROVAL:**

1. All permits and clearances required by the Building Safety Division shall be obtained prior to the use permit becoming effective.
2. The use permit is valid and operable only for the specific use for an eighteen month time period and will cease on 6/3/13 as allowed per Section 6-308 (L).
3. Any intensification or expansion of this use shall require the applicant to return to the appropriate decision-making body for a new use permit.
4. Allowable noise decibel levels to comply with the Tempe City Code -- Chapter 20. Noise complaints arising from the open windows/doors shall require closure of all outdoor windows and doors to mitigate noise trespass to adjacent public or private spaces.
5. The live entertainment use shall take place inside only. No live entertainment will be allowed outside.
6. If there are any complaints arising from the use permit that are verified by a consensus of the complaining party and the City Attorney's office, the use permit will be reviewed by city staff to determine the need for a public hearing to re-evaluate the appropriateness of the use permit.
7. All required permits and clearances shall be obtained from the Audit and Licensing Division of the City of Tempe prior to the use permit becoming effective.
8. The applicant shall work with the Tempe Police Department to implement a Security Plan for the business. Please contact the Crime Prevention Department at 480-858-6333.

HISTORY & FACTS:

- October 17, 1996 SGF-96.78 – The City Council approved the request by Studebakers for the following:
- a. Use Permit to allow a 7,900 s.f. restaurant/nightclub with entertainment (including 350 s.f. outdoor patio) to be located in the PCC-1 District
 - b. Use Permit to allow parking to be provided based on demand
 - c. Variance to allow a center with less than 100,000 s.f. in gross floor area to request permission to provide parking based on demand.
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- June 2, 2009 PL090171 – The Hearing Officer approved the request by Athena's Temple LLC located at 1290 N Scottsdale Rd., Suite No. 101 for a use permit to allow a massage therapy establishment.

- December 1, 2009 PL090423 – The Hearing Officer approved the request by Goodwill of Central Arizona located at 1290 N Scottsdale Rd., Suite Nos. 113-119 for a use permit to allow a resale retailer (Goodwill of Arizona).
- January 5, 2010 PL090448 – The Hearing Officer approved the request by Hookahmania located at 1290 N Scottsdale Rd., Suite Nos. 111 & 112 for a use permit to allow a hookah lounge.
- April 13, 2010 DSM10009 – Shared Parking Approved.
- May 4, 2010 PL100060 – The Hearing Officer approved the request by Rio Salado Center – Teen Dance Club for a use permit for a teen dance club subject to conditions.

DESCRIPTION:

Owner – Rio Salado Center LLC
 Applicant – Arnaldo Matos
 Existing Zoning – PCC-1, Planned Commercial Center Neighborhood District
 Parcel Size – 237,055 s.f. / 5.442 acres
 Building Area – 56,205 s.f.
 Tenant Area – 5,953 s.f.
 Parking Required for Use per ZDC – 119 spaces
 Parking Required for Entire Center per ZDC – 331 spaces
 Parking Provided on Site – 271 spaces
 Parking Required per Parking Study – 270 spaces

**ZONING AND
 DEVELOPMENT
 CODE REFERENCE:**

Part 3, Chapter 2, Section 3-202 – Permitted Uses in Commercial and Mixed-Use Districts
 Part 6, Chapter 3, Section 6-308 – Use Permit

7. Request by RIO SALADO CENTER – P J PROPERTIES (PL110435) (Arnaldo Matos/P J Properties, applicant/property owner) located at 1290 North Scottsdale Road, Suite Nos. 120 – 122 in the PCC-1, Planned Commercial Center Neighborhood District for:

ZUP11116 Use permit to allow a reception center with live entertainment.

Ms. Patti DeSlyvester was present to represent this case.

Sherri Lesser, staff planner, gave an overview of this case. She noted that the applicant is also the property owner of the Rio Salado Center. He is requesting a use permit to allow a reception center with live entertainment. This business will occupy the space previously occupied by Pulse Teen Night Club in the Rio Salado Shopping Center. This reception center will be used for a variety of events such as wedding receptions, quinceaneras, bar mitzvahs and business meetings/seminars. A manager will be hired to manage and lease the reception center. The property owner will be the ultimate party responsible for the conduct of the business. They will not serve food or liquor; all items will be brought in by the individuals associated with the events. The entertainment will vary per events and will include DJ's, dancing and live bands. The applicant estimates that the hall will be used primarily on the weekends. The hours of operation will be in the evenings and in all cases the venue will be open no later than 1 Am. One telephone of inquiry has been received regarding this request.

Ms. DeSlyvester acknowledged understanding of the assigned Conditions of Approval.

Ms. Darlene Justus, representing NTNA, requested that this case be continued until after the revocation hearing for the Teen Dance Club (Pulse) that is scheduled for the January 17, 2012 Hearing Officer hearing. This is a difficult time to have a case of this type heard and responded to as many people are out of town for the holidays. Otherwise this is a case of putting the cart before the horse. She referenced the history of the Pulse Teen Night Club and incidents of concern that occurred as well as a lack of security. This community is entitled to more assurance as to what type of occurrences will be related to this new request. There will be events for 15 year olds and disc jockeys. There have had parking lot problems in the past. Ms. Justus stated that this request needs to be better defined so that there is a better understanding of the number of attendees expected, as well as the security personnel that will be available for the event(s), and traffic plan(s). The fact that a liquor license will be provided by an outside entity. They need an assurance that alcohol will not be provided by private individuals. The need for a 6 month review of the request is important. When meeting with the owner's representative, Ms. DeSlyvester, she had stated that they plan on making an additional \$80,000 investment which they plan on recouping in three months. In order to do this, Ms. DeSlyvester indicated that there would be an expected revenue of \$2500 to \$3000 per event. This indicates a possibility of a lot of events being held which would affect the neighborhood(s). Ms. Justus stated that a continuance is needed so that they can sit down with the Police Department and City representatives and get a better definition of what type of events are going to be offered as well as the affected areas of concern.

Mr. Lane Carraway, representing Cavalier Hills NTNA, asked that the case be continued until after the revocation hearing for the Teen Dance Club (Pulse) that is scheduled for the January 17, 2012 Hearing Officer hearing. He did not understand how this request can be heard legally when the Pulse Teen Night Club issue(s) had not been resolved at this same address. He stated that the neighborhood(s) have had nothing but trouble at that location in the past. It is his feeling that the Tempe Police Department could not handle the security issues related to this location in the past. Mr. Carraway had wanted this item removed from the agenda until the issues of concern related to this request were resolved to the satisfaction of the neighborhood association(s). He stated his opinion that the City does not have a definition for public versus private events.

Mr. Abrahamson, Planning and Zoning Coordinator, explained that this is a commercial area and an allowed use; staff had erred on the side of caution by having this presented at a public hearing as a use permit request. The Conditions of Approval address specific areas of concern and is for a specific length of time.

Mr. Abrahamson noted that Mr. George, representative of the Pulse Teen Night Club, is out of the country and will not be present for the scheduled January 17th revocation hearing. He has lost his lease and is in effect removed from business operations at that location.

Ms. DeSylvester returned to the podium noting that although they want to keep the neighbors happy, in the meeting the representatives stated that they would like to see a different type of business in that location. There is not a different type of business wanted to go in. This is an allowed business for the property owner and they have a vested interest. She explained that she came in on her day off to spend 3 hours meeting with the neighborhood representatives to address their concerns; however, this is an allowed use to which they are entitled. She asked for the same consideration that the neighbors are given.

Ms. MacDonald acknowledged the neighbors' concerns with this space. The applicant is operating in good faith and this is an allowed use for this property. The Conditions of Approval have been adjusted to allow only a year (12 month) period of operation. Condition of Approval No. 6 allows for a review of the use permit if there are verified complaints received.

Ms. MacDonald noted that this request meets the criteria for use permits:

- The proposed use will cause no significant increase in vehicular or pedestrian traffic in adjacent areas not uncommon with a major shopping center.
- Live entertainment use is similar to others in the area; sound from music will have to conform to the noise ordinance.
- The proposed use should not contribute to neighborhood deterioration or downgrade property values.
- The proposed use appears to be compatible with surrounding uses.
- Provisions within will be proposed within the security plan to maintain adequate control of disruptive behavior.

Ms. Lesser proposed that Condition of Approval No. 8 be modified to read as follows:

The applicant shall work with the Tempe Police Department and Neighborhood Association(s) to implement a Security Plan for the business before the use permit becoming effective. Please contact the Crime Prevention Department at 480-858-6333. **PROPOSED STAFF MODIFICATION**

Ms. DeSylvester opposed this modification, stating that she did not feel that it should be made mandatory for the neighborhood association(s) to have the final say in the security plan as perhaps they would be able to delay or oppose the opening of the business. She wants to keep the security plan development/requirements between the applicant and the City as it is supposed to be done. The applicant should not be subjected to this stipulation.

Ms. Lesser noted that reasoning behind the proposed modifications is so that the neighborhood association(s) would have the opportunity to have items of concern included in the security plan so that the police would be able to legally enforce those actions.

Ms. MacDonald indicated her concern over the wording of the 'before the use permit becoming effective' for this condition's proposed modification. While input from the neighborhood association(s) is important, at some point the property owner and police department needs to be able finalize a security plan even though a neighborhood association(s) may not be pleased with the final outcome of the plan and be able to deter the use permit becoming effective and keep the business from opening. This is not a modification that is normally done. The record reflects that this applicant wants to work with the neighbors and operate in good faith. The modification to this Condition would therefore not be enacted.

DECISION:

Ms. MacDonald approved PL110435/ZUP11116 subject to the following conditions:

1. All permits and clearances required by the Building Safety Division shall be obtained prior to the use permit becoming effective.
2. The use permit is valid and operable only for the specific use for an ~~eighteen~~ twelve month time period (until 01/03/13) and will cease on 6/3/13 as allowed per Section 6-308 (L). **MODIFIED BY STAFF**
3. Any intensification or expansion of this use shall require the applicant to return to the appropriate decision-making body for a new use permit.

4. Allowable noise decibel levels to comply with the Tempe City Code – Chapter 20. Noise complaints arising from the open windows/doors shall require closure of all outdoor windows and doors to mitigate noise trespass to adjacent public or private spaces.
5. The live entertainment use shall take place inside only. No live entertainment will be allowed outside.
6. If there are any complaints arising from the use permit that are verified by a consensus of the complaining party and the City Attorney's office, the use permit will be reviewed by city staff to determine the need for a public hearing to re-evaluate the appropriateness of the use permit.
7. All required permits and clearances shall be obtained from the Audit and Licensing Division of the City of Tempe prior to the use permit becoming effective.
8. The applicant shall work with the Tempe Police Department to implement a Security Plan for the business. Please contact the Crime Prevention Department at 480-858-6333.

-
9. Request by the **SHAVIN PROPERTY (PL110438)** (Alan Shavin, applicant/property owner) located at 9245 South Terrace Road in the R1-15, Single Family Residential District for:

ZUP11117 Use permit standard to reduce the east side yard setback by 20% from 15 feet to 12 feet for wider turning radius to garage entrance.

Mr. Alan Shavin was present to represent this case.

Sherri Lesser, staff planner, gave an overview of this case. She noted that the applicant is seeking a use permit standard to reduce the east side yard setback by 20% from 15 feet to 12 feet to allow for a greater turning radius area for the garage on the west side driveway entrance. This is construction of a new residence on a vacant lot. Staff supports this request.

Mr. Shavin acknowledged his understanding of the assigned Conditions of Approval.

Ms. MacDonald noted that this request meets the criteria for use permits and that this use was compatible with surrounding areas. It will not contribute to neighborhood deterioration or downgrade property values. It is consistent with the General Plan 2030's Land Use Element and will further the General Plan Land Use Element Goals and Strategies. It will not cause a significant increase in vehicular or pedestrian traffic in adjacent areas nor will it create a nuisance from the emission of odor, dust, gas, noise, vibration, smoke, heat or glare.

The house will be built with the front door facing the north, Ms. Lesser, explained, in response to a question from Ms. MacDonald.

Ms. MacDonald noted that this request meets the criteria for a use permit standard. It applies to a very small portion of a tight site.

DECISION:

Ms. MacDonald approved PL110438/ZUP11117 subject to the following conditions:

1. Obtain all necessary clearances from the Building Safety Division.

-
10. Request by **THE BRICK YARD - ANTARS SPORTS BISTRO (PL110404)** (Greg Davis/Antars Sports Bistro LLC, applicant; ASU, property owner) located at 699 South Mill Avenue, Suite No. 201 in the CC, City Center District for:

ZUP11107 Use permit to allow a Series 6 bar with live entertainment.

Mr. Greg Davis was present to represent this case.

Staff Summary Report

Development Review Commission: 02/14/2012

Agenda Item Number:

SUBJECT: Hold a public hearing for an appeal of a previously approved use permit for PJ PROPERTIES (PL110435) located at 1290 North Scottsdale Road, Suite Nos. 120 – 122.

DOCUMENT NAME: DRGr_PJProp_021412 PLANNED DEVELOPMENT (0406)

COMMENTS: Request by RIO SALADO CENTER – P J PROPERTIES (PL110435) (Arnaldo Matos/P J Properties, applicant/property owner) located at 1290 North Scottsdale Road, Suite Nos. 120 – 122 in the PCC-1, Planned Commercial Center Neighborhood District for:

UPA12005– Use Permit appeal (ZUP11116) to allow a reception center with live entertainment.

PREPARED BY: Sherri Lesser, Senior Planner (480-350-8486)

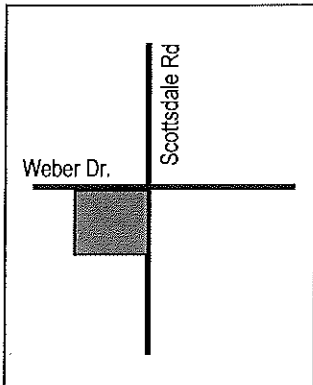
REVIEWED BY: Lisa Collins, Deputy Director Community Development Dept. (480-350-8989)

LEGAL REVIEW BY: N/A

FISCAL NOTE: There is no fiscal impact to City funds.

RECOMMENDATION: Staff – Approval, subject to conditions

ADDITIONAL INFO:



Owner – Rio Salado Center LLC

Applicant – Arnaldo Matos

Existing Zoning – PCC-1, Planned Commercial Center Neighborhood District

Parcel Size – 237,055 s.f. / 5.442 acres

Building Area – 56,205 s.f.

Tenant Area – 5,953 s.f.

Parking Required for Use per ZDC – 119 spaces

Parking Required for Entire Center per ZDC – 331 spaces

Parking Provided on Site – 271 spaces

Parking Required per Parking Study – 270 spaces

A property owner located to the north of the shopping center is requesting an appeal of the January 3, 2012 Hearing Officer Decision to approve a use permit for a reception center with live entertainment. The Hearing Officer reviewed the application and approved the request stating that the proposed business meets the ZDC criteria for approval of a use permit.

PAGES:

1. List of Attachments
2. Comments; Reasons for Approval
3. Conditions of Approval; History & Facts
4. Description; Zoning & Development Code Reference

ATTACHMENTS:

1. Location Map(s)
2. Aerial Photo(s)
3. Letter of Appeal
4. Letter of Intent
5. Site plan
6. Floor plan
- 7-14. Copy of Contract
15. Brochure for Center

COMMENTS:

The appellants are before the Development Review Commission to appeal the decision by the Hearing Officer to approve a request for a use permit. This proposed business will locate in the space previously occupied by Pulse Teen Night Club in the Rio Salado Shopping Center located at 1290 N. Scottsdale Road. The property owner of the Rio Salado Center is also the applicant for the use permit. They are seeking the use permit to allow a reception center for a variety of events (i.e. Wedding Receptions, Quinceaneras, Bar Mitzvahs and business meetings/seminars). They will hire a manager to manage and lease the reception center. The property owner will be the ultimate party responsible for the conduct of the business. They will not serve food or liquor; all items will be brought in by the individuals associated with the events. The entertainment will vary per events and will include DJ's, dancing, and live bands. The applicant estimates that the hall will be used primarily on the weekends. The hours of operation will be in the evenings and in all cases the venue will be open no later than 1:30 AM.

Since the Hearing Officer meeting in January, the applicant has hired the manager/event planner for the reception center. They have also provided a copy of their contract showing their rules for conduct and a promotional brochure for the center.

Public Input

No additional public input has been received regarding this appeal or the use permit.

Use Permit

The Zoning and Development Code requires a use permit for reception centers with live entertainment in the PCC-1, Planned Commercial Center Neighborhood District. This use permit request meets all applicable tests in the following manner:

Evaluating the use permit, the proposal appears to pass the use permit test listed below:

- a. Any significant increase in vehicular or pedestrian traffic in adjacent areas;
There should be no significant increase in vehicular or pedestrian traffic in adjacent areas not uncommon with a major shopping center.
- b. Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat, or glare at a level exceeding that of ambient conditions;
The live entertainment use is similar to others in the area; sound from music will have to conform to the noise ordinance.
- c. Contribution to the deterioration of the neighborhood or to the downgrading of property values which is in conflict with the goals, objectives or policies for rehabilitation, redevelopment or conservation as set forth in the City's adopted plans, or General Plan;
The proposed use should not contribute to neighborhood deterioration or downgrade property values.
- d. Compatibility with existing surrounding structures and uses;
The proposed use appears to be compatible with surrounding uses
- e. Adequate control of disruptive behavior both inside and outside the premises, which may create a nuisance to the surrounding area or general public;
Provisions within will be proposed within the security plan to maintain adequate control of disruptive behavior.

Conclusion

Staff recommends approval of the use permit, subject to conditions.

REASON(S) FOR APPROVAL:

1. The business is a general commercial use, and is compatible with the other businesses on the property and within the area.
2. No apparent nuisance resulting from noise, smoke, odor, dust, vibration, or glare.
3. No apparent hazards to persons or property from possible explosion, contamination, fire or flood.
4. The proposed use appears to have adequate control of disruptive behavior.

CONDITIONS OF APPROVAL

EACH NUMBERED ITEM IS A CONDITION OF APPROVAL. THE DECISION-MAKING BODY MAY MODIFY, DELETE OR ADD TO THESE CONDITIONS.

ZUP11116 CONDITIONS OF APPROVAL

1. All permits and clearances required by the Building Safety Division shall be obtained prior to the use permit becoming effective.
2. The use permit is valid and operable only for the specific use for a twelve eighteen-month time period and will cease on 1/3/13 as allowed per Section 6-308 (L). **Modified by Hearing Officer**
3. Any intensification or expansion of this use shall require the applicant to return to the appropriate decision-making body for a new use permit.
4. Allowable noise decibel levels to comply with the Tempe City Code – Chapter 20. Noise complaints arising from the open windows/doors shall require closure of all outdoor windows and doors to mitigate noise trespass to adjacent public or private spaces.
5. The live entertainment use shall take place inside only. No live entertainment will be allowed outside.
6. If there are any complaints arising from the use permit that are verified by a consensus of the complaining party and the City Attorney's office, the use permit will be reviewed by city staff to determine the need for a public hearing to re-evaluate the appropriateness of the use permit.
7. All required permits and clearances shall be obtained from the Audit and Licensing Division of the City of Tempe prior to the use permit becoming effective.
8. The applicant shall work with the Tempe Police Department to implement a Security Plan for the business. Please contact the Crime Prevention Department at 480-858-6333.

HISTORY & FACTS:

- October 17, 1996– The City Council approved the request by Studebakers for the following:
- a. Use Permit to allow a 7,900 s.f. restaurant/nightclub with entertainment (including 350 s.f. outdoor patio) to be located in the PCC-1 District
 - b. Use Permit to allow parking to be provided based on demand
 - c. Variance to allow a center with less than 100,000 s.f. in gross floor area to request permission to provide parking based on demand.
- October 5, 2000– The City Council denied the request by Metropolis for a transfer of ownership and time extension of a previous council condition for a bar with live entertainment at 1290 N Scottsdale Rd.
- February 27, 2001– The Planning & Zoning Commission accepted the withdrawal of the request by Club G for a use permit of a nightclub with live entertainment, DJ and dancing at 1290 N Scottsdale Rd.
- April 30, 2009 – The Development Services Department Board of Adjustment staff approved the request by Mijana located at 1290 N Scottsdale Rd., Suite Nos. 107-110 for the transfer of an existing use permit to allow a restaurant with live entertainment.

- June 2, 2009 – The Hearing Officer approved the request by Athena's Temple LLC located at 1290 N Scottsdale Rd., Suite No. 101 for a use permit to allow a massage therapy establishment.
- December 1, 2009– The Hearing Officer approved the request by Goodwill of Central Arizona located at 1290 N Scottsdale Rd., Suite Nos. 113-119 for a use permit to allow a resale retailer (Goodwill of Arizona).
- January 5, 2010– The Hearing Officer approved the request by Hookahmania located at 1290 N Scottsdale Rd., Suite Nos. 111 & 112 for a use permit to allow a hookah lounge.
- April 13, 2010 – Shared Parking Approved.
- May 4, 2010 – The Hearing Officer approved the request by Rio Salado Center – Teen Dance Club for a use permit for a teen dance club subject to conditions.
- January 3, 2012 – The Hearing Officer approved the request by Rio Salado Reception Center for a use permit for a banquet facility with live entertainment subject to conditions.

ZONING AND DEVELOPMENT CODE REFERENCE:

Part 3, Chapter 2, Section 3-202 – Permitted Uses in Commercial and Mixed-Use Districts
Part 6, Chapter 3, Section 6-308 – Use Permit

MINUTES OF THE DEVELOPMENT REVIEW COMMISSION FEBRUARY 14, 2012

Harry E. Mitchell Government Center
Tempe City Hall - City Council Chambers
31 E. 5th Street, Tempe, AZ 85281
6:00 PM (5:30 Study Session)

Commission Present:

Mike DiDomenico, Chair
Dennis Webb, Vice Chair
Monica Attridge
Tom Oteri
Peggy Tinsley
Kolby Granville
Nick Miner
Jim Delton

Commission Absent:

Paul Kent

City Staff Present:

Lisa Collins, Deputy Director Community Development
Steve Abrahamson, Planning & Zoning Coordinator
Ryan Levesque, Senior Planner
Kevin O'Melia, Senior Planner
Sherri Lesser, Senior Planner
Diana Kaminski, Senior Planner
Lisa Nova, Administrative Asst. II

Chair DiDomenico called the meeting to order at 6:05 p.m., which included the introduction of the Commission and City staff. It had been determined at the Study Session that Item Nos. 2 and 5 could be placed on the Consent Agenda and Item Nos. 3, 4 and 6 would be heard. Item No. 6 was moved and would be the first case heard for the evening.

1. CONSIDERATION OF MEETING MINUTES: 1/24/12

On a motion by Commissioner Miner and seconded by Commissioner Tinsley, the Commission with a vote of 6-0 (Commissioner approved the minutes of the January 24, 2012 meeting.

CONSENT AGENDA

On a motion by Commissioner Tinsley and seconded by Commissioner Granville, the Commission with a vote of 7-0 approved the Consent Agenda as proposed in the following staff reports, with a modification to Condition No. 1 for Item No. 5, 1407 E McKellips, as reflected below.

2. Request for **MCDONALD'S RESTAURANT (PL110290)** (Greg Kozlowski, McDonalds USA LLC, property owner; Scott Rasmussen, Synectic Design, Inc. applicant) consisting of demolition of existing restaurant and site features and replacement with a one story, +/-4,700 sf. restaurant with drive through lane, parking and landscape on a +/-0.86 acre site. The site is located at 1740 East Elliot Road in the PCC-1, Planned Commercial Center Neighborhood District. The request includes the following:

DPR11232 – Development Plan Review including site plan, building elevations and landscape plan

STAFF REPORT: DRCr McDONALDS ELLIOTT 021412.pdf

5. Request for **1407 E. MCKELLIPS (PL110395)** (Mike Anton, property owner; Alan Beaudoin, LVA Urban Design Studio, Applicant) consisting of a Zoning Map Amendment for the construction of a new one- story, +/-4,200 sf. office building with a storage/staging yard, parking and landscape on a +/-0.74 acre site. The site is located at 1407 East McKellips Road. The request includes the following:

ZON11009 (Ordinance No. 2012.09) – Zoning Map Amendment from the R-3, Multi-family Residential Limited District to the GID, General Industrial District.

STAFF REPORT: DRCr 1407EMCKellips 021412.pdf

- ~~1. A building permit shall be obtained on or before March 22, 2014 or the zoning of the property may revert to that in place at the time of application, subject to a public hearing.~~
-

REGULAR AGENDA

6. Appeal of the January 03, 2012 Hearing Officer's Decision to approve the request by **RIO SALADO CENTER – P J PROPERTIES (PL110435)** (Arnaldo Matos/P J Properties, applicant/property owner) located at 1290 North Scottsdale Road, Suite Nos. 120 – 122 in the PCC-1, Planned Commercial Center Neighborhood District for the following:

UPA12005– Use Permit appeal (ZUP11116) to allow a reception center with live entertainment.

STAFF REPORT: DRCr PJProp 021412.pdf

This case was presented by Sherri Lesser and represented by Lane Caraway (applicant for the appeal).

Commissioner Attridge questioned Ms. Lesser if there were any calls for service by the Police Department. Ms. Lesser indicated that this application is a new application and the calls for service were for a previous tenant.

Commissioner Granville asked staff if the owner and the tenant are the same entity and the contract is between the owner and the individuals renting the facility, how the individuals are held accountable to the contract. Ms. Lesser indicated she would allow the event coordinator to answer that question.

Mr. Caraway addressed the Commission and gave a presentation of his concerns with the history of this property and owner as it relates to noise, traffic and security. Mr. Caraway asked the Commission and staff to give a definition of an event hall, the hours of operation are going to be and if there will there be a security plan involved.

Chair DiDomenico asked Mr. Caraway to define noise and operation limits that he would like to see imposed on any user. Mr. Caraway indicated he would like to see the owner work with the neighborhood and build trust with the residents.

Chair DiDomenico opened the hearing to public input.

Darlene Justus addressed the Commission and gave a brief presentation of her experience as a resident living near this property. She indicated there have been fights with no supervision and issues with security. She stated that clubs in this location have negatively impacted the neighbors with loud music and other noise, loitering and parking in the neighborhood. Ms. Justus requested that certain stipulations be included to ensure that the intention of the event hall remains and should their business plan not work, that they not be allowed to modify the use without coming back before the Hearing Officer.

Ms. Justus indicated she wished to see the following included in the approval; no fees or tickets are to be sold for events as it was indicated events were by invitation only, that an approved security plan shall address team based events and the neighborhood be allowed to review that plan, that should there be a teen based event that they end the event at 11:00 p.m., base levels must be adjusted, no offsite valet parking, no retail/tobacco/pornographic sales, and a designated hall management person shall be a responsible point of contact and present at all events.

Chair DiDomenico stated for clarification purposes that the Use Permit expires in 12 months, there is no automatic renewal and the owner is not allowed to operate from month to month. The owner is required to come back before the Hearing Officer on a new application and prove they have operated appropriately and have followed the Conditions of Approval.

Chair DiDomenico asked staff to clarify the definition of an event hall and can teen events be held under that use. Ms. Collins indicated there is no specific definition for a reception hall but there is the definition of entertainment in the Zoning and Development Code. A teen dance club requires a Use Permit and it requires the approval of a business license through the City Council.

Chair DiDomenico questioned staff as to the stipulations that Ms. Justus would like included in the Conditions of Approval and would like to know if any of those concerns or situations could occur under the Use Permit as it was approved by the Hearing Officer.

Ms. Collins indicated that the Zoning and Development Code already has placed limitations as it relates to pornographic or adult uses and would not be allowed to operate in that location. The use will be regulated as it was presented in the application, as a reception hall for events such as weddings. If the Commission would like the applicant to further define the scope of what types of events will be occurring so additional conditions can be placed in the Conditions of Approval, it may do so.

Commissioner Granville asked staff to clarify if it would be permitted to rent the space out and charge for entry or ask for donations for entry, even though those tickets may have been purchased by teens.

Ms. Collins indicated she did not believe there would be anything to restrict that use.

Commissioner Attridge asked staff about security plans and if they are required.

Ms. Collins indicated that a police security plan is required in Condition No. 8 and it involves hours of operation and noise and use of the property. She also indicated that staff would be happy to have the neighborhood review the plan but it is approved by the Police Department and it is up to them what is included in that plan.

Ms. Lesser indicated that security plans typically ask for a number of security persons based on occupancy, that

management be on site during events and it includes contact information should the Police respond to a call.

Commissioner Attridge questioned staff regarding noise levels and how it is monitored. Ms. Lesser stated that it is identified in decibels and what is acceptable levels and different parts of the day or evening. Ms. Lesser also indicated that if multiple complaints are received, staff will go out after hours and monitor events.

Patti DeSlyvester and Kathryn Martin, representing the property owner, addressed the Commission and described their roles as it relates to the event hall. Ms. Martin indicated that people are not allowed to provide their own security and that either the on-staff security or a security company will provide event security. She indicated that a sound barrier has been placed to assist with the noise issue and the doors will not be allowed to remain open.

Chair DiDomenico questioned Ms. Martin about parking and hours of operation. She indicated that users may bring in their own valet but that there should be sufficient parking in the shopping center for guests. She also stated that events are to be over by 1:30 but the individual's renting the facility will be allowed to remain until 2:00 for cleanup and she and security will remain until everyone has left the premises.

Vice Chair Webb asked how they will enforce unruly behavior and Ms. Martin indicated that the security guards hired will be professionals and the Police will be notified.

Commissioner Oteri asked how many parking spaces were available for the event hall use. Ms. Lesser indicated that they have 271, the parking study indicated 270 spaces were required for an assembly use at this location.

Vice Chair Webb questioned what happens if they have more than 100 people in attendance and why this is noted in the contract.

Ms. Martin indicated that due to the parking and traffic concerns, they want to make sure that the individuals renting the facility are aware of the preferred entrance and exit and where people can park. She also indicated that although the occupancy of the building is 600, they are not expecting parties of more than 300 and are assuming that all 300 people will not arrive alone. They feel they have sufficient parking.

Commissioner Attridge questioned if they would be amenable to a Condition of Approval holding parties to 300. Ms. Martin and Ms. DeSlyvester indicated they have no issue with such a stipulation.

Chair DiDomenico closed the hearing to public input.

Mr. Caroway returned to the dais. In his final comments he indicated his concern over available parking onsite for events, teen parties and alcohol.

Chair DiDomenico stated his concerns regarding the definition of the use and the security plan. He indicated that he felt tighter hours were necessary, completely eliminate the ability for ticket sales where alcohol will be served and professional bartenders should be required. He also stated there should be professionally trained and licensed security and there should be restrictions on offsite parking for events.

Commissioner Granville agreed with Chair DiDomenico and stated that he could not support this case unless every event had an off-duty officer onsite.

Commissioner Attridge also stated her concern over parking availability.

Commissioner Tinsley asked staff how long it would take to finalize a security plan. Ms. Lesser indicated about two weeks.

Commissioner Tinsley also stated that she felt the currently owner is being penalized for past issues of other

owners and tenants but also felt as if they are taking some necessary steps in the right direction and doesn't feel there isn't any reason she could not support this case.

Commissioner Oteri asked if it would be possible to have the Hearing Officer give the Commission information on what factors the approval was based on.

Ms. Collins indicated that the minutes and the Hearing Officer video would be excellent tools to gather than necessary information from.

Chair DiDomenico asked the applicant if he understood the reasoning behind continuing the case and if he was in agreement.

Mr. Caraway does not have an issue with the continuance but is concerned that they will continue to have the same issues.

Vice Chair Webb wants to clarify that this case needs to stand on its own and shouldn't bear the baggage from past tenants and issues.

On a motion by Commissioner Tinsley and seconded by Commissioner Oteri, with a vote of 7-0 continued this case to the Wednesday, March 14, 2012 meeting.

-
4. Request for ARCHSTONE TEMPE (PL110386) (Bruce Shapiro, WIDBPP-Loan Fund II LLC, property owner; Charles Huellmantel, Huellmantel & Affiliates, applicant) consisting of a new 234 unit multi-family residential development with two, three and four-story buildings, on approximately 7.8 acres, located at 1126 North Scottsdale Road in the GID, General Industrial District. The request includes the following:

GEP11006 (Resolution No. 2012.19) – General Plan Projected Land Use Map Amendment from "Commercial" to "Residential" and a Projected Residential Density Map Amendment from "Medium-High Density" (up to 25 du/ac) to "High Density" (greater than 25 du/ac) on 7.8 acres.

ZON11008 (Ordinance No. 2012.08) – Zoning Map Amendment from GID, General Industrial District to R-5, Multi-Family Residential High Density District on 7.8 acres.

PAD11017 (Ordinance No. 2012.08) – Planned Area Development Overlay to increase the maximum allowed building height from 50'-0" to 61'-0"; reduce the required front yard building setback from 20'-0" to 12'-0"; reduce the street side parking setback from 20'-0" to 18'-0" on Scottsdale Road and 17'-0" on Curry Road; and reduce the required vehicle parking from 479 to 432 spaces.

DPR11216 - Development Plan Review including site plan, building elevations and landscape plan.

STAFF REPORT: [DRCr_ArchstoneTempe_021412.pdf](#)

This case was presented by Ryan Levesque and represented by Charles Huellmantel, Huellmantel & Affiliates (applicant).

Mr. Huellmantel gave a brief overview of the project and wished to give the public the opportunity to speak so he could address their questions and concerns specifically.

Chair DiDomenico opened the hearing for public input.

Staff Summary Report



Development Review Commission: 04/10/2012

Agenda Item Number: 3

SUBJECT: Hold a public hearing for an appeal of a previously approved Use Permit for PJ PROPERTIES (PL110435) located at 1290 North Scottsdale Road, Suite Nos. 120 – 122.

DOCUMENT NAME: DRCr_PJProp_041012 PLANNED DEVELOPMENT (0406)

COMMENTS: Request by RIO SALADO CENTER – P J PROPERTIES (PL110435) (Arnaldo Matos/P J Properties, applicant/property owner) located at 1290 North Scottsdale Road, Suite Nos. 120 – 122 in the PCC-1, Planned Commercial Center Neighborhood District for:

UPA12005– Use Permit appeal (ZUP11116) to allow a reception center with live entertainment.

PREPARED BY: Sherri Lesser, Senior Planner (480-350-8486)

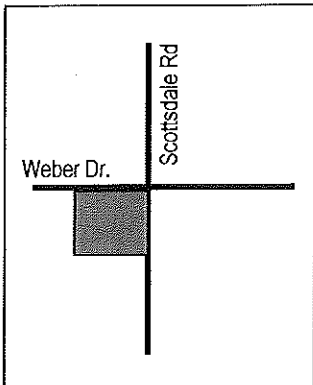
REVIEWED BY: Lisa Collins, Interim Community Development Department Director (480-350-8989)

LEGAL REVIEW BY: N/A

FISCAL NOTE: There is no fiscal impact to City funds.

RECOMMENDATION: Staff has no recommendation

ADDITIONAL INFO:



Owner – Rio Salado Center LLC
Applicant – Arnaldo Matos
Existing Zoning – PCC-1, Planned Commercial Center Neighborhood District
Parcel Size – 237,055 s.f. / 5.442 acres
Building Area – 56,205 s.f.
Tenant Area – 5,953 s.f.
Parking Required for Use per ZDC – 119 spaces
Parking Required for Entire Center per ZDC – 331 spaces
Parking Provided on Site – 271 spaces
Parking Required per Parking Study – 270 spaces

A property owner located to the north of the shopping center is requesting an appeal of the January 3, 2012 Hearing Officer Decision to approve a Use Permit for a reception center with live entertainment. The Hearing Officer reviewed the application and approved the request with the finding that the proposed business met the ZDC criteria for approval of a Use Permit.

This case was heard by the Development Review Commission on February 14, 2012 and continued by the Commission to allow time for additional dialogue between staff, the neighborhood and the business owner regarding the operation of the facility.

PAGES:

1. List of Attachments
2. Comments; Reasons for Approval
3. Conditions of Approval; History & Facts
4. Description; Zoning & Development Code Reference

ATTACHMENTS:

1. Location Map(s)
2. Aerial Photo(s)
3. Letter of Appeal
4. Letter of Intent
5. Site plan
6. Floor plan
- 7-14. Copy of Contract
15. Brochure for Center
- 16-17. Letter from NTNA date 3/20/12

COMMENTS:

The appellants are before the Development Review Commission to appeal the decision by the Hearing Officer to approve a request for a Use Permit. This proposed business will locate in the space previously occupied by Pulse Teen Night Club in the Rio Salado Shopping Center located at 1290 N. Scottsdale Road. The property owner of the Rio Salado Center is also the applicant for the Use Permit. They are seeking the Use Permit to allow a reception center for a variety of events (i.e. Wedding Receptions, Quinceaneras, Bar Mitzvahs and business meetings/seminars). They will hire a manager to manage and lease the reception center. The property owner will be the ultimate party responsible for the conduct of the business. They will not serve food or liquor; all items will be brought in by the individuals associated with the events. The entertainment will vary per events and will include DJ's, dancing, and live bands. The applicant estimates that the hall will be used primarily on the weekends. The hours of operation will be in the evenings and in all cases the venue will be open no later than 1:30 AM.

Since the Development Review Commission Hearing in February; Community Development Staff has met separately with the business owner and a representative of the neighborhood association. At the hearing on April 10, 2012; the business owner will provide additional information regarding security and the security plan, parking, management of traffic from center, and event management.

Public Input

The North Tempe Neighborhood Association has provided a letter identifying conditions they would like to see included in the conditions of approval if the Hearing Officer's Decision is upheld.

The Evaluation of Use Permit, Reasons for Approval and Conditions reviewed and modified by the Hearing Officer included the following:

Use Permit

The Zoning and Development Code requires a Use Permit for reception centers with live entertainment in the PCC-1, Planned Commercial Center Neighborhood District. This Use Permit request meets all applicable tests in the following manner:

Evaluating the Use Permit, the proposal appears to pass the Use Permit test listed below:

- a. Any significant increase in vehicular or pedestrian traffic in adjacent areas;
There should be no significant increase in vehicular or pedestrian traffic in adjacent areas not uncommon with a major shopping center.
- b. Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat, or glare at a level exceeding that of ambient conditions;
The live entertainment use is similar to others in the area; sound from music will have to conform to the noise ordinance.
- c. Contribution to the deterioration of the neighborhood or to the downgrading of property values which is in conflict with the goals, objectives or policies for rehabilitation, redevelopment or conservation as set forth in the City's adopted plans, or General Plan;
The proposed use should not contribute to neighborhood deterioration or downgrade property values.
- d. Compatibility with existing surrounding structures and uses;
The proposed use appears to be compatible with surrounding uses
- e. Adequate control of disruptive behavior both inside and outside the premises, which may create a nuisance to the surrounding area or general public;
Provisions within will be proposed within the security plan to maintain adequate control of disruptive behavior.

Conclusion

Staff recommends approval of the Use Permit, subject to conditions.

REASON(S) FOR APPROVAL:

1. The business is a general commercial use, and is compatible with the other businesses on the property and within the area.
2. No apparent nuisance resulting from noise, smoke, odor, dust, vibration, or glare.
3. No apparent hazards to persons or property from possible explosion, contamination, fire or flood.
4. The proposed use appears to have adequate control of disruptive behavior.

CONDITIONS OF APPROVAL

EACH NUMBERED ITEM IS A CONDITION OF APPROVAL. THE DECISION-MAKING BODY MAY MODIFY, DELETE OR ADD TO THESE CONDITIONS.

ZUP11116 CONDITIONS OF APPROVAL

1. All permits and clearances required by the Building Safety Division shall be obtained prior to the Use Permit becoming effective.
2. The Use Permit is valid and operable only for the specific use for a twelve ~~eighteen~~-month time period and will cease on 1/3/13 as allowed per Section 6-308 (L). **Modified by Hearing Officer**
3. Any intensification or expansion of this use shall require the applicant to return to the appropriate decision-making body for a new Use Permit.
4. Allowable noise decibel levels to comply with the Tempe City Code – Chapter 20. Noise complaints arising from the open windows/doors shall require closure of all outdoor windows and doors to mitigate noise trespass to adjacent public or private spaces.
5. The live entertainment use shall take place inside only. No live entertainment will be allowed outside.
6. If there are any complaints arising from the Use Permit that are verified by a consensus of the complaining party and the City Attorney's office, the Use Permit will be reviewed by city staff to determine the need for a public hearing to re-evaluate the appropriateness of the Use Permit.
7. All required permits and clearances shall be obtained from the Audit and Licensing Division of the City of Tempe prior to the Use Permit becoming effective.
8. The applicant shall work with the Tempe Police Department to implement a Security Plan for the business. Please contact the Crime Prevention Department at 480-858-6333.

HISTORY & FACTS:

October 17, 1996–

The City Council approved the request by Studebakers for the following:

- a. Use Permit to allow a 7,900 s.f. restaurant/nightclub with entertainment (including 350 s.f. outdoor patio) to be located in the PCC-1 District
- b. Use Permit to allow parking to be provided based on demand
- c. Variance to allow a center with less than 100,000 s.f. in gross floor area to request permission to provide parking based on demand.

October 5, 2000–

The City Council denied the request by Metropolis for a transfer of ownership and time extension of a previous council condition for a bar with live entertainment at 1290 N Scottsdale Rd.

- February 27, 2001– The Planning & Zoning Commission accepted the withdrawal of the request by Club G for a Use Permit of a nightclub with live entertainment, DJ and dancing at 1290 N Scottsdale Rd.
- April 30, 2009 – The Development Services Department Board of Adjustment staff approved the request by Mijana located at 1290 N Scottsdale Rd., Suite Nos. 107-110 for the transfer of an existing Use Permit to allow a restaurant with live entertainment.
- June 2, 2009 – The Hearing Officer approved the request by Athena's Temple LLC located at 1290 N Scottsdale Rd., Suite No. 101 for a Use Permit to allow a massage therapy establishment.
- December 1, 2009– The Hearing Officer approved the request by Goodwill of Central Arizona located at 1290 N Scottsdale Rd., Suite Nos. 113-119 for a Use Permit to allow a resale retailer (Goodwill of Arizona).
- January 5, 2010– The Hearing Officer approved the request by Hookahmania located at 1290 N Scottsdale Rd., Suite Nos. 111 & 112 for a Use Permit to allow a hookah lounge.
- April 13, 2010 – Shared Parking Approved.
- May 4, 2010 – The Hearing Officer approved the request by Rio Salado Center – Teen Dance Club for a Use Permit for a teen dance club subject to conditions.
- January 3, 2012 – The Hearing Officer approved the request by Rio Salado Reception Center for a Use Permit for a banquet facility with live entertainment subject to conditions.
- February 14, 2012 The Development Review Commission continued the appeal of the Use Permit for the Rio Salado Center .

ZONING AND DEVELOPMENT CODE REFERENCE:

Part 3, Chapter 2, Section 3-202 – Permitted Uses in Commercial and Mixed-Use Districts
 Part 6, Chapter 3, Section 6-308 – Use Permit

MINUTES OF THE
DEVELOPMENT REVIEW COMMISSION
APRIL 10, 2012

Harry E. Mitchell Government Center
Tempe City Hall - City Council Chambers
31 E. 5th Street, Tempe, AZ 85281
6:00 PM (5:30 Study Session)

Commission Present

Mike DiDomenico, Chair
Dennis Webb, Vice Chair
Peggy Tinsley
Tom Oteri
Kolby Granville
Jim Delton
Dave Maza

Commission Absent:

Paul Kent
Monica Attridge
Nick Miner

City Staff Present:

Lisa Collins, Interim Community Development Director
Steve Abrahamson, Planning & Zoning Coordinator
Sherri Lesser, Senior Planner
Kevin O'Melia, Senior Planner
Lisa, Novia, Administrative Asst. II

Chair DiDomenico called the meeting to order at 6:05 p.m., which included the introduction of the Commission and City staff. It had been determined at Study Session that Item Nos. 2 and 5 could be placed on the Consent Agenda and Item Nos. 3 and 4 would be heard.

1. CONSIDERATION OF MEETING MINUTES: 3/27/12

Approval of the minutes was postponed to the next meeting, April 24, 2012.

On a motion by Commissioner Tinsley and seconded by Commissioner Granville, the Commission with a vote of 7-0 approved the Consent Agenda, continued Gracie's Village to April 24, 2012 and approved Arizona Bank & Trust with modified Conditions of Approval read into the record and shown below:

2. Request for **GRACIE'S VILLAGE (PL110282)** (Jeff Brosman, Grace Community Church of the Valley, property owner; Francis J. Slavin, Esq., Law Offices of Francis J. Slavin, PC, applicant) consisting of a four (4) story mixed-use commercial and residential development including +/-13,180 sf. Gracie's Thrift store and sixty-five (65) dwelling units, +/-92,166 sf. overall on +/-1.99 net acres, located at 1520 East Apache Boulevard in the CSS (TOD) Commercial Shopping and Service District and Transportation Overlay District (Corridor). The request includes the following:

GEP12001 – (Resolution No. 2012.32) General Plan Projected Density Map Amendment from Medium-to-High Density to High Density.

ZON12001 – (Ordinance No. 2012.16) Zoning Map Amendment from CCS, Commercial Shopping and Service District to MU-4, Mixed-Use, High Density District.

PAD12001 – (Ordinance No. 2012.16) Planned Area Development Overlay to establish development standards for density, building height, building setbacks, building lot coverage, landscape lot coverage and vehicle parking quantity.

DPR12004 – Development Plan Review including site plan, building elevations, and landscape plan.

5. Request for **ARIZONA BANK & TRUST (PL120045)** (Nelson Klavitter, Heartland Financial USA, Inc., property owner; Chris Wilson, Metro/Land Consultants LLC, applicant) consisting of a one-story, +/-4,321 sf. bank with drive through teller and ATM service on +/- 0.632 net acres, located at 980 East Baseline Road in the PCC-2 (PAD), Planned Commercial Center General District with a Planned Area Development Overlay. The request includes the following:

DPR12025 – Development Plan Review including site plan, building elevations and landscape plan.

STAFF REPORT: [DRCr AZ Bank LCV 041012.pdf](#)

6. Security fence:
 - a. Provide a 3'-6" high steel vertical picket fence along centerline of ATM canopy columns to limit access around ATM. Coordinate fence location with ATM access panels.
 - b. Provide 3'-6" high steel vertical picket fence adjacent to parking row and parallel with north building elevation. Extend fence from concrete walkway northwest of building to parking island at east end of parking row.
12. Provide minimum 10.0 and maximum 40.0 foot-candles under drive through canopy. Provide minimum 2.0 1.0 and maximum 10.0 foot-candles at colonnade on south and west elevations.

REGULAR AGENDA

3. Appeal of the January 03, 2012 Hearing Officer's Decision to approve the request by **RIO SALADO CENTER – P J PROPERTIES (PL110435)** (Arnaldo Matos/P J Properties, applicant/property owner) located at 1290 North Scottsdale Road, Suite Nos. 120 – 122 in the PCC-1, Planned Commercial Center Neighborhood District for the following:

UPA12005– Use Permit appeal (ZUP11116) to allow a reception center with live entertainment.

STAFF REPORT: [DRCr PJProp 041012.pdf](#)

This case was presented by Sherri Lesser and represented by Lane Carraway, applicant.

Mr. Carraway stated his reason for appealing this case was based on the past history and problems with this location and the previous owners. He doesn't feel this is an appropriate use for the area and is concerned that the security plan will not be enforced.

Chair DiDomenico opened the hearing to public input.

Darlene Justus, North Tempe Neighborhood Association, addressed the Commission. Ms. Justus stated their biggest concern is that the owner of the property is the same owner as when it was Pulse Nightclub and it was leased to someone who ran the nightclub. She also indicated that in a meeting with Patti DeSylvesterie, it had been mentioned that ticket sales would not be allowed and the hall was to be by invitation only, but at the first public meeting on February 14th with the Development Review Commission, Ms. DeSylvesterie would not make that statement. Ms. Justus also stated that it is important the security plan address teen events. She stated that there is nothing to address teen events and no safeguards in place should those events occur and has concerns regarding professional security and licensed professional bartenders not being used for events.

Chair DiDomenico questioned Ms. Justus in regards to the use of the word "chaperone" in the suggested conditions of approval that the neighborhood association had brought forth and the condition of no offsite valet parking.

Ms. Justus explained that their definition of a chaperone would be an adult, such as a parent or other person of authority and in the past, valet companies have parked cars in the neighborhood.

Chair DiDomenico asked Ms. Justus if she would have issue with an adjacent property owner giving permission for them to offer their property for valet parking, as long as the neighborhood was affected.

Ms. Justus indicated her issue was only with the neighborhood being affected.

Commissioner Tinsley asked if these conditions had been brought to the owner of the property.

Ms. Justus indicated that she had met with City staff a few weeks prior to this hearing.

Paul Dunham addressed the Commission. He stated his concern in regards to City staff not meeting with the appellants of the case and with the suggested conditions of approval brought forth by Ms. Justus.

Chair DiDomenico assured Mr. Dunham that those conditions are viewed as any other material would be from a concerned or interested party.

Commissioner Maza asked Mr. Dunham if he was interested in coming to an agreement with the property owner or if he was looking for a complete denial of their application.

Mr. Dunham stated he is opposed to this venue due to the lack of trust between the homeowners and the property owner and PJ representatives. He indicated their issues were centered around applicants that had shown no interest in the concerns of the residents, traffic, parking and noise.

Chair DiDomenico read a card from Doris June Krugen into the record. Ms. Krugen is in support of the appeal.

Stan Schuck indicated that he would like to hear from the property owner and PJ Properties representative prior to addressing the Commission.

Patty DeSylvester, PJ Properties representative, spoke to address concerns brought forth by the residents. She indicated that the current owner purchased the property six years earlier and has had only one tenant in this suite, Pulse Nightclub. She indicated that there are several uses allowed in a PCC-1 district and this type of use is allowed in this district and that the reason they are seeking the Use Permit is so the property can be under the entertainment definition and a DJ would be permitted.

Chair DiDomenico questioned Ms. DeSylvester as to why if the intention was to do wedding receptions and those types of events, why did they not come forward with a list of conditions that would restrict the types of events and issues that bring forth concerns from the neighbors.

Ms. DeSylvester indicated that they could not do a teen nightclub even if they wanted to and they are happy to limit it to uses such as receptions, sweet 16 parties, bar mitzvahs, etc. She indicated that they want to be good neighbors and that Mr. Mata purchased the shopping center six years ago and did \$400,000 worth of renovations to improve the property. She addressed the issue of parking and referred to a diagram of the center and showed the parking available to their customers. They are required to have 48 parking spaces and have 89 available.

She stated they would have uniformed, unarmed security present to patrol the parking lot and one inside per every 100 people and would prefer to go with a contracted service that provides security and not off-duty police officers, as was previously suggested. Security people will also remain onsite until all of the guests have left the property. She also indicated that although occupancy would allow for over 600 people, they will limit their events to 300 people.

Ms. DeSylvester stated that the sound level would be kept to 85 decibels and they will have a device near the stage to monitor sound levels. She also referenced an improved lighting plan to assist with security and safety.

Ms. DeSylvester addressed the concerns in regards to liquor. She stated that they will contract with a company that will be hired by the party that rents the facility and that company holds the liquor license and they handle everything as it relates to the bartending, etc.

Ms. DeSylvester stated that she believed they have met all of the approval criteria for this Use Permit.

Commissioner Tinsley asked if it is a possibility to place double doors inside to keep noise inside.

Ms. DeSylvester stated that it is a possibility but doesn't feel at 85 decibels that it is necessary.

Commissioner Tinsley questioned how the security staff is expected to handle an issue.

Ms. DeSylvester indicated they are to call her and then the police.

Commissioner Tinsley asked what would happen should someone rent the hall and not hire the pour service, yet alcohol is being served. She also asked if the LLC would take responsibility for any damages to the neighborhood by people who rent out the facilities.

Ms. DeSylvester stated that she is to be called and she will have to escort the party off the premises, it will not be allowed. She also indicated that the LLC has insurance for damage incurred by people leasing the space.

Commissioner Granville clarified that events would be held for private parties only and what liquor license would be used. He also asked for clarification on the security to be used.

Ms. DeSylvester stated that they would agree to that stipulation of private parties only and a company, such as Pour Masters, has a Series 6 license. She also stated that security would be used by a private company, bonded, licensed and insured. They would not be off-duty police officers.

Commissioner Granville asked how issues will be dealt with should someone who rented the facility fail to comply with the rules and who will be held responsible.

Ms. Collins indicated that Condition No. 6 that refers to the revocation process. If there are issues, the Use Permit can be re-evaluated and put back through the hearing process.

Commissioner Maza questioned if the Use Permit is a blanket permit or is there another event permit needed for the use of a DJ. He also asked if there is any provision the Commission can place in the Conditions of Approval that would allow for a timely review should any of the Conditions of Approval or the security plan not be upheld.

Ms. Collins indicated that this is a Use Permit for live entertainment that runs with the land and there is a time frame of one year placed on this Use Permit. The applicant will need to return at that time and go through the process to determine if they are eligible for renewal. She also indicated that should any infraction occur that the Police Department presented to staff that was a safety issue, that would be something that could be discussed. When staff reviews a Use Permit for possible revocation, the applicant must be in violation of a Condition of Approval.

Commissioner Oteri questioned the parking ratio provided by the applicant.

Ms. Collins indicated that there is the parking requirement based on square footage and then there's the occupancy based on the Building Code. The Commission can cap the number of people permitted at events through the Use Permit process.

Stan Schuck, resident, addressed the Commission with concerns in regards to traffic through the neighborhood after events end late in the evening and would like to see local traffic only between 10:00 p.m. and 4:00 a.m. signs placed at the entrance to the neighborhood which may alleviate some of the traffic from driving through the neighborhood rather than using Scottsdale Road. He questioned the availability of a security plan. He also felt the issue of sound had been addressed by the applicant. He asked about the recourse residents have if these issues and Conditions of Approval brought before the Commission are violated. Mr. Schuck stated he hoped that the owner will protect the investment and keep his word and be a good neighbor.

Commissioner Granville asked Mr. Schuck what the Commission could do to address security to make him comfortable.

Mr. Schuck stated that if the events are wedding receptions and other gatherings that the applicant has indicated will be held there, then private security should suffice.

Chair DiDomenico stated that staff had received a security plan earlier that day, which had been reviewed and approved by the Tempe Police Department.

Commissioner Oteri questioned Mr. Schuck regarding his impression or experience with the teen club, Pulse.

Mr. Schuck indicated he had no issue with Pulse.

Commissioner Tinsley questioned staff as to the possibility of sign as Mr. Schuck had requested.

Ms. Collins stated that she would work with the City's Traffic Engineering Division and to whatever she can to assist in making that happen.

Commissioner Delton asked if there is any issue that would keep the operators of the site from placing cones precluding people from using that exit closest to the neighborhood when leaving events.

Ms. Collins stated that she doesn't believe there is a prohibition from doing something like that but would like to make sure that Police and Fire do not have any issues.

Darlene Justus returned to address applicant comments. She indicated that she is in support of the appeal and had contacted Lisa Collins as an individual and worked on the suggested Conditions of Approval as a backup plan should the appeal not be approved.

Chair DiDomenico closed the hearing to public input and called the applicant to return to the podium.

Lane Carraway returned to respond to comments brought forth by the Use Permit applicant, PJ Properties. Mr. Carraway disagreed that Pulse Nightclub was open only 8 nights. He disagreed with the parking and didn't feel there is adequate parking and that noise from music over 85 decibels will not be enforced. He voiced concern in regards to alcohol consumption, hours of operation, traffic and who is to be contacted when there is an issue onsite and who will enforce the security plan.

There was discussion between Mr. Carraway and the Commission as to when the security plan was received and the processing time frame.

Commissioner Oteri recalled a past club that had noise complaints and he stated that Code Enforcement did go out and take noise meter readings and reported their findings to the Commission.

Mr. Carraway asked when the security plan is required to be submitted.

Ms. Collins indicated that Sherri Lesser is the project coordinator and she is the one who has been in contact with the applicant, appellant and the Police Department. She stated that the security plan is a Condition of Approval and if the Use Permit is granted, the applicant works with the Police Department to implement the security plan. She also indicated that often times security plans are not completed until after the hearing as many times Conditions of Approval are placed within the security plan.

Chair DiDomenico explained the Use Permit process and how the security plan is developed with the assistance of the Police Department. He also questioned staff if the security plan was being held in Community Development awaiting the decision by the Commission.

Ms. Lesser indicated that it was not being held in Community Development and that it had been received from the applicant just prior to this hearing. She also indicated that Officer Fleming had stated that the security plan is still in process as they could incorporate items or Conditions of Approval into the security plan from this evening's hearing, should the appeal be denied.

Chair DiDomenico instructed the Commission that a vote in favor of the appeal would overturn the Hearing Officer's decision and the Use Permit would be denied. If the Commission voted against the appeal, the Hearing Officer's decision would then be upheld and the Use Permit granted.

Ms. Collins stated that the appeal of either decision this evening would go before the City Council and that any party can appeal within 14 days.

Ms. Collins indicated that one of the appellants would like to address the Commission.

Mr. Dunham readdressed the Commission with the concern that private party has no definition and does not only include weddings and bar mitzvahs. He also indicated that Mr. Schuck was most likely not bothered by the Pulse Nightclub as his house is situated a little further down the block and his evening routine of sleeping earlier and rising earlier caused him to miss most of the disturbances. He also stated concerns regarding parking and issues as it relates to responsibility for damages, etc. from customers leasing the property.

Commissioner Tinsley questioned if Conditions of Approval can be added.

Chair DiDomenico stated yes.

Vice Chair Webb stated that he felt the reception hall should be allowed to open for business and that the neighbors are entitled to peace and quiet and that maybe this should go back to staff and with the Police Department's assistance, create a list of stipulations that they think will work and bring it back to the Commission.

Commissioner Granville agreed with Commissioner Webb and would like to see the Conditions of Approval and security plan be put together by staff and brought back.

Commissioner Delton stated he felt it's on the property owner to make good on the promises that have been made to the neighbors and he agreed with the previous idea that Conditions of Approval and the security plan be structured at the staff level and brought back before the Commission.

Commissioner Tinsley specifically would like to see structured into the Conditions the 85 decibel sound limit, no more than 300 people, security, licensed pouring services and a designated person from management who will be onsite until all guests have left.

Chair DiDomenico indicated that eight weeks ago this Commission gave specific information to PJ Properties in order to alleviate the concerns brought forth by the neighborhood and hopefully uphold the Hearing Officer's decision and approve the Use Permit. The burden has been on the property owner and unfortunately nothing has been brought forward this evening to be able to render a decision that would allow the Use Permit to be approved.

On a motion by Commissioner Granville and seconded by Commissioner Delton, the Commission with a vote of 4-3 (Commissioners Oteri, Webb and Maza opposed) approved the appeal, thereby over turning the Hearing Officer's Decision.

-
4. Request for ROTHKO HOUSE (PL110385) (Bill Tonnesen, Rothko House LLC, property owner and applicant) consisting of a request to amend a condition of approval of a previous application (DPR12026 # 4) and allow art consisting of an unclothed human figure adjacent to the public right of way, located at 2108 South Rural Road in the R-3, Multi-Family Residential Limited District. The request includes the following:

DPR12047 – Development Plan Review for an exterior site modification including the modification of Condition # 4 of DPR12026.

STAFF REPORT: [DRCr ROTHKO 041012.pdf](#)

This case was presented by Kevin O'Melia and represented by Bill Tonnesen, applicant.

Community Development Department
(480) 350-8331

July 5, 2012

Mr. Arnaldo Matos
Rio Salado Reception Center
419 N Rock Street
Gilbert, AZ 85234
a1Matos@yahoo.com

RE: RIO SALADO CENTER - PJ PROPERTIES
PL110435 DS111274 UPA12009 ZUP11116

Dear Mr. Matos:

At its meeting of June 14, 2012, the City Council approved the appeal of the April 10, 2012 Development Review Commission decision to overturn the Use Permit approved for RIO SALADO CENTER – P J PROPERTIES located at 1290 North Scottsdale Road, Suite Nos. 120 – 122 in the PCC-1, Planned Commercial Center Neighborhood District for:

UPA12009– Use Permit appeal (ZUP11116) to allow a reception center with live entertainment.

The approval is subject to the attached conditions.

UPA12009 ZUP11116

CONDITIONS OF APPROVAL:

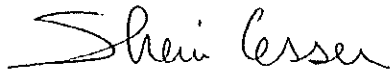
1. All permits and clearances required by the Building Safety Division shall be obtained prior to the use permit becoming effective.
2. The use permit is valid and operable only for the specific use for a twelve month time period (until 6/14/13) as allowed per Section 6-308(L).
3. The use permit is valid for the following activities: weddings and wedding receptions (but not Bachelor or Bachelorette Parties), Quincineras, Birthday Parties, Bar mitzvahs and Baht mitzvahs, Graduation Parties, Family Reunions, Anniversary Parties, Educational Seminars and Religious Services. Any intensification or expansion of this use shall require the applicant to return to the appropriate decision-making body for a new use permit.
4. Allowable noise decibel levels to comply with the Tempe City Code – Chapter 20. Noise complaints arising from the open windows/doors shall require closure of all outdoor windows and doors to mitigate noise trespass to adjacent public or private spaces.
5. The live entertainment use shall take place inside only. No live entertainment will be allowed outside.
6. If there are any complaints arising from the use permit or the live entertainment operations of the Reception Hall that are verified by a consensus of the complaining party and the City Attorney's Office, the use permit will be reviewed by city staff to determine the need for a public hearing to re-evaluate the appropriateness of the use permit.
7. All required permits and clearances shall be obtained from the Audit and Licensing Division of the City of Tempe prior to the use permit becoming effective.

8. The applicant shall work with the Tempe Police Department to implement a Security Plan for the business. Please contact the Crime Prevention Department at 480-858-6333.
9. The applicant shall have an approved Security Plan on or before 6/14/12. The applicant shall comply with the approved Security Plan for the provision of live entertainment and alcohol distribution at the Reception Hall.
10. On site admission sales or pre-sales tickets or other admission fees for events with live entertainment or alcohol distribution are prohibited. All events with live entertainment or alcohol distribution are by invitation only.
11. Security staffing to be provided by a licensed security company.
12. Management and security staffing shall be in accordance with the approved Security Plan.
13. Only licensed bar service vendors to be used for events providing alcohol.
14. A designated reception center management staff to be present on site for all events from set up to clean up.
15. Hours of operation limited to a closing time of 1:30 a.m. Live entertainment and alcohol distribution shall end at or before midnight. Reception Hall Center events shall end at or before 1 a.m., with thirty minutes thereafter permitted for clean-up.
16. Security personnel to continually monitor music and amplified sound, and music and amplified sound shall be not be more than 85 db (incident measured, not average weighted) as measured from inside the premises.
17. Event capacity limited to no greater than 300 people maximum.
18. No Valet parking shall be allowed off-site.
19. After 8 PM, Permittee shall close its driveway on Weber Drive that faces Sunset Drive by placing cones across the driveway. These cones shall remain in place for at least 15 minutes past the end of any event.
20. Signs stating "No Loitering and No Trespassing" shall be posted throughout the parking area utilized by patrons. Signs shall be placed in locations visible to all patrons.

Upon completion of review, the City of Tempe requires documents to include appropriate signatures and kept on file with the City of Tempe's Community Development Department prior to issuance of building permits.

If you have any questions, please contact me at (480) 350-8486.

Sincerely,



Sherri Lesser
Senior Planner

SL/bb

PUBLIC INPUT

The following pages of public input of emails and letters received from May to July 2013 as part of the original request for a Use Permit made to the Hearing Officer. Staff has received no additional letters since the introduction of the Royal Priesthood Fellowship Church as the new tenant and proposed operator/manager of the Elegant Reception Hall.

MAY 26,2013

I am writing this letter to let the City of Tempe know that while I was vacationing at Paul Dunham and Lane Carraway's home in February. I got to enjoy something that I have never had to deal with. The noise coming from a place called Elegant Reception Hall down the street from my cousin's home it was so disturbing I could not even sleep let alone try to have a conversation in their home. I believe the City of Tempe needs to really take a hard look at this Club. This took place on February 9,2013 starting little after 8:30 PM till almost 2 AM. This has happen in the past at their home too.

I would like to say that I have lived all over the World and never have seen something like this.

P.S. I have been to their home numerous times and had to deal with noise from this club as well as previous ones.

Thanks for your time

Leo Ferns
535 Chalan Pale Ramon Haya
116-161
Yigo GU 96929
Usa
671-734-0628

June 28,2013

To whom it may concern:

While we where staying at Paul Dunham and Lane Carraway's home, where we were disturbed by music and the bass coming into their home. The BASS was so loud that the windows would start to vibrate. We have two young girls and they had a very hard time going to sleep. We believe this is totally not fair to this neighborhood at all.

Please believe us when we tell you the noise from this Elegant Reception Hall is insane, let alone the loitering and hollering in the parking lot. This was on June 01,2013 between 9PM and 1:45AM

Thank You

Justin and Ryah Cheney
28 Legends Blvd.
Sandia Park, NM 87047
505-238-3730

JUNE 30, 2013

TO WHOM IT MAY CONCERN:

RE: ELEGENT RECEPTION HALL

I wanted to tell you about my friend's home. I have known Lane and Paul for 20 years and have to say I don't know how they live where they do. Whoever is running the City of Tempe is doing something wrong and destroying what is known as North Tempe. On numerous occasions they have had to put up with the music, bass and noise coming from the different clubs that have been located there. One example was on December 15, 2012 the boys were having their annual Holiday party. The bass and noise from this club which so disturbing we had to talk over it and to have windows rattle and know they were so embarrassed by this. Here they are trying to give something back to their neighborhood and friends and have to deal with this. It also seems to me that the Police take this as JOKE. I would also like to say that I have been at their home on other occasions and had to deal with the same issue from this club.

I hope that you put an end to this destroying their neighborhood.

Thanks

Michelle Cavalier
10448 E Fanfol Lane
Scottsdale, Az 85258


July 3, 2013

To whom it may concern:

On December 15, 2013, I was enjoying a holiday get together at Lane Carraway and Paul's home. It was approximately 9:15pm when I could feel the vibration of music inside their home, and when I stepped outside I could clearly hear the music that was the cause of the vibration. The music was coming from the nightclub/reception hall across Webber Drive to the South of their home.

Respectfully,

 (my name is not to be released to the public, or the owner of the nightclub/reception hall, or owner of the property that the nightclub/reception hall is located).

July 06, 2013

Attention Mayor and Council members:

I am writing to let you know my thoughts about this so call Elegant Reception hall. I live directly across from Lane Carraway and Paul Dunham's home; I can tell you that the Bass coming from this Club is extremely annoying. I do not understand why the City of Tempe allows this to continue in our Neighborhood. I also don't understand why there is no security patrolling the parking lot and stopping the loitering that happens all night long. With the loitering comes noise and screaming. It also seems that the partying goes sometime way pass 2:00AM which I was told was to stop at 1:00AM.

Thanks for listening

Tai Lanciano

1421 N Sunset Drive

Tempe, Az, 85281

July 09,2013

To Whom It May Concern:

I am writing this letter to express my outrage over the City of Tempe allowing this club into our neighborhood. I have heard this club numerous times, its more the bass but also the other noise and it goes on till almost 2 AM. I am opposed to having this club permit renewed.

I will let you know that when my family was at Paul and Lane's home for their annual Holiday Party their home vibrated and it interfered with talking as well as enjoying what these two men had tried to help create for all of us. I am asking that this stop, we do not need this type of business in our neighborhood.

Please take this to heart
Thanks

D J and Moe Krugen
1428 N Sunset Dr.
Tempe, AZ. 85281
928-651-5447

July 10, 2013

I am writing this letter to let the City of Tempe know that while at Mr. Carraway's home for his holiday party December 15,12 that we could not believe the bass and noise coming from the Elegant Reception Hall. I was so shocked I thought it couldn't be this bad and that the City has done nothing about this problem. The windows vibrated the things in their hutches where vibrating. We had to talk over the bass. I hope that the City of Tempe will understand that this is not what a neighborhood let alone a tax payer should have to live with.

Thank you

Betty Ackworth
719 E Fillmore
Tempe, AZ. 85281
480-945-1158

July 16, 2016

TO WHOM IT MAY CONCERN:

I am writing this letter to let you know that my mother and I are opposed to the Elegant Reception Hall.

Every Saturday night like clockwork this club starts with its music and loud BASS that interrupts my mother and my life. We have lived with this issue for years we need to get some help. We live in what is known as Santa Fe Apartments, which is directly across from this place. It seems that no one at The City of Tempe cares about us over here. We are asking that you give us the same consideration that you give other citizens.

Thanks



} don't read into record.

**City Of Tempe
Development Services**

**Darlene R. Justus
315 E. Garfield
Tempe, AZ 85281**

**Re: RIO SALADO CENTER - ELEGANT RECEPTION HALL, LLC
(PL110435)**

To whom it may concern:

I am writing this letter to convey my concern for the neighbors especially closest to this establishment. I heard first hand how the rumble and vibration from this reception hall permeates through the walls and closed windows into their home.

While visiting Lane Carraway and Paul Dunham's residence at 1422 N. Sunset Drive, on the evening of Dec. 15, 2012, I could hear and especially feel the vibration from the music coming from the Elegant Reception Hall. The vibration was even shaking items hanging on their walls. I could also hear the windows vibrating. In all it was strong enough to interfere with our conversation. I am most sure that it would prevent a good night's sleep.

It is unfair for neighbors not to be able to fully enjoy their homes. The location of this business permitted to have music is in direct conflict with the adjoining neighborhood.

Respectfully,

Darlene Justus



October 3, 2013

**Re: Elegant Reception Hall, LLC
 1290 N. Scottsdale Rd., Suites 120-122
 Use Permit to Allow Live Entertainment**

Dear Neighbor:

Allow me to introduce myself. My name is Dr. Francis Myles and I am the Senior Pastor of Royal Priesthood Fellowship Church. Although, I have personally been in ministry for many years, Royal Priesthood Fellowship Church is a relatively new church, which we are just establishing in the Tempe community. In order to house our growing congregation, we are in the process of leasing new space in the Rio Salado Courtyard shopping mall adjacent to your neighborhood. We will be conducting regular Sunday morning worship services at this location, as well as holding additional worship services and Bible training classes throughout the week.

As part of our new lease arrangement at 1290 N. Scottsdale Rd., Suites 120-122, in the Rio Salado Courtyard, we will also be acquiring the reception hall business currently operating in these premises, which is known as Elegant Reception Hall, LLC (the "Applicant"), and is located on the north portion of the multi-tenant commercial building located at the southeast corner of Weber and Scottsdale Road.

As you may know, in June, the Applicant submitted a Use Permit application to the City of Tempe to allow for the continued operation of this reception hall with live entertainment. We would like to meet with you at an upcoming neighborhood meeting to discuss the use permit request.

The Elegant Reception Center has been open since 2012. While the zoning ordinance allows reception halls by right, live entertainment requires a Use Permit. While a Use Permit was approved in 2012, one condition required the Applicant to reapply for the Use Permit for Live Entertainment in June 2013.

The Hearing Officer considered this item on July 16, 2013 and the Development Review Commission will consider it on October 22, 2013. During the hearing before the Hearing Officer, several people brought up issues related to noise and property management. In response to the concerns discussed with the Hearing Officer the Applicant has already made some significant changes to address these concerns, but given the fact that most of the Applicant's owners currently reside out of state it is very difficult to fully and effectively oversee the business at all times. Thus, Applicant has determined that it is in the long-term best interests of all parties concerned to lease the premises to our church and transfer the business, including the Use Permit, to our sole ownership and control.

We would very much like to meet with you and talk to you about these proposed changes at an upcoming neighborhood meeting on **Wednesday, October 16, from 6:30 p.m. to 7:30 p.m.** This meeting will

be held at the North Tempe Multigenerational Center located at 1555 North Bridalwreath Street, Tempe, 85281. We will be meeting in the Manzanita Mesquite room.

We intend to operate the reception hall business through a newly formed for-profit subsidiary headed by a strong and experienced management team, the members of which are already part of our congregation. As Christians, we are instructed in The Bible to endeavor to be on good terms at all times with our neighbors to the greatest extent reasonably possible. Accordingly, this management team will implement and enforce a revised set of rules and protocols intended to eliminate any undue harassment or duress to our surrounding neighbors or the community at large.

We would like to share the details of that plan with you at the upcoming meeting on October 16th and give you an opportunity to meet our church leadership and the team that will be overseeing and managing the reception hall business. Prior to that meeting, we will be mailing you a packet containing additional information about our church as well as details about the reception hall business including management team resumes, proposed vendors and the revised policies and procedures under which the business will be operated.

In the interim, if you have any questions or comments or just wish to know more about our church you are welcome to contact Linda Reiter at linda.omlu@gmail.com or by calling (918) 805-0863. Linda is an ordained pastor in our church and will also be one of our key reception hall managers. We are looking forward to meeting you and discussing our upcoming plans.

Sincerely,



Dr. Francis Myles

COMMUNITY MEETING BRIEFING MATERIALS



ROYAL PRIESTHOOD FELLOWSHIP CHURCH and ELEGANT RECEPTION HALL



1290 N. Scottsdale Road • Suites 120-122 • Tempe, AZ 85281
www.royalpriesthoodchurch.com

To Our Neighborhood and Community:

My name is Dr. Francis Myles and I am the Senior Pastor of **Royal Priesthood Fellowship Church**. Although I have personally been in ministry for many years, we are a relatively new church just being established here in Tempe to serve our members and the community in the greater Phoenix area.

On Sunday, October 6, 2013, we held our inaugural service in the new building at 1290 N. Scottsdale Road, Suite 120-122, in the Rio Salado Courtyard to house our growing congregation. We will be conducting regular Sunday morning worship services as well as, holding additional worship services and Bible training classes at this location throughout the week.

We named our church, Royal Priesthood Fellowship Church, because as Christians, we believe that the Bible teaches in 1 Peter 2:9 that we are a “Royal Priesthood” following the example of Jesus Christ, who is described in Hebrews 7 as a “Royal Priest and King, forever!”

God is doing great things in our midst as He continually floods us with His Presence! If you are one of the thousands in the Phoenix area and around the World who are tired of Church as usual, we want to welcome YOU to a Church unusual.

We are a family oriented Church seeking the spiritual salvation and economic advancement of those in our community. We are a Church that believes in Building the Kingdom of God into people's lives, so they can impact the nations for Christ. Whether you've never had a personal relationship with Christ or you just want to have a closer walk with Him, come and see what the Lord has planned for you at Royal Priesthood!

We look forward to serving you.

God Bless –

Dr. Francis Myles

Senior Pastor

www.francismyles.com

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ROYAL PRIESTHOOD FELLOWSHIP CHURCH



Senior Pastor

Dr. Francis Myles

Associate Pastor

Danny Seay

Marketplace Pastor

Jack Hersma



— Who We Are —

Royal Priesthood Fellowship Church is an independent, non-denominational, evangelical Christian church governed by a local group of Elders who receive counsel and oversight from Global Effects Ministries Network. This oversight body is headed by Dr. Gordon E. Bradshaw who has successfully functioned in the dual domains of ministry and business for over 40 years. Dr. Bradshaw is the President of both Global Effect Movers & Shakers Network and the Blue Diamond Resource Group & The SCOPEVision Group. His work in both Ministry and Corporate Governance is widely sought after and we count it a blessing to be a part of the Global Effects Ministries Network. You can see more on Dr. Bradshaw and these organizations at <http://www.linkedin.com/pub/dr-gordon-e-bradshaw/16/b95/828>.

— Our Vision —

- Our Vision is to preach, teach and demonstrate the Gospel of the Kingdom to the nations, by means of Power Evangelism, Apostolic Missions, Apostolic Church Planting, Television, Radio, Printed & Digital Media, and the Discipleship of New Converts.
- Our Vision is to establish a governing, territorial and international Church that operates under the Order of Melchizedek, the order that Jesus himself is operating from in Heaven!
- Our Vision is to raise up, send and support missions, both locally and around the world. We endeavor to identify, train, develop and release the spiritual gifts and ministry innate in every believer. The uncovering of destiny in the heart of every believer as well as the advancement of the Kingdom is our ultimate goal.
- Our Vision is to raise and train a prophetic company of "JOSEPH's"- men and women are who called to function in Business and the Marketplace.
- Our Vision is to raise and train an apostolic company of "DANIEL's"- men and women who have a calling to Law and Government as Politicians, Judges and Lawyers.
- Our Vision is to Cultivate a Life Transforming Youth Ministry made up of young people between the ages 15-25 engaging in digital technology, media, music, missions and ministry.
- Our Vision is to be a House of Worship patterned after the Tabernacle of David; by encouraging our members to radically and intimately seek God's supernatural presence!
- Our Vision is to be a House of Prayer for All Nations... by developing a supernatural culture saturated with prophetic intercession

— Our Mission —

Our Mission is to build a Supernatural Congregation which, functions like the Tabernacle of David under the Order and Power of Jesus' Melchizedek Priesthood

(Psalm 110:1-4 & Hebrews 7:1-4).

— Our Implementing Strategies —

As a Christ-centered fellowship of a diverse group of passionate followers of Christ from all walks of life, our primary heavenly mandate is to restore an accurate understanding of the Melchizedek Priesthood of Jesus Christ (Psalm 110) to our local body, here in Tempe, and the greater Body of Christ, so that followers of Christ can begin to function as "kings" in the marketplace (business) and "priests" in the temple (local church) in accordance with Revelation 1:5-6.

We will implement this strategy by:

1. Establishing our local church here in Tempe, Arizona.
2. Continuing education through our online University – Order of Melchizedek Leadership University (OMLU).
3. Continuing education through our Conferences & Seminars
4. Implementing Biblically-based, spiritually and economically sound, principles in our business enterprises so they are run with excellence, integrity and honor.
5. Offering Life Coaching through our Ministry and Business Team based on Biblical principles as well as supporting the poor and disadvantaged both locally and abroad

— What's in a Name? —

We call ourselves ***Royal Priesthood Fellowship Church*** because we believe that the Bible teaches in 1 Peter 2:9 that, as Christians, we are a "Royal Priesthood" who are to follow the example of Jesus Christ, who is described in Hebrews 7 as a "Royal Priest and King forever in the Order of Melchizedek!" Based on this understanding of scripture, we desire to operate both as a church (the priesthood) and in the realm of business (royalty).

— Applying the Principles —

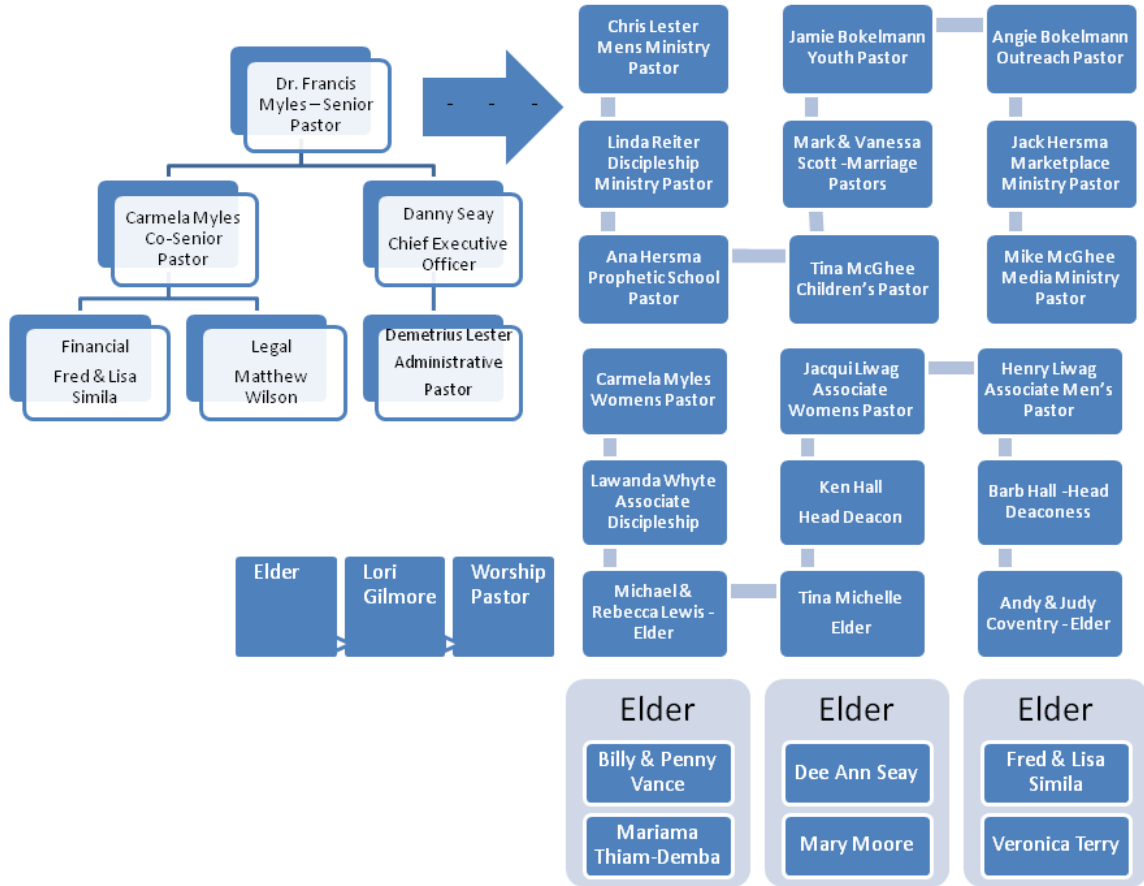
We seek to apply these principles on both a personal and corporate level! So, in addition to supporting those business owners and employees who are a part of our weekly worship services, we also believe in the concept of the church itself owning and operating viable (tax-paying) business enterprises in the public marketplace. These business enterprises — operating

with the highest levels of competence, professionalism and integrity — will enable our church to generate additional revenues beyond merely tithes and offerings to fund church and ministry needs. These business enterprises will also allow us to share our values of “Biblical prosperity with integrity” in a very practical way with individuals and businesses outside the direct domain of the church.

— Why a Reception Hall? —

Many traditional church facilities sit empty and unused much of the week. In line with our core values, it is only natural that we would use our facilities not only for worship services and other church related activities, but also in ways that could bless and serve the community at large. As a church, we are also deeply committed to our members and their families and are here to celebrate the major events in their lives which include weddings, quincenaras, bar mitzvahs, bat mitzphas and more. It is also our desire to serve our community with these type of services as well as offer our facilities to the business and professional community to be used to host business meetings, seminars and conferences. A reception hall is the perfect business to encompass all these objectives as well as generate income for the church.

Church Leadership



Leadership Resumes

Biographical Overview

DR. FRANCIS MYLES

Founder & Senior Pastor – Royal Priesthood Fellowship Church



Dr. Francis Myles is an Apostle to the nations, senior pastor of “Royal Priesthood Fellowship Church” in Tempe, Arizona. He is a sought after conference speaker in both ministerial and marketplace seminars. He is also a savvy businessman and spiritual life coach to Movers and Shakers in the Marketplace. He is the bestselling author of *“The Order of Melchizedek,”* a book that has garnered worldwide acclaim. He offers a variety of Kingdom Ministerial and Business Resources on his online store at www.francismyles.com. He is also the founder and chancellor of “The Order of Melchizedek Leadership University” an online school of ministry (www.ancientorderofmelchizedek.com).

Francis Myles holds a Doctorate degree in “Theology and Biblical Studies” from Grace Bible College and Theological Seminary. He is also the visionary behind the creation of “The Order of Melchizedek Marketplace Bible.”

He has made several appearances on TBN, GodTV, It’s Supernatural TV show with Sid Roth and Daystar Christian TV networks, reaching millions of viewers. In 1989 Dr. Francis Myles had a face-to-face Encounter with the risen Christ; when the power of God snatched him from the bed of affliction and healed him of an incurable disease. As a result he carries a strong anointing for healing and prophecy and a burning passion to see the Church enter into the Order of Melchizedek as “kings and priests” unto God.

Dr. Francis Myles’s Internet TV show “The Order of Melchizedek Television Show” on Xpmedia.com reaches thousands of people around the world. He is happily married to the love of his life, Carmela Real Myles. Together they are the founders of “Renaissance Marketing Group LLC a Multimedia Marketing company that holds the global marketing rights to “The Marketplace Bible.” They reside in the Phoenix, Arizona Metropolis area.

Biographical Overview

Danny W. Seay

CEO – Royal Priesthood Fellowship Church



Personal Expertise: Expert in planning distribution, marketing, advertising and management strategies encompassing traditional and digital technologies, for the purpose of branding new products and/or services for corporations and non-profits, which leads to integrated solutions and increased sales.

Personal Strengths: Gifted Communicator, Key Executive Leader and Consultant who is skilled in building teams, strategies and creating an atmosphere of unity and creativity to accomplish corporate objectives and increased sales. This includes helping team members identify their greatest strengths to produce the maximum impact for the task at hand. Skilled in working with both “in house” management and “outside” networks, including vendors and sales representatives. As a former World Class Athlete and Senior Management Executive with Beatrice Foods, serving many Fortune 500 companies with their branding campaigns, he is skilled at facilitating strategic dialogues with leading industry partners/providers to identify “best” practices and opportunities to drive market change.

Career Overview:

- Accomplished Sales and Marketing Executive with 35 years of experience working with Fortune 500 companies; has a unique blend of domestic/international marketplace skills.
- Consults with corporations and non-profits to evaluate and achieve their objectives with a unique 6 Step Planning Process producing business plans and financials for a strategic approach to their markets.
- Current CEO of Renaissance Marketing Group, LLC, which will bring significant “faith” projects to market globally through publishing, media and technology. Relocating from Kansas City to Phoenix in fall 2013.
- Current CEO of Royal Priesthood Fellowship Church in Tempe, AZ.

Education & Past Achievements:

- Graduated with a B.A. in Marketing/Advertising in 1975- School of Journalism – Kansas University
- Full Track & Field Scholarship to the University of Kansas (1971 to 1975)

- Rated 2nd in the United States and 9th in the World in the Long Jump in 1975
- Qualified for the 1976 Olympics in Montreal in the Long Jump
- After graduating from college and finishing his quest for the Olympics, he worked as a Senior Management Executive for the Swingster Company, a division of Beatrice Foods
- Company achieved sales in excess of \$100 million during his tenure (now owned by Staples)
- Was responsible for \$15 million annually, personally, in total sales working with manufacturer's reps and a diverse group of Fortune 500 companies including Boeing, Learjet, Cessna, JI Case, Mercury and Mariner Marine, JB Hunt, Yellow Freight, PepsiCo, Mutual of Omaha, Penske, Sunoco, Indianapolis 500 and many more
- This diverse client base gave high exposure to multiple sales strategies and channels of distribution working with the top executives of some of the largest corporations in the United States
- Formed an independent multi-line rep firm including a premier line – Gear for Sport apparel (now Gear for Sports/Champion/Under Armour)
- The firm reached multi-million dollar sales goals with national accounts like Amoco, Pizza Hut, Tyson Foods, Union Pacific Railroad and others
- The firm also worked with national ministries like Promise Keepers, Campus Crusade for Christ, Fellowship of Christian Athletes, Crown Financial and more
- Joined the Christian Booksellers Association to better serve ministry clients
- Was involved in the launch of the NY Times Bestseller, The Shack, through his distribution networks, which has now sold more than 14 million copies worldwide.

Future Goals and Strategies:

- Personal Mission Statement: In everything done that produces profit, a component of compassion should be built into the business model, so there is consistent giving and help to those that are less fortunate.
- Will continue to support humanitarian causes like Angel House Ministries (www.purereligion.tv)
- In a collaborative effort, with Camp David, God TV, Mardel and Angel House, this team has built 25 orphanages and taken 700 orphans off the streets in India.
- Danny and his wife, Dee Ann, reside in Stilwell, Kansas; have 5 children and 7 grandchildren, which are their pride and joy, who they continue to support!

Biographical Overview

Jack Hersma

Pastor of Marketplace Ministries



Jack Hersma is a tenured veteran with over 40 years of sales, marketing, and executive leadership in the corporate world and entrepreneurial settings. He currently is the Managing Partner for the Hersma Group; a consulting company that assists business leaders with realizing successful potentials, through an in-depth planning model... leading with the fact-finding mission, concluding with the operational execution surrounding all facets of business activity. Jack received his BS, Marketing, from Northern Illinois University; and began his business career in the Corporate H.Q. of *Encyclopaedia Britannica* in Chicago.

Following 2 years of interacting with all levels of the field business teams, in this exciting “straight commissioned” environment, Jack's soul was touched; he began his sales career with the largest Healthcare Company in the world, *American Hospital Supply Corp*. He ascended through the ranks, and became a Senior Officer in Sales, Operations and General Management in this Fortune 50 Company. *AHSC* was acquired by *Baxter International* in the mid-80's; Jack's track record positioned him as one of the top field executives, to manage through the merger, and “new company positioning “in this dynamic industry. Successful in this large company setting, excelling in turn-around and new business verticals, as well as small business start-ups, Jack and his team built and led large divisions while improving operations/profitability of several health care companies within this new corporation. This consolidated company, over-achieved all sales & profitability projections; within two years, top line sales exceeded 1.2 Billion, with bottom line return delivering maximum results... granting Jack & his team the highest level of recognition, and bonus compensation. Being a dynamic leader, an outstanding communicator and motivator, and possessing an impressive track record with tactical implementation of complex business, marketing, sales and operations plans... Jack's soul was once again touched. In early 1988, Jack was recruited by *American Sterilizer Corporation*, to assume the COO position of the leading global manufacturer of Surgical Equipment [surgical tables, lighting and attendant equipment], and Sterilization products. His strong success record achieved through the ability to create change/culture, by way of organizational, marketplace partner, and customer involvement in “common tomorrows”, was the perfect medicine to assist the new CEO in “re-building” a 100+ year old company, to its former world leader status. Jack aggressively grew the “top and bottom “ line, through *internal* management of key profitability inducers, while extending leadership, focus, vitality, and strategic direction to the *external* environment [sales/service teams, partners and customer groups] ... to overachieve planned

objectives. The “ grand turn-around “ of his corporate career, moved the needle in excess of \$500 million in revenues, with global projections to exceed the \$1 Billion mark, within the following 2 years. AMSCO then became the target, of another Healthcare Merger. At that time, Jack retired and has been assisting the business world, with particular focus in the “Faith Based Markets”; interacting and consulting within “Faith Distribution Channels” [Christian Book-Sellers Association], while also co-laboring in the Company & Brand Development, of a Faith-Based, Children’s Animation Project ... touching children around the globe with Faith Based, Inspirational products and Animated “ Cartooney” Characters, teaching Biblical Principles & Virtues, found in the Book of Galatians . Jack and his eternal partner, Ana, have recently moved to Phoenix, Arizona. They have 7 children, 11 grandchildren ... who are at the middle of their legacy, now, and forever more.

ELEGANT RECEPTION HALL



Managers:

Ana Hersma

Linda Reiter

Jacqui Liwag

Demetrius Lester

The Past

We are aware that some of the past businesses operating out of this particular location in the Rio Salado Center mall have not been properly managed, thereby creating a nuisance and less than desirable environment for the surrounding neighborhoods. We are also aware that in light of those past problems, the Live Use Entertainment Permit for the Elegant Reception Hall is now in a state of suspension, an action which is currently being appealed by the owners of that business.

The Present

Royal Priesthood Fellowship Church has entered into a lease on this particular property with the intention of utilizing the facilities not only for the church's liturgical and ministerial needs, but also with the intent of resuming full scale operations of the reception hall in order to serve the community and provide a source of revenue for our developing ministry.

The Future

Once we resume full scale operations of the reception hall, it will not be a return to business as usual! We are committed to delivering a level of excellence and integrity to these operations that is second to none! We can make this statement with authority because it is backed by a management team composed of highly-skilled professionals with years of experience in managing both reception halls and security situations in varied and diverse environments.

It is our goal to pursue and achieve excellence in every area of the business. To achieve this goal, we will:

- Have in-house management on premises at all times during each and every event.
- Diligently comply with and rigidly enforce all operational restrictions and guidelines (with particular emphasis on noise level restrictions) currently in place or which may, in the future, be required by the City of Tempe.
- Diligently comply with and rigidly enforce the Security Plan that has already been approved by the City of Tempe and the Tempe Police Department.
- Enforce a strict Code of Conduct at each and every event, which will include a "No Public Drunkenness" policy as well as a "No Hard Liquor" policy. Only wine and champagne will be permitted to be served at Events.
- Maintain an ongoing relationship and dialogue with the City of Tempe Planning Office, the Tempe Police Departments and the Tempe Fire Department
- Be an active participant in the Neighborhood Watch Committee.
- Maintain proactive relationships with the neighborhood associations to address any concerns that may arise before they escalate.
- Maintain a litter-free environment in and around the premises.

- Maintain a pro-active relationship with the Mall Ownership to ensure that the facility is properly maintained at all times.

As both a church and a business we will uphold a high standard of conduct at all times in our relationships with our neighbors, our city, our government officials and our Lord God!

Code of Conduct

All groups and individuals utilizing the facilities will be bound by the following Code of Conduct:

- No running, skateboarding, rollerblading or other similar activities.
- No excessive or disruptive noise such as yelling or loud music on exterior of the property.
- No fighting, threatening comments or gestures, obscene language or gestures, or racial, religious, or ethnic slurs or any other activities that may be disruptive or cause a disturbance.
- No weapons, including, but not limited to firearms, knives, or other objects that may be used in any way to inflict bodily injury to another person.
- No open receptacle containing any alcoholic beverage, except in areas specifically designated for the consumption of alcohol per specific criteria based upon each Event.
- No photography or videotaping without prior consent of management.
- No littering.
- No defacing, damaging, or destroying any property.
- No soliciting of money or contributions, except with the prior written agreement of management.
- No smoking, except in an area specifically designated for smoking
- No loitering, no blocking near store front, fire exits or obstructing pedestrian traffic or vehicular traffic.
- No inebriated persons on the property. Persons violating this policy will be asked to leave the premises.
- All vendors or talent that the client would like in our facility will have to be pre-approved 60 days before event.
- All Vendors must meet our Code of Conduct criteria. No strippers, seedy talent/vendors, or otherwise questionable individuals will be permitted on premises/property; management retains full right to approve or disapprove such individuals in question.

Persons who violate this Code of Conduct may be banned from the property, or subject to arrest. Management expressly retains the right to revise or modify these rules as necessary.

Security Plan

Strict enforcement of the Code of Conduct is a crucial element in maintaining a safe, non-offensive atmosphere at all Elegant Reception Hall events. In addition, prior management has already agreed to abide by a very detailed Security Plan that has already worked out in conjunction with the neighborhood representatives, the Tempe Police Department and the City of Tempe. *(Copies of the existing formal plan are available upon request.)*

As the new owners and managers of the Elegant Reception Hall business, we are committed to full and ongoing enforcement of that Security Plan. In order to effectively carry this out, we will engage only top-tier security firms, with A+ reputations and a strong history of handling event type security. In addition, to the internal management provided by these security firms, the onsite security officers will also be overseen and directed by our new Director of Security, Mrs. Demetrius Lester. Mrs. Lester has over 7 years experience manager security officers in some of the largest malls in the Phoenix area.

Mrs. Lester and our General Manager, Mrs. Hersma, have developed a Comprehensive Security Protocol with appropriate procedures (in full compliance with the existing formal Security Plan) for the business. *(Copies of the Comprehensive Security Protocol are available upon request.)*

This commitment to security and compliance with City ordinances and the specific covenants applicable to this property will help to provide an incident-free environment serving the best interests of all parties concerned.

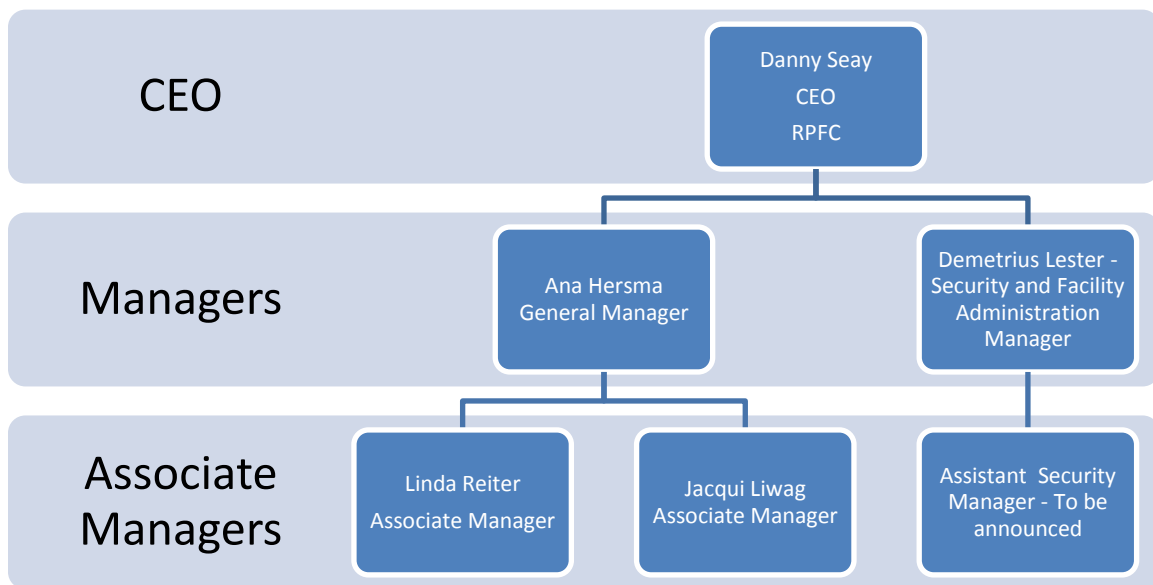


Management Philosophy

- We have founded our business on Biblical principles.
- We will conduct all our business affairs with honesty and integrity.
- We will operate as a team with agreement on all major decisions.
- We will continue to grow in our personal relationships.
- We will continue to connect at the heart level personally, with the business team and with our families.
- We will honor and respect each other's gifts understanding that God has brought us together with unique skill sets that complement one another in this business.
- We will bring the Spirit of the God to the business in all that we do.
- We will act with gentleness, kindness and wisdom.
- We will be wise in our business dealings always relying on the spirit of God to guide our decision making.



Organizational Management Chart



Management Resumes

Ana Hersma
General Manager
Elegant Reception Hall



Personal Expertise & Strengths:

Extremely organized with an 18 year background in the successful planning and seamless execution of exceptional meetings and events. Expert in managing facilities, schedules, travel, and accommodations. Successful track record of creating venues and planning agendas. Proven ability to balance priorities, meet tight deadlines, and produce superior quality work. Known for thriving in dynamic, high-pressure environments. Administrative support, professional offering versatile office management skills and proficiency in Microsoft Office programs. Strong planner and problem solver who readily adapts to change, works independently and exceeds expectations. Able to juggle multiple priorities and meet tight deadlines without compromising quality. Strong Customer Service and Communications Skills.

Career Overview:

The Hersma Group (Business Blessing) – Business Consulting (January 2006 – Present)

Proposed business partnership, recommended business solutions, advised strategic and tactical plan changes/modifications while developing broad working relationship with clients. Worked with clients on several varied projects, exceeded expectations and increased revenues. Provided expert guidance to management on the process of changes and problem-solving. Worked on several projects, programs and teams simultaneously; coordinated with different departments implementing operational plans to completion. Successfully built new strategies for a wide variety of client partners. Office Management including: Business plan development, conduct audits and variance analyses, process invoices, payroll and tax filings.

Event Manager - Special Events Coordinator (1996 - Present)

Expertly plan events and weddings. Establish budgets, review locations, and choose venues. Ensure best rates by skillfully negotiating with suppliers, vendors, and entertainers. Source highly qualified caterers, florists, and limousine services. Oversee contracted team of event contributors including various

musicians, a Photographer, and a DJ. Develop plans for floral arrangements, select invitations, and conduct food tastings. Selected Achievements: Seamlessly orchestrated events, with budgets of up to \$20,000, for up to 1500 attendees. Successfully developed on-the-spot contingency plans during adverse weather conditions. Developed personal inventory of elegant event equipment including chairs, tables, fountains, linen, silverware, and serving dishes. - See more at: <http://workbloom.com/resume/sample/event-planner.aspx#sthash.mrESVO7C.dpuf>. Creative and energetic event operations manager offering ten years' experience working in fast pace environments where professional organizational skills are required to handle staff, customers, contractors, budgeting and financial aspects of special events.

IHOP – Kansas City – Customer Service Supervisor/ Bookstore Manager (2002 – 2006)

Ability to train, motivate, and supervise customer service employees. A team player, acknowledged as "Total Quality Customer Service Professional". Develop, plan, conduct audits and variance analyses, process payroll and payroll reports, and maintain/update accurate inventories. More than 22 years' successful experience in customer service and support with strengths in account maintenance, problem-solving and trouble-shooting, sales staff support, while planning/implementing proactive procedures and systems. Recognized for delivering unparalleled customer service. A verifiable track record of success backed by impeccable results.

Streams Ministries – Intercessory Director/Office Staff (July 1996 – 2001)

Lead Administrator Streams Ministries Office. Event Manager for conferences of 500-1500 attendees. Handled admissions and registration duties at each location. Handled multi-faceted clerical tasks (e.g., data entry, filing, records management and billing) as the assistant to the registrar and admissions offices. Coordinated travel arrangements, assisted in maintaining database and ensured the delivery of premium service to students. Quickly became a trusted assistant known for "can-do" attitude, flexibility and high-quality work. Communicated effectively with multiple departments to plan meetings and prepare manuals welcome packages for new students. Established strong relationships to gain support and effectively achieve results. Helped at various events and conferences with consistently high enrollment levels to ensure premium service to participants. Earned excellent marks on performance reviews, with citations for excellence in areas including work volume, accuracy and quality; ability to learn and master new concepts; positive work ethic; and commitment to providing unsurpassed service.

Linda Reiter
Associate Manager
Elegant Reception Hall



Personal Expertise & Strengths:

Over 30 years of continued growth as an organized, performance driven, influential program pioneer with an exemplary track record of cultivating talent and directing cohesive and focused teams. Cultivates a professional culture in which staff members feel comfortable voicing questions and concerns, as well as contributing new ideas that drive system growth. Skilled at establishing and maintaining strategic partnerships to generate essential professional opportunities. Dedicated Communications Specialist with extensive experience in community relations and special event planning.

Accomplishments:

Facilitated on-boarding of new employees by scheduling training, answering questions and processing paperwork. Developed and implemented education program for delinquent youth and their families for 5 counties. Promoted to Prevention Programs Coordinator (top position within the unit) after 7 months of employment. Initiated, planned and executed semi-annual department events, which have continued for over 11 years. Created new department procedures manual; Assessed organizational training needs and developed training programs to meet those needs.

Career Overview:

Ventures 7000 LLC – Partner Relations Coordinator (2012 – Present)

Provide expert guidance and on-boarding of new business partners. Office Management including: Contract facilitation and development of processes; Oversight of compliance of all departments.

36th Judicial District Juvenile Probation Dept. – Family Intervention Specialist (2007 – 2011)

Created, developed and implemented a grant funded program in 5 counties designed to educate the parents of adjudicated youth in parenting skills while providing aftercare to those youth being released from residential treatment facilities. Events coordinator having responsibility for carrying out each

component of designated events; Historian for entire department. Document maintenance and compliance with federal grant imposed guidelines.

Aptus Therapy Services – Vice President of Administration (2007 – 2007)

Responsible for hiring therapists and developing “sign-on” packages. Conducted employee evaluations and managed performance of personnel department. Ensured that facility, personnel and records complied with State and Federal regulations; ensure all personnel complied with the company’s policy and procedures. Responsible for planning and implementing promotional community events.

36th Judicial District Juvenile Probation Dept. – Coordinator of Programs (2001 – 2006)

Administrated First Offender program for three counties working with local and county judiciary, local independent school districts and communities. Developed new programs as needed within the communities; secured community support; worked within budgetary constraints; public relations and collaboration. Developed and ran a community summer camp serving 150 children. Hired, trained and managed 11 full-time and 14 seasonal employees. Events coordination and execution for entire department.

Jacqui Liwag
Associate Manager
Elegant Reception Hall



Personal Expertise & Strengths:

Over 33 years of progressive experience in sales, networking, marketing, management and Entrepreneurial endeavors in various industries.

Career Overview:

ENTREPRENEUR & BUSINESS DEVELOPER:

Spearhead and helped develop entrepreneurs in starting their own businesses in a Joint Venture capacity. Helped individuals and small business owners to connect with the appropriate products, services and resources mix for their business, that will help increase in revenue. Created marketing and sales campaigns that have increased bottom line profitability by helping business owners achieved sustainability & stability.

1. *KINGDOM RESOURCE NETWORK CLUB - Kingdom Entrepreneur & Consultant (April 2011 to Present)*

The following are the businesses that are being established and developed:

1. Wake up up – www.krnc.wakeupnow.com (20013 to Present)
Software program that allows the individual to save on everyday purchases & daily needs, While offering small business owners an income opportunity
2. Melchiah – Credit Enhancer Program (2011 to Present)
We offer credit restoration educational program that will helped individual build their Credit score within 12 month period.
3. Solid Rock Foundation – Portable Residential Aquaponics Farm Business (June 2012 to Aug 2013)
Coordinated and established the company. Provided an alternative solution to food shortage supply
4. eCosway – Boutique Retail Stores in SF (2011 to 2012) & Hawaii (2012 to Present)
Manage the overall operations of a small boutique store that serve skin care, hair care, beauty care, household care, Pet care.

2. *JCC ALLIANCE NETWORK - CEO (July 2007 –July 2011)*

Created a system driven MLM company that focuses on helping clients get out of financial debt by implementing the solution in areas such as: real estate & mortgage, car loan & credit card debts.

3. JCC REALTY & MORTGAGE - Director & CFO (Dec 2004 – July 2007)

Managed and maintained the overall operation of the residential real estate & mortgage business in CA.

FINANCIAL ADVISOR:

Specialized in Comprehensive Wealth Management with a focus on Financial Planning aspect, which helped establish and develop solid relationships with all clients. Managed individual retirement plans through Financial Planning as well as corporate retirement plans through company sponsored 401(k) plan.

1. WACHOVIA SECURITIES, LLC - Associate Vice President (2001 to 2005)
2. CITICORP INVESTMENTS SERVICES - Vice President (2000 to 2001)
3. MORGAN STANLEY DEAN WITTER - Associate Vice President (1998 to 2000)

Demetrius Lester
Security & Facility Administration Manager
Elegant Reception Hall



(901) 569-2644 | Demetrius.Lester.IPC@gmail.com

Professional Experience

Valor Security Services / Arizona Mills Mall
Tempe, AZ
Security Director (4/29/2012 – 8/11/ 2013)

- Develop and implement policies, practices and plans relating to the public safety function. Create and maintain a program that will provide well-trained, properly motivated employees
- Manage the administrative function of the location in ensuring the accurate and timely submission of IR, accident and Injury reports
- Perform personnel related duties including the professional development of staff, hiring, promoting, performance documentation, scheduling, and terminations
- Promote a positive relationship and act as liaison between employer and client
- Direct and ensure compliance of Workplace Safety procedures, employee orientation and training documentation, as government requires
- Establish and maintain co-operative relations with local authorities

Valor Security Services/ Oak Court Mall.
Tempe, AZ
Security Director (9/13/2007 – 4/29/2013)

- Develop and implement policies, practices and plans relating to the public safety function. Create and maintain a program that will provide well-trained, properly motivated employees
- Manage the administrative function of the location in ensuring the accurate and timely submission of IR, accident and Injury report
- Perform personnel related duties including the professional development of staff, hiring, promoting, performance documentation, scheduling, and terminations
- Promote a positive relationship and act as liaison between employer and client

- Direct and ensure compliance of Workplace Safety procedures, employee orientation and training documentation, as government requires
- Establish and maintain co-operative relations with local authorities

IPC International Corporation / Avenue Carriage Crossing

Memphis, TN

Assistant Security Director (02/13/2006 – 9/13/2007)

- Provide daily direction to all staff and ensure adequate personnel are present to carry out requisite components of the program
- Promote professional environment demonstrating a consistent, positive customer service approach in all situations including professional demeanor and wearing required uniforms
- Complete administrative functions of location including vehicle maintenance, equipment inventory, payroll and employee records, licensure and reports
- Observe and formally report any unusual incidents, tenant violations, workplace hazards and suspicious activities in a timely, accurate and legible fashion
- Administer personnel related duties including staff development, hiring, scheduling, performance appraisals and documentation, terminations and all required documentation.

Murray Staffing Solutions

Memphis, TN

Branch Manager (12/7/2004 – 2/13/2006)

- Plan and administer policies relating to all phases of human resources
- Carried out supervisory responsibilities in accordance with organization's policies and applicable laws
- Interview, hire and trained employees and assigned qualified applicants on job details
- Promoted a professional environment both with applicants and in house staff

Education

Northwest Community College	Ashland, MS	Certificate of Nursing (LPN)
Brown Mackie College	Glendale, AZ	Healthcare Administration (Present)

Skills and Certifications

American Heart Association CPR Instructor
 Tennessee State Certified Trainer (Unarmed Security Guard)
 Arizona Security Unarmed Guard License
 Memphis Police Department – Citizen Academy Completion
 Terrorism Awareness Training Program– Certificate
 Emergency Management Institute – FEMA NIMS –Certificate
 Emergency Management Institute – FEMA ICS –100, 700
 Chemical Munitions and OC Aerosol Projectors Supervisory Training - Certificate
 Certified Instructor Program – IPC International Corporation - Certificate
 Computer Basics, Excel, Word Processing
 I- Networking and PDS Application – Certificate
 Kronos Payroll

CURRENT LIST OF APPROVED VENDORS AND PROVIDERS*

- **Bartending**
- **Bartending Academy of Arizona – Tempe Campus**
- Steve Shilveck
- 1250 E. Apache Blvd Suite 108, Tempe, Arizona 85281 480-921-9925
- http://www.phoenixbartendingschool.com/about_us.php
- info@phoenixbartendingschool.com

- **Entertainment**
- **Starz Entertainment**
- Jimmy Davenport, Manager
- 14362 N. Frank Lloyd Blvd., Suite 1000, Scottsdale, AZ 85260 480- 830-1308
- <http://www.starzentertainment.net>
- They have their own Liability Insurance

- **Push Play Entertainment**
- <http://www.pushplayentertainment.com> 602-741-9084
- Own Liability Insurance

- **Desert House Productions**
- Dave & Drea Strickler
- 3346 East North Lane, Phoenix, AZ 85028 602-790-2241
- <http://www.deserthouseproductions.com>

- **Florist**
- Julie Anne
- Queen Creek, AZ 85142 480.987.8970
- Julianne2u@gmail.com
- www.pressedflowerartist.com

- **Security Companies**

- **Team Security**
- 1826 W 4th Street, Tempe, AZ 85218 480-829-8326

- **Pride Group LLC**
- 1310 W. Driver's Way, Tempe, AZ 85284 480-663-3566

- **Criterion Security Group**
- 1800 E Van Buren, Phoenix, AZ 85006 602-251-8101

* Management reserves the right to make changes to this list of Approved Vendors and Providers as deemed appropriate, in its sole discretion.

Our Plan of Action

Royal Priesthood Fellowship Church will host a community meeting on at 6:30 PM on October 16, 2013 at the North Tempe Multi-Generational Center located at 1555 N. Bridalwreath Street in Tempe to discuss any questions you may have concerning our church, our business and our community. We realize there are many of you that have questions and want to know how things will be different from the past businesses occupying the space that we have leased. We invite you to come, listen, learn and ask questions as we are committed to bringing a spirit of excellence to all that we do in church, business and the community!

We also will be presenting our case to the Tempe City Planning Commission on October 22, 2013 in response to the appeal on file for the Live Entertainment License. We would invite you to come and be a part of this, as well, as we present our case for approval.

Traveling the Road Together

Our primary goal is to serve our community and our church family. It is our desire to work in cooperation with our neighbors, our church family, the local business community, and our city officials to bring a spirit of unity and cooperation to all our endeavors as we serve the City of Tempe and its residents through Royal Priesthood Fellowship Church and The Elegant Reception Hall.

We are seeking your support in this spirit of unity and cooperation so that together we may create bridges of friendship and synergy to build lasting relationships, a strong church and an even greater community!

Seeking Support in a Spirit of Unity and Cooperation



RIO SALADO COURTYARD STRIP MALL

For aerial view: <http://earth.google.com>

Vendors in the strip mall or adjacent include Goodwill, Subway, Shell, etc.

About 1.5 miles from Arizona State University campus
Minutes to the major highway....
Minutes from Phoenix Sky Harbor Airport....

Elegant Reception Hall

1290 N. Scottsdale Rd #121

Tempe, AZ 85281

Email: linda.omlu@gmail.com

Website: www.elegantreceptionhall.com