# Staff Summary Report

Tempe

**To: Mayor and City Council**
**Through: City Manager**

**Agenda Item Number** 23
**Meeting Date:** 05/17/01

**SUBJECT:** **POOCH'S EASY STREET #SGF-2001.33**

**PREPARED BY:** Hector Tapia, Senior Planner (480-350-8331)

**REVIEWED BY:** Dave Fackler, Development Services Manager (480-350-8333)

q-j

**BRIEF:** This is the first public hearing for Pooch's Easy Street for a Use Permit for a change of business ownership located at 7700 South Priest Drive.

**COMMENTS:** **PLANNED DEVELOPMENT (0406)** Hold the first public hearing for **POOCH'S EASY STREET** (Centrepoint Associates Enterprises, property owner) for a use permit to modify condition #9 located at 7520 South Priest Drive. The following approval is requested from the City of Tempe:

**#SGF-2001.33** An Amended General and Final Plan of Development for a 10,054 s.f. billards restaurant and sports bar within the Sports Authority Plaza, totaling 151,321 s.f. on 18.5 net acres, including the following:

Condition of Approval:
#9. Use permit is non-transferable and is issued to Tommy DiLorenzo only.

Document Name: 20010517devsrh03 Supporting Documents: Yes

**SUMMARY:** On February 1994, City Council approved a use permit for Tommy's Billiards. On that approval, condition #9 stated that the use permit was issued only for Tommy DiLorenzo, the pool hall business owner. Now the new business owner has changed the business name to Pooch's Easy Street and requests a use permit to change the business ownership. The new owner has no intent to change the current business operation. The applicant has contacted the Police Department and signed an updated Security Plan on April 13, 2001. Up to this date, staff has not received any calls or concerns regarding this application.

**RECOMMENDATION:** Staff – Approval
Public - None

**ATTACHMENTS:**

1. List of Attachments
2. History & Facts / Description
3. Comments / Conditions of Approval

A. Location Map
B. Plan of Development/Site Plan
C. Floor Plan
D. Letter of Explanation/Intent
E. Security Plan, 4/13/2001

**HISTORY & FACTS:**

| | |
|---|---|
| December 15, 1988. | City Council approved a zoning change from AG to PCC-2 and a General Plan of Development for Price Club Plaza, Tract "B" consisting of 191,700 s.f. on 18.5 net acres, including three variances. |
| August 12, 1993. | City Council approved an Amended General and Final Plan of Development for Price Club Plaza consisting of 157,095 s.f. including use permits for a bar/nightclub with live entertainment, parking by demand, plus three variances for building setbacks and for an on-site drive length. |
| February 10, 1994. | City Council approved a use permit to allow a pool hall (Tommy's Billiards) and a variance for front yard building setback from 60' to 50'. |

**DESCRIPTION:**

Property Owner – Centre Point Association
Business Owner – Thomas Ferris
Applicant – Donna Ferris
Existing zoning – PCC-2
Total site area – 18.5 net acres (total commercial center)
Total bldg. area – 151,054 s.f. (total commercial center)
Parking required – 80 spaces
Total Parking provided - 80
Bicycle parking required - 5
Bicycle parking provided - 5

**COMMENTS:** On February 1994, City Council approved a use permit for Tommy's Billiards. On that approval, condition #9 stated that the use permit was issued only for Tommy DiLorenzo, the pool hall business owner.

Now the new business owner has changed the business name to Pooch's Easy Street and requests a use permit to change the business ownership. The new owner has no intent to change the current business operation. The applicant has contacted the Police Department to update the existing Security Plan and a preliminary inspection was done on April 10, 2001. The applicant completed the upgrades requested by the Police Department and signed an updated Security Plan on April 13, 2001. Staff recommends approval subject to the attached conditions. Up to this date, staff has not received any calls or concerns regarding this application.

**REASON(S) FOR APPROVAL:**

1. The intention of the new business owner is to continue operating the pool hall business as the previous owner and has signed an updated Police Security Plan on 04/13/2001.

2. The business ownership change should not be detrimental to adjacent businesses or property owners.

**CONDITION(S) OF APPROVAL:**

1. Use permit is non-transferable and is issued to the current business owners of Pooch's Easy Street (**Donna and Thomas Ferris**) only.

2. Within two years of the date of City Council approval or **May 31, 2003**, the applicant shall return to the City Council for a review of compliance with the conditions of approval.

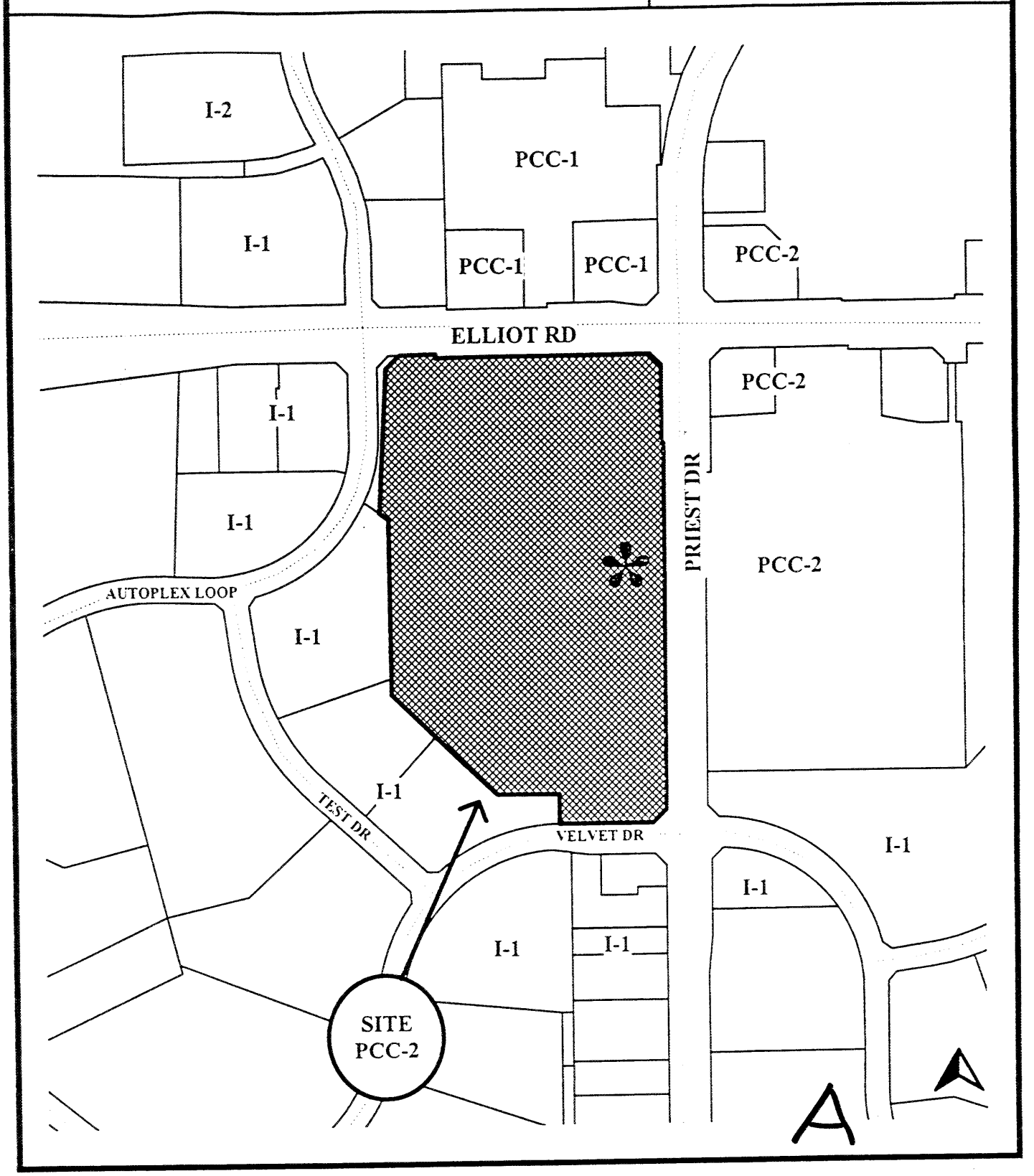
3. Any intensification or expansion of the use shall require the applicant to return to the City Council for further review.

4. Any significant verifiable police complaints (as determined by the City Attorney and Police Dept.) shall require the applicant to return to the City Council for re-evaluation of the use permit.

5. Security shall be provided according to the agreement with the Police Department dated 04/13/2001.

Tempe

| POOCH'S EASY STREET | SGF-2001.33 |
|---|---|




Location Map SEE OTHER SIDE FOR MORE INFORMATION

# POOCH'S EASY STREET

# SGF-2001.33

## SYMBOL(S):

EXISTING BUILDING(S)

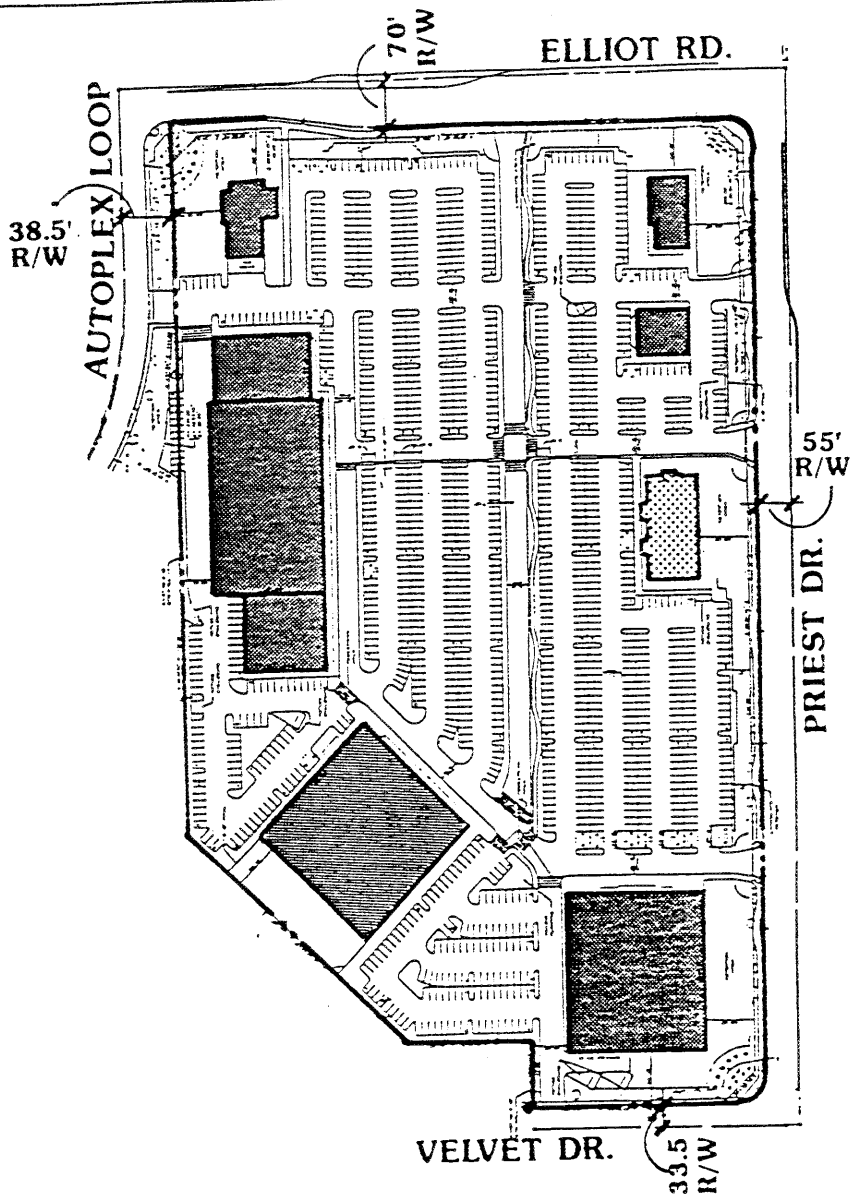
EXISTING BUILDING REQUESTING USE PERMIT(S)

## SITE DATA:

| | |
|---|---|
| NET ACRES: | 18.5 AC. |
| BUILDING AREA: | 151,321 S.F. |
| POOCH'S EASY STREET BUILDING AREA: | 10,054 S.F. |

## USE PERMIT(S):

(SEE BELOW)




A1

Request

## PUBLIC HEARING NOTICE

This is a notice for two public hearings for **POOCH'S EASY STREET** (Centrepoint Associates Enterprises, property owner) for a use permit to modify condition #9 located at 7520 South Priest Drive. The following approval is requested from the City of Tempe:

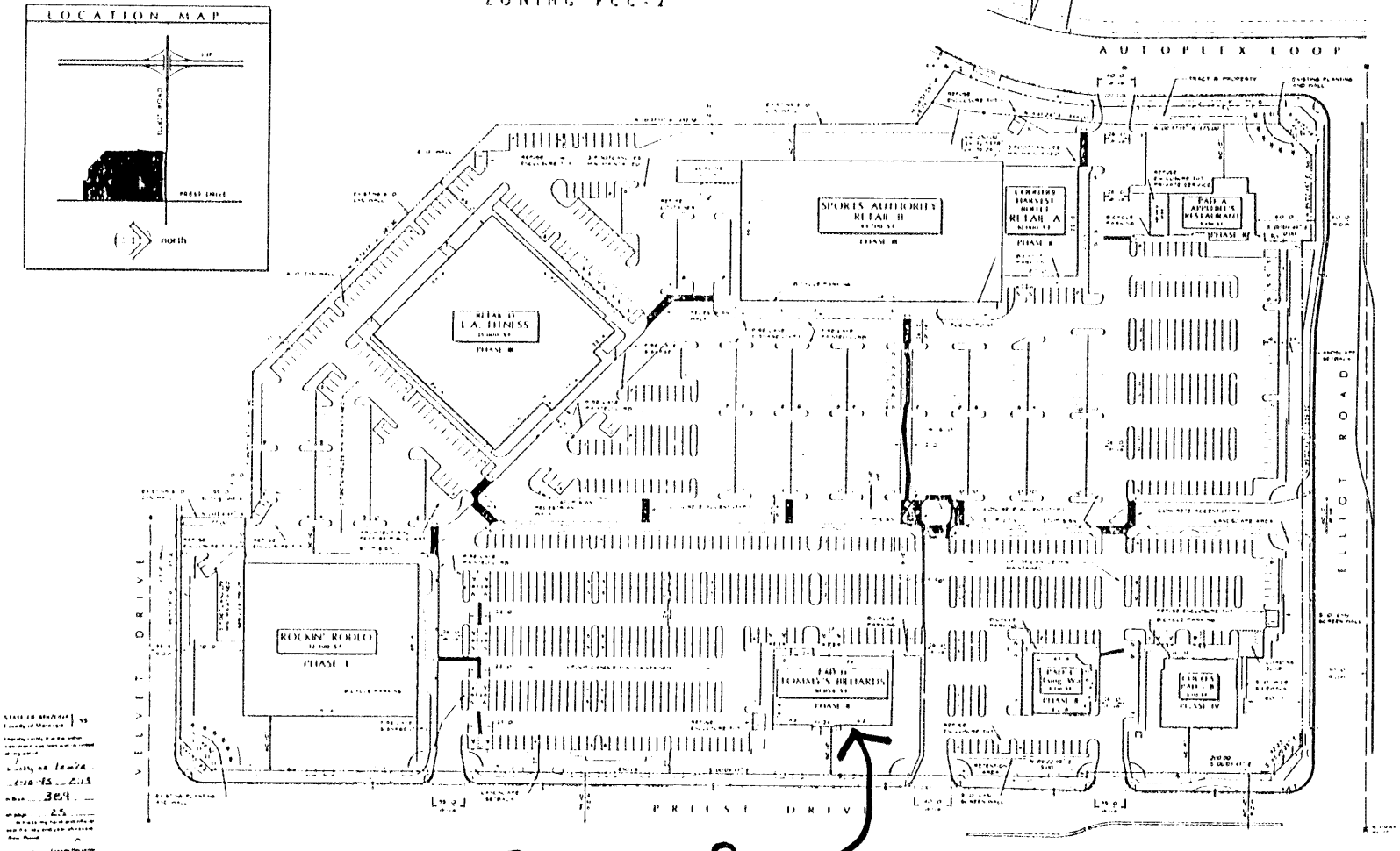
#SGF-2001.33 An Amended General and Final Plan of Development for a 10,054 s.f. billiards restaurant and

FOURTH AMENDED GENERAL PLAN OF DEVELOPMENT FOR

# SPORTS AUTHORITY PLAZA (FORMERLY PRICE CLUB PLAZA II)

FINAL PLAN OF DEVELOPMENT FOR PHASE IV

PAD B - COCO'S RESTAURANT
ADDRESS - 1525 WEST ELLIOT ROAD
ZONING PCC-2




KDRA
KURT D. REED ASSOCIATES, INC.
(602) 941-1440

SPORTS AUTHORITY PLAZA
CENTREPOINT ASSOCIATES

ARCHITECTURAL SITE PLAN

B

"ATTACHMENT A"

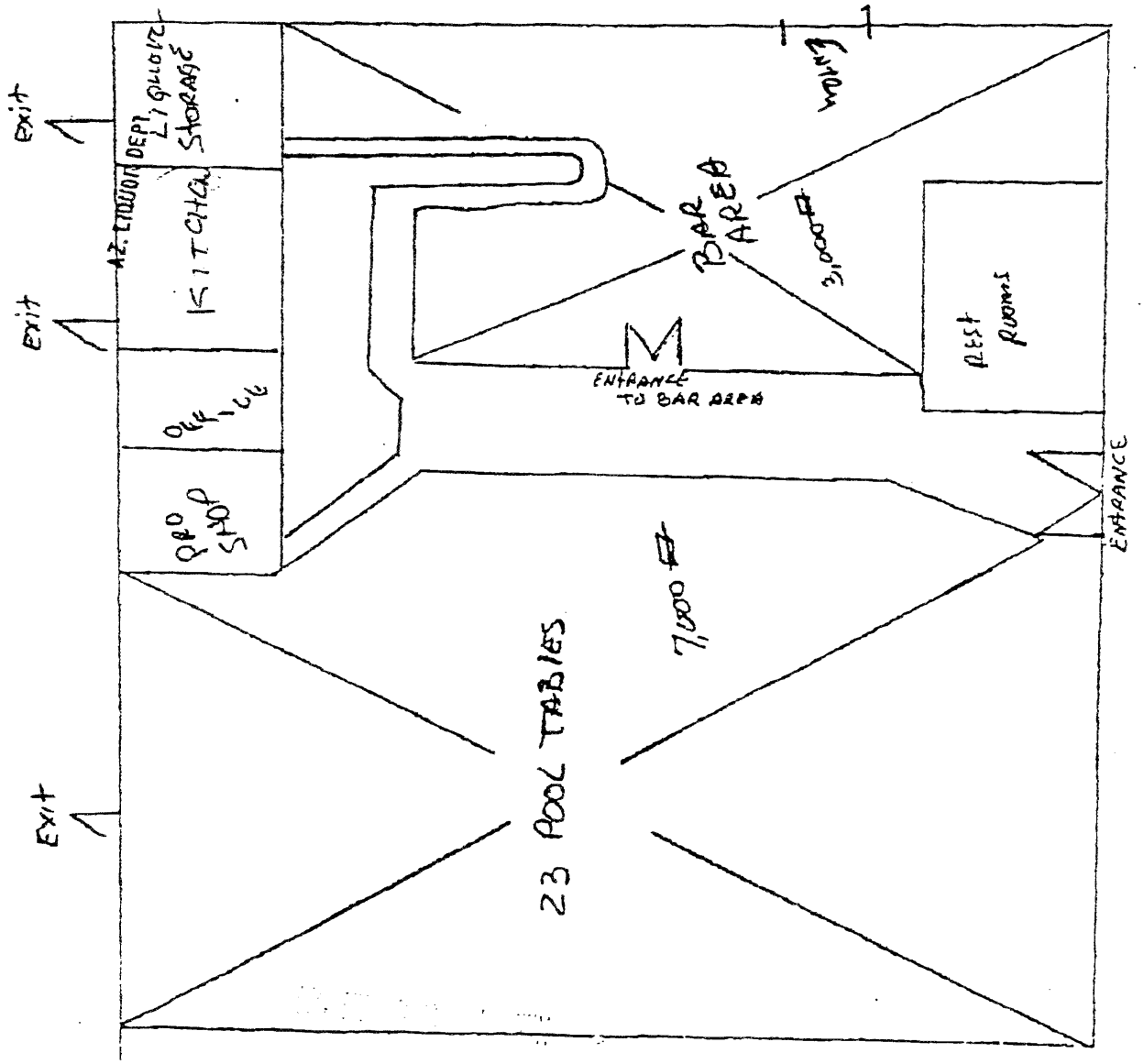
**SECTION 16. DIAGRAM OF PREMISES (Diagram must be on this form; blueprints not accepted):**

1. SHOW ONLY THE AREA TO BE COVERED BY THIS LICENSE, INCLUDE ALL ENTRANCES/EXITS, DRIVE-IN WINDOWS, SERVICE WINDOWS, LIQUOR STORAGE AREAS, AND DIMENSIONS OR SQUARE FOOTAGE FIGURES. DO NOT INCLUDE PARKING LOTS, LIVING QUARTERS, ETC. RESTAURANT AND HOTEL-MOTEL APPLICANTS MUST EXPLICITLY DEPICT KITCHEN EQUIPMENT AND DINING FACILITIES:

| | YES | NO | NA |
|---|---|---|---|
| a. AUTOMOTIVE FUEL SALES | | | |
| b. DRIVE IN WINDOW | | | |
| c. UNDER CONST. | | | |
| d. EST. COMP. DATE FEB '94 | | | |

2. Do you agree to notify the Department of any changes of boundaries, entrances, exits, or service windows prior to modification: ☒ YES ☐ NO

3. The diagram below is the only area where alcoholic beverages are to be sold, served, consumed, dispensed, possessed or stored.






C

POOCH'S EASY STREET

7700 S. PRIEST DR.
TEMPE, AZ. 85284

Phone: 480-598-8611

APR 1 1 2001

CITY OF TEMPE

WE ARE A NEW BUSINESS OWNER AT 7700 S. PRIEST. ACTUALLY WE BOUGHT AN EXISTING BUSINESS, SKIP AND JAN'S SPORTS BAR AND BILLARDS.

OUR INTENTION IS TO CONDUCT THE SAME TYPE OF BUSINESS THAT WAS HERE PREVIOUSLY. NAMELY BILLARDS, WITH FOOD AND DRINKS AND SPORTS ON T.V.

THANK YOU FOR YOUR CONSIDERATION TO THIS PERMIT.

DONNA L. FERRIS

TOM E. FERRIS

D

# Security Plan

Tempe

**Police Department**

**120 E. Fifth Street**
**Tempe, Arizona 85281**
**(480) 350-8305**
**FAX: (480) 350-8493**

**SECURITY PLAN FOR:**
(Liquor)

| | |
|---|---|
| Establishment: | Pooch's Easy Street |
| Address: | 7700 S. Priest Dr.<br>Tempe, AZ 85284 |
| Business Phone: | (480) 598-8611 |
| Business FAX: | (480) 598-8613 |
| Maximum Occupancy: | 481 |
| Effective Date of Plan: | 04-13-01 |
| Date of Plan Review: | 04-13-03 |
| Use Permit Issue Date: | |
| Beverage License: | |
| Type: | Series 6 |
| State No.: | 06070366 |
| Issue Date: | 03-01-01 Interim |

E

## I. PURPOSE OF THE PLAN

This Plan addresses security measures for an establishment whose use shall require a Security Plan pursuant to Tempe City Code, Section 11-30.

This Security Plan's purpose is to comply with the Security Plan conditions and/or requirements set forth in a Use Permit; to address the concerns of the zoning ordinance regarding: any significant increase in vehicular or pedestrian traffic, adequate control of disruptive behavior both inside and outside the premises, compatibility with surrounding structures and uses, any deterioration of the neighborhood or to the downgrading of property values; and to assist in providing an environment which may enhance safeguarding of property and public welfare and reduce the necessity for calls for service from law enforcement agencies.

This Security Plan, when approved by the City of Tempe, is granted to the establishment as set forth in Tempe City Code, Section 11-30. A Security Plan may be required as a condition prior to the issuance of a Use Permit or City license. Deviations from or changes, modifications or alterations to the Plan shall not occur without prior written approval of the City of Tempe. **A copy of this Security Plan must be kept on the premises at all times and shall be made available upon request.**

## II. PLAN OF OPERATION, PROGRAM PLAN AND HOURS

1. PERMITTEE: Pooch's Easy Street, Inc.

   TYPE ORGANIZATION: __X__ Arizona Corporation ___ Corporation
   ____ Sole Proprietorship LLC ____ Partnership ____ Other

2. MANAGING AGENT(S):

   Name: Donna Ferris
   Title: Secretary/Treasurer
   Address: 710 S. Country Club #10
   Mesa, AZ 85210
   Phone: (602) 332-1969
   FAX or Other Numbers:

3. BUSINESS OWNER(S) (if different from Agent):

   Name: Thomas Ferris
   Address: 710 S. Country Club #10
   Mesa, AZ 85210
   Phone: (602) 332-1969
   FAX or Other Numbers:

4. PROPERTY OWNER or PROPERTY MANAGER (if different from Agent):

Name: Centre Point Association
Address: 3333 New Hyde Park Rd.
New Hyde Park, NY 11042
Phone: (800) 645-6292
FAX or Other Numbers:

LOCAL MANAGEMENT COMPANY:

Name: Kemco Realty
Phone: (602) 230-8852
Fax: (602) 277-6547

5. HOURS OF OPERATION:

| | Open to Customers | Liquor Sale Ends | Close to Customers |
|---|---|---|---|
| Monday - Friday | 11:00 a.m. | 1:00 a.m. | 1:00 a.m. |
| Saturday - Sunday | 12:00 p.m. | 1:00 a.m. | 1:00 a.m. |

6. PROMOTIONAL EVENTS (Ladies Night, Teen Nights, etc.):

7. DESCRIPTION OF OPERATIONS/SERVICES:

| | |
|---|---|
| Services Provided: | Billiards/Food/Drinks |
| Target Audience/Patrons: | average age 26-28 |
| Estimated Average Daily Attendance: | 100 |
| Menu: | Appetizers |
| Designated Driver Program: | On File |

8. PROGRAM FORMAT, ENTERTAINMENT:
Program/entertainment format, advertising.

a. Live entertainment and live music shall terminate no later than 12:55 a.m. and only as approved in Use Permit.

b. Music and amplified sound (interior and exterior) shall terminate at closing and is subject to City noise and other ordinances.

9. SPECIAL EVENTS:

a. Notice must be given by Permittee to Tempe at the address above at least fourteen (14) days prior to conducting Special Events on the premises. "Special Events" are any program formats varying from the

regular format and audiences described or provided above organized or planned by Permittee. Tempe requires separate licenses for outdoor special events.

b. Additional security or revisions to this Plan may be required by Tempe for Special Events (program formats varying from the regular format described above).

c. Permittee must be separately licensed to conduct Outdoor Event/Special Events, Special Liquor License Events, Extensions of Premises [Call (480) 350-5180], After Hours or Teen Nights. See Tempe City Code for requirements.

10. COOPERATION/COMPLAINTS/CONCERNS:

a. Permittee will maintain communications with establishments located on and adjacent to the premises, and with residents and other businesses who may be affected by patrons or operations of the Permittee. Permittee designates the following person to receive and respond to concerns or complaints from other residents or businesses:

| David Hemmatt | (602) 370-1983 |
|---|---|
| Name | Cell Phone |

b. Permittee, managing agents, on-duty managers, supervisors and security personnel will cooperate closely with Tempe police, officers and neighbors in addressing and investigating complaints and concerns.

c. Permittee's managing agent(s) shall meet with Tempe Police Department when requested by the Security Plan Manager or other personnel of the Tempe Police Department on matters related to this Plan.

## III. SITE/BUILDING INFORMATION

A copy (8½" x 11") of the exterior and interior plan, description and uses is attached.

## IV. GENERAL SAFETY CONDITIONS

1. Exterior entrances shall be illuminated with a minimum of five (5) footcandles of light at ground level to six (6) feet vertical between the hours of sunset and sunrise.

2. Recommend professional review of exterior lighting to insure compliance with the Crime Prevention Through Environmental Design (C.P.T.E.D.) requirements.

3. Existing exterior lamps provided on the building and in the parking areas for security of patrons and employees shall be repaired immediately when the light is not operational to maximize the lighting efficiency.

4. Only ADA locks shall be used on the restroom doors with a key bypass.

5. Landscape plantings shall not conflict with the above lighting standards. Landscape plantings, including trees, shall also be maintained to allow for good surveillance and must not interfere with addressing, door viewing, or windows.

6. Any graffiti that may appear on the Permittee's property shall be removed or covered within forty-eight (48) hours, upon discovery or when notice is given by the Police Department.

7. All fire lanes shall be properly posted and curbs painted in RED where existing.

8. Owner/manager shall be included in Tempe's Operation Notification Program and Responsible Party information shall be kept current.

9. All debris, including glass and can containers, shall be removed from parking lots and adjacent landscape areas after closing.

10. Address numbers twelve (12) inches high must be placed on north and south elevations on the east side of the building and on east and west elevations in the center of the building.

11. A wide angel viewer (peek-o style) must be installed in the office door for viewing into the bar.

12. Signs must be placed on the Billiard Room single exit door that state *"For Emergency Use Only"*.

13. The camera in the office must be operational and kept maintained.

14. The CCTV tapes must be maintained for a minimum of 31 days.

15. A Designated Driver Program must be submitted in writing by the time of signing.

## V. PATRON PARKING, INGRESS AND EGRESS, VEHICULAR AND PEDESTRIAN TRAFFIC CONTROL

1. PARKING

   a. Parking utilized by Patrons (# spaces, description, location):

      80 Shared spaces

   b. Parking utilized by Employees (# spaces, description, location):

      80 Shared spaces

   c. Any parking used by patrons or employees of the Permittee and any parking area of the Permittee shall be supervised by the Permittee to ensure that the parking areas are used by persons entering and exiting from their vehicles and are not used as a gathering place, for consumption of spirituous liquor, for violations of state or city law, acts of violence or disorderly conduct.

   d. Signs stating *"No Loitering"* and *"No Alcohol Consumption Permitted"* shall be posted throughout the parking area utilized by patrons. Signs shall be placed in locations visible to all patrons.

2. PATRON INGRESS/EGRESS

a. Entrances to the premises will be continually monitored by Permittee for compliance with the maximum occupancy requirements for the premises.

b. Patron identification shall be required and verified by Permittee prior to entry to ensure minors are not permitted on the premises when the primary use is spirituous liquor in violation of state law. Acceptable forms of identification and log verifying receipt of such identification shall conform with requirements of state law.

c. Patrons awaiting entry shall not disrupt orderly flow of pedestrian or other traffic, block entrance to neighboring establishments or premises, or occupy greater width than two (2) persons abreast. Permittee shall request patrons violating this paragraph to leave and shall not allow admittance to such patrons.

d. Entrances and parking areas will be monitored by Permittee at least once each hour at dusk and until 1:00 a.m. or thirty (30) minutes after closing.

e. All patrons must have exited the premises and parking areas used by patrons within thirty (30) minutes after the designated closing time.

## VI. STAFFING AND OPERATIONS

1. OFFENSES AND POLICE CALLS FOR SERVICE

The Permittee agrees that it, its agents or employees will not commit or knowingly allow violations of Arizona state law or Tempe city ordinances to occur on the premises utilized by patrons of the Permittee.

Permittee will also inform patrons, through appropriate signage or other means, that acts and conduct prohibited by the following laws and ordinances are not allowed or tolerated by the Permittee on any premises or parking areas utilized by patrons of the Permittee; and that violators will be considered as trespassers by the Permittee, subject to criminal prosecution for trespass in addition to any offense charged.

a. A.R.S. 4-101 et seq. through 4-261, as amended, Arizona Liquor Laws.

b. A.R.S. 13-101 et seq. Arizona Criminal Code and A.R.S. 28-101 et seq. Arizona Motor Vehicle Code.

c. Tempe City Code § 22-8, Curfew. This law sets a curfew for juveniles under the age of sixteen (16) at 10:00 p.m., and for juveniles age sixteen (16) and seventeen (17) at midnight. To comply with this law, Permittee agrees it will not allow any juveniles to remain at any location on its premises 1/2 hour prior to the curfew established in the code.

2. DEADLY WEAPONS

Permittee shall notify patrons that carrying of deadly weapons on the Permittee's premises and Permittee's parking areas is prohibited and request that weapons be removed as provided by A.R.S. 13-3102.

3. PERSONS UNDER TWENTY-ONE (21) YEARS OF AGE (This section is applicable only to establishments with a liquor license.)

The Permittee agrees that a person under twenty-one (21) years of age will not be allowed on the premises where liquor is sold, dispensed or consumed unless:

a. The person is accompanied by a spouse, parent or legal guardian who is at least twenty-one (21) years of age or is an on-duty employee of the Permittee; OR

b. The primary purpose of the premises is serving food; OR

c. The primary purpose of the premises is a patron participatory recreation activity limited to the minor's participation in any of the following sport activities: bowling, golf, football, basketball or sporting event.

4. MANAGEMENT

Permittee agrees to provide a minimum number of managers (general and assistant) as indicated hereto on the premises during hours when the Permittee is open for business. On duty managers are responsible for supervision of all employees, security personnel and agents, and shall identify all employees, personnel and agents on the premises when requested by Tempe.

5. SECURITY PERSONNEL AND EMPLOYEES

a. Permittee agrees to provide a minimum number of security personnel as indicated in the addendum hereto on the premises during hours when the Permittee is open for business or as otherwise indicated in the addendum hereto. **Security personnel shall primarily perform security functions and not serve as manager or in another capacity**.

b. All employees managing or serving patrons, security personnel and agents of the Permittee shall be trained and knowledgeable about the contents of this Plan.

c. Any personnel serving in security capacity on the premises (whether as employee or contractor) shall meet or exceed the requirements established by A.R.S. 32-2621 through A.R.S. 32-2636, as amended, relating to security personnel and guards, and any regulations issued pursuant thereto.

6. STAFFING FOR SECURITY PLAN **NOT REQUIRED AT THIS TIME**

For the purpose of developing and implementing the Security Plan for approval by Tempe, Permittee hereby offers to maintain the following minimum staffing on the premises during the hours indicated during the effective term of this Plan.

a. Operations. There shall be a manager on duty all hours while open for business and thirty (30) minutes after closing. There shall be a manager and one assistant manager on duty during peak nights (Friday and Saturday or when there are teen nights, promotional or special events). A manager shall be identified as the "Security Manager" and be responsible for insuring that a safe environment exists, for the supervision of all security personnel and that all security personnel as identified here shall meet the requirements of Section VI of their Security Plan.

b. Additional functions performed by management: Monitor each entry door open for patrons; monitoring and patrolling exterior uses of the premises including the parking areas.

c. Security Personnel (Minimum Staffing Requirements)

1. Entry doors.

Present at each door open for entry to patrons until thirty (30) minutes after closing.

2. Cashier for each door open when there is a cover charge.

d. Off-Peak Nights (Normally Sunday - Thursday). From open until thirty (30) minutes after closing.

1. Interior roamers

| | |
|---|---|
| From opening to 10:00 p.m. | 0 |
| From 10:00 p.m. to thirty (30) minutes after closing | 0 |

2. Exterior parking lots

| | |
|---|---|
| From opening to 10:00 p.m. | 0 |
| From 10:00 p.m. to thirty (30) minutes after closing | 0 |

e. Peak Nights (Normally Friday and Saturday). From open until thirty (30) minutes after closing. The following staffing shall also apply to Sundays when the following Monday is a legal holiday, or when teen nights, promotional or special events are scheduled.

1. Interior roamers

| | |
|---|---|
| From opening to 10:00 p.m. | 0 |
| From 10:00 p.m. to thirty (30) minutes after closing | 0 |

2. Exterior parking lots

| | |
|---|---|
| From opening to 10:00 p.m. | 0 |
| From 10:00 p.m. to thirty (30) minutes after closing | 0 |

**Permittee shall provide a copy of their policy and procedures, training documentation and overall operational plan pertaining to security.**

7. SECURITY APPAREL AND EQUIPMENT
Security personnel shall display on their outer most clothing readily identifiable, and in contrasting colors, the words "Security" or "Security Personnel". Security shall be designated on the front of the clothing at least two (2) inches high, and on the back of the clothing at least four (4) inches high. Security uniforms shall not resemble Tempe law enforcement uniforms. Security uniforms shall be approved prior to use.

   a. All exterior security personnel shall have reflectorized vests with "SECURITY" displayed on both the front and back if the outer garment does not display "SECURITY".

8. On-duty employees and agents shall wear clothing or ID tags that readily identifies them as employees of the Permittee.

## VII. CONDITIONS OF PLAN

1. COMPLIANCE WITH THE PLAN. Successful execution and enforcement of this Plan may be a requirement and condition of Tempe's Use Permit. Termination, cancellation or non-approval of the Plan constitutes a breach of any condition requiring the existence an approved Security Plan.

2. TERMINATION OF PLAN. This Plan will terminate two (2) years from the Security Plan's effective date or upon termination of the use permit. It shall be the responsibility of the Permittee to insure the continuation of the Security Plan which may be renewed for two (2) year periods. Permittee must insure the continuation of the Security Plan by contacting the Security Plan Manager or C.P.T.E.D. staff sixty (60) days prior to expiration of the Plan.

3. VIOLATIONS AND PENALTIES. No person shall operate a use, which requires a Security Plan as directed in Tempe City Code, Section 11-30, in the absence of such required Security Plan or in a manner which violates a Security Plan required by this Article, and is punishable as set forth in Tempe City Code, Section 1-7.

4. REVOCATION OF THE PLAN. The Plan may be revoked by the City of Tempe upon ten (10) days written notice to the Permittee for 1) a violation of the Plan, 2) violation of the conditions of the Use Permit, 3) violation of Tempe ordinances or law, 4) repeated acts of violence or disorderly conduct as reflected by police calls for service or offenses occurring on premises utilized by patrons of the Permittee, 5) failure of the Permittee to take reasonable steps to protect the safety of person(s) entering, leaving or remaining on the premises when the Permittee knew or should have known of the danger to such person, or the Permittee fails to take reasonable steps to intervene by notifying law enforcement officials or otherwise to prevent or break up an act of violence or an altercation occurring on the premises or on premises utilized by patrons and employees of the Permittee when the Permittee knew or reasonably should have known or such acts of violation or altercations, 6) any enlargement or expansion of the premises, plan of operation or program format without appropriate approvals from Tempe, 7) misrepresentations or material misstatements of the Permittee, its agents or employees.

   a. Permittee may request a hearing to appeal the decision to revoke this Plan by making the request in writing addressed to the Chief of Police of the Police Department, within five (5) days of receipt of the revocation. The Chief of Police, or a designated representative, may modify, affirm or reverse the revocation.

   b. If the Permittee is dissatisfied with the administrative review by the Police Department, the Permittee may file an appeal in writing with the City Clerk to be heard by the City Council. Any appeal shall be filed within ten (10) days of receipt of the decision of the Police Department, setting forth the reasons why the decision should not be implemented; and

   c. The City Council, acting in its legislative capacity, may modify or remand the decision of the Police Department.

5. ASSIGNMENT OR TRANSFER. This Plan is not assignable or transferable to Permittee's successors or assigns. The Plan is automatically terminated upon sale or transfer of any interest in the Permittee.

6. SECURITY PLAN CHANGES. Any change in personnel identified in this Plan shall be reported to the Security Plan Manager or his designee within fourteen (14) calendar days after the change. Any change in the plan of operation or program shall be reported to the Security Plan Manager or his designee at least fourteen (14) calendar days prior to the change taking place and is subject to approval by the Security Plan Manager and/or C.P.T.E.D. Office.

7. MEETING REQUIREMENTS. Management of Permittee shall arrange meetings with a representative of the Tempe Police Department for their staff and security personnel pertaining to disorderly conduct, safety, I.D. verification and general security issues prior to opening, and at intervals thereafter or when deemed necessary by the Security Plan Manager or other personnel of the Tempe Police Department. A letter shall be forwarded to the Security Plan Manager with proposed meeting date(s) and number of employees attending. **Meetings throughout the year will be required as necessary.**

8. A copy of this Security Plan must be kept on the premises at all times and shall be made available upon request.

APPLICANT:

Signature on File

Name: Donna Ferris
Title: Secretary/Treasurer
Address: 710 S. Country Club #10
Mesa, AZ 85210
Phone: (602) 332-1969

Date: 04-13-01

APPROVED:

Signature on File

Bill "Buck" Rogers
Tempe Police Department
120 East Fifth Street
Tempe, AZ 85281
(480) 350-8305
(480) 350-8493 - FAX
Date: 04-13-01