# Pima County Clerk of the Board 

## Robin Brigode

Administration Division 130 W. Congress, $5^{\text {th }}$ Floor

Tucson, AZ 85701
Phone: (520)724-8449 - Fax: (520)222-0448

April 14, 2016

Paolo Robert DeFilippis
Truland Burgers and Greens
2823 E. Speedway Ste. 201
Tucson, AZ 85716
RE: Arizona Liquor License No.: 12104428 d.b.a. Truland Burgers and Greens

Dear Mr. DeFilippis:
Enclosed is a copy of the Affidavit of Posting relative to your Liquor License Application for a Series 12, Restaurant, which was received in our office on March 21, 2016. The Hearing before the Pima County Board of Supervisors has been scheduled for Tuesday, May 3, 2016, at 9:00 a.m. or thereafter, at the following location:

Pima County Administration Building
Board of Supervisors Hearing Room 130 W. Congress, 1st Floor Tucson, AZ 85701

For your information, enclosed is a copy of the Sheriff's Report. Any questions pertaining to the enclosed report should be directed to the Pima County Sheriff's Department at (520) 351-6999. If you have any questions pertaining to the above referenced hearing, please contact this office at (520) 724-8449.

Sincerely,


Robin Brigode
Clerk of the Board

## Enclosure

c: Pima County Sheriff Investigative Support Unit


## Arizona Department of Liquor Licenses and Control <br> 800 W Washington th Floor <br> Phoenix, AZ 85007-2934 <br> www.azliquor.gov <br> (602) 542-5141

## AFFIDAVIT OF POSTING



Truland Burgers and Greens
Applicant's Name:
DeFilippis
Last

Business Address: 7332 N. Oracle Rd.

## Street

Tucson
85704

License \#: 12104428

I hereby certify that pursuant to A.R.S. 4-201, I posted notice in a conspicuous place on the premises proposed to be licensed by the above applicant and said notice was posted for at least twenty (20) days.


Return this affidavit with your recommendations (ie., Minutes of Meeting, Verbatim, etc.) or any other related documents. If you have any questions please call (602) 542-5141 and ask for the Licensing Division.

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130 W. Congress, $5^{\text {il }}$ Floor Tucson, AZ 85701
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Document and Micrographics Mgt. Division 1640 East Benson Highway
Tucson, Arizona 85714
Phone: (520) 351-8454 • Fax: (520) 791-6666

## TO: Development Services, Zoning Division

FROM: Alina Barcenas
Administrative Support Specialist
DATE: March 22, 2016
RE: Zoning Report - Application for Liquor License

Attached is the application of:
Paolo Robert DeFilippis
d.b.a. Truland Burgers and Greens

7332 N. Oracle Rd.
Tucson, AZ 85704
Arizona Liquor License No. 12104428
Series 12, Restaurant
New License $X$
Person Transfer
Location Transfer

ZONING REPORT
DATE:


Will current zoning regulations permit the issuance of the license at this location?

If No, please explain:



# Arizona Department of Liquor Licenses and Control <br> 800 W Washington 5th Floor 

## Application for Liquor License Type or Print with Black Ink

SECTION 1 This application is for a:
$\square$ Interim Permit (Complete Section 5)
$\square$ New License (Complete Sections 2, 3, 4, 13, 14, 15, 16)
$\square$ Person Transfer (Complete Section 2, 3, 4, 12, 13, 14,16)
$\square$ Location Transfer (Bars and Liquor Stores Only)
(Complete Section 2, 3, 4, 11, 13, 14, 16)
$\square$ Probate/ Will Assignment/ Divorce Decree
(Complete Sections 2, 3, 4, 9, 13, 14, 16)
(Fee not required)
$\square$ Government (Complete Sections 2, 3, 4, 10, 13, 16)
$\square$ Seasonal

SECTION 2 Type of Ownership:
$\square$ J.T.W.R.O.S. (Complete Section 6)
$\square$ individual (Complete Section 6)
$\square$ Partnership (Complete Section 6)
$\square$ Corporation (Complete Section 7)
Limited Liability Co (Complete Section 7)
$\square$ Club (Complete Section 8)
$\square$ Government (Complete Section 10)
$\square$ Trust (Complete Section 6)
$\square$ Tribe (Complete Section 6)
$\square$ Other (Explain)

## SECTION 3 Type of license

LICENSE \#12 12104428

1. Type of License:

Restaurant
APPLICATION FEE AND INTERIM PERMIT FEES (IF APPLICABLE) ARE NOT REFUNDABLE A service fee of $\$ 25$ will be charged for all dishonored checks (A.R.S. § 44-6852)

## $\frac{\text { AP }}{\text { A }}$ SECTION 4 Applicants 1. Individual Owner/Ag

1. Individual Owner/Agent's Name: DeFile p pi s

2. Owner Name: $\frac{\text { G Burger and Greens on Oracle L LC }}{\text { (Ownership name for type of ownership checked on section 2) }}$
3. Business Name: Truland Burgers and Greens


> (Exactly as it appears on the exterior of premises)
? Burger an
Truland Bu

6. Business Phone: Pending Daytime Contact Phone: 520-907-9591 $\frac{3}{t}$
7. Email Address: paolodef2000@yahoo.com
8. Is the Business located within the incorporated limits of the above city or town? $\square$ res
9. Does the Business location address have a street address for a City or Town but is actually in the boundaries of another City, Town or Tribal Reservation? $\square$ y $\square$ No If Yes, what City, Town or Tribal Reservation is this Business located in: $\qquad$
THESE
10. Total Price paid for Series 6 Bar, Series 7 Beer \& Wine Bar or Series 9 Liquor Store (license only) $\$ 0$


## SECTION 5 Interim Permit

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

1. Enter license number currently at the location: $\qquad$
2. Is the license currently in use? $\square$ Yes $\square$ No If ho, how long has it been out of use? $\qquad$

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


SECTION 6 Individual, Partnership, J.T.W.R.O.S, Trust, Tribe Ownerships
EACH PERSON LISTED MUST SUBMIT A COMPLETED QUESTIONNAIRE, AN "APPLICANT" TYPE FINGERPRINT CARD AND \$22 PROCESSING FEE FOR EACH CARD.


Is any person other than above, going to share in profit/losses offhe business? $\square$ Yes $\square$ No If Yes, give name, current address, and telephone number ofperson(s). Use additional sheets if necessary.

| Last Mirst Middle_ |
| :--- |

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

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

| Last <br> First | Middle | Mailing Address | Cily | State | Zip Code |
| :---: | :---: | :---: | :---: | :---: | :---: |
| $/$ |  |  |  |  |  |
| / |  |  |  |  |  |

## SECTION 6 - continued

TRUST
Name of Trust: $\qquad$

| Lirst Mist | Mailing Address $\quad$ City $\quad$ Siate Code |  |
| :--- | :--- | :--- | :--- |
|  |  |  |
|  |  |  |

## TRIBE

Name of Tribal Ownership: $\qquad$

| Last First Middle | Mailing Address Cily Stor_ Tip Code |
| :--- | :--- |
|  |  |
|  |  |
|  |  |
|  |  |

SECTION 7 Corporations/ Limited Liability Co
EACH PERSON LISTED MUST SUBMIT A COMPLETED QUESTIONNAIRE AN "APPLICANT" TYPE FINGERPRINT CARD AND $\$ 22$ PROCESSING FEE FOR EACH CARD.

## $\square$ Corporation Complete Questions 1, 2, 3, 4, 5, 6, and 7

$\square$ L.L.C. Complete Questions 1, 2, 3, 4, 5, 6, and 7

1. Name of Corporation/ L.L.C: G Burger and Greens on Oracle, LLC
2. Date Incorporated/Organized:11/16/2015 State where Incorporated/Organized: $A Z$
3. AZ Corporation or AZ L.L.C File No: L20476692__ _ _ Date authorized to do Business in AZ: 1
4. Is Corp/L.L.C. Non Profit? $\square$ Yes $\square$ No
5. List Directors, Officers, Members in Corporation/LL.C:

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

| Last First Midde |  | Mailing Address | Cily | State | Zip Code |
| :---: | :---: | :---: | :---: | :---: | :---: |
| J \& P Restaurant Management LLC | 100 | 2823 E Speedway Ste 201 Tucson AZ 85716 |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |

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


## SECTION 8 Club Applicants

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

1. Name of Club: $\qquad$
2. Is Club non-profit? $\square$ Yes $\square$ No
3. List all controlling members (minimym of four (4) requested)

(Atlach additional sheet if necessary)

## SECTION 9 Probate, Will Assignment or Divorce Decree of an existing Liquor License

1. Current Licensee's Name:
(Exactly as it appear on the license)
2. Assignee's Name:
3. License Type:


ATIACHTO THIS APPLICATION A CERTIFIED COPY OF THE WILL, PROBATE DISTRIBUTION INSTRUMENT, OR DIVORCE DECREE THAT SPĖCIFICALLY DISTRIBUTES THE LLQUOR LICENSE TO THE ASSIGNEE.

SECTION 10 Government (for cities, towns, or counties only)

1. Government Entity: $\qquad$ -
2. Person/Designee: $\qquad$ Day time Contact Phone \#

## A SEPARATE LICENSE MUST BE OBTAINED FOR EACH PREMISE FROM WHICH SPIRITUOUS LIQUOR IS SERVED.

SECTION 11 Location to Location Transfer: Series 6 Bar, Series 7 Beer \& Wine Series 9 Liquor Stores only)

1. Current Business:
2. New Business:
3. License Type: $\qquad$ License Number:
$\qquad$

Questions to be completed by Current Licensee (Bar and Liquor Stores Only-Series, 06, 07, and 09)
4. Individual Owner / Agent Name:
 Entity: (Individual, Agent, Etc)
5. Ownership Name: $\qquad$
6. Business Name:
$\qquad$
$\qquad$ (Exactly as it appears on license)
7. Business Location Address: $\qquad$ City State $\quad$ Zip
8. License Type: $\qquad$ License Number: $\qquad$
9. Current Mailing Address: $\qquad$
10. Have all creditors, lien holders, interest holders, etc. been notified? $\square$ Yes $\square$ No
11. Does the applicant intend to operate the business while this application is pending? $\square$ Yes $\square$ No If yes, complete Section 5/(Inferim Permit) of this application; attach fee, and current license to this application. 9. I, (Prinf Full Name) $\qquad$ hereby authorize the department to process this Application to transfer the privilege of the license to the applicant provided that all terms and conditions of sale are met. Based on the fulfillment of these conditions, I certify that the applicant now owns or will own the property rights of the license by the date of issue. -
1, (Print Full Name) $\qquad$ , declare that I am the CURRENT OWNER, MEMBER, PARTNER STOCKHOLDER or LICENSEE of the stated license. I have read the above Section 12 and confirm that all statements are true, correct, and complete.

## NOTARY

State of $\qquad$ County of $\qquad$ The foregoing instrument was acknowledged before me this

$\qquad$

## SECTION 13 Proximity to Church or School

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

A.R.S. § 4-207 ( $A$ ) and $(B)$ state that no retailer's license shall be issjued for any premises which are at the time the license application is received by the director, within three hundred (300) horizontal feet of a church, within three hundred (300) horizontal feet of a public or private school bufilding with kindergarten programs or grades one (1) through (12) or within three hundred (300) horizontal feet/of a fenced recreational area adjacent to such school building. The above paragraph DOES NOT apply to:
a) Restaurant license (§ 4-205.02)
c) Government license (§ 4-205.03)
b) Hotel/motel license (§ 4-205.01)
d) Fencedplayingarea ofagolfcourse (§ 4-207 (B)(5))

1. Distance to nearest School: (iil less than one (1) mile note footage)
2. Distance to nearest Church: (if less than one (1) mile note footage)
Name of School:
Address:
Name of Church:
Address:

## SECTION 14 Business Financials

1. 1 am the: $\square$ Lessee $\square$ Sub-lessee $\square$ Owner $\square$ Purchaser $\square$ Management Company
2. If the premise is leased give lessors:

| Address: 3900 E. Via Palomita | Tucson | AZ | 85718 |
| :---: | :---: | :---: | :---: |
| Street | City | State | zip |

3. Monthly Rent/ Lease Rate: $\$ 6,232.75$ 5
4. What is the remaining length of the lease? 5 $\qquad$ Years 0 Months
5. What is the penalty if the lease is not fulfilled? $\$$ $\qquad$ or other: : remaining term, otherwise $\$ 0$ (Give details-attach additional sheet if necessary)
6. Total money borrowed for the Business not including lease? $\$ 0$

Please List Lenders/People you owe money to for business.

(Aftach additional sheet if necessary)
7. What type of business will this license be used for (be specific)?

Full service restaurant with bar, serving burgers, chopped salads, fries, mac and cheese, ice cream, beer, wine, cocktails
8. Has a license or a transfer license for the premises on this application been denied by the state with in the past (1) year? $\square$ Yes $\square$ No If yes, attach explanation.
9. Does any spirituous liquor manufacture, wholesaler, or employee have an interest in your business? $\square$ Yes $\square$ No
10. Is the premises currently license with a liquor license? $\square$ Yes $\square$ No

If yes, give license number and licensee's name:


Individual Owner/Agent Name:


## SECTION 15 Restaurant or hotel/motel license applicants

1. Is there an existing Restaurant or Hotel/Motel Liquor License at the proposed location? $\square$ res No
2. If the answer to Question 1 is YES, you may qualify for an Interim Permit to operate while your application is pending; consult A.R.S. § 4-203.01; and complete SECTION 5 of this application.
3. All Restaurant and Hotel/Motel applicants must complete a Restaurant Operation Plan form provided by the Department of Liquor Licenses and Control.
4. As stated in A.R.S. § 4-205.02. (H)(2), a Restaurant is an establishment which derives at least forty (40) percent of its gross revenue from the sale of food. Gross revenue is the revenue derived from sales of food and spirituous liquor on the licensed premises. By applying for this $\not$ Restaurant $\square$ Hotel/Motel, I certify that I understand that I must maintain a minimum of forty (40) percent food sales based on these definitions and have included the Restaurant Hotel/Motel Records Required for Audit form with this application.

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

(Applicant's Initials)

SECTION 16 Diagram of Premises
Check ALL boxes that apply to your business:

| $\square$ | Entrances/Exits | $\square$ | Liquor storage areas | Patio: |
| :--- | :--- | :--- | :--- | :--- |
| $\square$ | $\square$ | $\square$ | Contiguous |  |
| $\square$ | Walk-up windows | $\square$ | Drive-through windows |  |

1. Is your licensed premises currently closed due to construction, renovation or redesign? $\square$ Yes $\square$ No If yes, what is your estimated completion date? $05 / 15 / 2016$

## Month/Day/Year

2. Restaurants and Hotel/Motel applicants are required to draw a detailed floor plan of the kitchen and dining areas including the locations of all kitchen equipment and dining furniture. Place for diagram is on section 16 number 6.
3. The diagram (a detailed floor plan) you provide is required to disclose only the area(s) where spirituous liquor is to be sold, served, consumed, dispensed, possessed or stored on the premises unless it is a restaurant (see \# 3 above).
4. Provide the square footage or outside dimensions of the licensed premises. Please do not include non-licensed premises such as parking lots, living quarters, etc.

As stated in A.R.S. § 4-207.01 (B), I understand it is my responsibility to notify the Department of Liquor Licenses and Control when there are changes to the boundaries, entrances, exits, added or deleted doors, windows, service windows or increase or decrease to the square footage after submitting this initial diagram.


SECTION 16 Diagram of Premises - continued
6. On the diagram please show only the areas where spirituous liquor is to be sold, served, consumed, dispensed, possessed or stored. It must show all entrances, exits, interior walls, bars, hi-top tables, dining tables, dining chairs, dance floor, stage, game room, and the kitchen. DO NOT include parking lots, living quarters, etc. When completing diagram, North is up $\uparrow$.
If a legible copy of a rendering or drawing of your diagram of the premises is attached to this application, please write the words "DIAGRAM ATTACHED" in the box provided for the diagram on the application.

DIAGRAM OF PREMISES



## NOTARY

1, (Pint Full Name) PAOLO ROBERT DEFILTPPAS , hereby declare that 1 am the Owner/Agent filing this application as stated in Section 4 \# 1. I have read this application and verify all statements to be true, correct and complete.




My commission expires on: $\qquad$ The foregoing instrument was acknowledged before me this


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

B. An agency shall not base a licensing decision in whole or in part on a licensing requirement or condition that is not specifically authorized by statute, rule or state tribal gaming compact. A general grant of authority in statute does not constitute a basis for imposing a licensing requirement or condition unless a rule is made pursuant to that general grant of authority that specifically authorizes the requirement or condition.
D. THIS SECTION MAY BE ENFORCED IN A PRIVATE CIVIL ACTION AND RELIEF MAY BE AWARDED AGAINST THE STATE: THE COURT MAY AWARD REASONABLE ATTORNEY FEES, DAMAGES AND ALL FEES ASSOCIATED WITH THE LICENSE APPLICATION TO A PARTY THAT PREVAILS IN AN ACTION AGAINST THE STATE FOR A VIOLATION OF THIS SECTION.
E. A STATE EMPLOYEE MAY NOT INTENTIONALLY OR KNOWINGLY VIOLATE THIS SECTION. A VIOLATION OF THIS SECTION IS CAUSE FOR DISCIPLINARY ACTION OR DISMISSAL PURSUANT TO THE AGENCY'S ADOPTED PERSONNEL POLICY.
F. THIS SECTION DOES NOT ABROGATE THE IMMUNITY PROVIDED BY SECTION 12-820.01 OR 12-820.02.

