

**CITY OF TEMPE
DEVELOPMENT REVIEW COMMISSION**

**Meeting Date: 04/11/2023
Agenda Item: 4**

ACTION: Request a Use Permit to allow entertainment (live singing, dancing, karaoke, and music) for **BONFIRE CRAFT KITCHEN AND TAP HOUSE**, located at 1617 West Warner Road. The applicant is Bonfire Craft Kitchen and Tap House, LLC.

FISCAL IMPACT: N/A

RECOMMENDATION: Staff – Approve, subject to conditions

BACKGROUND INFORMATION: **BONFIRE CRAFT KITCHEN AND TAP HOUSE** (PL230053) is an existing restaurant located on the southwest corner of West Warner Road and South Priest Drive in the PCC-1, Planned Commercial Center Neighborhood Zoning district. The applicant, Bonfire Craft Kitchen and Tap House, LLC, is requesting a Use Permit to utilize the patio area on the northeast side of the restaurant and the indoor east dining area for live entertainment. The request includes the following:

ZUP230012 Use Permit to allow live entertainment (indoor and outdoor).



Property Owner	ARCR Tempe LLC
Applicant	David Lindsley, Bonfire Craft Kitchen and Tap House, LLC
Zoning District	PCC-1 (Planned Commercial Center Neighborhood)
Building Area	10,363.0 square feet
Vehicle Parking	139 spaces
Hours of Operation	11 a.m. to 10 p.m. Monday -Thursday 11 a.m. to 1 a.m. Friday – Saturday 11 a.m. to 9 p.m. Sunday

ATTACHMENTS: Development Project File

STAFF CONTACT(S): Mike Scarpitta, Planner I (480) 350-8435

Department Director: Jeff Tamulevich, Community Development Director
 Legal review by: N/A
 Prepared by: Mike Scarpitta, Planner I
 Reviewed by: Steve Abrahamson, Principal Planner

COMMENTS

Bonfire Craft Kitchen and Tap House is an existing restaurant located at 1617 West Warner Road. The adjacent properties are within the Regional Commercial Center district, Planned Commercial Center district, and the General Industrial District. The property to the east of the South Branch Highline Canal and west of South Priest Drive (San Sonoma apartment complex) is zoned MU-3 and is the nearest residential use (approximately 200 feet from east patio). The proposed live entertainment will comprise of live music, karaoke, and recorded music played by a DJ. The proposed hours of operation for live entertainment (indoor and outdoor) are 6 p.m. to 11 p.m., Monday through Friday; 1 p.m. to 11 p.m., Saturday; and 1 p.m. to 9 p.m., Sunday.

PUBLIC INPUT-

POLICE INPUT

Tempe Police Department had no input for this request.

USE PERMIT

The proposed use requires a Use Permit to allow entertainment within the PCC-1, Planned Commercial Center Neighborhood zoning district. In addition, a security plan is required per ZDC 6-313 Security Plan.

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

1. *Any significant increase in vehicular or pedestrian traffic*; Bonfire Craft Kitchen and Tap House is an existing business on a single parcel lot and the proposed use of live entertainment is not expected to significantly increase traffic.
2. *Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat or glare at a level exceeding that of ambient conditions*; while the sound produced by the live entertainment (indoor and outdoor) is expected to increase noise levels. The outdoor live entertainment is designated to face west away from the San Sonoma apartment complex located across the South Branch Highline Canal. Additionally, the hours of operation will also be restricted by condition of approval for this Use Permit.
3. *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*; live entertainment is a permitted use within the PCC-1 zoning district subject to a Use Permit.
4. *Compatibility with existing surrounding structures and uses*; the live entertainment (indoor and outdoor) will broadcast through the existing speaker/amplification system with exception to temporary monitors and/or instrument amplifiers, and as for the use, it is compatible with the existing restaurant use and a permitted use within the PCC-1 zoning district subject to a Use Permit.
5. *Adequate control of disruptive behavior both inside and outside the premises which may create a nuisance to the surrounding area or general public*; a security plan will be required to be approved before the business begins to operate their entertainment use.

REASONS FOR APPROVAL:

Based on the information provided by the applicant, the public input received, and the above analysis staff supports approval of the requested Use Permit. 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.

CONDITIONS OF APPROVAL: (Non-standard conditions are identified in bold)

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

1. 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.
2. All required State, County and Municipal permits or licenses shall be obtained, or the Use Permit is void.
3. 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.
4. Live entertainment (indoor and outdoor) shall begin no earlier than six o'clock in the evening (6 p.m.), Monday through Friday and one o'clock in the afternoon (1 p.m.), Saturday and Sunday, unless authorized through a special event permit on a specified date.
5. Live entertainment (indoor and outdoor) shall cease no later than eleven o'clock in the evening (11 p.m.), Monday through Saturday, and nine o'clock in the evening (9 p.m.) Sunday, unless authorized through a special event permit on a specified date.
6. The applicant shall contact the City of Tempe Crime Prevention Unit for an amended security plan within 30 days of this approval. Contact 480-858-6409 before May 11, 2023.
7. Return to the Hearing Officer for review of compliance with conditions of approval within six (6) months. The timing for the six month review period to commence begins when the business is in full operation. Advise Community Development staff when in full business operation. If the full business activity is not initiated within one year the use permit will lapse.

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.

USE PERMIT:

- The Use Permit is valid for Bonfire Craft Kitchen and Tap House and may be transferable to successors in interest through an administrative review with the Community Development Director, or designee.
- The decision-making body, upon finding that the applicant has not taken corrective actions to resolve issues related to the permit/approval and that a continuation of the permit/approval is not in the interest of the public health, safety and general welfare, can revoke the permit/approval after providing written notice of its intentions to the holder of the permit.
- 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 <http://www.tempe.gov/zoning> or purchase from Development Services.
- All business signs shall receive a Sign Permit. Contact sign staff at 480-350-8435.
- Any intensification or expansion of use 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.
- All required Federal, State, County, and Municipal permits, licenses, and clearances shall be obtained, or the Use Permit is void.
- Music, sound, or live entertainment shall not violate the City of Tempe Noise Ordinance.

HISTORY & FACTS:

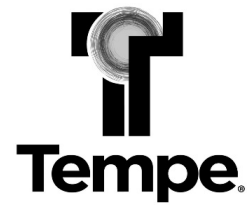
Not pertinent to this request.

ZONING AND DEVELOPMENT CODE REFERENCE:

Section 3-202 Permitted Uses in Planned Commercial Center Neighborhood Zoning District

Section 6-308 Use Permit

Section 6-313 Security Plan



DEVELOPMENT PROJECT FILE
for
BONFIRE CRAFT KITCHEN AND TAP HOUSE
(PL230053)

ATTACHMENTS:

1. Aerial Map
2. Location Map
3. Letter of Explanation
- 4-7. Context Photos
8. Site Plan
9. Floor Plan



Tempe

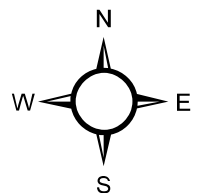
PL230053

Bonfire Use Permit

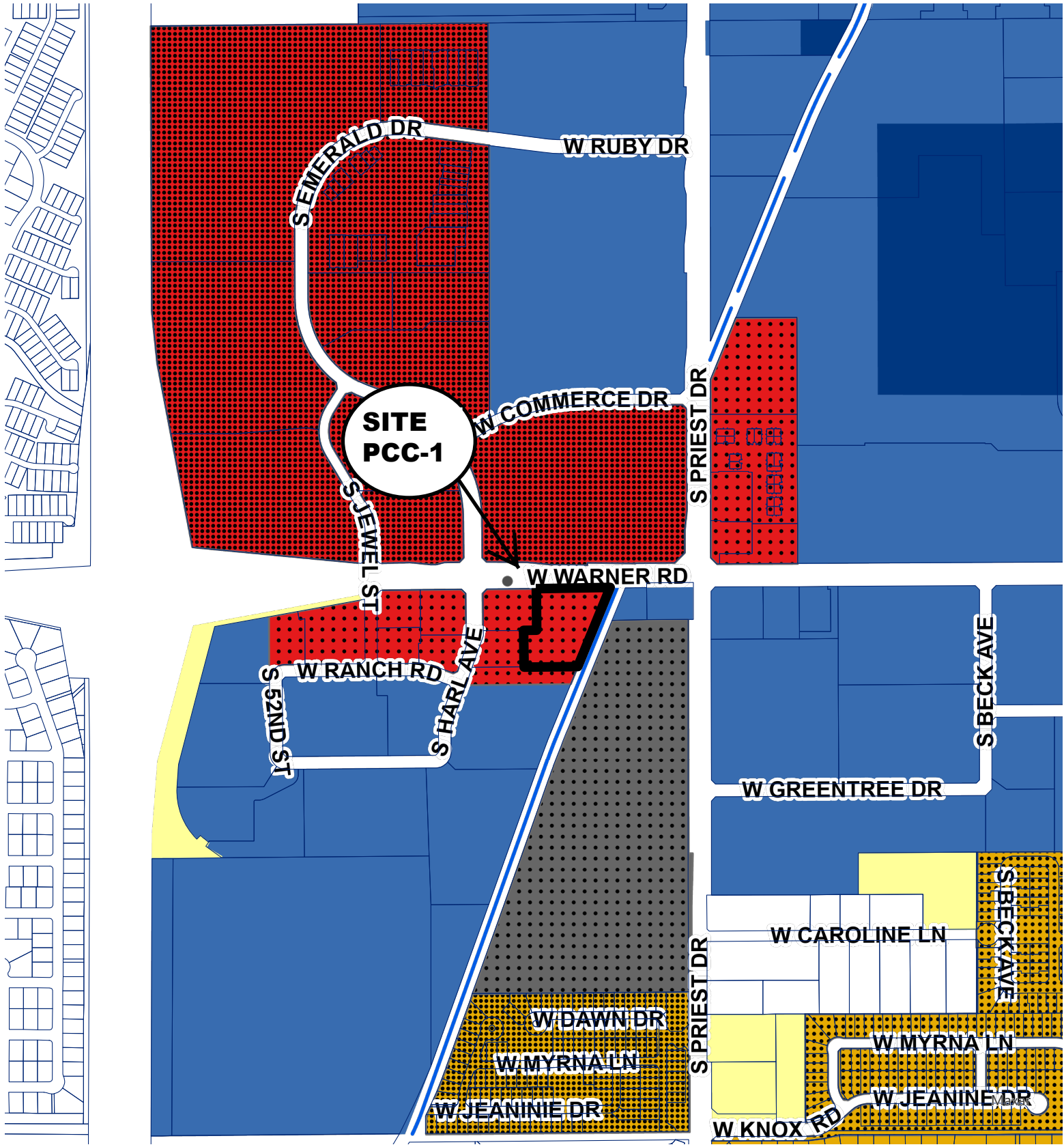


City of Tempe, Maxar

Aerial Map



Bonfire Use Permit



- General Industrial District (GID)
- Heavy Industrial District (HID)
- Mixed Use Med-High (MU-3)
- Planned Commercial Center Neighborhood (PCC-1)
- Regional Commercial Center (RCC)
- Agricultural (AG)
- Single-Family Residential (R1-6)

- Single-Family Residential (R1-4)
 - Single-Family Residential Planned Area Dev (R1-PAD)
 - Override 1
- Twelve Point**
CenterlineSubType
ADOT

- Canal
- Monument
- Private
- Railroad
- Street
- <all other values>





Objective of this Special Use Application is to provide the patrons of Bonfire Craft Kitchen and Tap House nightly entertainment. This entertainment will consist of, but not be limited to, Trivia, Bingo (not legalized but for entertainment), Cornhole Tournaments, Live Music, Dj Music, Karaoke, Sporting event watch parties, Family Feud and/or any other digital/social event that may entice patrons to stay longer and spend more money in our establishment.

We want the option to host music with full band and/or DJ capabilities at the restaurant seven days a week. Not all of those days will have an event every week but throughout the year we will be having live music on one or all of those days depending on what events and/or holidays may be taking place. Live music and nightly entertainment will generally start at 6pm and end at 11pm, mon-fri, both indoors and outdoors on the patio. Saturdays we may have live or dj music during the day starting at 1pm and ending at 11pm. Sundays the hours for live entertainment will be 1pm til 9pm. See attached plan for possible locations of entertainment.

David Lindsley

CEO Bonfire Craft Kitchen Tempe LLC



NORTHEAST CORNER



NORTHWEST CORNER



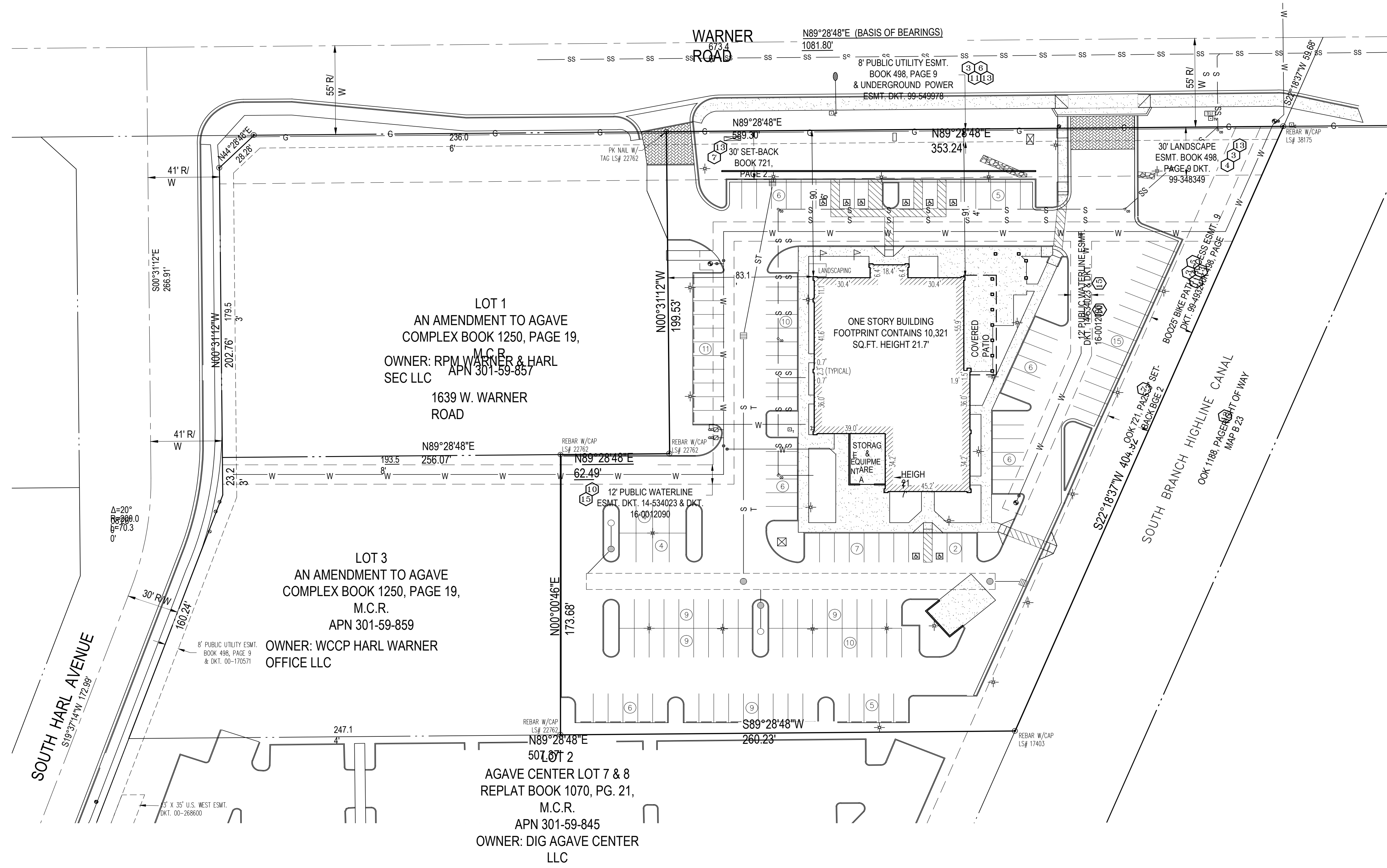
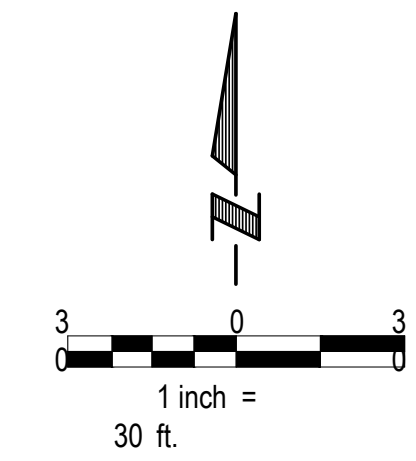
SOUTHEAST CORNER



SOUTHWEST CORNER

A.L.T.A./N.S.P.S. LAND TITLE SURVEY

OF
 LOT 2, "AN AMENDMENT TO AGAVE COMPLEX", AS RECORDED IN BOOK 1250 OF MAPS, PAGE 19,
 MARICOPA COUNTY RECORDS, SAID REPLAT BEING A PORTION OF THE NORTHEAST QUARTER OF
 SECTION 20, TOWNSHIP 1 SOUTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND
 MERIDIAN, MARICOPA COUNTY, ARIZONA



- LEGEND**
- PARCEL BOUNDARY LINE
 - - - ADJACENT PROPERTY LINE
 - - - SECTION / ROAD CENTER
 - - - LINE EASEMENT LINE
 - ⊙ PUBLIC UTILITY EASEMENT LINE
 - ⊠ FOUND PROPERTY CORNER (AS NOTED HEREON)
 - ⊡ ACCEPTED CORNER
 - ⊠ CITY MONUMENT FOUND
 - ⊠ STREET LIGHT
 - ⊠ TRANSFORMER
 - ⊙ ELECTRIC PULL BOX
 - ⊙ ELECTRIC JUNCTION BOX
 - ⊙ FIRE HYDRANT
 - ⊠ WATER VALVE
 - ⊙ SANITARY MANHOLE
 - ⊠ GAS MARKER
 - ⊙ GAS VALVE
 - ⊠ TELEPHONE VAULT
 - ⊠ TELEPHONE MANHOLE
 - ⊠ TELEVISION RISER
 - ⊠ TRAFFIC SIGNAL
 - ⊠ TELEVISION MANHOLE
- NOTE: BEARINGS AND DISTANCES SHOWN ARE AT MEASURED
- NUMBER
 - PARKING COUNT
 - RIGHT OF WAY
 - DOCKET
 - EASEMENT

E & A CONSULTING GROUP, INC.
 Engineering, Planning, Environmental & Field Services
 1617 WEST WARNER ROAD, TEMPE, ARIZONA 85284
 www.eaag.com



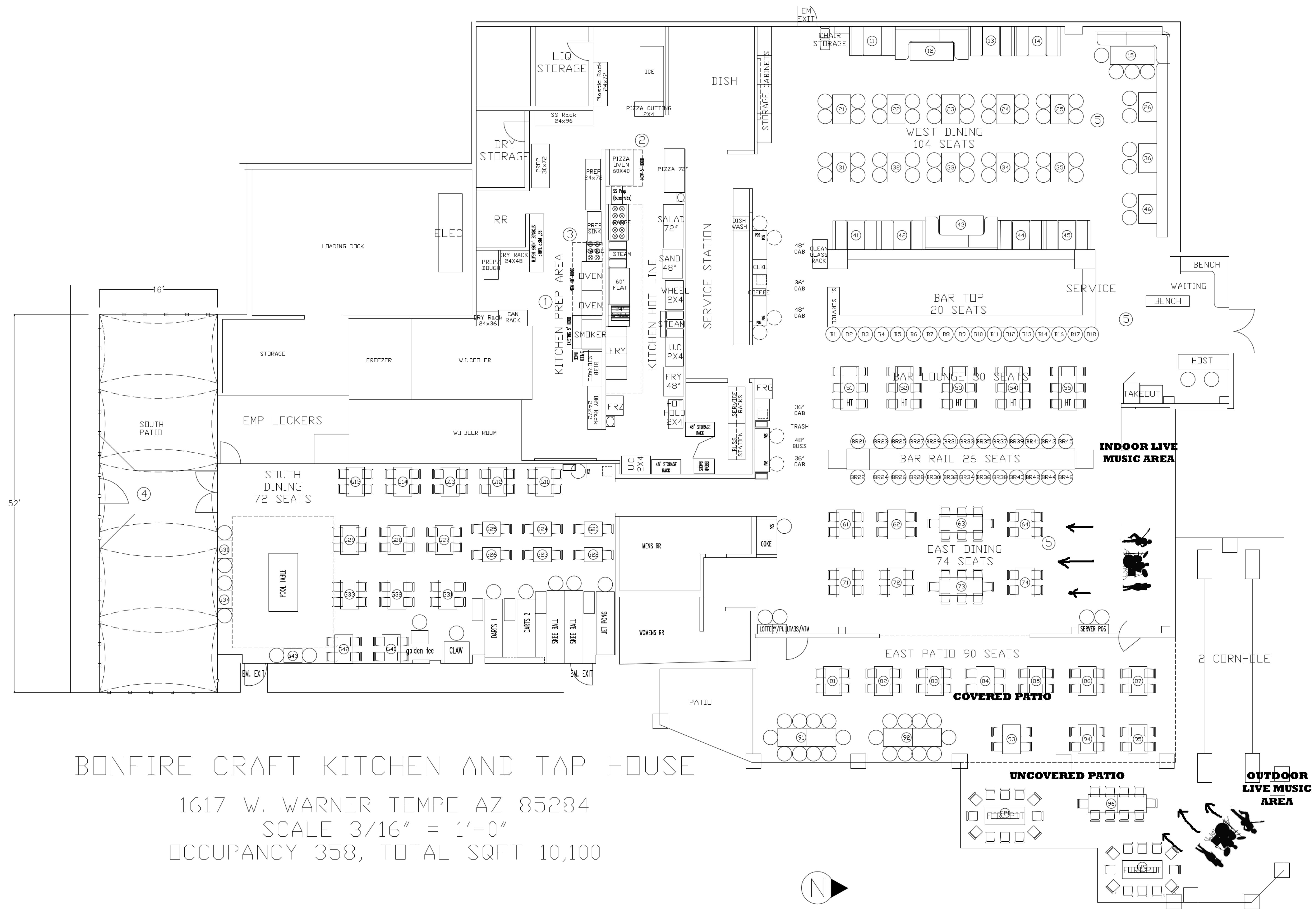
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 1617 WEST WARNER ROAD
 TEMPE, ARIZONA

ALTAINSPS LAND TITLE SURVEY
 FOR WCCP HARL WARNER LLC



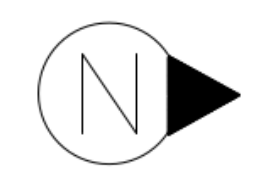
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 01/20/20
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 2 0' 2"



BONFIRE CRAFT KITCHEN AND TAP HOUSE

1617 W. WARNER TEMPE AZ 85284
 SCALE 3/16" = 1'-0"
 OCCUPANCY 358, TOTAL SQFT 10,100



OUTDOOR LIVE MUSIC AREA

INDOOR LIVE MUSIC AREA

COVERED PATIO

UNCOVERED PATIO