

**CITY OF TEMPE
DEVELOPMENT REVIEW COMMISSION**

**Meeting Date: 10/28/2014
Agenda Item: 2**

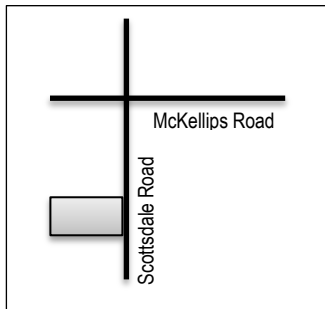
ACTION: Request for a Development Plan Review consisting of building elevation modifications for PHILLY’S SPORTS GRILL, located at 1826 North Scottsdale Road. The applicant is Bryon Russell.

FISCAL IMPACT: There is no fiscal impact on City funds.

RECOMMENDATION: Staff – Approval, subject to conditions

BACKGROUND INFORMATION: PHILLY’S SPORTS GRILL (PL140229) is requesting approval of modifications made to the exterior of the existing building, including screen wall improvements, the addition of roll-down security doors, installation of large screen televisions and cabinets and a projection screen and frame on the patio. The request includes the following:

DPR14130 Development Plan Review including building elevations, and modifications



Property Owner	Bryon Russell, WIT Investment Group LLC
Applicant	Bryon Russell
Current Zoning District	CSS, Commercial Shopping & Service
Gross/Net site area	.87 acres
Total Building area	3,070 s.f. interior 2,740 s.f. patio
Lot Coverage	8 % (50% maximum allowed)
Building Height	Single story (35 ft maximum allowed)
Building Setbacks	+54’ front, +59’ side, +48’ rear (0’ front and side 10’ min. rear)
Landscape area	(15% minimum required)
Vehicle Parking	59 spaces provided (59 min. required)
Bicycle Parking	7 spaces (7 spaces required)

ATTACHMENTS: Development Project File

STAFF CONTACT(S): 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

COMMENTS:

This site is located south of McKellips Road, north of Curry Road, east of College Avenue, on the west side of Scottsdale Road. The building was constructed in 1967 for Zona Speedwash. A change of use was made in 1972 to become a cocktail lounge. Several different bar and grill concepts have occupied the space. Philly's started business at this location in 1995. During the history of the site, modifications have been made to the landscape, building and patio. Prior entitlements included conditions of approval that are still in effect with the current use. In 2007, the business received a Development Plan Review and subsequent building permit for modifications to the building, enclosure of a part of the patio, and expansion of the patio. The roll-down shutter doors were added later, and did not receive design approval or building permits. Most recently, the property owner added a large frame to support a roll-down projection screen to show television outside on the patio. Code enforcement received a complaint regarding this installation and a code notice was sent to either remove the large screen or receive a design approval for this addition to the site. Planning staff advised the property owner about the requirements for making a submittal in March, and in several conversations afterwards. After these conversations, two televisions in cabinets were added with speakers to the east elevation, and the screen wall was modified to add brick trim. Staff again advised the property owner that any modification to the exterior of the building requires a Development Plan Review entitlement process, and suggested submitting for all existing and proposed changes to the site at one time, for review by the Development Review Commission.

This request includes a Development Plan Review for the roll down security doors over the bar on the patio, for the additional brick trim on the screen wall, the modifications to the east elevation of the building with two new rusted metal cabinets containing television sets, and the large roll down projection screen on the south side of the patio. The applicant is requesting the Development Review Commission take action on this request. For further processing, the applicant will need building permits for the roll down security doors.

PUBLIC INPUT

- Neighborhood meeting is not required
- Complaints from two residents of North Tempe have expressed concerns regarding the ongoing changes to the site, specifically the addition of the large projection screen, which they considered a distraction to drivers on Scottsdale Road, and an attention getting device similar to a billboard, due to its size.

TRAFFIC ENGINEERING INPUT

Traffic engineering staff researched cases where images might have been attributed to driver distraction, and determined that available information in articles was related to signage much larger in size than the projection screen. Results of their research were inconclusive to determine a traffic problem; the proposed projection screen does not appear to be a traffic issue.

POLICE INPUT

Since the projection screen has already been installed, police ran a call for service query at this address and did not see anything related to the big screen. Police staff also ran a proximity search for traffic issues in the area, and none were attributed to the screen. Police staff spoke with a resident of the area who did not think it was a distraction for drivers because it is a projection onto a screen and is not visible from the side; viewers have to be facing it straight on or it is not in focus and looks like a light from the road.

PROJECT ANALYSIS

DEVELOPMENT PLAN REVIEW

The applicant requested a process for getting approval of the screen, which required significant investment to install. Due to the combined changes to the site, and the interest of residents in the area with regard to the changes, staff determined a public meeting at the DRC was necessary to determine the appropriateness of the design for this location.

Site Plan

The only change to the existing site is the addition of a frame that holds the pull down projection screen and other poles that have been added for festoon lighting, strung from the building to the frames. The overall effect of the additional poles in front of the building is cluttered, but would not be as visible if the required street trees were planted and maintained. Staff has conditioned removal of the festoon light poles with wires across the patio, and the projection screen and frame.

Building Elevations

The screen wall improvements with the addition of brick add more color, texture and design interest in detailing to the project, and blends with the existing color scheme. The site previously had a car wash bay door that was required by condition to be screened from street view. The roll down shutter doors have a similar appearance to a bay door; they were added for security of the bar area on the patio. Staff has conditioned that if they can pass building safety permitting, the roll down doors may be painted to match the existing building. The speakers and wires added for the new televisions detract from the building front facing the street. Because there were prior conditions on the live entertainment permit to not allow outdoor speakers, staff has conditioned removal of these speakers. They may be able to be located within the building, hidden from view, in such a manner to provide sound to the patio. The televisions added within the patina finished cabinets on the eastern building wall are symmetrical in form to the structure and add a contemporary material that is compatible to the existing color palette. However, the conduit to these boxes must be architecturally integrated, and not visible on the exterior.

Landscape Plan

A landscape plan was not provided, and no changes are being proposed for the landscape. However, the site has a long history of entitlements with conditions for landscaping that are necessary to bring the property into compliance with the zoning code and the prior agreed upon site entitlements. Conditions are included to address landscaping.

Section 6-306 D Approval criteria for Development Plan Review

1. *Placement, form, and articulation of buildings and structures provide variety in the streetscape;* the placement of the large screen is approximately 55 feet from Scottsdale Road, facing north, visible to traffic; the size and placement of this screen is not appropriate to the site location and context. No other changes to building structure are proposed.
2. *Building design and orientation, together with landscape, combine to mitigate heat gain/retention while providing shade for energy conservation and human comfort;* the existing patio is on the east side, which is shaded by the building in the afternoon, reducing glare on the two new televisions. The property is missing required landscape materials, which would enhance the shade and comfort of the site.
3. *Materials are of a superior quality, providing detail appropriate with their location and function while complementing the surroundings;* the new metal cabinets protecting the televisions are a patina metal finish, and the screen wall has brick trim, both of which are enhanced materials to the existing conditions.
4. *Buildings, structures, and landscape elements are appropriately scaled, relative to the site and surroundings;* the large screen is out of proportion with the size of the building and patio.
5. *Large building masses are sufficiently articulated so as to relieve monotony and create a sense of movement, resulting in a well-defined base and top, featuring an enhanced pedestrian experience at and near street level;* the building is a small scale single story structure with variety in the roof line and the screen wall of the patio adds to the pedestrian experience with the additional detailing.
6. *Building facades provide architectural detail and interest overall with visibility at street level (in particular, special treatment of windows, entries and walkways with particular attention to proportionality, scale, materials, rhythm, etc.) while responding to varying climatic and contextual conditions;* the addition of the television cabinets, which appear as window shutters when closed, are appropriate in scale and balance to the eastern elevation and add material interest to the façade. The large screen appears to be an attention attracting device, similar to signage, with high visibility at the street front.

Conclusion

Based on the information provided and the above analysis, staff recommends approval of the requested Development Plan Review. This request meets the required criteria and will conform to the conditions.

REASONS FOR APPROVAL:

1. The project meets the General Plan Projected Land Use for this site.
2. The project will meet the development standards required under the Zoning and Development Code.
3. The proposed project meets the approval criteria for a Development Plan Review.

CONDITIONS OF APPROVAL:

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

Site Plan

1. No site plan provided with this request. Prior site plan approved in 2007 (PL070376 / DPR07183) remains the approved site plan for this development.

Building Elevations

2. The materials and colors are approved as presented in photos (no elevations provided with this request).
 - Prior Development Plan Review approval specified DE6110 "Warm Hearth" for main building color
 - Prior Development Plan Review approval specified DEA159 "Rich Mocha" for the building trim
 - Prior Development Plan Review approval specified DE6135 "Verona Beach" for Patio Walls
 - Prior Development Plan Review approval specified DE6109 "Kraft Paper" for the fire pit
 - Red brick trim has been added to site screen walls.
3. After verifying building code compliance for the structure supporting the roll down security doors, the doors shall be painted to match the building color.
4. All screen walls shall be painted to match.
5. Exposed conduit, piping, wiring or related materials are not permitted.
6. Remove speakers from patio (condition of existing 1983 use permit for indoor live entertainment).
7. Remove large frame and screen (no outdoor entertainment per existing 1983 use permit, and similar to prior condition to remove a billboard from the site).
8. The two televisions mounted in cabinets on the east building wall are allowed, if conditions #2 and 3 are met.

Landscape Plan

9. No landscape plan was provided with this request. Provide screen trees along western perimeter 1 tree per 25 linear feet; eight trees, a minimum of 1 ½" caliper, non-deciduous species, with required irrigation for maintenance of buffer. (This is a modification of 1984 condition to provide 1 fifteen gallon tree every 15 linear feet along all perimeter sides).
10. Provide required street trees, a minimum of 1 ½" caliper along Scottsdale Road frontage, and replace dead or missing trees within landscape islands.
11. Provide ground cover landscape material in all non-paved areas, including the property perimeter, landscape islands.

Lighting

12. Remove any non-compliant lighting on site. Illuminate building entrances from dusk to dawn to assist with visual surveillance at these locations (similar condition from 2007 approval of building modifications).

13. Festoon lighting outlining the building is approved with this request; remove the poles and wires strung across the patio.

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.

- Development plan approval shall be void if the development is not commenced or if an application for a building permit has not been submitted, whichever is applicable, within twelve (12) months after the approval is granted or within the time stipulated by the decision-making body. The period of approval is extended upon the time review limitations set forth for building permit applications, pursuant to Tempe Building Safety Administrative Code, Section 8-104.15. An expiration of the building permit application will result in expiration of the development plan.
- 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/zoning or purchase from Community Development.
- SECURITY REQUIREMENTS: Follow the design guidelines listed under appendix A of the Zoning and Development Code. In particular, reference the CPTED principal listed under A-II Building Design Guidelines (C) as it relates to the location of pedestrian environments and places of concealment.
- DRIVEWAYS: Correctly indicate clear vision triangles at both driveways on the site and landscape plans. Identify speed limits for adjacent streets at the site frontages. Begin sight triangle in driveways at point 15'-0" in back of face of curb. Consult Intersection Sight Distance memo, available from Traffic Engineering if needed www.tempe.gov/index.aspx?page=801 . Do not locate site furnishings, screen walls or other visual obstructions over 2'-0" tall (except canopy trees are allowed) within each clear vision triangle.
- LIGHTING: Lighting shall be in accordance with requirements of ZDC Part 4 Chapter 8 (Lighting) and ZDC Appendix E (Photometric Plan).
- LANDSCAPE:
 - Comply with code required landscape street trees of 1 per 30 linear feet: 7 trees required along Scottsdale Road frontage, to be a minimum of 1 1/2" caliper (this was originally conditioned in 1972, and is now a code requirement).
 - Replace dead and missing trees in required landscape islands in parking lot.
- SIGNS: Separate Development Plan Review process is required for signs in accordance with requirements of ZDC Part 4 Chapter 9 (Signs). Obtain sign permit for identification signs. Directional signs (if proposed) may not require a sign permit. Directional signs are subject to review by planning staff during plan check process.

HISTORY & FACTS:

May 15, 1972	Board of Adjustment approved a Use Permit to allow a cocktail lounge at 1826 N Scottsdale Road in the C-2 Commercial District.
July 5, 1972	Design Review Board approved building elevations for Geno's Cottage Cocktail Lounge, including a requirement for one street tree every thirty linear feet of street frontage, and a minimum of 10% of the property to be landscaped with plants.
February 3, 1992	Design Review Board approved modifications to building elevations and site plan.
June 6, 1982	Design Review Board approved a 2,037 s.f. addition to Zach's Bar and Grill, located at 1826 N Scottsdale Road, in the C-2 Commercial District.

July 7, 1982	Design Review Board granted relief from conditions of the June 16, 1982 approval.
July 27, 1983	Board of Adjustment approved a Use Permit for live entertainment as an accessory to the bar for Zachary's Bar and Grill. The lot size was 30,200 s.f. the building was 2,400 s.f. The report indicated a patio of 1,090 s.f., however this was not approved until a year later. Conditions of this Use Permit were that there be no outdoor entertainment and no outdoor speakers allowed, and that a billboard on site be removed. (see Fact Sheet attachment)
April 25, 1984	Board of Adjustment approved a Use Permit to expand a legal non-conforming use to add 1,090 s.f. of new patio area and enclose the existing 786 s.f. patio, to provide a total of 3,365 s.f. building area. A variance was also requested to allow an existing on-site car wash with bay doors to remain, without screening. The carwash was to be removed by June 1984.
May 16, 1984	Design Review Board approved a request for 1,173 s.f. of building additions for restrooms and a walk-in cooler. Conditions at the time included requirements to screen all mechanical equipment, provide parking lot lighting, screening refuse area and parking areas, and 15 gallon trees planted 15' on center at all perimeter property lines.
March 12, 1993	Building Permit issued (most recent on file) for a 3,960 s.f. restaurant, with an occupancy load of 175, required parking 62, provided 64. These parking numbers do not match with the use.
July 23, 1993	Zoning administrator reviewed the Use Permit request for Salt River Grille, determining that a 900 s.f. patio enclosure was not an expansion of the existing use, and that the Use Permit could be granted administratively as similar to the original request for Zachary's Bar and Grill.
October 6, 1993	Design Review Board staff approved a building addition for Salt River Grill, with a condition that all equipment be fully screened, including the Satellite dish added that was not on the submitted plans.
March 15, 1994	Zoning Administrator reviewed and approved a Use Permit transfer for Philly's Bar and Grill for a bar in the CSS Zoning District, transferred from Salt River Bar & Grille which was previously Zachary's Bar & Grill. Conditions at that time included requirements for a separate Use Permit for Live Entertainment, requirements to screen mechanical equipment and replace dead and missing landscape materials.
July 20, 1995	Zoning Administrator reviewed a request for Philly's Bar and Grill, for a new owner of an existing business, transferring the existing Use Permit administratively to the new owner, with the condition that expansion of use or change of ownership shall require reconsideration of the Zoning Administrator's Opinion.
January 17, 2008	Development Services Planning Division staff approved a request for a patio remodel, with conditions. This patio did not include roll down shutter doors over the bar. A copy of the approval letter and plans is provided in the attachments.

ZONING AND DEVELOPMENT CODE REFERENCE:

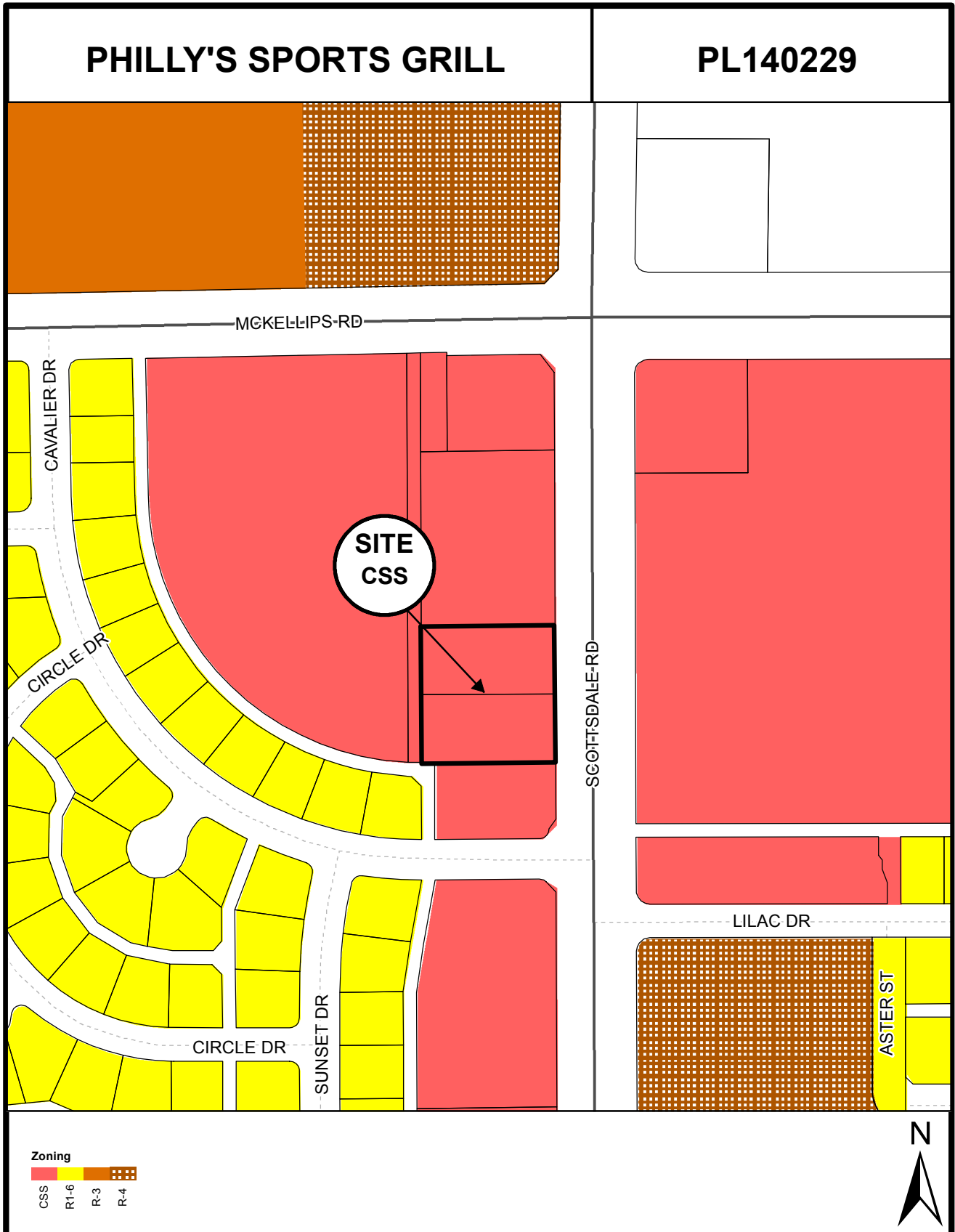
Section 6-306, Development Plan Review

DEVELOPMENT PROJECT FILE

for
PHILLY'S

ATTACHMENTS:

1. Location Map
2. Aerial
- 3-5. Letter of Explanation
- 6-7. Site Plans of prior approval
8. Patio Details of prior approval
9. Building Elevations of prior approval
- 10-12. Site Walls after modification (part of this request)
13. Site Sign after modification to match site wall
- 14-15. North side patio wall
- 16-19. Elevation Photos of Patio with Roll Down Shutters (part of this request)
- 20-22. Elevation Photos of Freestanding Projection Screen and Frame (part of this request)
- 23-24. Elevation Photos of Wall Mounted Televisions with Cabinets (part of this request)
- 25-29. Other Site Photos Provided by the Applicant
30. Letter of Approval for Patio in 2007
- 31-32. Fact Sheets from 1983 and 1984 Entitlement Approvals with Conditions



Location Map



PHILLY'S SPORTS GRILL (PL140229)



1826 N. Scottsdale Road, Tempe, AZ 85281 480-946-6666 (main) 480-946-7819 (fax)

City of Tempe / Community Development Planning
DPR Process
6/23/14

To Whom It May Concern:

My name is Bryon Russell and I own Philly's Sports Grill along with numerous other businesses all located in Tempe. Philly's is a full service restaurant, open from 11am until 2am seven days a week. This location currently employs 37 employees with a loyal and consistent customer base. My business partner and myself have owned it for the past 12 years and we are constantly looking for ways to improve and be competitive. I am writing to request a use permit for a projection screen that is located on our south patio.

This screen has been in place for over 9 months with nothing but positive feedback. It does not cause any significant vehicular or pedestrian traffic problems (screen faces north adjacent to North / South Scottsdale Rd. with no display on the back facing south), does not cause a nuisance (odor, dust, gas, noise, vibration, smoke, heat, etc.), does not contribute to any deterioration of neighborhood (have received numerous compliments of how nice it is), it is compatible with our existing patio and building and will not result in any disruptive behavior which may create a nuisance to the surrounding area or general public.

In addition to being over a \$4,000 investment on our end, this screen is a great revenue producer therefore more in city and state sales taxes. This screen is only used at night time for special events (sporting events, boxing, etc.). I am a small business owner trying to create business in this economy and also now going into our notorious Arizona slow hot summer months. This screen allows me to accommodate additional patrons to view special events and extremely increases revenue. Without it, that space is dead space with absolutely no viewing. Please let me know if you have any questions or require any additional information on this issue. Thank you so much for your time.

Sincerely,

Bryon Russell
Philly's Sports Grill
480.946.6666 office
602.330.4030 –cell

B.R. — 6/23/14

Bryon@phillyssportsgrill.com

To: Diana Kaminski
From: Barry Clark, Philly's Sports Grill
Date: September 22, 2014
Re: Reference #PL 140229

This letter is going to address the following items pertaining to Philly's Sports Grill located at 1826 N Scottsdale Road...Reference No. PL 140229:

1. The exterior wall and monument sign.
2. The security roll-up doors.
3. The roll-up large screen for sporting events
4. The two metal cabinets that secure two TV's

The first item (number 1), the exterior wall and monument sign, have been painted to match our building. We also added brick, which has greatly enhanced the appearance of our building. The existing wall, which has not been changed structurally, was plain block with light colored paint that would get extremely dirty and show every scuff mark and imperfection. You could also see the lines of the block which we covered with stucco to improve the appearance and give the wall some texture. The first photos that are included show the wall with the brick, stucco, and paint, as well as the monument sign and smaller wall in front, which all match. We have received many compliments from our customers, vendors, and friends on how the brick and stucco has greatly increased the curb appeal of our building. I do not have photos of the previous wall to show how plain and unsightly it was, but the included photos show how the addition of the brick and stucco complement each other and our building.

The second item, our security roll-up doors, are in the "open" position from 10am until 2am seven days a week and are only used for security purposes at closing. The first two pictures show the doors rolled down from both the East and South parking lot and the second set of pictures show them as we are open for business. They were custom built for our space to protect our patio from theft and vandalism and are very easy to operate. When they are rolled up during our operating hours they are very inconspicuous.

The third item is our projector screen we use for major sporting events. The first illustration, projector photo 1, is from our patio, directly in front of the screen in the rolled up position. Most people don't even notice it is there. The second photo is at night with the screen rolled down. We only use the screen for major sporting events or PPV events such as boxing or UFC. Adding this screen has literally increased our sales from \$4,000 - \$6,000 per event to \$7,000 - \$9,000 per event. We average around 16

events per year which is \$48,000 in additional income annually. This income is critical to our success and profitability as a small neighborhood grill. Projector Photo 3 shows the screen in the up position from the south sidewalk next to Scottsdale Road, which is unnoticeable. Projector Photo 4 shows the screen in the down position from the sidewalk next to Scottsdale Road. This is also barely noticeable and blocked by a mature tree. Keep in mind, we never have the screen down during the day. Projector Photo 5 shows the screen from the north end of the building next to Scottsdale Road. Projector Photo 5 shows the screen from the north end of parking lot which does not obstruct any views from parking lot traffic.

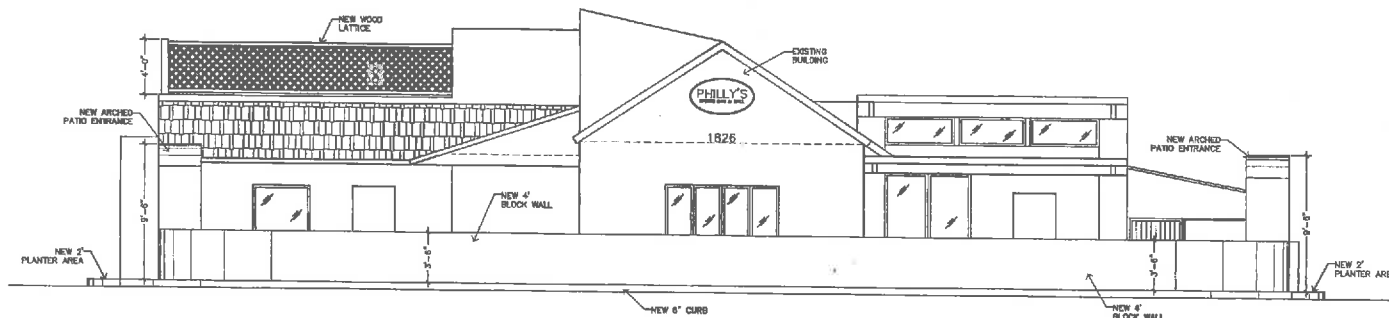
In summary regarding our projector screen, it is responsible for generating thousands of dollars in income for our small business. It does not obstruct any views from our parking lot or Scottsdale road, from any angle, in the "up" or "down" position. It is over 60 feet away from the sidewalk and the southbound lane of Scottsdale Road. In the "up" position, most people don't even realize it is there as it is supported by two small posts. It remains in the up position 95% of the time. During major events when the screen is down our patio is full with customers watching the event. We have never received complaints...only compliments from our patrons that enjoy watching it. As a neighborhood grill it is difficult competing with corporate chain restaurants or the newer, nicer, restaurants and grills on Mill Ave or Old Town Scottsdale. This screen has given us a niche and at least one advantage over our competitors...and this is a very competitive industry.

The fourth item is the two televisions we installed on the East end of our building. I agree that the metal cabinets we are using to protect the televisions from theft and the elements do not enhance the physical appearance of our building. We installed them so customers sitting on the east end of the patio can watch sporting events. There are no other televisions in this part of our restaurant so it helps generate income as customers have another area to watch sports if the inside is full. As I stated earlier, the metal cabinets, when closed, are not aesthetically appealing and understand if we have to remove them. However, is there an alternative that the City of Tempe can provide that will enable us to have televisions on the East side of our building? I would greatly appreciate any alternatives or suggestions.

I have included another check made payable to City of Tempe for \$244, along with the previous summary of all modifications, and photographs of all modifications. I hope you see how the brick and stucco has greatly improved our curb appeal and appearance of our building, as well as the importance of our projector for profitability and the success of our restaurant. Thank you for taking the time to review this information and I will be awaiting your response. My information is below if you have any questions. Thank you,

Barry Clark * Philly's Sports Grill * 1826 N Scottsdale Road * Tempe

Work 480-946-6666 * Cel 602-571-3763 * Email: bclark6789@aol.com



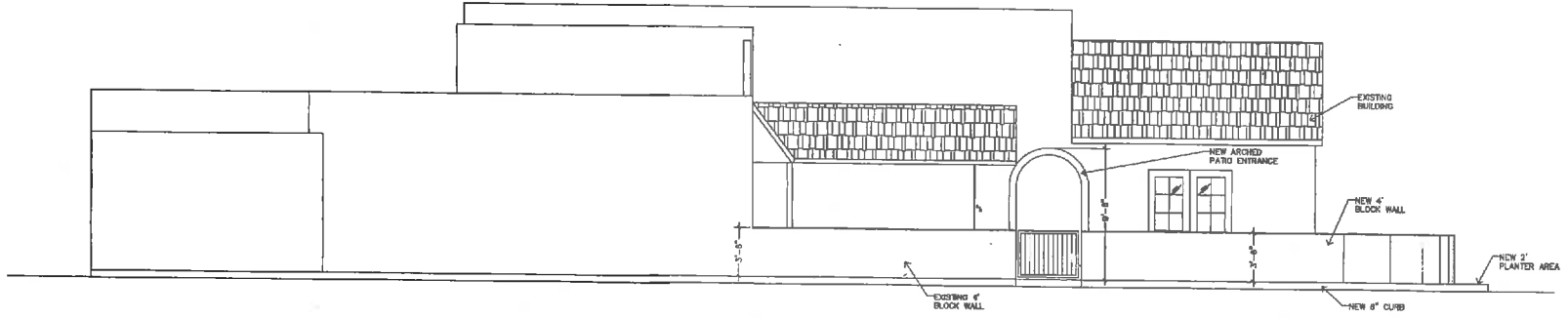
ELEVATION NOTES

WESTERN 1-KOTE STUCCO SYSTEM IC80 ESR-1807

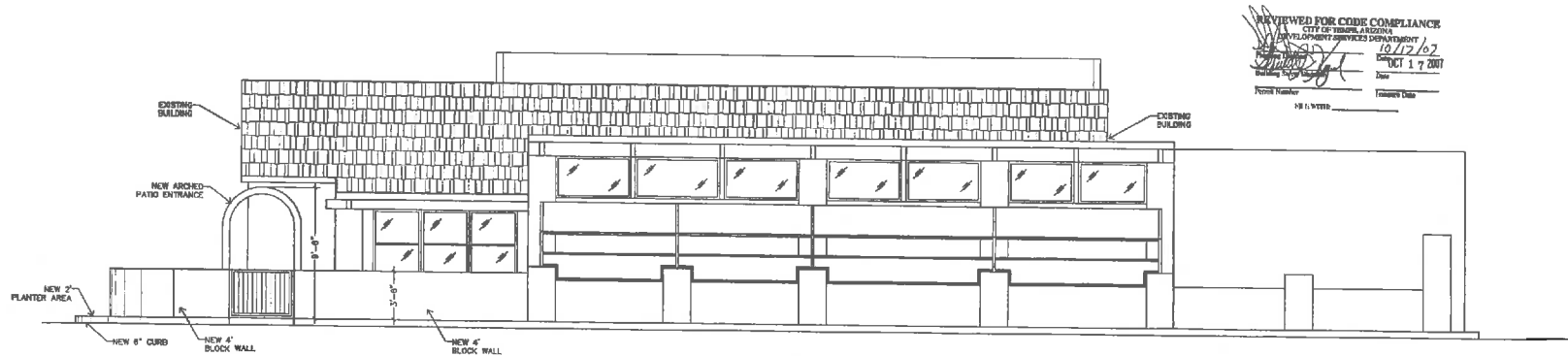
ALL WESTERN 1-KOTE STUCCO SYSTEMS SHALL BE APPLIED BY MANUFACTURER-APPROVED INSTALLERS. FOR WATER RESISTIVE BARRIER, USE A MINIMUM OF TWO LAYERS OF GRADE 3 BUILDING PAPER COMPLYING WITH IRC 2510.8.

1. BUILDING TO BE RE-STUCCOED AND PAINTED.
2. BODY COLOR TO BE DEAN EDWARDS COLORADO TRAIL, DE117
3. TRIM COLOR TO BE DEAN EDWARDS STOCKHORSE, DE122.
4. SITE WALLS TO MATCH BODY COLOR.
5. ENTRANCE ARCHES TO MATCH TRIM COLOR.
6. PATIO FLOOR TO BE STAINED CONCRETE.

EAST ELEVATION



SOUTH ELEVATION



WEST ELEVATION

REVIEWED FOR CODE COMPLIANCE
 CITY OF TOMBALL REGIONAL
 DEVELOPMENT SERVICES DEPARTMENT
 10/17/07
 OCT 17 2007
 Permit Number: _____
 Project Name: _____

LUXURY HOME DESIGN

PHILLY'S RESTAURANT
 1826 N. SCOTTSDALE RD.
 TEMPE, AZ 85261

REVISIONS/DATE

DRAWN BY: JB
 DATE: 8/29/07
 SCALE: 1/4" = 1'-0"
 JOB NO.: PHILLY'S

ELEVATIONS

SHEET
2.0

NEW BRICKWORK & STUCCO



MATCHING PARKING LOT WALL



EXTERNAL VIEW OF PATIO WALL
FROM EAST PARKING LOT



MATCHING MONUMENT SIGN



EXTORTION WALL - NORTH PARKING
LOT



EXTERIOR WALL FROM NORTH
PARKING LOT



SECURITY DOORS



SECURITY DOWNS "UP" POSITION



SECURITY DOOR



SECURITY DOOR "UP" PICTURED

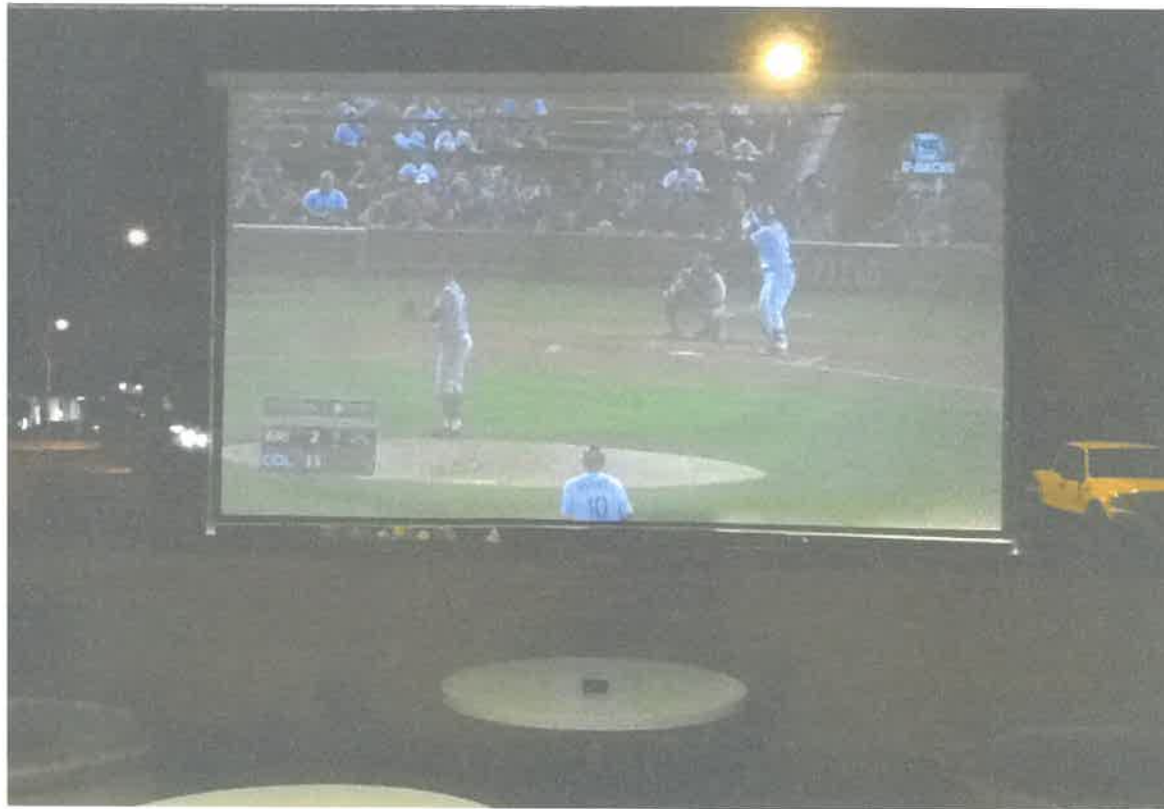


1826 N. Scottsdale Rd.

SIRE - Yellow Folder

PL 070376

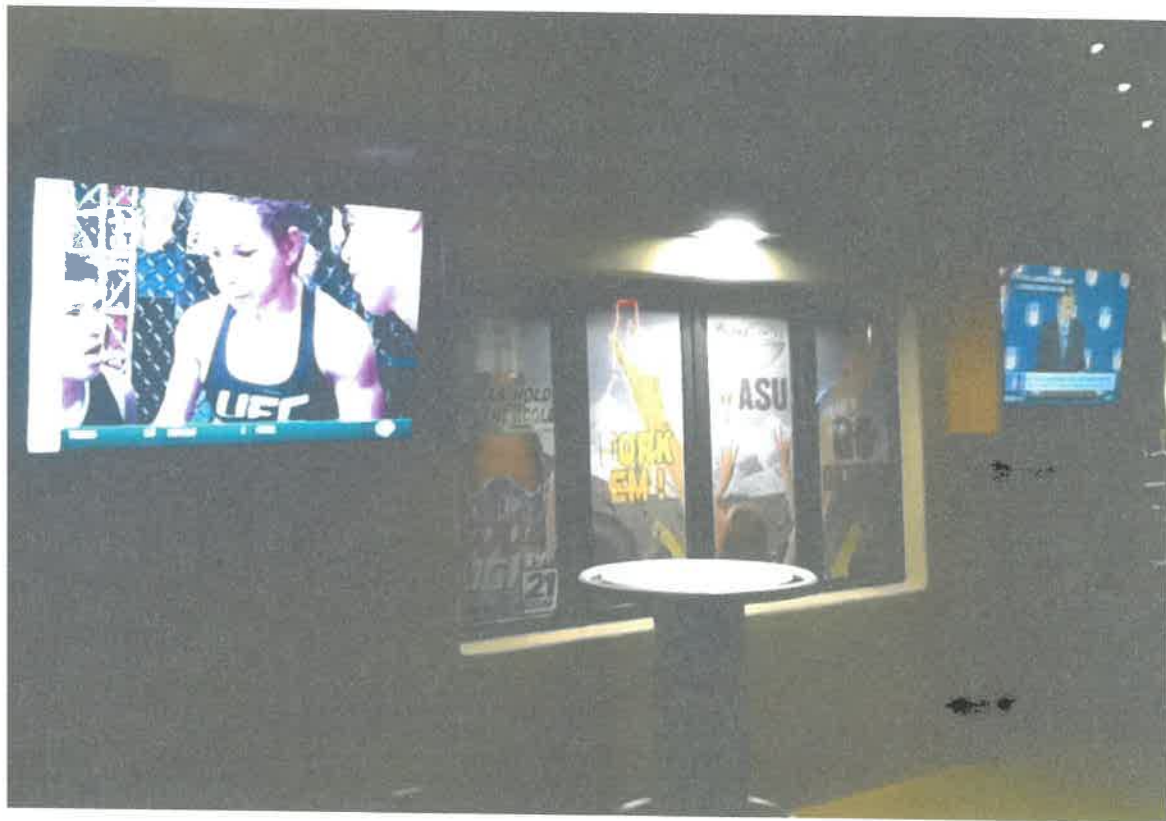




PROJECTOR PHOTO 1



REF # PL 140229
#244 CITY OF TEMPE







PROJECTUM PHOTO 4



PROJECION PISO S



PROJECT PHOTO 5



480-350-8331

January 17, 2008

Bryon Russell
Philly's Restaurant
1826 North Scottsdale Road
Tempe, AZ 85281

RE: PHILLY'S RESTAURANT
Patio Remodel
1826 North Scottsdale Road
PL070376 / DPR07183 / DS071125

Dear Mr. Russell:

The Development Services Department Development Review Commission Staff has approved your request for a Patio Remodel. This site is located at 1826 North Scottsdale Road in the CSS, Commercial Shopping and Services District.

This approval is based on compliance with the plans submitted as part of the application with such modifications as may be required by any conditions listed below. Your proposal must be completed prior to final inspection. This approval is valid for one year or the Development Plan Review approval will lapse.

Approved subject to the following conditions:

1. Approval is valid from the plans as submitted to and approved by the Development Review Staff.
2. All permits and clearances required by the Building Safety Division shall be obtained.
3. All gates and exterior doors shall have required lighting that meets five (5) foot candles at the door/gates and two (2) foot candles within a fifteen (15) foot radius. This detail will be reviewed during the Building Safety Plan Review.
4. The new parking area along south side of building shall have required lighting that meets (2) foot candles. This detail will be reviewed during the Building Safety Plan Review.
5. All new light fixtures need to be full cut off, and meet City of Tempe's Zoning and Development Code, Part 4, Chapter 8: Lighting Standards.
6. Please remove all non-compliant light fixtures from the building and replace with new ordinance compliant light fixtures (Full cut off)
7. Exterior paint colors are approved. Main Body DE 6103 "Copper Lake, Trim DEA159 "Rich Mocha", Patio Walls DE6135 "Verona Beach", Fire Pit DE6102 "Hayride"
8. Top of patio walls shall be designed to eliminate all flat surfaces, to prohibit any drinks, ash trays or other products from being placed a top the wall.
9. Please replace all dead or missing landscape on site. The street frontage shall require replacement trees. One (1) tree required for every thirty (30) feet of street frontage. New trees to be "Sissoo," 24" box in size.
10. After all work has been completed, contact Planning Inspector Rob Peterson (480) 350-8396 for a Final Planning Inspection.

If you have any questions, please contact me at (480) 858-2284. If there are any issues which remain after discussions with staff, you have the opportunity to have the case heard before the Development Review Commission. A written request must be forwarded to staff, in order to have the application placed on the next available agenda.

Sincerely,



Shawn Daffara
Planner II
Development Services Department
SD/dg
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FACT SHEET

BOARD OF ADJUSTMENT

July 27, 1983

TFI

SUBJECT: A-83-7.13

Use Permit for ZACHARY'S BAR AND GRILL to provide live entertainment as an accessory use to their operation at 1826 N. Scottsdale Rd. in the C-2, General Commercial District.

APPLICANT: Samuel Calabrese

DESCRIPTION: Zoning - C-2, General Commercial District
Lot Size - 30,200 s.f.
Building - 2,400.5 s.f.
Patio - 1,090.8 s.f.

APPLICANT'S

REQUEST: The applicant is requesting a Use Permit to allow him to have live music for the inside Bar & Grill. Please refer to the applicant's letter for information.

STAFF: Ordinance 808 requires a Use Permit for entertainment as an accessory use to a bar, cocktail lounge or similar use (refer to Section 3, Part IV, B.12. - pg. 60; Definition Section, pg. 26).

RECOMMENDATION: Approval

REASON FOR

APPROVAL: The use appears to be a logical ancillary use to the restaurant.

CONDITIONS OF

- APPROVAL:
1. The use permit be valid for one (1) year.
 2. The use permit is non-transferable. If a new owner/operator assumes control of the facility, that new owner/operator shall return to the Board with a new application of the use permit.
 3. No outdoor entertainment on outdoor speakers be allowed.
 4. If there any any verifiable complaints relating to the entertainment within the approved one-year time limit, the use permit shall be returned to the Board for review.
 5. The billboard shall be removed by December 31, 1983.

FACT SHEET

TPD

DESIGN REVIEW BOARD - MAY 16, 1984

SUBJECT: DR-84.61

ZACH'S BAR AND GRILL
(Building addition)
1826 N. Scottsdale Rd.
C-2, General Commercial District

APPLICANT: Sam Calabrese

HISTORY: February 3, 1982 - Tempe Design Review Board approved modifications to building elevations and site plan subject to 3 conditions.

June 6, 1982 - Tempe Design Review Board approved a 2,037 sq.ft. addition to this site subject to (6) conditions.

July 7, 1982 - Tempe Design Review Board granted relief from conditions of the June 16, 1982 Design Review meeting. Approval was given subject to (2) conditions.

REQUEST: Applicant is before the Board requesting approval of a 1173 sq.ft. building additions. The addition will be used for restrooms and walk-in cooler. The finish and color of the addition will match buildings on site, gray stucco.

RECOMMENDATION: Approval subject to the following conditions:
Ordinance Requirements (Information Only)

1. Public Works Department approval of all street dedications, alleys, easements, driveways, drainage, water and sewer construction drawings, refuse pick-up, off-site improvements and bikepaths are required.
2. That all roof and or ground mounted mechanical equipment be screened by parapet walls or other screening devices to be no lower in height than 6" below the height of the mechanical equipment on site.
3. That all new parking lot lighting on site be 16' maximum in height and directed down and away from surrounding developments.
4. That refuse locations be approved by Public Works prior to issuance of building permits. Refuse areas to be screened by a six foot wall on three sides, materials to match proposed buildings.

Continued DR-84.61

1. Public Works Department approval of all street dedications, alleys, easements, driveways, drainage, water and sewer construction drawings, refuse pickup, off-site improvements and bikepaths are required.
2. That all roof and or ground mounted mechanical equipment be screened by parapet walls or other screening devices to be no lower in height than 6" below the height of the mechanical equipment on site.
3. That all new parking lot lighting on site be 16' maximum in height and directed down and away from surrounding developments.
4. That refuse locations be approved by Public Works prior to issuance of building permits. Refuse areas to be screened by a six foot wall on three sides, materials to match proposed buildings.
5. Plans for a manual or automatic sprinkler system are to be submitted to Planning Department for approval and installed with the landscaping prior to the issuance of a certificate of occupancy.
6. Parking shall be screened from street view to a minimum height of 3' above the finish grade of the parking lot by the use of walls and/or berms. Details to be approved by staff prior to issuance of building permits.
7. That examples of proposed colors and materials be reviewed and approved by the Planning Staff prior to issuance of building permits.
8. That the height of all screening walls be measured from the highest adjacent grade.
9. 15 gal. trees be planted 15' on center at all perimeter property lines.

Approval subject to the following conditions:

1. That the curb cut at the southeast portion of the site be removed and new curb and sidewalk be installed prior to issuance of occupancy permits for this expansion. That if the carwash is removed prior to issuance of building permits, that this condition be null and void.