

**CITY OF TEMPE
DEVELOPMENT REVIEW COMMISSION**

**Meeting Date: 12/10/2019
Agenda Item: 07**

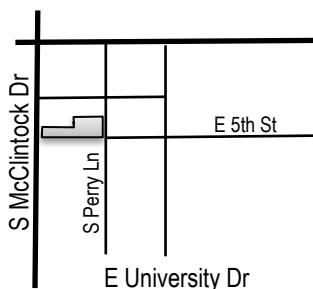
ACTION: Request a Use Permit to allow an amusement business for **WILD FRONTIER AXE THROWING**, located at 420 South Perry Lane. The applicant is Wild Frontier Ax Throw. **(PL190291)**

FISCAL IMPACT: N/A

RECOMMENDATION: Staff – Approve, subject to conditions

BACKGROUND INFORMATION: WILD FRONTIER AXE THROWING (PL190291) plans to operate an axe throwing amusement business in an existing building located at 420 South Perry Lane in the GID, General Industrial District. The establishment will operate Wednesday and Thursday from 5 to 10 p.m., Friday and Saturday from 11 a.m. to 11 p.m., and Sunday from 11 a.m. to 8 p.m. The request includes the following:

ZUP190082 Use Permit to allow an amusement business (axe throwing)



Property Owner	Hayden Industrial Park LLC
Applicant	Richard Jones, Wild Frontier Axe Throwing
Zoning Districts	GID
Site Area	270,508 s.f.
Suite Area	2,903 s.f.
Vehicle Parking	No Change
Bicycle Parking	No Change
Hours of Operation	5 to 10 p.m. Wednesday – Thursday, 11 a.m. to 11 p.m. Friday – Saturday, & 11 a.m. to 8 p.m. Sunday

ATTACHMENTS: Development Project File

STAFF CONTACT(S): Robbie Aaron, Planner II, 480-350-8096

Department Director: Chad Weaver, Community Development Director
Legal review by: N/A
Prepared by: Robbie Aaron, Planner II
Reviewed by: Steve Abrahamson, Principal Planner

COMMENTS

The proposed use is similar in nature to other group outing activities such as escape rooms or murder mysteries. As in the past for other axe throwing operations, off-street parking shall be calculated at one (1) parking space per three (3) persons as recently required of escape rooms. The applicant states in the letter of explanation that the maximum number of people in the establishment at any given time would be twenty-five (25) which would require eight (8) parking spaces.

PUBLIC INPUT

To date, staff has received one inquiry regarding the proposed use and concern about the allowance of liquor being brought to the business and consumed.

USE PERMIT

The proposed use requires a Use Permit to an amusement business in the GID, General Industrial District.

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

1. *Any significant increase in vehicular or pedestrian traffic*; the proposed use is not expected to significantly increase vehicular or pedestrian traffic in adjacent areas. If conditionally approved, the proposed use will require approximately eight (8) off-street parking spaces; two (2) less than what is required for office which is permitted by right in the GID.
2. *Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat or glare at a level exceeding that of ambient conditions*; the nature of the business will not generate emissions greater than ambient conditions and will be conducted inside the premises.
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*; the proposed use is not in conflict with the goals, objectives and/or policies adopted by the City.
4. *Compatibility with existing surrounding structures and uses*; the proposed use is compatible in nature with uses allowed by right in the GID and no changes to the exterior of the building or site are anticipated.
5. *Adequate control of disruptive behavior both inside and outside the premises which may create a nuisance to the surrounding area or general public*; the applicant states in their letter of explanation that all patrons will be required to sign a waiver stating that they are not under the influence of drugs or alcohol and that loitering and consuming alcohol in the parking area is prohibited. The applicant shall also contact the City of Tempe Crime Prevention Unit for a security plan.

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.

CONDITION(S) OF APPROVAL:

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. 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.

3. Live entertainment requires a separate Use Permit.
4. An occupancy inspection and clearance from the Tempe Fire Department shall be obtained prior to the use permit becoming effective.
5. The applicant shall contact the City of Tempe Crime Prevention Unit for a security plan within 30 days of this approval. Contact 480-858-6409 before January 9, 2019.

CODE/ORDINANCE REQUIREMENTS:

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

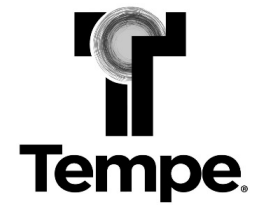
- The Use Permit is valid for Wild Frontier Axe Throwing and may be transferable to successors in interest through an administrative review with the Community Development Director, or designee.
- The use permit approval shall be void if the use is not commenced or if an application for a building permit has not been submitted, whichever is applicable, within twelve (12) months after the use permit is granted or within the time stipulated by the decision-making body.
- 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.
- Music, sound, or live entertainment shall not violate the City of Tempe Noise Ordinance.

ZONING AND DEVELOPMENT CODE REFERENCE:

Section 3-302 Permitted Uses in Office/Industrial Districts

Section 6-308 Use Permit

Section 6-313 Security Plan



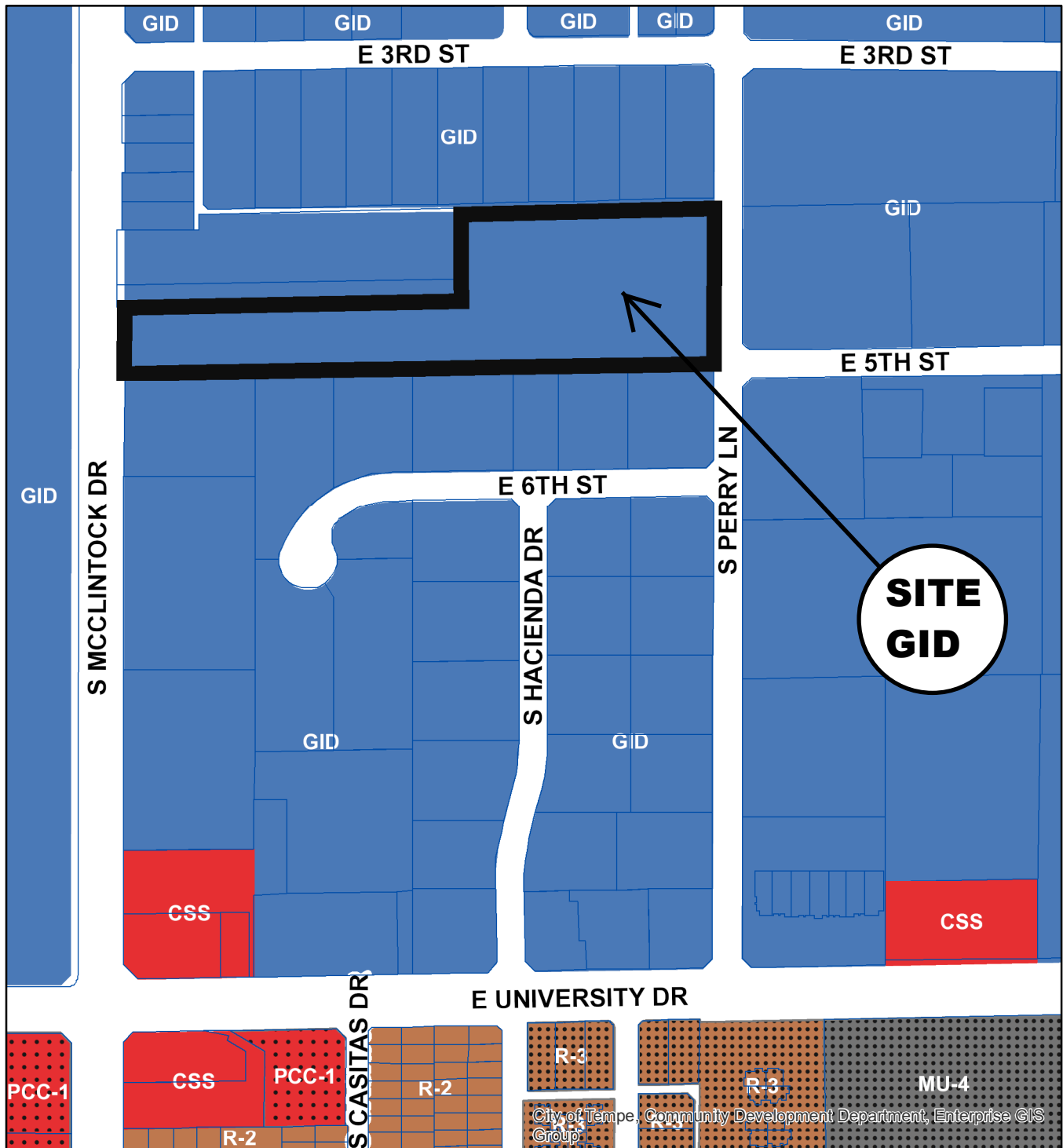
DEVELOPMENT PROJECT FILE
for
WILD FRONTIER AXE THROWING
PL190291







ATTACHMENTS:

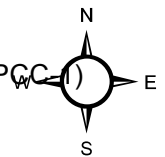
1. Location Map
2. Aerial
3. Letter of Explanation
4. Site Plan

Wild Frontier Axe Throwing

PL190291



- | | |
|----------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|
|  General Industrial District (GID) |  Planned Commercial Center Neighborhood (PCC-1) |
|  Mixed Use High (MU-4) |  Multi-Family Residential (R-2) |
|  Commercial Shopping and Services (CSS) |  Multi-Family Residential Limited (R-3) |

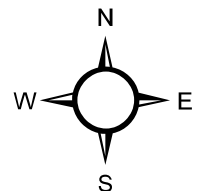


Wild Frontier Axe Throwing

PL190291



Aerial Map



Letter of explanation for USE Permit

This permit will be for an axe throwing venue located at 420 S. Perry Ln. #3 Tempe AZ 85281. We cater to people that want to have fun and try something new. Each lane is separated by a barrier for safety when throwing. People will have a qualified AXE coach teaching, supervising, and keeping score at all times while throwing. We will also have 24/7 video surveillance at all times throughout the day.

Hours of operation are as follows.

MON	closed
Tues	closed
Wed	5-10 pm
Thur	5-10 pm
Fri	11AM - 11 pm
SAT	11AM - 11 pm
Sun	11AM - 8 pm

We do not have employees until the business opens and ~~places~~ gets busy enough to hire people. My girl friend and I will handle things at first. Customer numbers will be around 5-25 at any given time; mostly on Friday & Saturday nights.

Traffic is light. Usually around 4-12 cars parking at any one time and always during "off" hours for all of the other businesses.


There are no toxic anything coming from the business. No issues with that.

this will in no way bring down the neighborhood or degrade it in any way. Actually it will improve the area because currently it is a dark gloomy commercial warehouse district with no night life at all.

We are fully compatible with other business because of the nature of the business and the odd hours of operation we require.

When people come in to throw they must first sign a waiver ~~that~~ that states they are ~~not~~ not under the influence of drugs or ~~and~~ alcohol and that loitering and consuming alcohol outside in the parking area is ~~not~~ not permitted.

Richard D. Jones 10/31/19





Site Plan

