

**CITY OF TEMPE  
DEVELOPMENT REVIEW COMMISSION**

**Meeting Date: 7/27/2021  
Agenda Item: 7**

**ACTION:** Request a Use Permit to allow entertainment (karaoke) for FINAL ROUND SPORTS BAR & GRILL, located at 5030 South Mill Avenue, Suite No. D20. The applicant is Ronetta Andersen.

**FISCAL IMPACT:** N/A

**RECOMMENDATION:** Staff – Approve, subject to conditions

**BACKGROUND INFORMATION:** FINAL ROUND SPORTS BAR & GRILL (PL210148) is a bar (Series 6) located near the northwest corner of South Mill Avenue and West Baseline Road in the GID, General Industrial District. The applicant is requesting a Use Permit to allow entertainment in the form of karaoke as an accessory to the bar use. The request includes the following:

ZUP210053 Use Permit to allow entertainment (karaoke).



Property Owner	Kappe Villa Sierra El Paso LP / Kappe Wyndchase El Paso LP
Applicant	Ronetta Andersen, Final Round Sports Bar & Grill
Zoning District	GID
Site Area	298,848 s.f.
Building Area	95,720 s.f.
Suite Area	1,840 s.f.
Lot Coverage	32% (no maximum standard required)
Building Setbacks	105' street side, 38' south side (25', 0' min. required)
Vehicle Parking	No change in demand
Bicycle Parking	No change in demand
Hours of Operation	11 a.m. to 2 a.m., M-F; 9 a.m. to 2 a.m. Sa & Su
Building Code Occupancy	B-2 / A-3

**ATTACHMENTS:** Development Project File

**STAFF CONTACT(S):** Lee Jimenez, Senior Planner (480) 350-8486

Department Director: Shelly Seyler, Interim Community Development Director

Legal review by: N/A

Prepared by: Lee Jimenez, Senior Planner

Reviewed by: Steve Abrahamson, Principal Planner

## COMMENTS

The bar has been offering karaoke to patrons for over 20 years. The operator was unaware that a use permit is required to allow entertainment and is rectifying the issue by processing this use permit application.

## PUBLIC INPUT

Staff has not received any public comments as of the publishing date of the staff summary report.

## POLICE INPUT

The existing security plan will require an amendment to include the entertainment use.

## USE PERMIT

The proposed use requires a Use Permit to allow entertainment (karaoke) in the GID zoning district.

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

1. *Any significant increase in vehicular or pedestrian traffic*; karaoke is an accessory use to the bar and is not expected to significantly increase vehicular or pedestrian 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*; karaoke will be conducted in the interior and is not expected to produce noise or sound that exceeds ambient conditions.
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*; karaoke is intended to help support the business and is not expected to conflict with the City's adopted plans or General Plan.
4. *Compatibility with existing surrounding structures and uses*; karaoke is compatible with surrounding uses and will only be conducted in the interior.
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 business is prepared to handle any issues concerning disruptive behavior.

## 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: (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 the building plan check process.
2. The applicant shall contact the City of Tempe Crime Prevention Unit for an amended security plan within 30 days of this approval. Contact 480-858-6330 before August 26, 2021.
3. The entertainment use shall take place inside only. No entertainment will be allowed outside.
4. Entertainment to cease at 1:55 a.m., daily.

### **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 Final Round Bar & Grill 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.
- 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:**

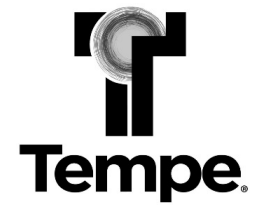
April 6, 2010                      Hearing Officer approved Use Permit to allow a bar with a Series 6 liquor license for FINAL ROUND, located at 5030 South Mill Avenue in the GID, General Industrial District.

### **ZONING AND DEVELOPMENT CODE REFERENCE:**

[Section 3-302, Permitted Uses in Office/Industrial Districts](#)

[Section 6-308, Use Permit](#)

[Section 6-313, Security Plan](#)



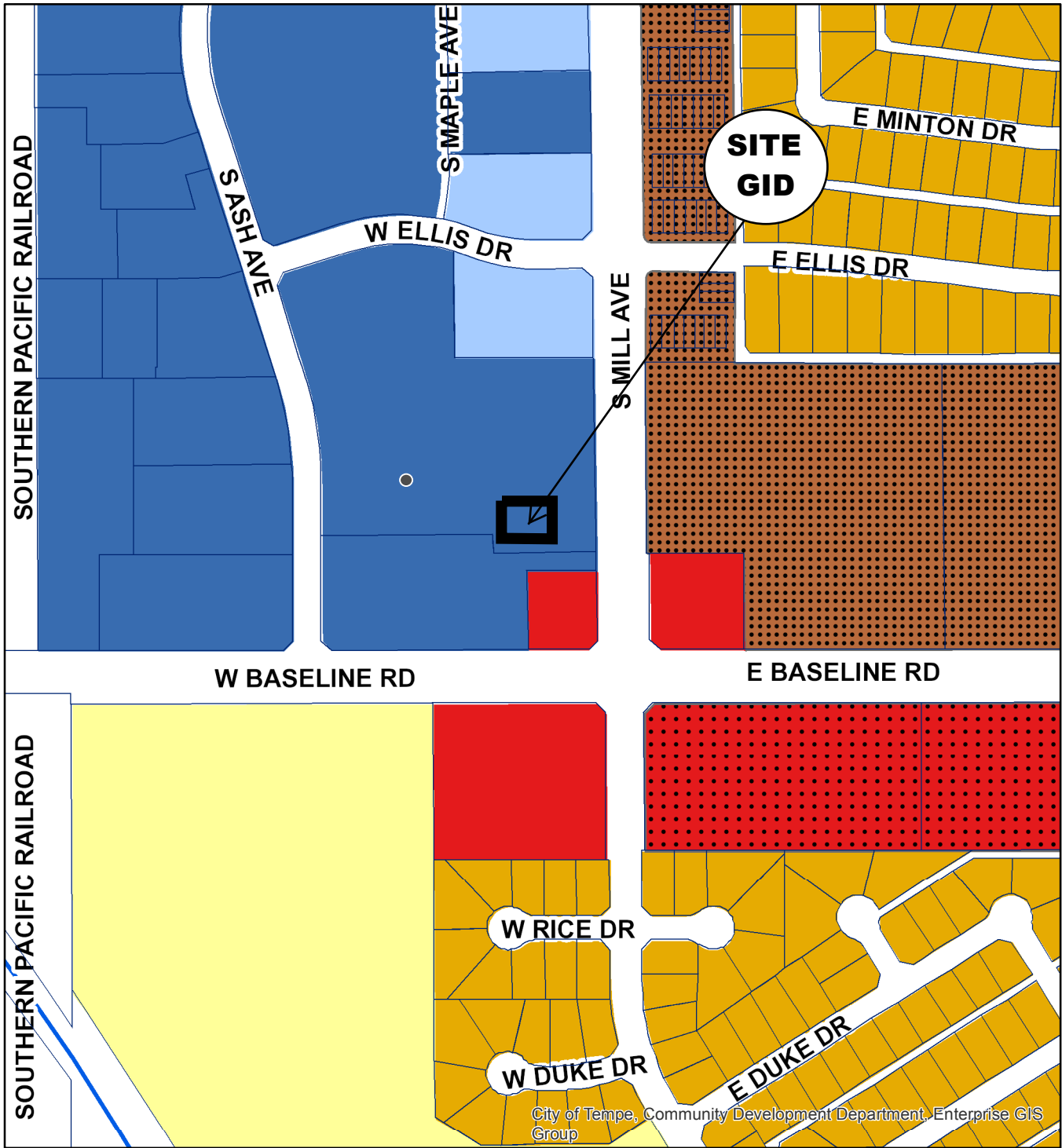
**DEVELOPMENT PROJECT FILE**  
for  
**FINAL ROUND SPORTS BAR & GRILL**  
(PL210148)








**ATTACHMENTS:**

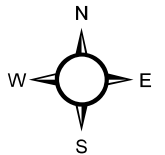
1. Location Map
2. Aerial
3. Letter of Explanation
4. Site Plan
5. Floor Plan
- 6-7. Site Context Photos

# Final Round Sports Bar & Grill

PL210148



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|--|--|
|  Light Industrial District (LID)                |  Agricultural (AG)                      |
|  General Industrial District (GID)              |  Single-Family Residential (R1-6)       |
|  Commercial Shopping and Services (CSS)         |  Multi-Family Residential Limited (R-3) |
|  Planned Commercial Center Neighborhood (PCC-1) |  |

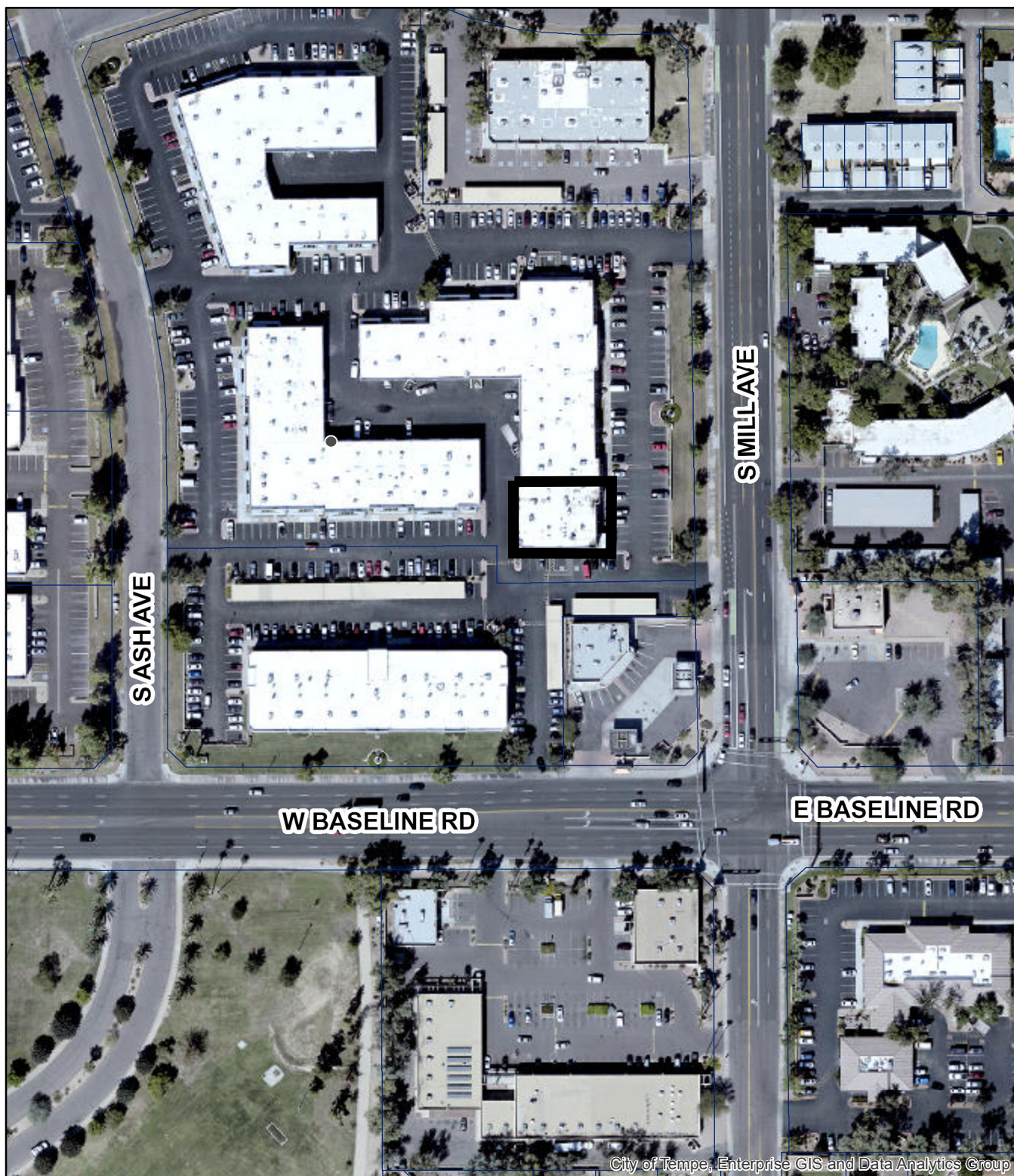




Tempe

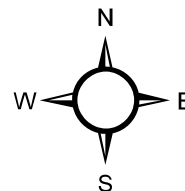
# Final Round Sports Bar & Grill

PL210148



City of Tempe, Enterprise GIS and Data Analytics Group

## Aerial Map



June 16, 2021

To Whom It May Concern:

This is a revised letter of explanation to acquire a use permit for live entertainment for Final Round Sports Bar & Grill. As stated in my previous letter, I was unaware that a use permit was needed for karaoke. They have done karaoke at Final Round for over 20 years.

Our karaoke booth is approximately 6 feet by 3 feet and this includes where the host stands. We do this inside and there are no businesses near us whose operating hours at the same time as our karaoke. It does not violate any noise ordinances as it is inside the building.

I was asked to address each criterion individually. Please see below.

Our karaoke is NOT detrimental to persons residing or working in the vicinity or to adjacent properties, neighborhoods, or to public welfare as this "entertainment" is inside the building and cannot be heard outside of our licensed premises. It conforms to the following criterion as follows:

- A. It does not interfere with any vehicular or pedestrian traffic as it is INSIDE our building.
- B. There are no nuisances arising from odor, smoke, dust, noise, heat, or glare other than the ambient in nature because it is INSIDE our building.
- C. It does not contribute to the deterioration of the neighborhood or decrease property value. We have been doing karaoke here for over two decades and have had ZERO issues with any of those concerns. We have 8 bars within a mile radius who currently do karaoke also.
- D. It is compatible with existing structure as we have been doing karaoke for over 20 years and there is no structural change needed.
- E. We absolutely have control over any disruptive behavior as we have security during those hours of karaoke and our karaoke does not draw a disruptive crowd. To the contrary, it is a relaxed, fun, group of patrons who enjoy this.

If any instances of disturbances should arise, our staff is trained to handle any given situations. It has never been an issue and we will continue to have it be a peaceful form of entertainment.

Sincerely,

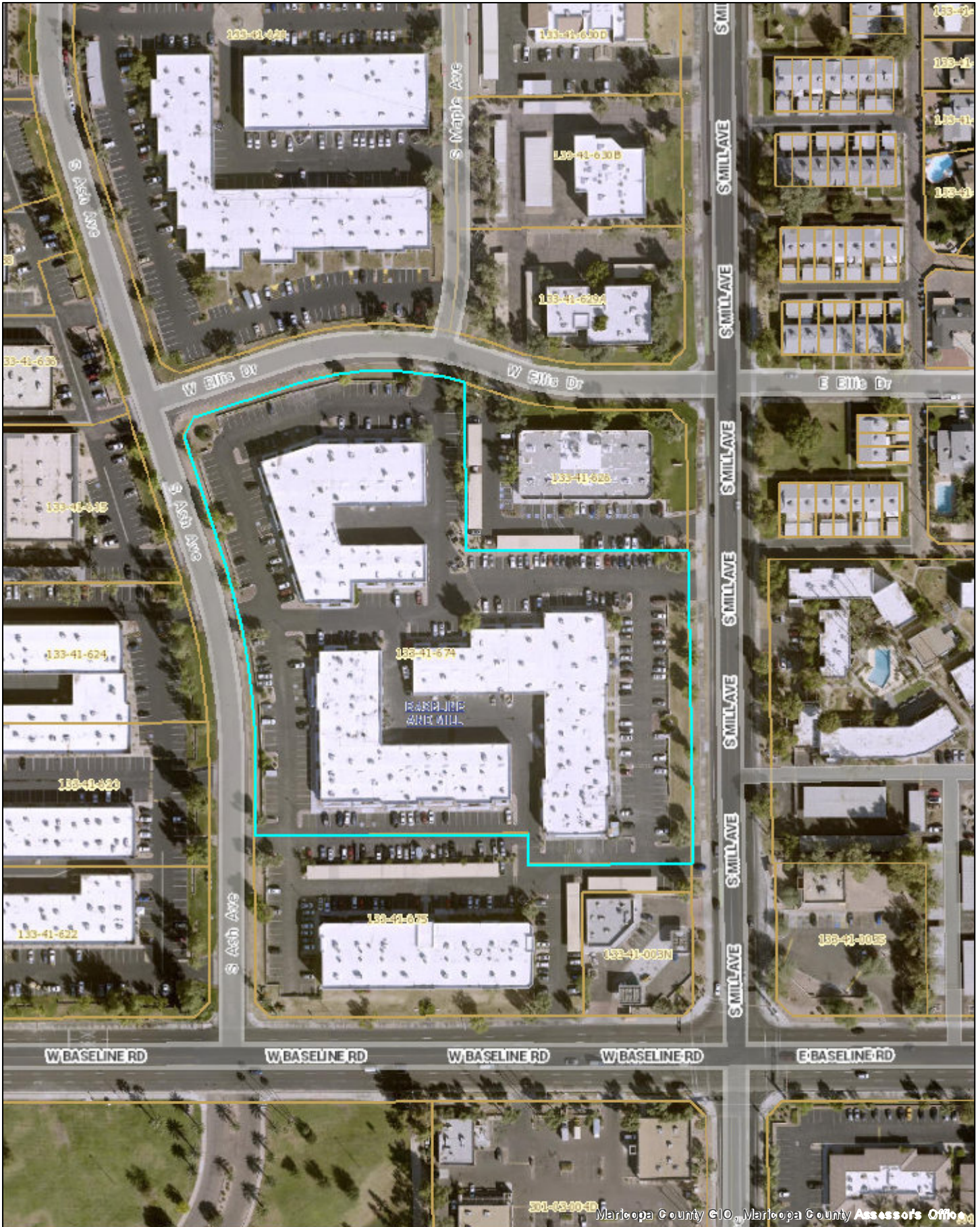


Ronetta Andersen

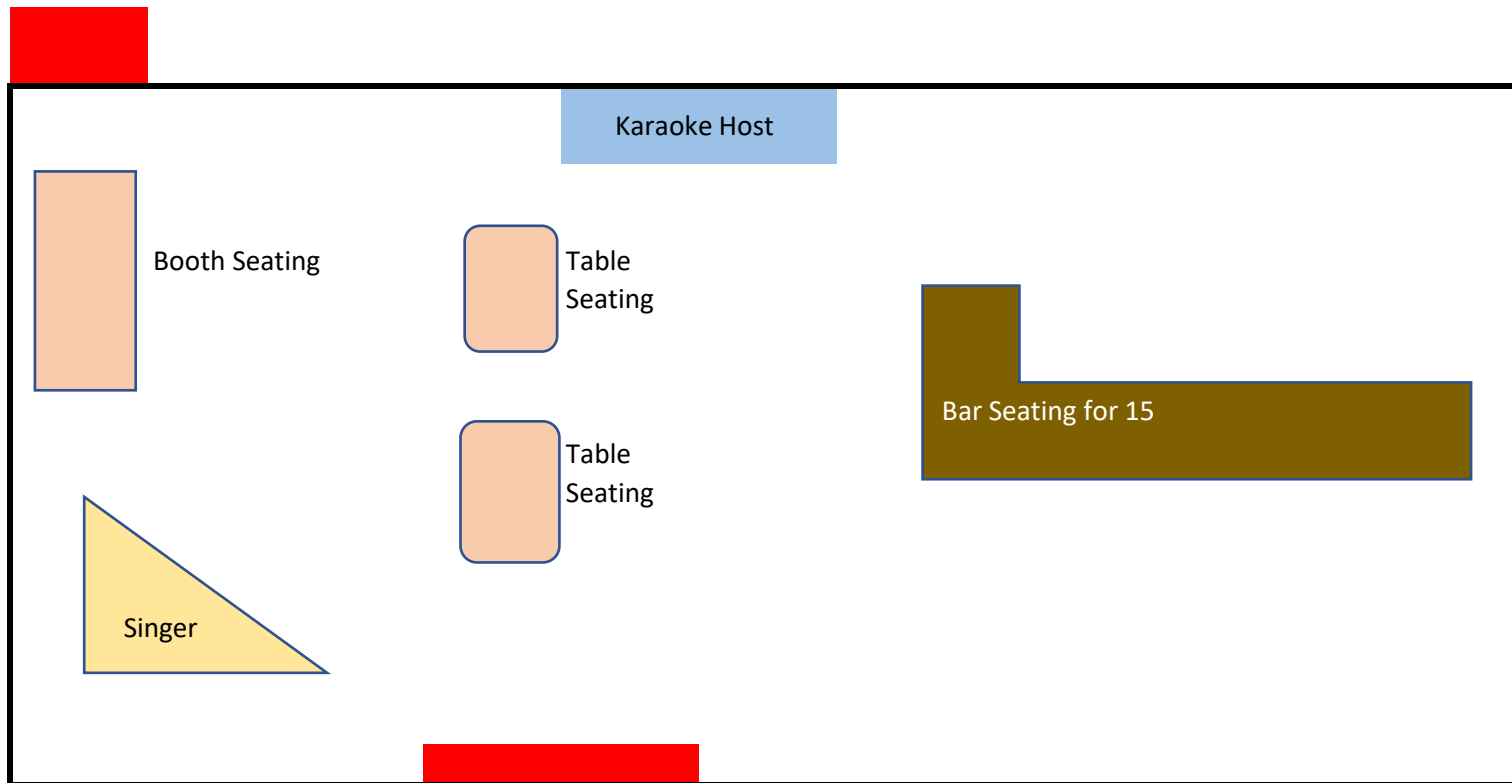
Owner, Final Round Sports Bar & Grill



# Final Round Bar & Grill







Bar area is 26' x 46'

Karaoke host stand is noted in blue and is 6' x 4'

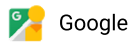
During covid singers are in the front corner behind plexiglass noted in yellow

During covid karaoke host is also behind plexiglass

There are exits on the south and east side of the bar/restaurant area noted in red



Image capture: Jan 2021 © 2021 Google



Street View

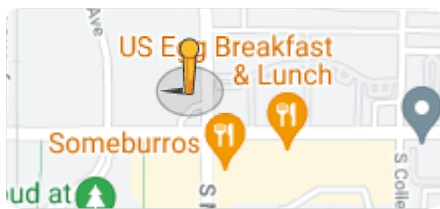
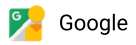




Image capture: Mar 2019 © 2021 Google



Street View

