

CITY OF TEMPE DEVELOPMENT REVIEW COMMISSION

Meeting Date: 06/28/2022

Agenda Item: 9

ACTION: Request a Use Permit to allow parking above the maximum 125% parking required for THE SHOP BEER CO., located at 920 West First Street, the applicant is Gammage & Burnham PLC.

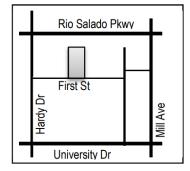
FISCAL IMPACT: N/A

RECOMMENDATION: Staff – Approve, subject to conditions

BACKGROUND INFORMATION: THE SHOP BEER CO. (PL220149) located in the Riverside Neighborhood west of Downtown Tempe. Lot 17 E of State Plat Number 9 now consists of two parcels addressed as 922 West First Street (referred to as the west lot). Lot 16 E of State Plat Number 9 is one parcel addressed as 920 West First Street (referred to as the east lot). The original entitlements were for Dog and Pony Brewery located on the west lot only. See the History and Facts section for details of the prior entitlements. The brewery has purchased the property at 920 West First Street and is requesting to expand operations to the east lot. As a separately addressed parcel, this results in requirements to obtain Use Permits specific to the uses on this lot. The manufacturing and office uses would be located on the east lot, which are allowed in the General Industrial District. The existing brewery would be connected by a product transfer pipe over the drive aisles to connect the existing west side manufacturing to a larger bottling and warehouse space in the existing east side building. The east lot is proposed for site plan modifications to allow parking above the maximum 125% parking required by zoning code, therefore a Use Permit to exceed parking is required. At completion of this report, no public input had been received.

The request includes the following:

ZUP220027 Use Permit to allow parking above the maximum 125% parking required.



Property Owner Dave Arnce, Church Music HQ, LLC
Applicant Vanessa MacDonald, Gammage & Burnham

Zoning District GID, RSOD

Site Area 32,801 s.f. (.75 acres) east lot

Building Area 8,087 s.f. east lot Lot Coverage 25% (NS in GID)

Landscape Coverage 10% (10% min. required)
Building Height 18' (35' max. allowed)

Building Setbacks 58' south front, 10' side, 139' north rear (25', 0', 0',

20' min. required)

Vehicle Parking 25 spaces (13 min. required and 16 max. allowed)

Bicycle Parking 8 spaces (2 min. required)

Hours of Operation 7a.m. to 5 p.m Monday through Friday (eastern lot)

Building Code Occupancy IIIB

ATTACHMENTS: Development Project File

STAFF CONTACT(S): Diana Kaminski, Senior Planner, (480) 858-2391

Department Director: Jeff Tamulevich, Community Development Director

Legal review by: N/A

Prepared by: Diana Kaminski, Senior Planner Reviewed by: Steve Abrahamson, Principal Planner

COMMENTS

The site consists of three parcels located south of Rio Salado Parkway, east of Hardy Drive, west of Farmer Avenue, on the north side of First Street. The property was annexed into the City with two buildings on the western lot in 1963 and has been used for industrial purposes. The building on the west side was built in 1986 and on the east side in 1967. There are industrial uses to the west, north and east sides of the site, and multi-family residential on the south side of First Street. Lots 16E of State Plat 9 is designated Mixed-Use in the General Plan Projected Land Use Designation Map and is zoned GID, General Industrial District. The site is within the Rio Salado Overlay District and the Downtown Tempe/Rio Salado/ASU/NW Neighborhoods Character Area.

922 West First Street became a brewery with tasting room on the west side, which required a Use Permit to operate within the General Industrial District in 2015. The 3,200 square foot building to the north houses the brewery, restrooms and an office. This building is secured with a security gate. Public tours may be permitted into the brewery; however the primary public space is south of the brewery on the west lot. The space between the north and south building is a 500 square foot outdoor patio with a bar connected to the tasting room, the southern building. The use required building code upgrades to meet changes to the use; however modifications were not large enough to trigger complete site upgrades. There was no commercial kitchen within the facility; however a use permit was obtained to allow food trucks visit the site to provide food service to beverage patrons. The business model included the potential for live entertainment on site. Below is an outline of the entitlement history for the western lot, obtained prior to purchase of the eastern lot.

On February 17, 2015, the Hearing Officer approved four Use Permits and a Use Permit Standard for Dog and Pony Brewery. On March 24, 2015 an appeal of this decision was heard by the Development Review Commission. The Commission denied the appeal of four of the Use Permits and approved the appeal of the outdoor vending Use Permit. The result of the Commission decision upheld the Hearing Officer decision to allow a brewery with outdoor seating, indoor live entertainment, and a reduced front yard setback, and overturned the decision for food trucks. The brewery applicant then appealed the Development Review Commission denial of the food truck vending to City Council on May 21, 2015. City Council overturned the decision of the DRC, thereby approving the request for outdoor vending to allow food trucks. A condition of approval had originally been added by the Hearing Officer to return for compliance review of the conditions of approval six months from the hearing date. The applicant experienced delays in opening due to construction needed to meet building code for the conversion of the industrial warehouse and office building to a brewery use. The condition to return to the hearing officer was extended to allow completion of the tenant improvements so that data would reflect the time the business was operating. A Certificate of Occupancy was issued on August 22, 2016 with an occupancy load of the building on the west lot of 49 including staff and customers.

920 West First Street (the subject site of this request) includes an existing building on the east side that was purchased by the owner of the brewery, which is now operating as The Shop Beer Company. The brewery is being proposed for an expansion for manufacturing and office uses, with a product transfer pipe from the existing west side building to the existing east side building. Proposed tenant improvements to the east side are primarily interior, with upgrades to parking and landscaping on the exterior. The existing west side uses for the tasting room, food trucks and live entertainment will remain on the west side with no changes in size or configuration. The manufacturing and office uses are allowed uses in the GID district.

This request includes the following:

ZUP220027 Use Permit to allow parking above the maximum 125% parking required.

The applicant is requesting the Development Review Commission act on the items above, there is no further processing required for this request.

PUBLIC INPUT

A neighborhood meeting was not required for this request. No public input has been received upon completion of this report.

POLICE INPUT

A Security Plan will be required for this use.

There have been 10 calls for service to 922 W. 1st street since the brewery opened in 2016; these included report of a suspicious person, illegal parking, citizen assist with locked vehicle, two hit and run accidents, one loud music call and 3 drunk drivers. There have not been excessive calls for service from the existing brewery. There have been 21 calls for service to 920 W. 1st street since 2016, however these were under prior uses and ownerships, the majority of these were 911 hang up calls, one unwanted guest and one check welfare calls were morning calls in 2018.

USE PERMIT

The proposed expansion of the brewery with office space requires 13 parking spaces, 16 would be allowed as the maximum allowed by code. Exceeding 125% of the required parking requires a Use Permit. Additional parking also requires additional landscape to mitigate heat impacts from excessive paving. The existing eastern lot has been paved since 1990 and used as a storage yard for equipment of prior businesses. Based on aerial images, the site was repaved in 2012 and restriped in 2013 by prior ownership without a DPR process. The current owner purchased the property with paving and striping in place which did not meet the maximum code requirements or the parking landscape island or lighting requirements. As the new owner of the property and expanding the brewery manufacturing and offices open from 7am to 5pm, they are upgrading the site for solid waste service, landscape and lighting and code compliance to allow 25 parking spaces on the eastern lot. The majority of these spaces are to the north of the building and not visible from the street. No changes are proposed to the existing brewery on the western lot. The hours of operation in condition of approval number seven are reflective of the hours of operation for both lots for continuity.

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

- 1. Any significant increase in vehicular or pedestrian traffic; The existing warehouse building would be used for manufacturing and offices, with a requirement for 13 parking spaces. The 19-25 employees of the existing brewery on the west lot would be working between both buildings, with the primary space inside being used for product storage and bottling. The tasting room and any retail sales associated with the brewery would remain on the west lot in the existing buildings. Capacity increases to production may result in higher shipping traffic from the east lot, however the site is zoned for industrial uses inclusive of warehousing and manufacturing and office use. The applicant is requesting an increase in parking from 13 required and a maximum of 16 allowed, for a total of 25 parking spaces to serve the site. These 12 additional spaces would provide room for employment growth or additional customer parking, but it is not anticipated that the use would result in a significant increase in traffic from that expected within the allowed uses of the district.
- 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 brewery use is contained entirely within the building and the additional parking spaces are located north of the building in an existing paved yard. There will be no nuisances caused by 12 additional vehicles parked behind the building. The addition of landscape islands with trees will provide more shade than the existing paved lot, reducing the heat of the pavement and any light transmission from building or pole fixtures or headlights on site. The proposed design solution reduces prior potential nuisances from an existing industrial site.
- 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 existing site was annexed into the city with limited design consideration. The proposed site plan will enhance the site adding valued tree canopy to the area. The expansion of the brewery meets many goals and objectives of revitalization and economic development in the General Plan. The additional 12 parking spaces will not adversely impact the surrounding area and may alleviate a need for parking that could overflow into the neighborhood.
- 4. Compatibility with existing surrounding structures and uses; The property has had many businesses since 1959 when annexed into the city, aerial images indicate a heavier industrial use in the past which would no longer be compatible with newer developments in the area. The existing structure will be upgraded to meet code with new landscape enhancements which will benefit the surrounding environment. The addition of 12 parking spaces is compatible with surrounding uses.

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 eastern lot will have employees on site from 7am to 5pm weekdays, the western lot will have employees on site from 11am to midnight on varied days of the week, providing additional security to both lots for control of behavior. The site will have lighting and security and surveillance measures in place to protect the business operations. A security plan will be on file with the city Police Department.

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 for THE SHOP BEER COMPANY is valid only after a Building Permit has been obtained, the required inspections have been completed and a Final Inspection has been passed. As part of the Building Permit process, onsite storm water retention may be required to be verified or accomplished on this Site.
- 2. 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.
- 3. No outdoor live entertainment or outdoor speakers shall be allowed on the east lot.
- 4. The applicant shall contact the City of Tempe Crime Prevention Unit for a security plan within 30 days of this approval. Contact 480-858-6330 before July 29, 2022.
- 5. Live entertainment requires a separate Use Permit.
- 6. An occupancy inspection and clearance from the Tempe Fire Department shall be obtained prior to the use permit becoming effective.
- 7. Hours of operation to end no later than 10pm Sunday, 11pm Monday through Thursday and 12am Midnight on Fridays and Saturdays.
- 8. All nonconforming building lighting shall be removed and replaced with compliant light fixtures. Details can be resolved during Building Safety Plan Review.
- 9. A Development Plan Review shall be submitted to comply with all code required landscape and any other missing landscape material.
- 10. All rear exit doors require a security vision panel. Details to be approved through Building Safety Plan Review.
- 11. Bicycle parking racks per City of Tempe Public Works Department bicycle rack detail T-578 standard.

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 THE SHOP BEER COMPANY 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.
- SITE PLAN REVIEW: Verify all comments by all departments on each Preliminary Site Plan Review. If questions arise
 related to specific comments, they should be directed to the appropriate department, and any necessary modifications
 coordinated with all concerned parties, prior to application for building permit. Construction Documents submitted to the
 Building Safety Division will be reviewed by planning staff to ensure consistency with this Design Review approval prior
 to issuance of building permits
- 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.
- This use shall not violate the City of Tempe Smoking Ordinance or Smoke Free Arizona Act A.R.S. §36-601.01.
- Music, sound, or live entertainment shall not violate the City of Tempe Noise Ordinance.

HISTORY & FACTS:

1949-1959	Hist	oric a	erial	photos	indic	ate	the site was	undeveloped	until after	⁻ 1953.	. Two	buildings locat	ted on
							40=0					10=1 110	

two adjacent lots are visible in 1959; no aerial images were available between 1954 and 1958. The property has been in use for various industrial uses as well as residences since the late

1950s.

October 21, 1959 Property Record Card history indicates the building on the eastern lot was built in Maricopa

County prior to annexation by the City of Tempe. The lot was used by Plumbing by Gay

Plumbing, and was subdivided prior to annexation.

July 23, 1963 City Council adopted Ordinance 385.23 Zoning the property I-2 Industrial at the time of

annexation.

March 5, 1986 Design Review Board approved a request for a new building and landscape plan behind the

existing building on the western lot, for Traffic Marking and Striping Company.

1992 Underground tank removed

2008 Building on east lot removed.

February 17, 2015 Hearing Officer heard and approved a request for:

ZUP15005 Use Permit to allow a brewery in the General Industrial District ZUP15006 Use Permit to allow an outdoor seating patio in the General Industrial

District

ZUP15007 Use Permit for outdoor vending (food truck service)

ZUP15008 Use Permit for live entertainment

ZUP15009 Use Permit Standard for a 25% reduction of the front vard setback from 25'

to 18.75'

The Hearing Officer added condition #13, requiring the applicant to return in February 2016 for

review of the conditions.

March 24, 2015	Development Review Commission heard and denied an appeal for the requested use permits for this site.
May 13, 2015	Staff administratively approved a Development Plan Review for the site plan, landscape plan and elevations of the proposed design modifications.
May 21, 2015	City Council heard and approved an appeal of the Development Review Commission denial of the Use Permit to allow outdoor vending for food trucks on site at the brewery, overturning the decision and allowing the use.
2016	The applicant called staff to discuss the conditions of approval and explained that the business had not yet opened due to tenant improvement work on site. Staff allowed the condition for review of the use permits to be extended to meet the intent of reviewing the use permits after opening and establishing an operational track record to review.
August 22, 2016	The applicant received a Certificate of Occupancy and began operations.
June 6, 2017	Hold a public hearing for review of compliance with the conditions of approval for four Use Permits: operation of a brewery in the General Industrial Zoning District, an outdoor patio use, outdoor vending (food truck service), live entertainment, and a Use Permit Standard for a reduction of the front yard setback for DOG AND PONY BREW CO. (PL140471), located at 922 West First Street. The applicant was David Arnce.
June 28, 2022	Development Review Commission is scheduled to hear a request for a Use Permit to allow parking above the maximum 125% parking required for THE SHOP BEER CO., located at 920 West First Street, the applicant is Gammage & Burnham PLC

ZONING AND DEVELOPMENT CODE REFERENCE:

Section 4-204 Table of Development Standards for General Industrial District Section 6-308 Use Permit



DEVELOPMENT PROJECT FILE

for THE SHOP BEER CO. (PL220149)

ATTACHMENTS:

1.	Location	Ma
1.	Location	IVIa

- 2. Aerial
- 3-10. Site Context Photos
- 11-22. Letter of Explanation for Use Permit
- 23. Site Plan
- 24. Floor Plan
- 25. Landscape Plan (for reference)
- 26. Elevations (for reference)

The Shop Beer Co.









The Shop Beer Co.

PL220149



Aerial Map





920 West First Street Tempe, AZ 85281 Use Permit Context Photos





Aerial Graphic

Combined Site=

Expansion Area=

Expansion Area- Street View





Context Photos Key Map

A- SWC looking northwest B- SWC looking northeast

C- SWC looking southwest

D- SWC looking southeast

E- SEC looking northwest

F- SEC looking northeast

G- SEC looking southwest

H- SEC looking southeast

I- NEC looking northwest

J- NEC looking northeast

K- NEC looking southwest

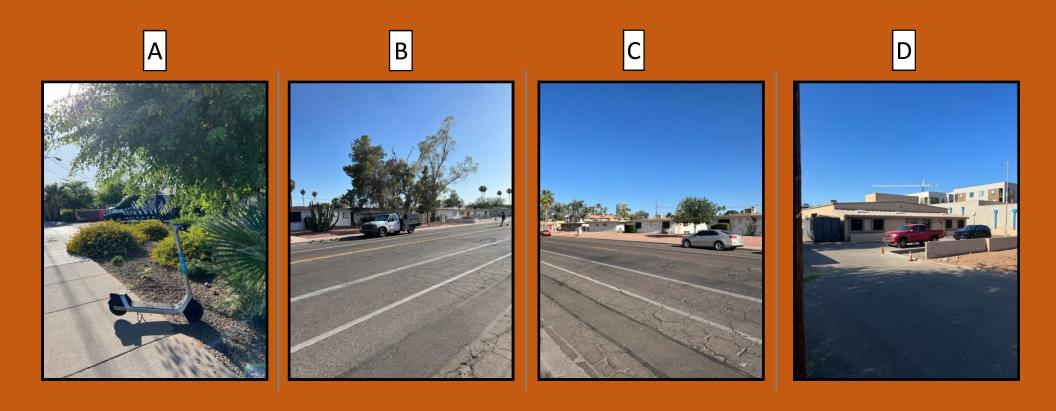
L- NEC looking southeast

M- NWC looking northwest

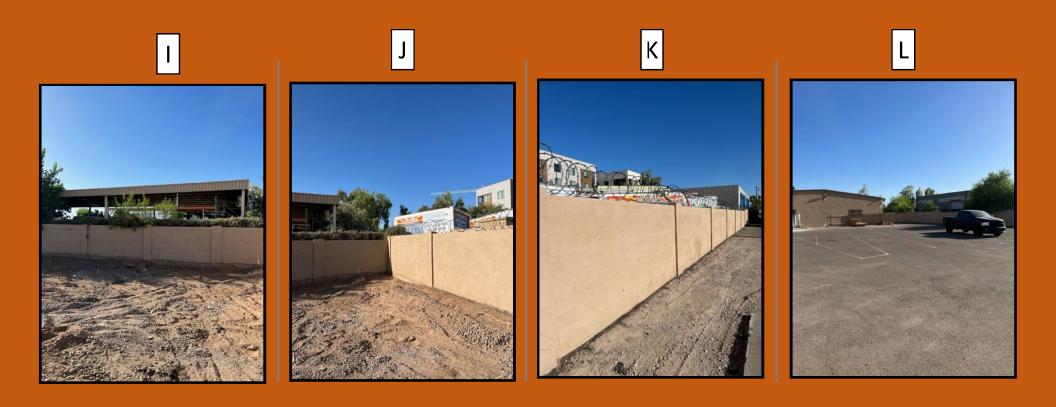
N- NWC looking northeast

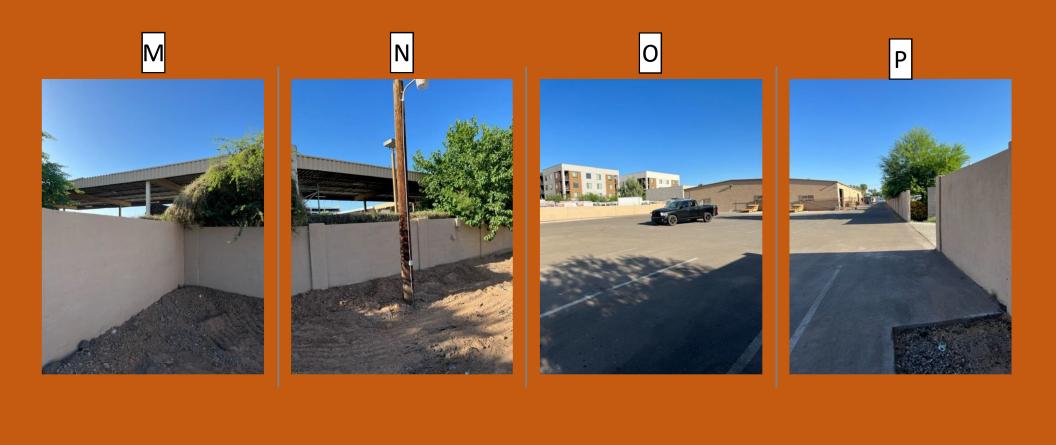
O- NWC looking southwest

P- NWC looking southeast











920 West First Street Tempe, AZ 85281 Use Permit Project Narrative





June 7, 2022

INTRODUCTION

Gammage & Burnham is pleased to submit this Use Permit project narrative on behalf of The Shop Beer Company ("Owner") respecting the approximately 0.75-acre property located at 920 West First Street (the "Property" or "Expansion Area"). With the approval of several Use Permits in 2015, The Shop Beer Company has been in operation in the City of Tempe for over six years at 922 West First Street, located adjacent west of the Property (the "Original Use Permit Area"). The location of the Original Use Permit Area is shown below, outlined in red, and the .75-acre Property that is the subject of this Use Permit request is shown below, shaded in red. Both the Original Use Permit Area and the Property are known collectively as Maricopa County Assessor parcel numbers 124-24-021A, 124-24-021B and 124-24-021B.



SITE DESCRIPTION

The Expansion Area is located just north of the Riverside Neighborhood, west of Downtown Tempe. Up until very recently, the property was home to a company that specialized in master control systems for HVAC, Lighting, Access and surveillance for small businesses. The small building on the property is approximately 8,000 square feet and is comprised of a small warehouse and office areas. There is ample parking for both vehicles and bicycles on the site and a small landscape area at the front of the site that will be improved upon approval of the requested Use Permit and other site improvement applications.

Existing Zoning and Land Use Designations

As shown in the below table, the project site is zoned GID, and is designated in the City of Tempe 2040 General Plan for Mixed Use. These designations are applicable to the properties on the north, east and west boundaries of the project site. To the south, across First Street, there are apartment homes that are zoned R-3. Those properties are designated in the General Plan as Residential and are part of the Sunset-Riverside Neighborhood association.

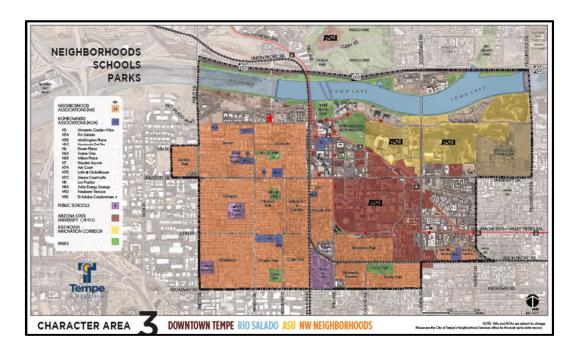
Direction	Current Zoning	General Plan Designation	Overlay District	Existing Use
North	GID	Mixed Use	Rio Salado Overlay District	City of Tempe Maintenance facility
South	R-3	Residential	Rio Salado Overlay District/ Sunset- Riverside Neighborhood	Monterrey Village Apartments
East	GID	Mixed Use	Rio Salado Overlay District	Arizona Refrigeration Service
West	GID	Mixed Use	Rio Salado Overlay District	Brewery and Tasting Room
Project Site (Expansion Area)	GID	Mixed Use	Rio Salado Overlay District/Character Area 3	Vacant- formerly Arizona Control Specialists, Inc.

As previously mentioned, in 2015 several use permits were approved for the Original Use Permit Area. These use permits (identified on the below table) were granted in support of a Brewery with a tasting room, outdoor seating, live entertainment and dining from food truck offerings.

Case	Action
ZUP15005	Use Permit to allow a brewery in the GID zoning district
ZUP15006	Use Permit to allow an outdoor seating patio in the GID
ZUP15007	Use Permit for Outdoor Vending (food trucks)
ZUP15008	Use Permit for Live Entertainment inside the premises
ZUP15009	Use Permit Standard for a 25% reduction of the front yard setback from 25' to 18.75'.

This site lies within the Rio Salado Overlay district, which was created to implement the Rio Salado and Beach Park Masterplan. Though this site lacks frontage on the lake itself, it is close to many of the attractions at the lake including the Tempe Arts Center and the bike and pedestrian paths that surround the lake. It has easy access to the lake and Tempe Center for the Arts from the entry points at Hardy Drive or Roosevelt Street. The development site also serves as a transitional buffer between the lake activities and the Northwest Neighborhood residences to the south.

Finally, the site is within the Northwest Neighborhoods Character Area 3, as shown in the graphic below:



A discussion about how this site conforms to the General Plan and Character Area Plan is included in the *Evaluation of Use Permit Criteria* section later in this document.

PROJECT SUMMARY AND REQUEST

With the purchase of the Expansion Area in April of this year, the Owner is seeking to use the Property for a larger beer manufacturing operation. With a change to the Tempe Zoning and Development Code (ZDC), a Use Permit for the manufacture of beer is no longer required. For the expansion area to operate as shown on a Minor Development Plan Review (DPR) application that is under current consideration by City of Tempe Planning Staff, the Owner is requesting the following:

1. A Use Permit to exceed 125% of the required amount of surface parking in the GID district.

Approval of this Use Permit will for a slight modification of the parking area in the expansion area and will accommodate a new landscape buffer in the northern portion of the site, along with other tenant improvements requested in the minor DPR application.

SITE DETAILS

In the Original Use Permit Area, the tasting room is housed in a building that was constructed in 1952 and was the home of Harry Mitchell, Former Tempe Mayor and U.S.

Congressman. North of the tasting room, in what is referred to as the "backyard", there are community tables where patrons can enjoy beer and items from the food trucks on the premises that vary from week to week.



The brewery itself is in a building in the northernmost portion of the Original Use Permit Area and contains the equipment necessary to brew the wide variety of beers that are sold on the premises and those that are canned and bottled for statewide distribution. Storage of the beer kegs and cases also take place in this building.



The Expansion Area will be used to ramp up the storage and production of beer and will include an overhead transfer line that will deliver beer from the tanks in the existing building on the Expansion Area to the brewery building on the Original Use Permit Area. Additionally, the building on the Expansion Area will house cold storage, offices, conference rooms and a restroom/locker area. As shown on the Site Plan provided with the application materials, improvements will be made to the Expansion Area that include:

reconfiguring and restriping the parking areas, the addition of a trash enclosure at the rear of the site and additional landscaping in the front and rear of the site. The internal changes to the existing building will not be discernible from public view and no new square footage will be added to the existing building.

OPERATIONAL DETAIL

There will be approximately 25 employees on the combined premises at any given time. These employees will move about between the Original Use Permit Area and the Expansion Area on a daily basis and include Brewers, Bartenders, Sales Reps, Warehouse and Office Management. It is important to note that the tasting room operations will remain only in the Original Use Permit Area.

Hours for the tasting room will be unchanged and are shown below:

Day	Open	Close	
Monday through Thursday	12:00 PM	11:00 PM	
Saturday	11:00 AM	12:00 AM	
Sunday	11:00 AM	10:00 PM	

Hours for the manufacturing and office facility on the Expansion Area are shown below:

Day	Open	Close	
Monday through Friday	7:00 AM	5:00 PM	

It is anticipated that, with the approval of the requested use permits, a Security Plan for the Expansion Area will be filed with the City of Tempe Police Department.

PARKING ANALYSIS

The Original Use Permit Area is adequately parked for vehicles, with 29 parking spaces, including 2 ADA spaces. Similarly, the Expansion Area will be adequately parked for vehicles with 25 parking spaces, where only 16 are required. The parking at the combined properties is shown on the next page:

Area	Vehicle Parking Required	Parking Provided
Original Use Permit Area	28	29
Expansion Area	13	25
Total	44 Spaces (3 ADA)	54 Spaces (4 ADA)

Since the amount of vehicle parking provided on the Expansion Area is more than 125% of the parking required by the City of Tempe Zoning and Development Code (ZDC), a request for a Use Permit for more than the maximum allowable parking is required. It is worth noting, however, that the amount of the Expansion Area parking is actually being reduced from its current configuration of 32 spaces, to 25 spaces, and extra landscaping is provided at the rear of the site to offset the amount of pavement at the north end of the property.

The amount of required and provided bicycle parking is shown below and demonstrates an abundance of bicycle parking for the two areas.

Area	Bicycle Parking Required	Bicycle Parking Provided	
Existing Use Permit Area	2 Racks	7 Racks	
Expansion Area	1 Rack	4 Racks	
Total	3 Racks	11 Racks	

EVALUATION OF USE PERMIT CRITERIA

Section 6-308.E of the ZDC establishes the criteria that must be met for approval of a Use Permit. Each of the criteria are shown below, in *italics*, and the manner in which this application meets the criteria is shown below in **bold** text.

1. The proposed use will not create any significant vehicular or pedestrian traffic in adjacent areas;

RESPONSE: As previously noted, the amount of parking proposed in the Expansion Area is actually less that what currently exists on the property. With a reduction in parking spaces, there will be a reduction in vehicular traffic. 2. The proposed use will not create a nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat or glare at a level exceeding that of ambient conditions.

RESPONSE: All of the activities proposed in the Expansion Area will take place in an enclosed building. There is no ventilation requirement, and the fermentation process is passive and does not involve the use of loud machinery or equipment. Additionally, the reduced amount of parking spaces and increased landscaping in the expansion area will reduce any opportunity for the emission of dust, vibration or noise.

3. The proposed use will not contribute to the deterioration of the neighborhood or downgrade property values, and is not in conflict with the goals, objectives or policies of the city's adopted plans or General Plan.

RESPONSE: The existing brewery and associated operations on the Original Use Permit Area has not shown, over the course of five years, any contribution to a deterioration of the neighborhood or downgrade in property values. On the contrary, this part of the City has shown improvements in property values and the aesthetic in the area has been steadily improving. The proposed manufacturing, office and related parking improvements will not contribute to the deterioration of the neighborhood or downgrade property values.

The proposed expansion is consistent with the City's General Plan and other adopted planning documents. This site is designated as Mixed Use within the General Plan, a designation that contemplates both commercial and residential uses. This site also lies within the Rio Salado Overlay district, which was created to implement the Rio Salado and Beach Park Masterplan. Though this site lacks frontage on the lake itself, it is close to many of the attractions at the lake including the Tempe Arts Center and the bike and pedestrian paths that surround the lake. It is easily accessible to the lake at Tempe Center for the Arts from the entry points at Hardy Drive or Roosevelt Street.

Finally, this site is also within the Northwest Neighborhoods section of Tempe Character Area 3. Some of the principles of the Character Area Plan that are advanced with this proposed expansion/use are:

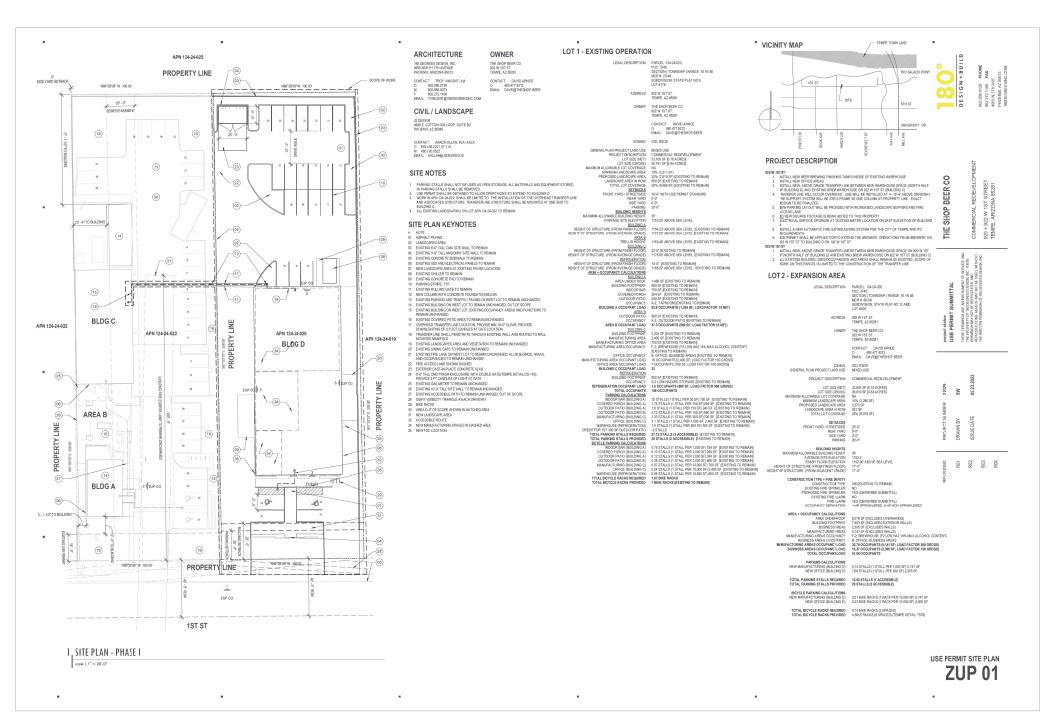
- Neighborhood Character Principle NW1(A): The celebration of neighborhood identity by promoting historic and cultural resources to serve as a foundation for authentic area placemaking. RESPONSE: Though the Mitchell House is not a historically designated property, it is relevant and important to the fabric of this neighborhood. It is being preserved on the existing site and the Expansion Area complements its use, rather than taking away from it, or worse, demolishing it and erecting a newer structure. The expansion of The Shop Beer Company contributes to authentic placemaking.
- Transition Principle NW6(A): Support development applications which compatibly transition within the existing context of its surrounding neighborhood, street, and block character. RESPONSE: This proposed expansion furthers the block character that has been established on First Street. It is only 1/3 mile from the Corner of Ash Avenue and First Street, where Culinary Dropout and The Lodge Sasquatch Kitchen are located. In addition, there are other ground floor retail uses along the north side of First Street that provide an additional mix of uses in this area. Parking in this neighborhood is notoriously tight, so an allowance for more than the required number of spaces on this property is appropriate and helpful to the parking deficiencies in the area.
- Transition Principle NW6(C): Encourage well-designed transitions including a variety of, step-backs, and use of open space to transition from single-family residential parcels adjacent to multi-family and/or non-residential land uses. RESPONSE: The Expansion Area for The Shop Beer Company has a greater setback than many of the uses on the north side of First Street. The residential uses to the east have been pulled closer to the street, and the commercial uses to the west have appropriately been placed farther back from the street. This variety of setbacks creates visual interest along the streetscape and is sensitive to the single-story residential uses on the south side of First Street. It is important to note that the main parking area will be located on the north side of the property and will maintain the streetscape aesthetic that exists on the property today.

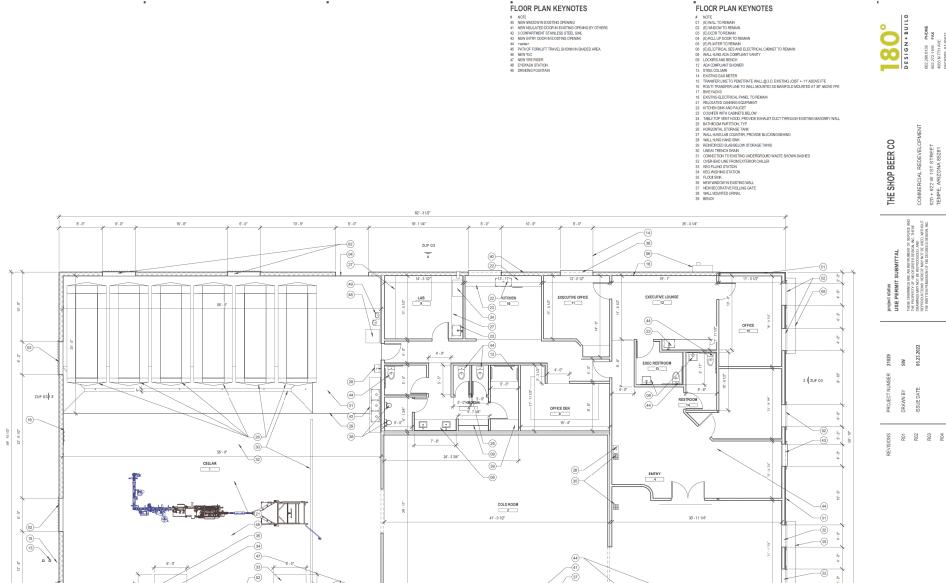
- Neighborhood Commercial Principle NW7(F): Encourage adaptive reuse options to preserve existing buildings and elevations along commercial frontages. RESPONSE: The reuse of this building from an office use to a beer manufacturing operation is an innovative use of the existing building. There will be a synergy of uses between the Existing Use Permit Area and the Expansion Area that will create a vibrant sense of place, without fundamentally changing the commercial frontage or streetscape.
- Neighborhood Mobility Principle NW8(F): Connect people to their places of employment, education, recreation, healthcare, worship, etc. with a variety of multi-modal options [walk, bike, skateboard, neighborhood circulator, regional bus, light rail, streetcar, automobile] to decrease traffic intensity and enhance area mobility. RESPONSE: The Shop Beer Company has become a unique destination in this important part of Tempe. It is known as a popular neighborhood venue and many of the employees and patrons arrive by walking and biking. By locating a new manufacturing facility adjacent its existing facility, the Shop Beer Company is providing opportunities for existing and future employees to complete their work activities in a single location and prevent the need for trips between two different facilities. The parking adjustment is warranted to allow for the future employees to have ample parking opportunities on the site.
- 4. The proposed use is compatible with existing surrounding structures and uses.
 - RESPONSE: The proposed use as a brewery with an improved parking area is compatible with the existing structures and uses in the immediate area. As a manufacturing use, it is similar to the Arizona Water Works Supply that is in the immediate vicinity. With the brewery and tasting room on the Original Use Permit Area, it is also similar in use to Culinary Dropout and The Lodge Sasquatch Kitchen. Finally, the buildings are single-story, mirroring those heights found in the residential neighborhood to the south.
- 5. The Property Owner will have adequate control of behavior both inside and outside the premises and will not create a nuisance to the surrounding area or general public.

RESPONSE: Since opening for business in 2016, The Shop Beer Company has operated without complaint. The Shop Beer Company has operated with a security plan in place that was approved by the City of Tempe Police Department. With the addition of a manufacturing facility and an improved parking area, there are not expected to be any behavioral issues inside or outside the premises that would constitute a nuisance to the surrounding area.

CONCLUSION

The Shop Beer Company has proven to be a unique and successful business in Tempe. It has operated in an orderly fashion, without complaint, and is a popular entertainment destination that is appropriate to the character of the neighborhood. The Expansion Area has been designed to allow the Owner to increase production and storage while improving the parking area and entire Property in a manner that is compatible with surrounding structures and uses.





FLOOR PLAN KEYNOTES

NOTE

NEW WINDOW IN EXISTING OPENING

NEW WINDOW IN EXISTING OPENING BY OTHERS

2 GOURATTEN TSTANLESS STEEL SINK

NEW ENTRY DOOR IN EXISTING OPENING

ATTACHMENT 24

4 ZUP 03

01)-04)-

1, BLD D - FLOOR PLAN

DESIGN + BUILD

FLOOR PLAN KEYNOTES

13' - 10 1/4"

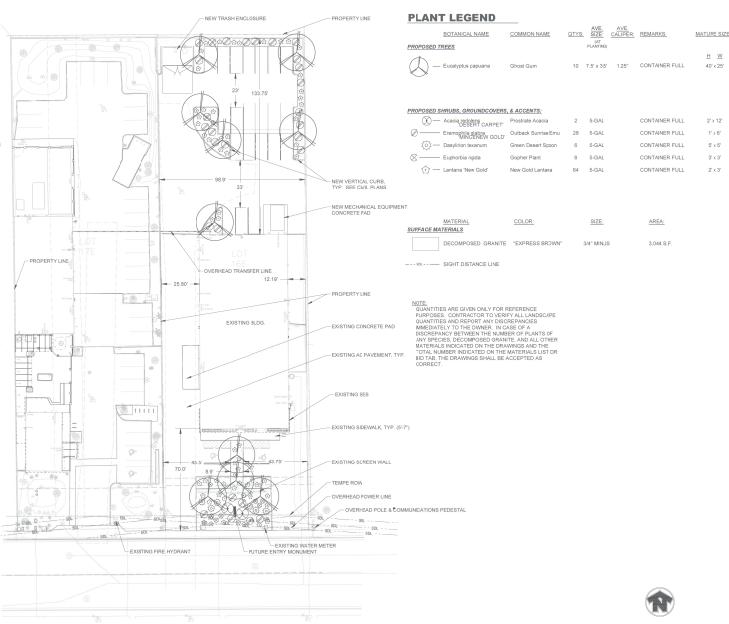
USE PERMIT FLOOR PLAN **ZUP 02**

LANDSCAPE GENERAL NOTES

- THE JOB SITE, AT THE COMPLETION OF THE CONSTRUCTION, SHALL BE CLEANED OF ANY DEBRIS OR SPOIL RESULTING FROM THE CONSTRUCTION. NO JOB WILL BE CONSIDERED COMPLETE UNTIL ALL CURBS, PAVEMENT, AND SIDEWALKS HAVE BEEN SWEPT CLEAN OF ALL DIRTY AND DEBRIS, AND ALL SURYOR. MONUMENTS ARE INSTALLED ACCORDING TO THE PLANS AND CITY SPECIFICATIONS.
- 2. ALL EQUIPMENT AND MATERIALS NOT SHOWN OR SPECIFIED ON ALL EQUIPMENT AND INITIATE SHALLS NOT SHOWN OF SPECIFIED OF THE PLANS OR IN THE SPECIFICATIONS BUT WHICH ARE REQUIRED TO COMPLETE THIS INSTALLATION, SHALL BE SUPPLIED BY THE CONTRACTOR AS PART OF THIS CONTRACT
- ALL FRAMES, COVERS, VALVE BOXES, ETC., SHALL BE ADJUSTED TO FINISHED GRADE AFTER PLACING OF PAVEMENT OR PLANTING BEDS BY THE CONTRACTOR PER M.A.G. DETAIL 270
- 4. ALL LANDSCAPE AND IRRIGATION MATERIALS AND INSTALLATION SHALL COMPLY WITH M.A.G. STANDARD SPECIFICATIONS UNLESS OTHERWISE DETAILED OF SPECIFIED.
- THE CITY OF TEMPE REQUIRES THAT ANY EXISTING BACK FLOW PREVENTION ASSEMBLIES SHALL BE TESTED AND APPROVED BY A TEMPE CERTIFIED TECHNICIAN PRIOR TO THE REQUEST FOR
- ALL EXISTING TREES AND SHRUBS UNLESS NOTED ARE TO BE PROTECTED IN PLACE. THE REMAINDER OF EXISTING VEGETATION (NEEDS. ETC.) UNLESS NOTED OTHERWISE SHALL BE REMOVED AND IDSPOSED OF AS PART OF THE DEMOLITION PHASE OF THIS CONTRACT (NPI). ALL MATERIALS ARE TO BE REMOVED FROM PROJECT AREA AND DISPOSED OF PROPERLY

OFF-SITE AT THE
CONTRACTOR'S EXPENSE UNLESS OTHERWISE NOTED.
(COMPACT THOSE AREAS DESIGNATED FOR PAVEMENT TO 95%
OR AS SPECIFIED IN THE SOILS REPORT AND SCARIFY EXISTING
SUBGRADE A MINIMUM OF 6-INCH DEPTH IN AREAS TO BE

- ALL PLANT MATERIAL, OTHER THAN TREES, SHALL CONFORM TO GRADING, TYPE, ETC., ASSET FORTH IN THE AMERICAN STANDARD FOR NURSERY STOOK BY THE AMERICAN STANDARD FOR NURSERY STOOK BY THE AMERICAN TO THE CURRENT "ARIZONA NURSERY ASSOCIATION TREE SPECIFICATIONS" AND MAG, SPEC 795.7. SHOULD ANY CONFLICTS IN SPECIFICATIONS COCCUR. THE ARIZONA NURSERY ASSOCIATION S
- SPECIFICATIONS SHALL PREVAIL.
- THE OWNER'S REPRESENTATIVE RESERVES THE RIGHT TO INSPECT SHRUBS AND CONTAINERED TREES FOR CONDITION OF ROOT BALLS. FOR ANY SUCH INSPECTION WHICH MAY DESTROY ROOT BALL, CONTRACTOR SHALL SUPPLY ADDITIONAL PLANTS AT NO COST TO THE OWNER.
- THE CONTRACTOR SHALL HAVE THE PLANT PITS INSPECTED AND APPROVED BY THE OWNER'S REPRESENTATIVE PRIOR TO PLANTING. CONTRACTOR SHALL REQUEST INSPECTION TWO (2) WORKING DAYS IN ADVANCE.
- 10. PLANT PIT SOIL MIXTURE SHALL CONSIST NATIVE TOPSOIL WITHOUT CALICHE AND ROCKS LARGER THAN 1" REMOVED PRIOR TO BACK FILLING IN PITS. BACK FILLING SHALL BE IN 3-INCH LIFTS, EACH LIFT SHALL BE WATER SETTLED, WITHOUT
- 11. CONTRACTOR SHALL STAKE ALL TREE, SHRUB, AND GROUNDCOVER LOCATIONS AND HAVE LOCATIONS APPROVED BY THE OWNER'S REPRESENTATIVE PRIOR TO INSTALLATION. STAKES SHALL BE MARKED WITH PLANT NAME OR PLANT LEGEND ITEM NUMBER FROM PLANS.
- 12. IT IS THE CONTRACTOR'S RESPONSIBILITY TO INSPECT THE JOB SITE TO BECOME FAMILIAR WITH ALL EXISTING CONDITIONS THAT COULD AFFECT THE INSTALLATION OF ANY WORK SET FORTH IN THESE PLANS PRIOR TO SUBMITTING A BID.
- 13. THE CONTRACTOR IS ADVISED THAT DAMAGE TO ANY PORTION OF THIS PROJECTS EXISTING PAYEMENT, CURRING AND SURROUNDING AREA THAT IS NOT NOTED ON THE PLANS TO BE REMOVED, AS A RESULT OF THIS PROJECT, IS TO BE REPAIRED AT THE CONTRACTOR'S EVENNE.
- 14. THE CONTRACTOR IS RESPONSIBLE FOR THE REMOVAL AND DISPOSAL OF ANY DEBRIS RESULTING FROM THE DEMOLITION AND CONSTRUCTION. AT NO TIME SHALL ANY OF THIS MATERIAL OBSTRUCT THE NORMAL OPERATION OF ANY ADJOINING ANY OF THE ACTIVE PARK AREAS ASSOCIATED WITH
- 15. WHERE CALICHE IS ENCOUNTERED IN FAMT PITS DEPTH AND WORTH OF PIT SHALL BE LICREASED BY ONE-THRD (1/5) OVER HARDON BY DRILLING OR OTHER APPROVED METHODS SHALL BE INCORPORATED FOR EACH PIT PER THE OWNER'S REPRESENTATIVES APPROVAL.
- 16. QUANTITIES ARE GIVEN ONLY FOR REFERENCE PURPOSES QUANTITIES ARE GIVEN ONLY FOR REFERENCE PURPOSES.
 CONTRACTOR TO VERRIFA LLANDSCAPE QUANTITIES AND
 REPORT ANY DISCREPANCIES IMMEDIATELY. IN CASE OF A
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 DISCREPANCY BETWEEN HER NUMBER OF PLANTS OF ANY
 DISCREPANCY BETWEEN HER AND ALL OTHER MATERIAL
 INDICATED ON THE MATERIAL SIST OF BID TAB, THE DRAWINGS
 SHALL BE ACCEPTED AS CORRECT.
- 17. LANDSCAPE ARCHITECT AND THE OWNER'S REPRESENTATIVE TO SELECT TREES.





H W

40' x 25'

1' x 6'

5' x 5'

3' < 3'



SHOP BEER CO. 480 747 7316 DAVE@THESHOP.EEF 922 W. 1ST STREET TEMPE, AZ 85281

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PRELIMINARY DESIGN

DESIGNED BY: AA/DM DRAWNEY: J2CAD AAVDM APRIOMOSE: 1" = 20' DATE LS201

