

CITY OF TEMPE DEVELOPMENT REVIEW COMMISSION

Meeting Date: 1/10/2023 Agenda Item: 8

ACTION: Request a Use Permit to allow a bar for GOLDWATER TAP HOUSE, located at 9895 South Priest Drive, Suite No. 102. The applicant is Design Professionals, LLC.

FISCAL IMPACT: N/A

RECOMMENDATION: Staff – Approve, subject to conditions

BACKGROUND INFORMATION: GOLDWATER TAP HOUSE (PL220319) is a new beer and wine bar proposed in pad building on Lot 1 of the Tempe Crossings 2 commercial subdivision, located approximately 333 feet north of West Ray Road on the east side of South Priest Drive in the PCC-2, Planned Commercial Center General District, and within the SWOD, Southwest Tempe Overlay District. The business is under application for a Beer and Wine Bar - Series 7 liquor license through the Arizona Department of Liquor Licenses and Control. This license allows a beer and wine bar retailer to sell and serve beer and wine (no other spirituous liquors), primarily by individual portions, to be consumed on the premises and in the original container for consumption on or off the premises. In addition to the use permit request, the applicant is also concurrently processing a Minor Development Plan Review for installation of a new patio with railing and a Shared Parking Application to allow parking conformance through a Shared Parking Model, both to be reviewed at a staff or administrative level. The request includes the following:

ZUP220070 Use Permit to allow a bar.



Property Owner 56th Ray Pad Investors, LLC

Applicant John C. Manross, Design Professionals, LLC

Zoning District PCC-2 (SWOD)
Site Area 57,206 s.f.
Building Area 5,535 s.f.
Suite Area 3,457 s.f.
Patio Area 539 s.f.

Lot Coverage 9.6% (50% max. allowed)
Landscape Coverage 19% (15% min. required)
Building Height 34'-0" (40'-0" max. allowed)

Building Setbacks 118'-0" front, 23'-6" south side, 46'-1" north side, 146'-4"

rear (0'-0", 19-0", 30'-0", 30'-0" min. required)

Vehicle Parking 268 spaces (289 min. required for Tempe Crossings 2)
Bicycle Parking 26 spaces (25 min. required for Tempe Crossings 2)
Hours of Operation 1-10pm, M-Th; 12-11pm F & Sa, and 12-8pm Su

Building Code Occupancy A-2 and B

ATTACHMENTS: Development Project File

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

Department Director: Jeff Tamulevich, Community Development Director

Legal review by: N/A

Prepared by: Lee Jimenez, Senior Planner Reviewed by: Steve Abrahamson, Principal Planner

COMMENTS

Tempe Crossings 2 is located between West Orchid Lane, West Ray Road, South Beck Avenue, and South Priest Drive.

PUBLIC INPUT

Staff has not received any public comments.

POLICE INPUT

A security plan shall be required for the proposed bar use.

USE PERMIT

The proposed use requires a Use Permit to allow a bar to operate in the PCC-1 zoning district.

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

- 1. Any significant increase in vehicular or pedestrian traffic; the proposed bar use 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; the proposed bar use is not expected to generate emissions that would otherwise exceed ambient conditions and cause a nuisance to the surrounding area. Furthermore, the site is surrounded by commercial uses which insulates it from nearby residential uses.
- 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 bar use is not in conflict with the goals, objectives and/or policies adopted by the City.
- 4. Compatibility with existing surrounding structures and uses; no major modifications are not proposed to the building or site, and the proposed bar use is compatible with nearby commercial 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 operator will ensure there is sufficient security to adequately control patrons. A security plan shall be required prior to the uses commencing.

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 only after a Building Permit has been obtained, the required inspections have been completed and a Final Inspection has been passed.
- 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. 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 February 9, 2023.
- 4. Hours of operation to end no later than midnight (12:00 a.m.) on a daily basis.
- 5. Prior to the Use Permit becoming effective, the applicant shall process a shared parking model application to account for the proposed change in use from restaurant to bar for Suite Number 102. Any modifications to the standard model shall be based on a professional parking analysis and management study. The shared parking

model and/or parking analysis and management study are subject to review and approval by the Community Development Department Planning Division and may require an off-site parking affidavit that will also be subject to review, approval, and recordation by the Planning Division.

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 GOLDWATER TAP ROOM 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.
- All required Federal, State, County, and Municipal permits, licenses, and clearances shall be obtained, or the Use Permit is void.

HISTORY & FACTS:

July 10, 2003 City Council approved the Sixth Amended General Plan of Development and a Final Plan of

Development for Phase Four Lot 1 Tempe Crossings II which included a variance to reduce the required south side yard setback along the south property line of Lot 1 from 60 feet to 19 feet for L

& G Ray, LLC (SGF-2003.37), located at 9895 South Priest Drive.

July 28, 2020 Development Review Commission approved a Development Plan Review for a new 5,500 s.f.

commercial building for TEMPE CROSSINGS 2 LOT 1, located at 9895 South Priest Drive in the

PCC-2 zoning district and within the SWOD, Southwest Tempe Overlay District.

ZONING AND DEVELOPMENT CODE REFERENCE:

Section 3-202, Permitted Uses in Commercial and Mixed-Use Districts

Section 4-203, Development Standards for Commercial and Mixed-Use Districts

Section 6-308, Use Permit

Section 6-313, Security Plan



DEVELOPMENT PROJECT FILE

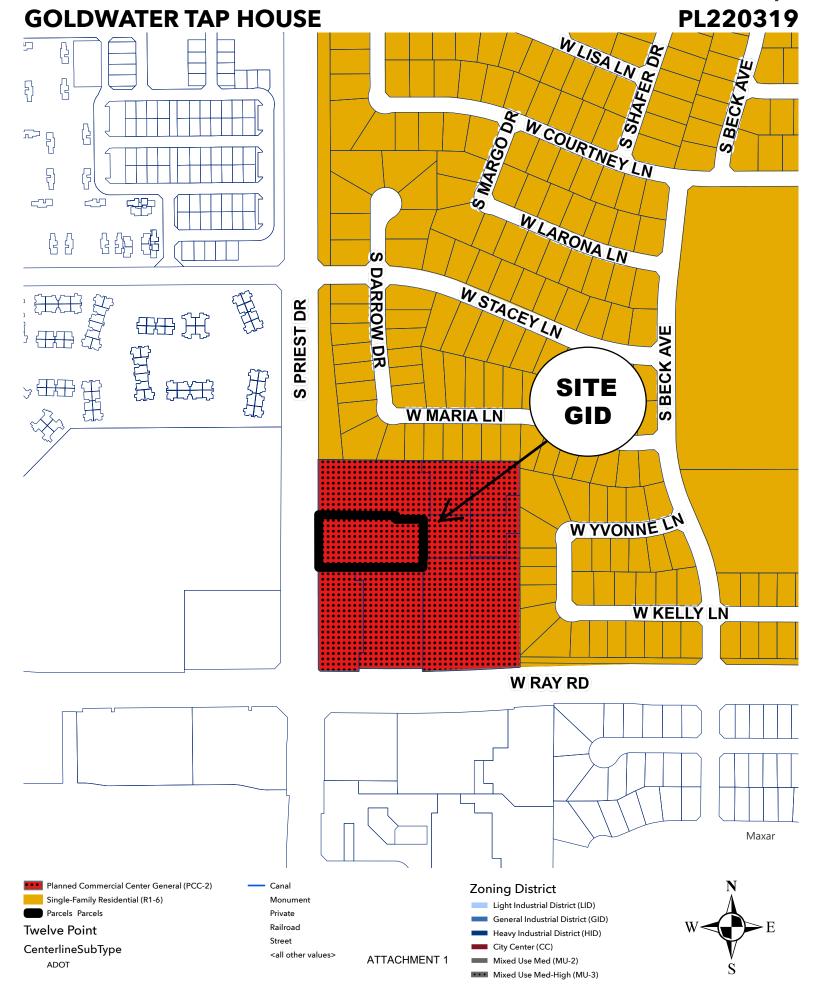
for GOLDWATER TAP HOUSE (PL220319)

ATTACHMENTS:

1.	Location	Ma
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- 2. Aerial
- 3. Letter of Explanation
- 4-5. Site Plan
- 6. Floor Plan
- 7-9. Site Context Photos
- 10. Original Site Plan for Pad Building





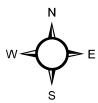


GOLDWATER TAP HOUSE

PL220319



Aerial Map





6900 E. Camelback Road, Suite 800 Scottsdale, Arizona 85251

November 11, 2022

To: City of Tempe - Planning & Zoning Department

RE: USE PERMIT - GOLDWATER BREWING COMPANY LETTER OF EXPANATION FOR PROJECT AT 9895 S. PRIEST DR., SUITE 102, TEMPE, AZ 85284

This letter is intended to provide an overview of the information required to describe Goldwater's goals and objectives to open a craft beer taproom in Tempe.

Goldwater Brewing Co. is a successful, local family-owned craft beer micro-brewing business operating in Scottsdale, Arizona since 2015 with one successful remote taproom located in Mesa, Arizona since 2020. Our goal is to be able to open another remote taproom at this location in Tempe, with operations very similar to our Mesa taproom to serve our large variety of crafted beers to customers in the south Tempe market in a casual and family friendly environment.

The building at 9895 S. Priest Drive is a new, freestanding building with only one other occupant, Black Rock Coffee in Suite 101. For this project, Goldwater simply seeks to build out the Tenants Improvements and Betterments to support our business plan.

Our operations at this proposed new location in Tempe will primarily be serving craft beers, sodas, ciders and wine to customers for on-premises consumption and carry out. Our focus is to bring and serve Arizona brewed craft beers to customers in this local market in a casual setting to support social engagement and community activities. We will not be brewing beer at this location. We will also not be preparing food at this location, preferring to support other local restaurants and food service providers and encouraging our customers to patronize our neighbor food service businesses and bring their own food as they enjoy our crafted products on our premises.

We will employ at least 6 new employees upon opening. Our hours of operation will be from 1:00pm to 10:00pm Monday through Thursday and 12 noon to 11:00pm on Fridays and Saturdays, with Sundays closing at 8:00pm.

Goldwater Brewing Co. is dedicated to provide a wide variety of locally produced, fresh craft beers that supports the local communities it serves. We believe this new Goldwater Taproom will be a welcome addition to the many local residences, restaurants and entertainment venues in this same area.

Sincerely,

Greg McClelland 602.320.2317

greg@goldwaterbrewing.com

GOLDWATER TAPROOM FOR: GOLDWATER BREWING CO. 9895 SOUTH PRIEST ROAD STE 102 TEMPE, AZ.

CONTRACTOR: CKZ DESIGN BUILD

TIM COGGINS 4210 NORTH BROWN AVENUE. SUITE "E" SCOTTSDALE, AZ 85251 OFFICE: 480-553-6287 TIM CELL: 602-318-3900

TENANT: GOLDWATER BREWING CO. DILLON MCCLELLAND 3608 NORTH SCOTTSDALE ROAD SCOTTSDALE, AZ 85251 DILLON: 480-229-3676

ARCHITECT: DESIGN PROFESSIONALS, IIC JOHN C. MANROSS, ARCHITECT 4542 EAST McKELLIPS RD, STE. 101 MESA, AZ 85215 PHONE: 480-894-1680 FAX: 480-894-2529 EMAIL: john@clhllc.com

E5

GENERAL NOTES:

GOVERNING BUILDING CODES
ALL CONSTRUCTION SHALL COMPLY WITH THE FOLLOWING CODES AND
AMBIOMENTS PER THEIR ADOPTING ORDINANCES.

2016 INTERNATIONAL BUILDING CODE (IBC)
2016 INTERNATIONAL HECHANICAL CODE (IMC)
2016 INTERNATIONAL HECHANICAL CODE (IBC)
2016 INTERNATIONAL RELE 69AS CODE (IBC)
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CITY OF TEMPE BUILDING & CONSTRUCTION CODE

- THE STARTING OF HORK BY ANY CONTRACTOR OR SUBCONTRACTOR SHALL BE CONSIDERED PRIMA FACIL EVIDENCE THAT HE HAS INSPECTED AND ACCEPTED ALL CONDITIONS INVOLVED IN HIS MORK AND PINES THEM SATISFACTORY.
- ALL PRODUCTS LISTED BY ICC NUMBER(5) SHALL BE INSTALLED PER THE REPORT AND MANUFACTURER'S MOUTHEN INSTRUCTIONS PRODUCT
- DIPENSIONS ARE AS FOLLOWS INLESS NOTED OTHERWISE.

 A) TO FACE OF STID WALL.

 B) TO CENTERLINE OF DOORS AND MINDOWS.

 C) TO TOP OF STRUCTURAL FLOOR.

 D) TO FACE OF STEM WALL.

FIRE SPRINKLERS

PER 403.1.10 OF THE TEMPE FIRE CODE WE ARE MOVING 3 SPRINKLER HEADS

FIRE CODE NOTES:

CONSULTANTS:

MECHANICAL & PLIMBING ENGINEER MILLICAN ENGINEERING, LLC

REQUIRED FIRE APPARATIO ACCESS ROLE DARNING CARETRICTION OF RECORD FOR THE APPARATIO ACCESS ROLE DARNING CARETRICTION OF ANY SHAPE ACCESS AND SHAPE AND ALL BE AN ALL ARCHITECTURE DRIVING SURFACE, SRADED TO DEAD SHAPE AND ADDRESS AND THE APPOSED LOADS OF SHAPE AND ADDRESS AND THE APPOSED LOADS OF SHAPE AND ADDRESS AND

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COPYRIGHT NOTE:

THESE DRAWNSS ARE INSTRUMENTS OF SERVICE AND SHALL REHARN THE PROFERRY OF DESIGN PROFESSIONALS, ILC. ANY UNAUTHORIZED REPOLUTIONS, REVISIONS, ADDITIONS, OR ALTERATIONS OF THESE DRAWNSOS IS STRICTLY PROMISTING AND HALL BE CONSIDERED IN VIOLATION OF ARIZONA STATE TECHNICAL BOARD, CODE 3-012 AND 3-14-15.

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SYMBOLS LEGEND: DATUM POINT



7 WALL TYPE

② KEY NOTE STEP SYMBOL

REVISION DELTA ATT INSULATION EXISTING WALL FOAM INSULATION

STUD WALL

STEEL CONCRETE

ABC FILL

ABBREVIATIONS:

ACCOR BOLT ARCONOMINES AND ACCOR BOLT ARCONOMINES AND ACCOR BOLT ARCONOMINES AND ACCORDANCE AND

HOLLOW HETAL
HOUSE BEEN
HOUSE
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PROJECT INFO:

A TENANT IMPROVEMENT AT TEMPE CROSSINGS TO CONVERT EXISTING SHELL SPACE TO AN ASSEMBLY USE FOR A TAPROOM (TAVERN / BAR)

PCC-2 / SHOD SITE ADDRESS 4845 SOUTH PRIEST ROAD #IO2 TEMPE, AZ. 85284 ASSESSORS PARCEL # OCCUPANCY MIXED OCCUPANCY - A2, B CONSTRUCTION TYPE: VB. SPRINKLERED

BUILDING AREA: 8.457 S.F. OCCUPANT LOAD CALC A2 OCC. BAR SEATING, 184T S.F. / 15 = 126.46 OCC. A2 OCC. PATIO, 518 S.F. / 15 = 38.53 OCC. B OCC. BACK BAR, UTILITY, RESTROOMS 1860 S.F. / 180 = 10.4 OCC. TOTAL OCC. LOAD = 15.34 OR 116 OCCUPANTS

MINIMUM PLUMBING FIXTURES:

PLUMBING FIXTURES PROVIDED. MATER CLOSETS - 8 MALE, SUBSTITUTE 2 MATER CLOSET MITH URINAL MATER CLOSETS - 3 FEMALE LAMS - 2 MALE 4 2 FEMALE SERVICE SINK - 1

REGURED EXITS: 2 EXITS REQUIRED PER TABLE IONA EXIT TRAVEL DISTANCE MOST RESTRICTIVE EXIT TRAVEL DISTANCE 250"-0" PER TABLE 1016.1 EXISTING BUILDING HEIGHT:

LISTORY EXISTING PARKING PROVIDED - NO CHANGE SITE AREA 57,206 S.F. OR 131 ACRES

PREVIOUS PERMITS:

TEMPE CROSSINGS 2, LOT I CORE 4 SHELL BUILDING

SHEET INDEX:

COVER SHEET SITE PLAN A2 FLOOR PLAN

АЗ DETAILS & DOOR SCHEDULE REFLECTED CEILING PLAN MPO.I GENERAL NOTES MP2 I MECHANICAL FLOOR PLAN MP3.I MECHANICAL DETAILS P-2.I WASTE & VENT DIAGRAM PLUMBING FLOOR PLAN PLUMBING SCHEDULES ΕI POWER PLAN E2 LIGHTING PLAN F3 HVAC POWER PLAN E4 ONE LINE DIAGRAM

ELECTRICAL SPECIFICATIONS

SITE PLAN - PREVIOUS PERMIT (REFERENCE ONLY)



2223

