

**CITY OF TEMPE
DEVELOPMENT REVIEW COMMISSION**

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

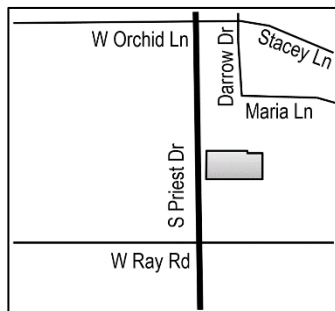
ACTION: Request a Use Permit to allow a bar for GOLDWATER TAP HOUSE, located at 9895 South Priest Drive, Suite No. 102. The applicant is Design Professionals, LLC.

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	56 th 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:

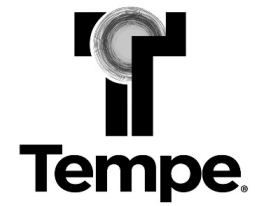
- The Use Permit is valid for GOLDWATER TAP ROOM and may be transferable to successors in interest through an administrative review with the Community Development Director, or designee.
- The use permit approval shall be void if the use is not commenced or if an application for a building permit has 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](#)



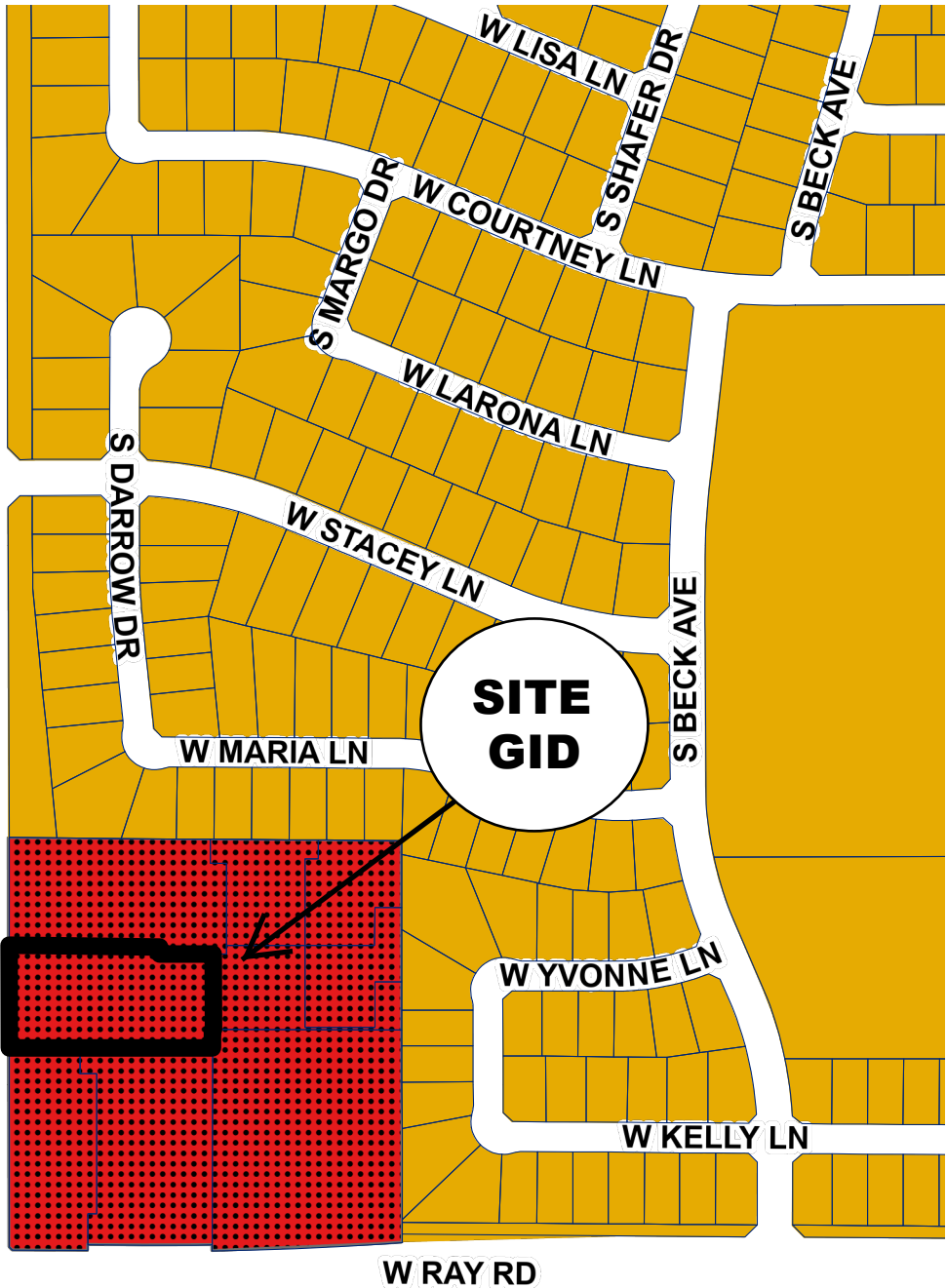
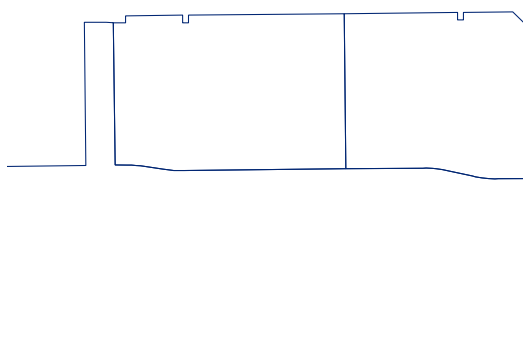
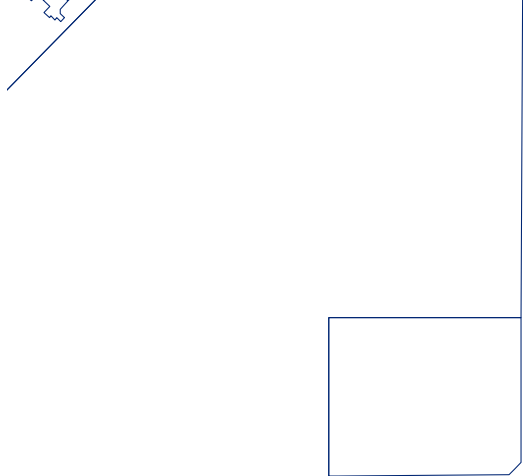
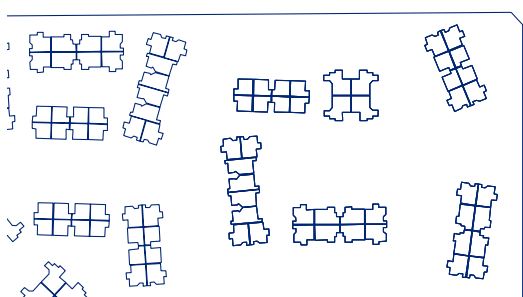
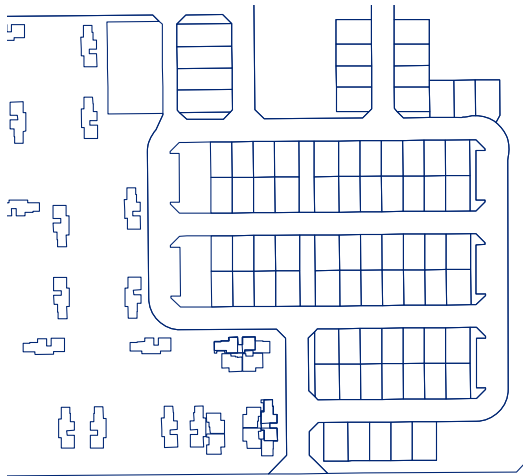
DEVELOPMENT PROJECT FILE
for
GOLDWATER TAP HOUSE
(PL220319)

ATTACHMENTS:

1. Location Map
2. Aerial
- 3-4. Letter of Explanation
5. Site Plan
6. Floor Plan
- 7-9. Site Context Photos

GOLDWATER TAP HOUSE

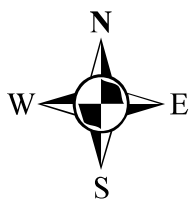
PL220319



- Planned Commercial Center General (PCC-2)
 - Single-Family Residential (R1-6)
 - Parcels
- Twelve Point**
CenterlineSubType
ADOT

- Canal
- Monument
- Private
- Railroad
- Street
- <all other values>

- Zoning District**
- Light Industrial District (LID)
 - General Industrial District (GID)
 - Heavy Industrial District (HID)
 - City Center (CC)
 - Mixed Use Med (MU-2)
 - Mixed Use Med-High (MU-3)



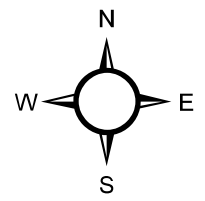
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GOLDWATER TAP HOUSE

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 EXPLANATION 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 under an Arizona issued Series 7 – Beer and Wine license, which license has already been obtained and approved.

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.

This request will not be detrimental to persons residing or working in the vicinity, adjacent properties, the neighborhood or the public in general and will conform to the standards and zoning and Development Code criteria applicable as follows:

- A. Our operations will not produce significant vehicular or pedestrian traffic any more so than current traffic flows at this location. Our more heavily weighted customer traffic is in the evenings, opposite the earlier day hours of the coffee shop and office complex at this same location;

- B. There are no production operations to be conducted at this location, so there is no odor, dust, gas, excessive noise, vibration, smoke, heat or glare produced exceeding normal ambient conditions;
- C. Our business will not contribute to the deterioration of the neighborhood or downgrade the property values in the area, consistent with the city's General Plan. In fact, studies have shown that having upscale local craft breweries in an area actually increases property values and/or supports resale efforts in that area as highlighted in this linked article: <https://phys.org/news/2019-03-craft-breweries-residential-property-values.html> ;
- D. Our business is compatible with the existing surrounding structures and uses, and consistent with the retail business establishments and restaurants in the area;
- E. We will maintain adequate control of any disruptive behavior both inside and outside the premises which could create a nuisance to the surrounding area or general public. Our experienced staff is trained and certified by the state to serve alcohol as prescribed by the state and we have met with the City of Tempe Police to establish our safety and security plans in coordination with their support as needed.

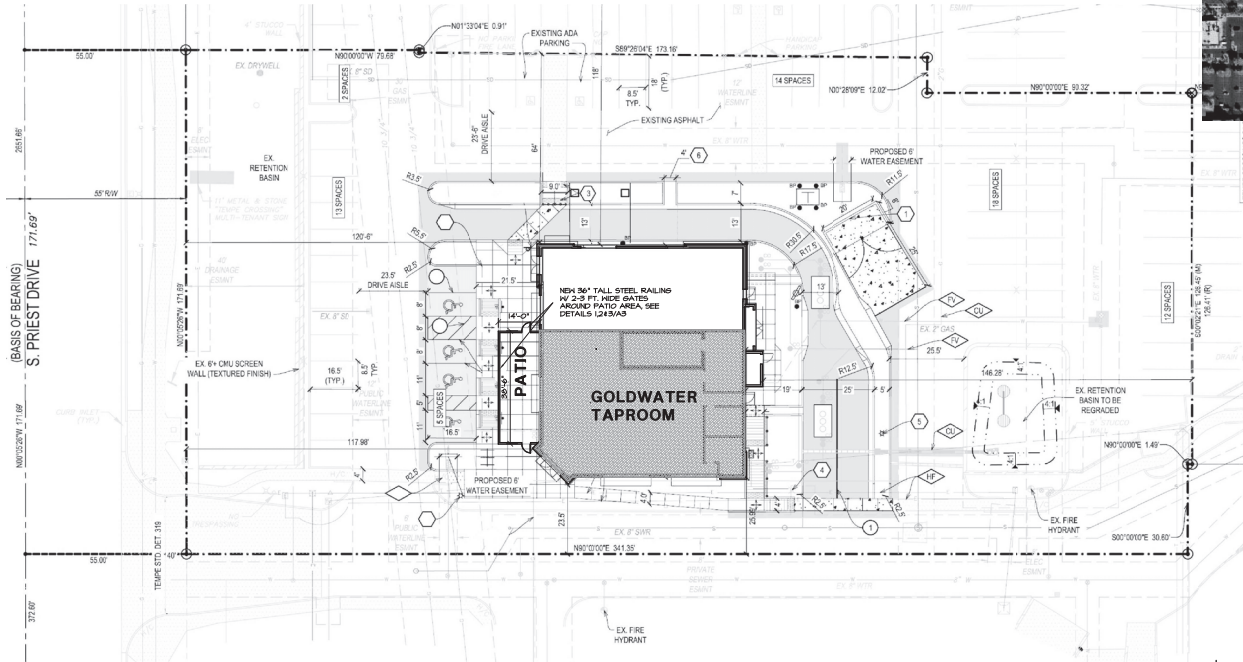
Goldwater Brewing Co. is dedicated to provide a wide variety of locally produced, fresh craft beers that supports the local communities it serves. We believe this new Goldwater Taproom will be a welcome addition to the many local residences, restaurants and entertainment venues in this same area.

Sincerely,



Greg McClelland
602.320.2317
greg@goldwaterbrewing.com

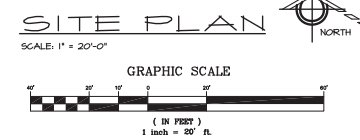
SITE PLAN FOR: GOLDWATER TAPROOM TEMPE CROSSINGS 2 LOT1 TEMPE, ARIZONA



VICINITY MAP
SCALE: NONE

TEMPE CROSSINGS 2 SHARED PARKING CALCULATION:

DESCRIPTION	LOT 1	LOT 2	LOT 3	LOT 4	LOT 5	LOT 6	TOTALS	PARKING REQUIRED
SITE AREA	17,298	107,363	24,308	67,815	418	60,000	207,000	10,350
BUILDING AREA	4,490	8,440	5,070	10,070	5,070	34,255	67,325	67
OFFICE		1,700				1,700	3,400	0
RESTAURANT	2,033	6,740				8,773	17,546	117
BAR	3,457					3,457	6,914	150
BAR PATIO	538-300 = 238					238	476	2
								286
								PROVIDED
								288

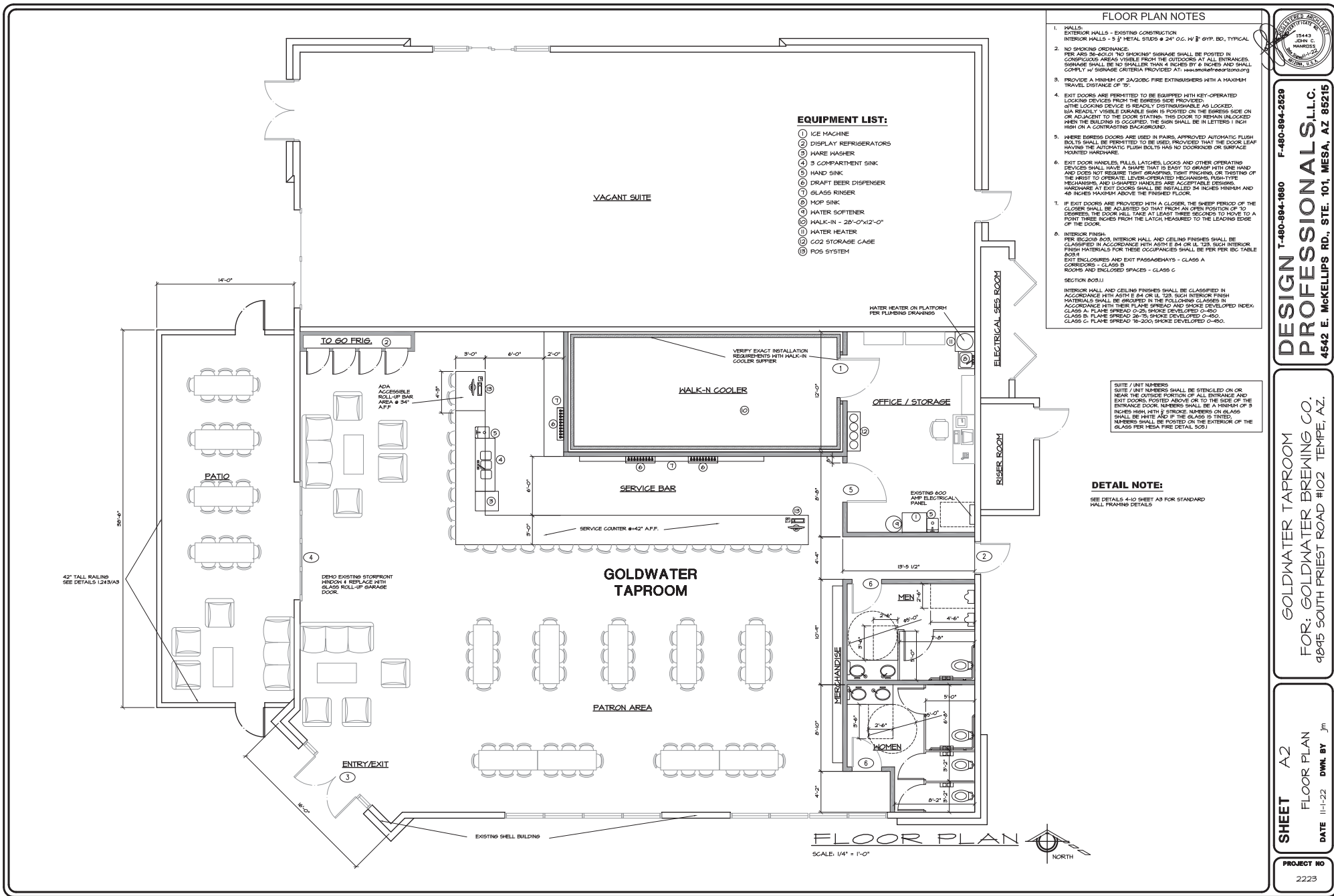


DESIGN T-480-894-1680 F-480-894-2529
PROFESSIONALS, S.L.L.C.
4542 E. McKellips Rd., STE. 101, MESA, AZ 85215

GOLDWATER TAPROOM
FOR: GOLDWATER BREWING CO.
4845 SOUTH PRIEST ROAD #102 TEMPE, AZ.

SHEET AI
SITE PLAN
DATE 11-3-23 DWN BY j_m

PROJECT NO
2223

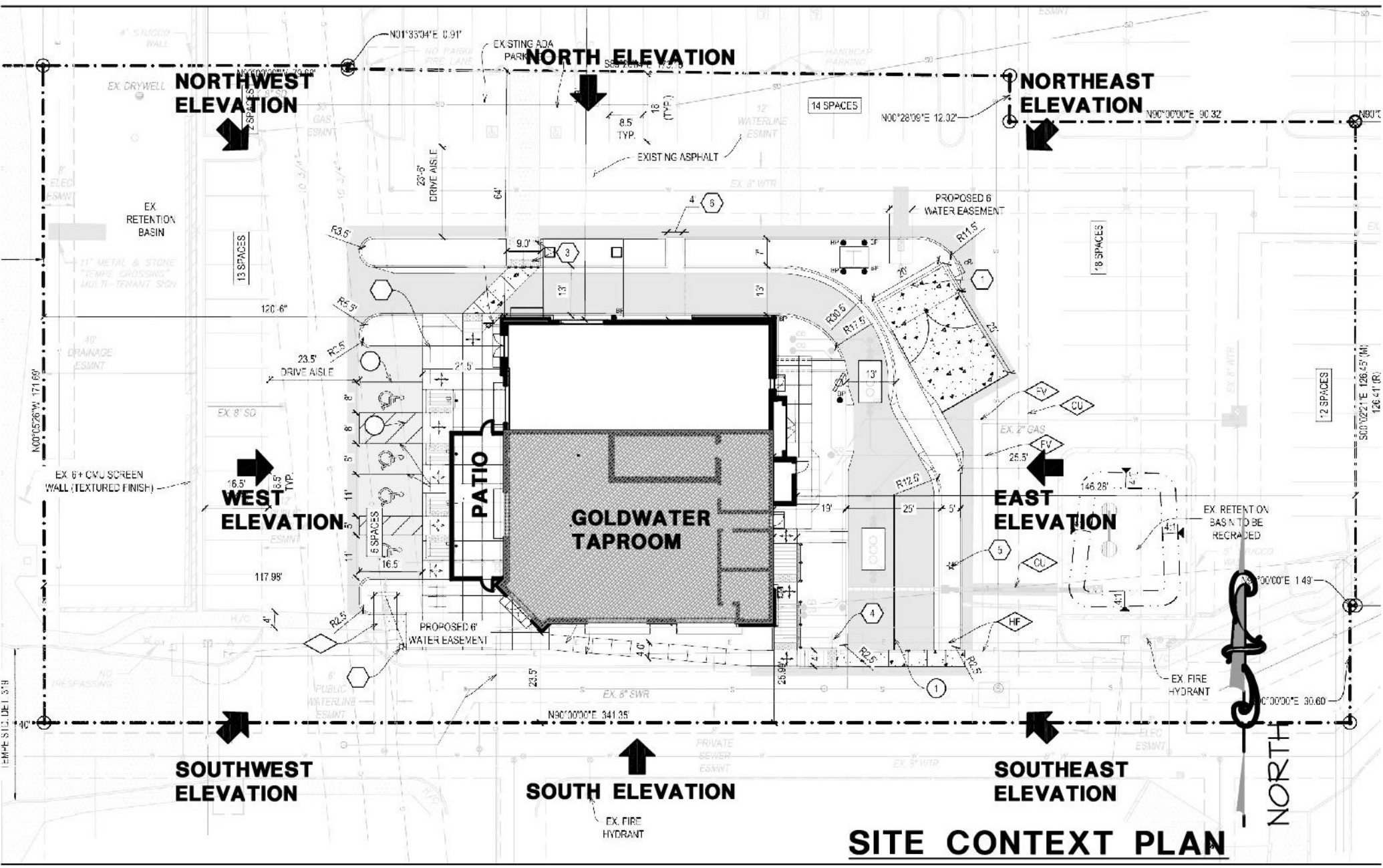


DESIGN T-480-894-1680 F-480-894-2529
PROFESSIONAL S.L.L.C.
 4542 E. MCKELLIPS RD., STE. 101, MESA, AZ 85215

GOLDWATER TAPROOM
 FOR: GOLDWATER BREWING CO.
 4845 SOUTH PRIEST ROAD #102 TEMPE, AZ.

SHEET A2
 FLOOR PLAN
 DATE 11-11-22 DWN BY jm

PROJECT NO
 2223





NORTH ELEVATION



NORTHEAST ELEVATION



EAST ELEVATION



SOUTHEAST ELEVATION



SOUTH ELEVATION



SOUTHWEST ELEVATION



WEST ELEVATION



NORTHWEST ELEVATION