

**CITY OF TEMPE
DEVELOPMENT REVIEW COMMISSION**

**Meeting Date: 11/18/2014
Agenda Item: 4**

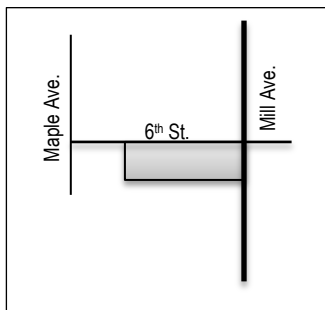
ACTION: Request for a Use Permit to allow a bar in the CC (City Center) zoning district and a Development Plan Review consisting of building and patio expansions and modifications to an existing building, including exterior televisions, glass paneled roll-up garage doors, and a patio screen wall for WHISKEY ROW, located at 640 South Mill Avenue, Ste. 120. The applicant is AV3 Design Studio.

FISCAL IMPACT: There is no fiscal impact on City funds.

RECOMMENDATION: Staff – Approval, subject to conditions

BACKGROUND INFORMATION: WHISKEY ROW (PL140295) is a proposed 4,750 square foot bar within the Centerpoint development. The proposed business will occupy the western suite of an existing single-story building that contains a cigar store and another restaurant/bar. Interior and exterior expansions and modifications are proposed. The request includes the following:

- ZUP14136 Use Permit to allow a bar in the CC zoning district
- DPR14181 Development Plan Review including site plan, building elevations, and landscape plan



Existing Property Owner	Mill Avenue Retail LLC
Current Zoning District	CC PAD (Planned Area Development Overlay)
Gross/Net site area	1.39 acres
Total Building area	20,199 s.f.
Suite Area	4,750 s. f.
Lot Coverage	33% (100% maximum allowed by existing PAD)
Building Height	26 ft. (158 ft. maximum allowed by existing PAD)
Building Setbacks	46.2' north, 12' south, 20' west, 0' east (0' all sides allowed by existing PAD)
Vehicle Parking	121 spaces (approved through shared parking analysis)
Bicycle Parking	10 spaces (11 min. required)

ATTACHMENTS: Development Project File

STAFF CONTACT(S): Karen Stovall, Senior Planner (480) 350-8432

Department Director: Dave Nakagawara, Community Development Director
 Legal review by: N/A
 Prepared by: Karen Stovall, Senior Planner
 Reviewed by: Diana Kaminski, Senior Planner

COMMENTS:

This site is located between Maple Avenue and Mill Avenue, on the south side of 6th Street and is within the CC zoning district. The property is part of the Centerpoint Planned Area Development Overlay, which was approved in 1987. While available for public use, 6th Street is private property that is part of the Centerpoint development. The building has two existing businesses operating in separate suites to the east, Churchill Cigars and El Hefe.

On April 22, 1994, City Council approved SPD-94.38 for Bite of New York restaurant for two Use Permits to:

- Allow interior live entertainment (120 s.f. stage for music)
- Allow outside dining at two patio locations (total 728 s.f.)

Bite of New York occupied the western-most suite in the building at that time, Suite 130, which was 2,100 square feet in area. While the zoning of the property at that time required use permit approval for outside dining, the current CC zoning district does not. Over the years, Community Development Department staff has administratively approved several patio expansions and other exterior modifications to accommodate various restaurants within the western-most suite.

The proposal includes expanding the suite into an unoccupied area interior to the existing building (to the east) as well as a 128 square-foot building expansion at the southwest corner of the building. These expansions would total 4,750 square feet of interior floor area. Also proposed is the expansion of the patios on the north and south sides of the building that would provide a total of 4,186 square feet of patio area. Live entertainment is not proposed at this time. The business owner would need to request transfer of the 1994 Use Permit if they wish to have live entertainment in the future.

The applicant is requesting that the Development Review Commission approve the following:

1. Use Permit to allow a bar with a Series 6 liquor license.
2. Development Plan Review which includes a site plan, building elevations, and landscape plan for a new bar.

PUBLIC INPUT

- Neighborhood meeting not required

PRELIMINARY SITE PLAN REVIEW

- September 3, 2014: Preliminary Site Plan Review for this request was completed, and staff recommended that the following:
 - Do not expand the existing west patio farther to the west in or
 - Do not add a wall on the west side of the west patio
 - Do not recess evaporative coolers into the west wall
 - Do not use artificial ivy on the exterior of the west wall and elsewhere on the building.

In response to staff's comments, the applicant modified the plans as follows: no longer proposed to expand the west patio, no longer proposed to incorporate evaporative coolers into the wall, and replaced the proposed artificial ivy on the exterior of the west wall with wood siding.

PROJECT ANALYSIS

USE PERMIT

The proposed use requires a Use Permit to operate a bar in the CC zoning district. Business hours will be Monday through Sunday from 10:00 a.m. to 2:00 a.m. The use would be compatible with other businesses in the immediate vicinity that are similar in use, including El Hefe, Handlebar, Fat Tuesday, and World of Beer.

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

1. *Any significant increase in vehicular or pedestrian traffic.*
The existing tenant space has previously operated as a restaurant with bar, and it is expanding into a suite that was also a restaurant. The minor building expansion at the southwest corner and the patio expansions may lead to an increase in customer traffic, but not significantly. The Centerpoint shared parking analysis approved in 2012

accounted for future increases in bar/club land uses; this new business does not create intensification in the demand for parking spaces beyond the 2012 approval. Pedestrian and other non-vehicular traffic in the area may increase with the proposed use but not significantly beyond that generated by the previous restaurants. The applicant has made provisions for bicycle parking on the property where none currently exists in order to meet the bicycle parking requirements of the current ordinance.

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 glass roll-up garage doors on all building elevations will cause the noise generated in the interior of the building to easily travel to the exterior; however, the applicant is proposing a wall along the west patio to block and absorb noise traveling to the west. The proposed bar will have a security plan and must comply with state regulations for a Series 6 liquor license, with specific hours of operation established. The Use Permit may be reviewed at a future date if verifiable complaints arise.
3. *Contribution to the deterioration of the neighborhood or to the downgrading of property values, the proposed use is not 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 business will add to the mix of entertainment/social uses that exist in the downtown and will not be in conflict with any adopted plans for the General Plan.
4. *Compatibility with existing surrounding structures and uses.*
Although closer than other bars to existing residences within the West Sixth development to the west and the Hanover project currently under construction to the northwest, the proposed use is similar to bars on both 6th Street and Mill Avenue. This use is seen as an appropriate extension of this business type within the downtown core.
5. *Adequate control of disruptive behavior both inside and outside the premises which may create a nuisance to the surrounding area or general public.*
The applicant acknowledges the importance of controlling disruptive behavior on the premises, plans to follow an approved security plan, and intends to work closely with the Police Department to address any issues.

DEVELOPMENT PLAN REVIEW

Site Plan

The applicant proposes to enclose 128 square feet of patio area at the southwest corner of the building as well as to expand the patio areas on the north and south sides of the building. The areas intended for expansion are identified on the plan with a waffle pattern. The patio expansions would increase the fenced-in patio area from 3,584 square feet to 4,186 square feet. The north patio expansions would maintain a minimum of eight feet between the guardrail and the existing trees along 6th Street. The applicant also proposes new bicycle racks adjacent to 6th Street. The site plan identifies 10 loops and space for 20 bikes, but adequate space has not been provided between each loop to accommodate two bikes. Only 11 bike spaces are required, and the plan should be modified to provide the minimum two feet by six feet space for each bike as required by code. Plans do not indicate speakers on the patios; however, due to the proximity of residential land uses, a condition is included to prohibit speakers on the patios.

Building Elevations

Steel canopies are proposed over the entire north and west patios, and portions of the south patio will also be covered. Marquee lights are proposed along the perimeter of the canopies. These lights are non-cutoff and must comply with the maximum watt and lumen output per Part 4, Chapter 8 of the ZDC. Glass paneled roll-up garage doors will be installed along all elevations to create an open feel between the interior and exterior. Reclaimed wood siding will be applied to the entire brick exterior at a level below the canopies. The material sample board specifies a gray/black reclaimed lumber. While this is the theme for the proposed restaurant, it does not complement the high quality brick and steel building. A condition is included to require a different, more polished wood. A new parapet with artificial ivy is proposed over the entrance to support a sign. A condition of approval will prohibit the use of artificial ivy on the exterior of the building except on the east interior

side of the new patio wall.

New steel guardrails will surround the patios. A 12 foot high wall will be constructed on the west side of the west patio and will connect to the metal canopy. This patio is proposed to both shade customers from the western sun and to block sound from traveling westward. The exterior (west side) of the wall will be covered with wood veneer, and the interior (east side) will be covered in artificial ivy. A stipulation has been added to require sound insulation panels on the east side of the wall. Open window framework is proposed for the wall to maintain a visual connection between the bar patio, the remainder of the courtyard to the west, and the entrance to the center courtyard to the southeast. While this visual connection is supported, it will not reduce sound. A stipulation is included to add insulated glass to the window framework. The colored elevations show a large sign on the west side of the proposed west patio wall. This sign is not approved through this application and must be reviewed through a separate Development Plan Review process.

Within the patios, the applicant proposes seating and game areas. Three sets of four-sided television fixtures will hang from the steel ceiling frame on the south patio. A stipulation will limit the location and number of televisions.

Landscape Plan

Three Indian Laurel Fig trees exist on the west side of the west patio. These are currently in individual planters. The applicant proposes to remove the brick and concrete between the planters and expand the area of decomposed granite surrounding the trees. One of the three trees will be replaced with a healthier one. Three existing trees within the south patio will be removed, and one new tree will be added on the exterior of the south patio, directly south of the new patio expansion.

Section 6-306 D Approval criteria for Development Plan Review (*in italics*)

1. *Placement, form, and articulation of buildings and structures provide variety in the streetscape;* the applicant will remodel an existing building that has a strong presence on 6th Street. The patio expansions and new canopies will enhance this presence. The wall proposed on the west patio will create a visual barrier to the courtyard to the west, but window openings will allow a connection to be maintained.
2. *Building design and orientation, together with landscape, combine to mitigate heat gain/retention while providing shade for energy conservation and human comfort;* the applicant desires to mitigate heat from the afternoon/evening sun on the west patio by adding a wall. The three existing trees adjacent to the proposed wall will remain in place, and the majority of other trees along 6th Street and adjacent to the south patio will remain.
3. *Materials are of a superior quality, providing detail appropriate with their location and function while complementing the surroundings;* the steel guardrail, columns, and canopies will blend with the existing brick and steel building. Conditions limiting the use of the artificial ivy and substituting the proposed wood with a more appropriate quality wood are included to ensure the modifications complement the building and surroundings.
4. *Buildings, structures, and landscape elements are appropriately scaled, relative to the site and surroundings;* the proposed modifications are appropriately scaled to the project and its surroundings.
5. *Large building masses are sufficiently articulated so as to relieve monotony and create a sense of movement, resulting in a well-defined base and top, featuring an enhanced pedestrian experience at and near street level;* articulation is accomplished through the use of a variety of materials, and the application of wood siding on the lower building walls creates a defined base and top.
6. *Building facades provide architectural detail and interest overall with visibility at street level (in particular, special treatment of windows, entries and walkways with particular attention to proportionality, scale, materials, rhythm, etc.) while responding to varying climatic and contextual conditions;* the proposal maintains open patios for the majority of the frontage along 6th Street. The west patio wall incorporates windows to maintain a visual connection to the open space within Centerpoint to the west.

7. *Plans take into account pleasant and convenient access to multi-modal transportation options and support the potential for transit patronage; bicycle parking is being added, the building is within walking distance of light rail, and the business will serve a local pedestrian clientele.*
8. *Vehicular circulation is designed to minimize conflicts with pedestrian access and circulation, and with surrounding residential uses; the proposal does not impact vehicular circulation.*
9. *Plans appropriately integrate Crime Prevention Through Environmental Design principles such as territoriality, natural surveillance, access control, activity support, and maintenance; the proposal brings more activity to 6th Street, allowing increased activity support in the area. The proposed patio wall will have visual openings to maintain a connection between the patio activity and the rest of the development.*
10. *Landscape accents and provides delineation from parking, buildings, driveways and pathways; the majority of landscaping on the property will remain in the place, including that which borders the patios.*
11. *Signs have design, scale, proportion, location and color compatible with the design, colors, orientation and materials of the building or site on which they are located; signs are subject to separate Development Plan Review.*
12. *Lighting is compatible with the proposed building(s) and adjoining buildings and uses, and does not create negative effects. Exterior lighting changes include marquee lights and drop-down light fixtures. While marquee lights are not common throughout the Centerpoint development, they are currently used at the perimeter of the El Hefe patio in the same building to the east.*

Conclusion

Based on the information provided and the above analysis, staff recommends approval of the requested Use Permit and Development Plan Review. This request meets the required criteria and will conform to the conditions.

REASONS FOR APPROVAL:

1. The project meets the General Plan Projected Land Use for this site.
2. The project will meet the development standards required under the Zoning and Development Code and for the Centerpoint PAD.
3. The proposed project meets the approval criteria for a Use Permit and Development Plan Review.

ZUP14136

CONDITIONS OF APPROVAL

1. This 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. If there are any complaints arising from the Use Permit that are verified by a consensus of the complaining party and the City Attorney's office, the Use Permit will be reviewed by City staff to determine the need for a public hearing to re-evaluate the appropriateness of the Use Permit, which may result in termination of the Use Permit.
4. The applicant shall contact the City of Tempe Crime Prevention Unit for a security plan within 30 days of this approval. Contact 480-858-6409 before December 18, 2014.
5. Hours of operation are limited to 10:00 am through 2:00 am Monday through Sunday.

DPR14181
CONDITIONS OF APPROVAL

General

6. Except as modified by conditions, development shall be in substantial conformance with the letter of explanation dated October 30, 2014, and the site plan, floor plan, building elevations, landscape plan, and material sample board dated October 10, 2014. Minor modifications may be reviewed through the plan check process of construction documents. Major modifications will require submittal of a Development Plan Review application.
7. Outdoor speakers are prohibited.

Site Plan

8. A minimum of 11 bicycle spaces shall be provided on the property for this business. Spaces shall comply with the requirements of ZDC Chapter 6 – Parking.
9. Utility equipment boxes for this development shall be finished in a neutral color (subject to utility provider approval) that compliments the coloring of the buildings.
10. A maximum of 12 televisions, grouped in sets of four as shown on the floor plan, are permitted within the south patio. Televisions within the north or west patio are not approved as part of this application.

Floor Plans

11. Correct key note 8 to identify the tables on the north patio as tables instead of games.
12. Public Restroom Security:
 - a. Lights in restrooms:
 - 1) Provide 50% night lights
 - 2) Activate by automatic sensors, key or remote control mechanism
 - b. Single user restroom door hardware:
 - 3) Provide a key bypass on the exterior side

Building Elevations

13. The materials and colors are approved as follows:
Steel panel siding – Magnum Metals – Blackened Steel/Hot Rolled
Aluminum storefront and canopy frame – Arcadia – Dark Bronze AB-7
East side of west patio wall – Commercial Silk International – Green English Ivy Wall Mat Foliage

Provide main colors and materials with a light reflectance value of 75 percent or less. Specific colors and materials exhibited on the materials sample board are approved by planning staff. Additions or modifications may be submitted for review during building plan check process.

14. The Gray/Black Mix Reclaimed Lumber siding is not approved as part of this application. Please submit a revised material to Planning Division staff for approval. The material shall be a hard wood and must be treated to resist UV damage.
15. Artificial ivy is prohibited on the exterior of the building. This includes the ivy proposed over the new entrance parapet. This excludes the ivy on the east side of the west patio wall.
16. Provide sound insulation on the east side of the west patio wall.
17. Provide insulated windows in the west patio wall where elevations identify “open window framework.”
18. Conceal roof drainage system within the interior of the building.

19. Incorporate lighting, address signs, and incidental equipment attachments (alarm klaxons, security cameras, etc.) where exposed into the design of the building elevations. Exposed conduit, piping, or related materials is not permitted.
20. Locate any new electrical service entrance section (S.E.S.) inside the building or inside a secure yard that is concealed from public view.
21. Upper/lower divided glazing panels in exterior windows at grade level, where lower glass panes are part of a divided pane glass curtain-wall system, shall be permitted only if laminated glazing at these locations is provided.

Lighting

22. This project shall follow requirements of ZDC Part 4, Chapter 8, Lighting, unless otherwise conditioned.
23. Illuminate building entrances from dusk to dawn to assist with visual surveillance at these locations.

Landscape

24. The plant palette is approved as proposed and specified on the landscape plan. Any additions or modifications may be submitted for review during building plan check process.
25. Top dress planting areas with a rock or decomposed granite application. Provide rock or decomposed granite of 2" uniform thickness. Provide pre-emergence weed control application and do not underlay rock or decomposed granite application with plastic.

Signage

26. The sign on the west wall is not approved through this application.
27. Provide an address sign on the building elevation facing the street to which the property is identified.
28. Conform to the following for building address signs:
 - 1) Provide street number only, not the street name
 - 2) Compose of 12" high, individual mount, metal reverse pan channel characters.
 - 3) Self-illuminated or dedicated light source.
 - 4) Coordinate address signs with trees, vines, or other landscaping, to avoid any potential visual obstruction.
 - 5) Do not affix number or letter to elevation that might be mistaken for the address.
29. Utility meters shall utilize a minimum 1" number height in accordance with the applicable electrical code and utility company standards.

CODE/ORDINANCE REQUIREMENTS:

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

- The Use Permit is valid for Whiskey Row and may be transferable to successors in interest through an administrative review with the Community Development Director or designee.
- Any intensification or expansion of use shall require a new Use Permit.
- Development plan approval shall be void if the development is not commenced or if an application for a building permit has not been submitted, whichever is applicable, within twelve (12) months after the approval is granted or within the time stipulated by the decision-making body. The period of approval is extended upon the time review limitations set

forth for building permit applications, pursuant to Tempe Building Safety Administrative Code, Section 8-104.15. An expiration of the building permit application will result in expiration of the development plan.

- 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 www.tempe.gov/zoning or purchase from Community Development.
- **SITE PLAN REVIEW:** Verify all comments by the Public Works Department, Community Development Department, and Fire Department given on the 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.
- **SECURITY REQUIREMENTS:**
 - Design building entrance(s) to maximize visual surveillance of vicinity. Limit height of walls or landscape materials, and design columns or corners to discourage to opportunity for ambush opportunity. Maintain distances of 20'-0" or greater between a pedestrian path of travel and any hidden area to allow for increased reaction time and safety.
 - Follow the design guidelines listed under appendix A of the Zoning and Development Code. In particular, reference the CPTED principal listed under A-II Building Design Guidelines (C) as it relates to the location of pedestrian environments and places of concealment.
 - The Owner is required to prepare a security plan for the project with the Police Department. The architect should be involved to verify any modification that would require design revisions. To avoid revisions to permitted construction documents, initial meetings with the Police Department regarding the security plan are recommended before building permits are issued. At a minimum, the Owner shall contact the Police Department to begin security plan process approximately eight weeks prior to receipt of certificate of occupancy.
 - Provide a security vision panel at service and exit doors (except to rarely accessed equipment rooms) with a 3" wide high strength plastic or laminated glass window, located between 43" and 66" from the bottom edge of the door.
- **LIGHTING:**
 - Design site security light in accordance with requirements of ZDC Part 4 Chapter 8 (Lighting) and ZDC Appendix E (Photometric Plan).
- **SIGNS:** Separate Development Plan Review process is required for signs in accordance with requirements of ZDC Part 4 Chapter 9 (Signs). Obtain sign permit for identification signs. Directional signs (if proposed) may not require a sign permit. Directional signs are subject to review by planning staff during plan check process.

HISTORY & FACTS:

April 30, 1987	The City Council approved a zoning change from I-2, General Industrial, R-4 Multi-Family Residence General District and CCD Central Commercial District to CCD Central Commercial District, and a Preliminary P.A.D. with variances and use permits for University Plaza (now Centerpoint) consisting of 1,200,000 s.f. (2,188,850 s.f. including parking garages) on 24.1 net acres at 600 S. Mill Avenue, subject to conditions.
September 17, 1987	The City Council approved a Final P.A.D. and Site Plan with variances for Centerpoint, Phase I, consisting of 104,441 s.f. on 11.3 net acres, subject to conditions.
April 21, 1994	The City Council approved use permits to allow interior live entertainment (120 s.f. stage for music) and outside dining on two patio locations (total 728 s.f.) for BITE OF NEW YORK, located at 640 South Mill Avenue, Suite 130.

- November 20, 2009 Development Services Department staff approved a Development Plan Review for a new patio and storefront (north elevation) modification for IRISH PUB, located at 640 South Mill Avenue, Suite 120.
- January 14, 2014 Development Services Department staff approved a request to transfer a use permit to allow a restaurant with live entertainment for IRISH PUB, located at 640 South Mill Avenue, Suite 120.
- July 1, 2010 Development Services Department staff approved an amended Development Plan Review for an expanded rear and front patio, accent lighting, and continued storefront (north elevation) modification for IRISH PUB, located at 640 South Mill Avenue, Suite 120.
- September 5, 2012 Community Development Department staff approved a shared parking analysis (PL140077) for Centerpoint, modifying the shared parking model approved for PAD07019.
- January 27, 2014 Community Development Department staff approved a Development Plan Review for an elevation modification including new exterior design elements and color scheme, roll-up door, and north patio addition.

ZONING AND DEVELOPMENT CODE REFERENCE:

Section 6-306, Development Plan Review

Section 6-308, Use Permit



DEVELOPMENT PROJECT FILE

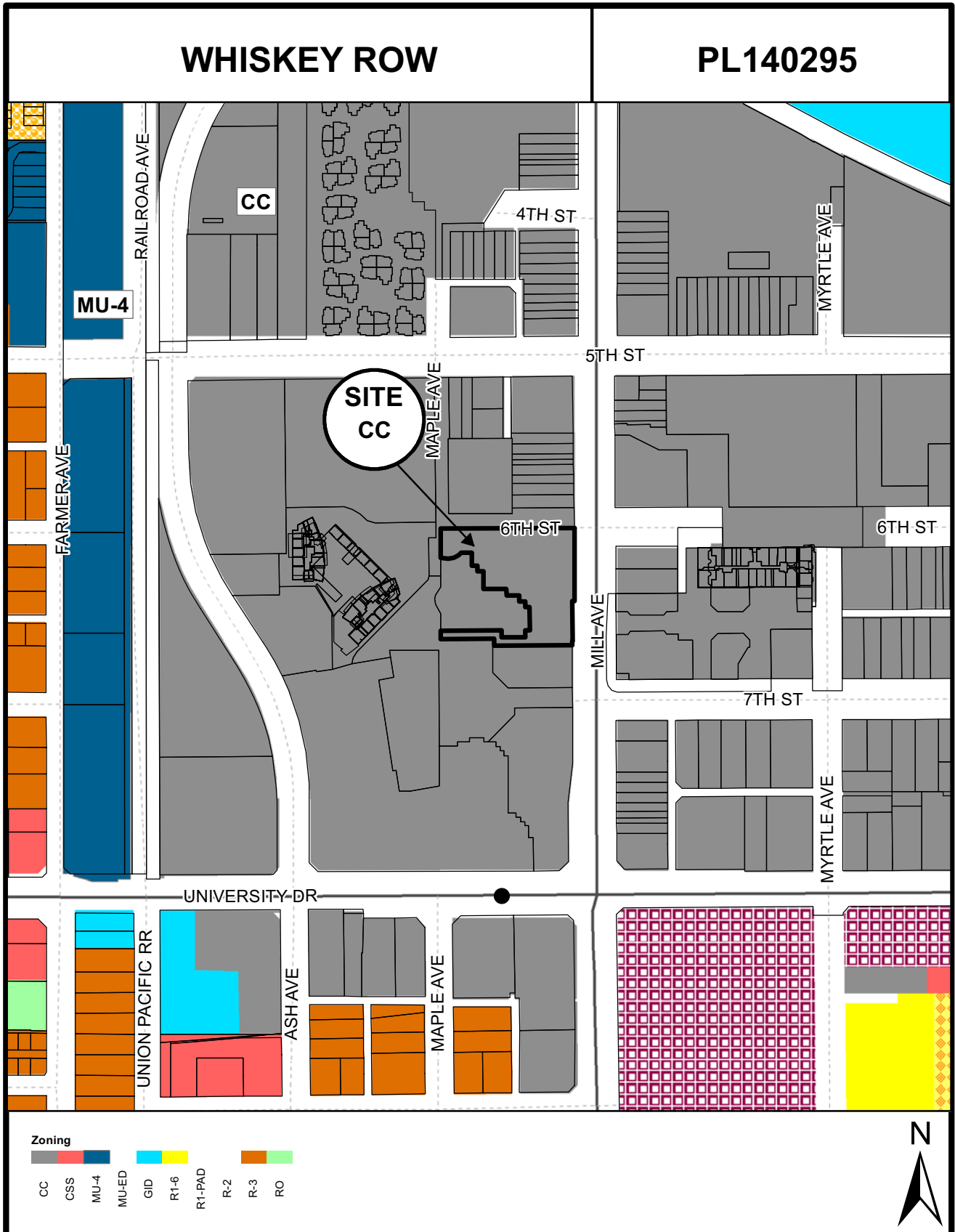
for

WHISKEY ROW

(PL140295)

ATTACHMENTS:

1. Location Map
2. Aerial
- 3-6. Letter of Explanation
7. Site Plan
8. Floor Plan
9. Black & White Elevations
- 10-12. Colored Elevations
- 13-15. Perspectives
16. Building Section
17. Landscape Plan
18. Material Sample Board



Location Map

WHISKEY ROW

PL140295



Aerial Map



Letter of Explanation

Re: Dirks Bentley's Whiskey Row – 640 S. Mill Ave, Suite 120
Case # SPR14118

Date: October 30, 2014

City of Tempe Development Review Commission:

The purpose of this request is to obtain approval of the tenant improvements at the former Robby Fox's/Public House/Devils Diner space located at 640 S. Mill Avenue, Suite 120.

The redevelopment of this existing bar/restaurant will provide substantial cosmetic upgrades along with functional interior and patio improvements which will allow the tenant to operate under a different concept called "Dirks Bentley's Whiskey Row ("DBWR")."

DBWR is a nationally recognized establishment with one existing location in Scottsdale, one under development in downtown Chicago, one under development in Las Vegas, and two others currently in the planning stages. The Tempe location will provide employment to 60 people; many of which being ASU students. The hours of operation will be Monday – Sunday from 10am – 2am. DBWR offers a full menu of food and serves lunch and dinner every day of the week.

As having purchased the struggling Robby Fox's and re-opening the bar as Public House, our team has experienced first-hand the challenges with this space and its location being off of Mill Avenue.

1. The interior space is fragmented and traffic flow is challenged by the layout.
2. The interior space is dark and closed off to natural light.
3. The interior space is not well integrated with the patio space. Interior/exterior open space is critical given our geographic location and our great weather eight months of the year. Most restaurants and bars are moving to this concept as seen at many of our neighboring establishments; El Hefe, World of Beers, Handlebars, Big Fat Greek, La Bocca, CASA, Gringo Star, Moonshine, Blasted Barley, Postino, Zipps Sports Grill, Mill Ave Cue Club, Z-Tejas, Fat Tuesdays, and RA Sushi to name a few.
4. Visibility to Mill Avenue is poor. We are proposing a well-designed vertical projection on our patio canopy that will provide the needed signage and visibility to Mill Avenue. The height of the projection does not exceed zoning height, nor does it exceed the height of the existing building.

Tenant Improvements and Requested Approvals

Bar Use

It has been recently discovered and we were informed that the City of Tempe Planning Department does not have a Use Permit on file for this space being an approved bar use; even though this space has received all the bar liquor license approvals through the City of Tempe and has been operating and paying it's sales tax as a bar use for a number of years.

We are requesting that the Use Permit be granted to continue operating as a bar.

Expansion

Interior Expansion: We are proposing to expand a small area along the southern wall to allow for better space planning (128 SF). This space is within the existing patio area and will become interior space. There are several 90 degree angles in the building that make it difficult and inefficient to space plan.

Patio Expansion: We are proposing to expand the front patio area to its prior area when the space was Robby Fox's. When we purchased the space and reopened as Public House, we removed areas of the front patio because they did not function well with the existing space layout. We are also proposing one small back patio expansion so that a section of the fence line aligns with El Hefe's fence line.

Interior Space Improvements

The interior space improvements work will include relocating the kitchen/back-of-house to Devil's Diner and an entirely new space design/layout with new finishes.

Exterior Improvements

The revised exterior cosmetic patio improvements space will enhance this block of Sixth Street by providing a fresh new restaurant façade, a lively patio and transparent storefront into the space.

- a. Shade and comfort are enhanced with this remodel. On the north, west and south patio areas, new shade canopies are being proposed over tables and lounge seating along with a new misting system.
- b. The materials for the exterior will be of the highest quality. Combining the simple and elegant contrast of black panel steel and reclaimed wood siding veneers on the façade. This combined with the new interior layout this tenant improvement will provide the contrast and backdrop for the Whiskey Row branding and transparency onto the street.
- c. This proposal intended to preserve the existing landscaping along the perimeter of the building. Currently there are mature trees along Sixth Street and surrounding the rear patio that will not be changed. There are two trees just outside the west patio that are dead. We intend to replace these trees with similar type. There are two trees within the south patio that we intend to remove to allow for the new canopy to be constructed. For the south patio expansion area tree, we are replacing it with a new tree just outside of the patio expansion.
- d. The existing building has varied façade which is broken up into various scales. The proposed DBWR is intended to add variety and distinction along the Sixth Street frontage. The canopy and sign walls vary from 11'-0" to 19'-0" and is designed at a human scale.
- e. Along the façade, select window frames will be removed and replaced with new doors and operable window systems. At the front entry, a new grand steel door will be added, branded to match the similar scale and grand detailing of our other locations.

- f. Windows and doors are designed to maximize visibility and transparency into the space. The main entry door is intended to be grand and distinguished from the adjacent storefront.
- g. On site utilities are existing and currently provided underground.
- h. The walkways at the perimeter of the project exist and are already well illuminated.
- i. Accessibility has been integrated throughout the entire project.
- j. The location of the restaurant allows easy and convenient access to the existing multi-modal transportation system. A bus stop is located 30' south of the main entry. Bike racks are located within the pedestrian walkway just north of the restaurant space along 6th street.
- k. There are no vehicular changes to movement provided with this proposal.
- l. There are no proposed changes with this proposal with regard to pedestrian and bicycle traffic. Currently Sixth Street meets the City of Tempe Pedestrian and Bicycle facility guidelines.
- m. The proposed patio layout integrates crime prevention principals such as territoriality, natural surveillance, access control, activity support and maintenance.
- n. The scope of this project does not include any changes to existing landscaping along Mill Avenue or in the pedestrian walkway just north of the patio.
- o. Lighting proposed is compatible with adjacent restaurant and retail tenants on Mill Avenue.


Justification

- a. The proposed use will no cause any significant or pedestrian traffic in the adjacent areas. The use is consistent with the prior and current uses of the space, the surrounding uses, and is in conformance with Zoning and the General Plan.
- b. The proposed use will not cause a nuisance. As with all of our establishments, we uphold the highest level of operational standards. As we have illustrated with El Hefe, we have worked closely with the property owner, the City and Tempe PD to provide a safe, fun, and enjoyable atmosphere for our customers and friends.
- c. The proposed use will no contribute to the deterioration of the neighborhood and is inline with goals and objectives for the downtown area. In fact, we are proposing a substantial high-quality remodel of an existing space that will provide a drastic improvement to the downtown area.
- d. The proposed use is compatible with existing surrounding uses. Next door is El Hefe, across the street is Z-Tejas and World of Beers, and behind us in the plaza area is Jimmy John's, Handlebars, Fat Tuesday, and Zipps Sports Grill. Additionally, the proposed use is consistent with the prior use of the space.
- e. The proposed use will not result in any disruptive behavior which will create a nuisance to the surrounding area or general public. As aforementioned, we uphold the highest level of operational standards and will work closely with the City and Tempe PD to ensure nothing but the best practices.

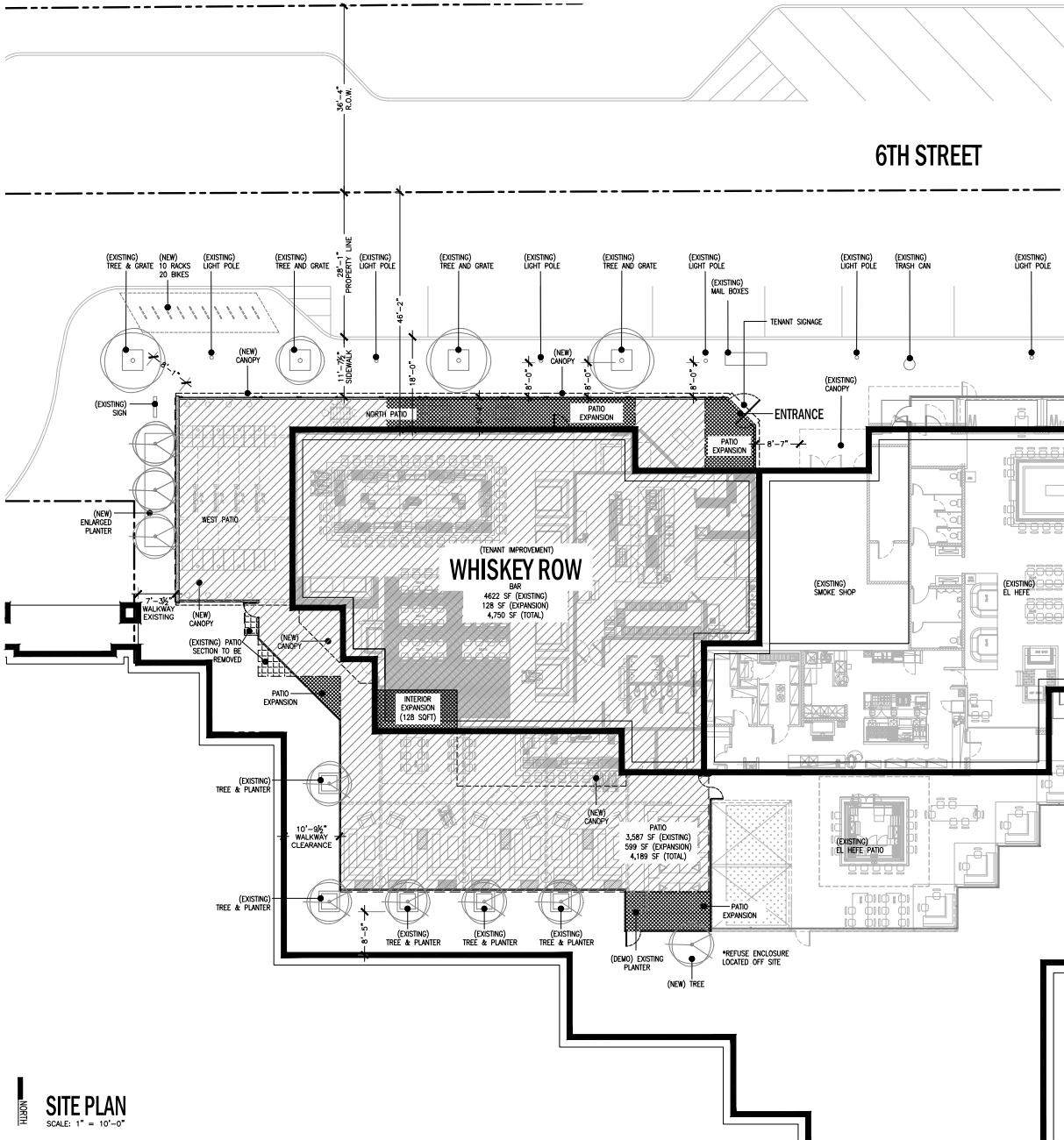
Letter of Explanation – Dirks Bentley's Whiskey Row Tempe
640 S. Mill Avenue, Suite 120

Thank you in advance for your consideration of our proposal. We are very excited about the improvements we are making and hope you are, too. We believe with this new space layout and high quality design, we can turn this challenged space into something very special that the community will be excited to have and enjoy.

Best Regards,

A handwritten signature in black ink, appearing to read "Artie" followed by a horizontal line and three vertical bars.

Artie A. Vigil III
ncarb . leed ap . cnu-a



6TH STREET

PROJECT NARRATIVE

THE PURPOSE OF THIS REQUEST IS TO OBTAIN THE PLANNING STAFF APPROVAL FOR THE FACADE REMODEL, PATIO CANOPY STRUCTURE FOR THE THREE SIDED TENANT IMPROVEMENT FOR THE PROPOSED WHISKEY ROW.

THE REDEVELOPMENT OF THIS EXISTING BAR AND RESTAURANT, FORMERLY KNOWN AS PUBLIC HOUSE. THE COSMETIC UPDATES ALONG WITH THE FUNCTIONAL PATIO IMPROVEMENTS WOULD ALLOW THE NEW BRANDING OCCUR ALONG WITH THE FUNCTIONAL PATIO IMPROVEMENTS WHICH WOULD ALLOW THE TENANT TO OPERATE UNDER A DIFFERENT BRANDING NAMED "WHISKEY ROW".

THE SCOPE OF THE WORK CAN SUMMARIZED AS A RESTAURANT TENANT IMPROVEMENT. THIS WORK WILL INVOLVE THE REPLACEMENT OF STOREFRONT SYSTEMS, NEW INTERIOR LAYOUT, NEW PATIO SHADE STRUCTURE ALONG THE NORTH, WEST AND SOUTH ELEVATIONS. THE INTERIOR WILL HAVE A COMPLETE REMODEL WITH NEW FLOOR, WALL AND CEILING FINISHES THROUGHOUT.

DIRECTORY

BUILDING OWNER

YAM HOLDINGS
 ATTN: GAN DAN
 15475 N. 84TH STREET
 SCOTTSDALE, AZ 85260
 TENANT
 ROT HOSPITALITY- WHISKEY ROW
 7025 N. CAMDENBLVD, SUITE 100
 SCOTTSDALE, AZ 85251
 ATTN: RYAN HEBBERT

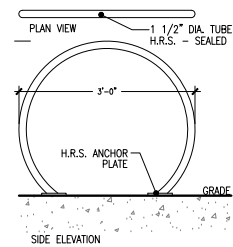
ARCHITECT
 AVO DESIGN STUDIO
 870 BOW 16792
 PHOENIX, AZ 85011
 ATTN: JESSIE VOLZ
 P. 602-326-3387
 E. AVODESIGNSTUDIO.COM

LEGAL DESCRIPTION

CENTERPOINT MCR 369-31

BIKE RACK DETAIL

SCALE: 1" = 1'-0"



PROJECT DATA

ADDRESS: 640 S. MILL AVE. #120 TEMPE, AZ 85281
 APN: 132-30-722
 ZONING: CC - CITY CENTER (PAD) (EXISTING TO REMAIN)
 LAND USE: MIXED USE
 TENANT IMPROVEMENT USE: BAR
 BUILDING AREA:
 INTERIOR BUILDING (EXISTING) ± 4,622 SF
 INTERIOR BUILDING (EXPANSION) ± 128 SF
 TOTAL INTERIOR: ± 4,750 SF
 EXTERIOR PATIO (EXISTING) ± 3,587 SF
 EXTERIOR PATIO (EXPANSION) ± 599 SF
 TOTAL PATIO: ± 4,186 SF
 BUILDING HEIGHT:
 BUILDING HEIGHT (EXISTING): ± 23'-9" SF
 BUILDING HEIGHT (PROVIDED): ± 23'-9" SF

PARKING REQUIREMENTS

(PER CITY OF TEMPE DESIGN DEVELOPMENT STANDARDS)
 PER TABLE: 4-603E
 USE DESCRIPTION: BAR

AUTOMOBILE PARKING

INTERIOR	4,750	1/50	95
PATIO EXTERIOR	4,186	1/150	28
TOTAL REQUIRED:			121
TOTAL PROVIDED:			**720

*SUBTRACT THE FIRST 300 SF FOR EXTERIOR DINING
 **CENTERPOINT MIXED USE DEVELOPMENT (PAD)

BICYCLE PARKING

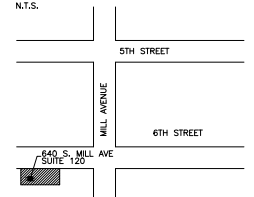
INTERIOR	4,750	1/1000	5
EXTERIOR	4,186	1/2000	2
TOTAL REQUIRED:			7
TOTAL PROVIDED:			20

*SUBTRACT THE FIRST 300 SF FOR EXTERIOR DINING

CONSTRUCTION TYPE

(PER 2012 IBC)
 CHAPTER 6: TYPE VB
 AUTOMATIC FIRE EXTINGUISHING SYSTEM: PROVIDED

VICINITY MAP

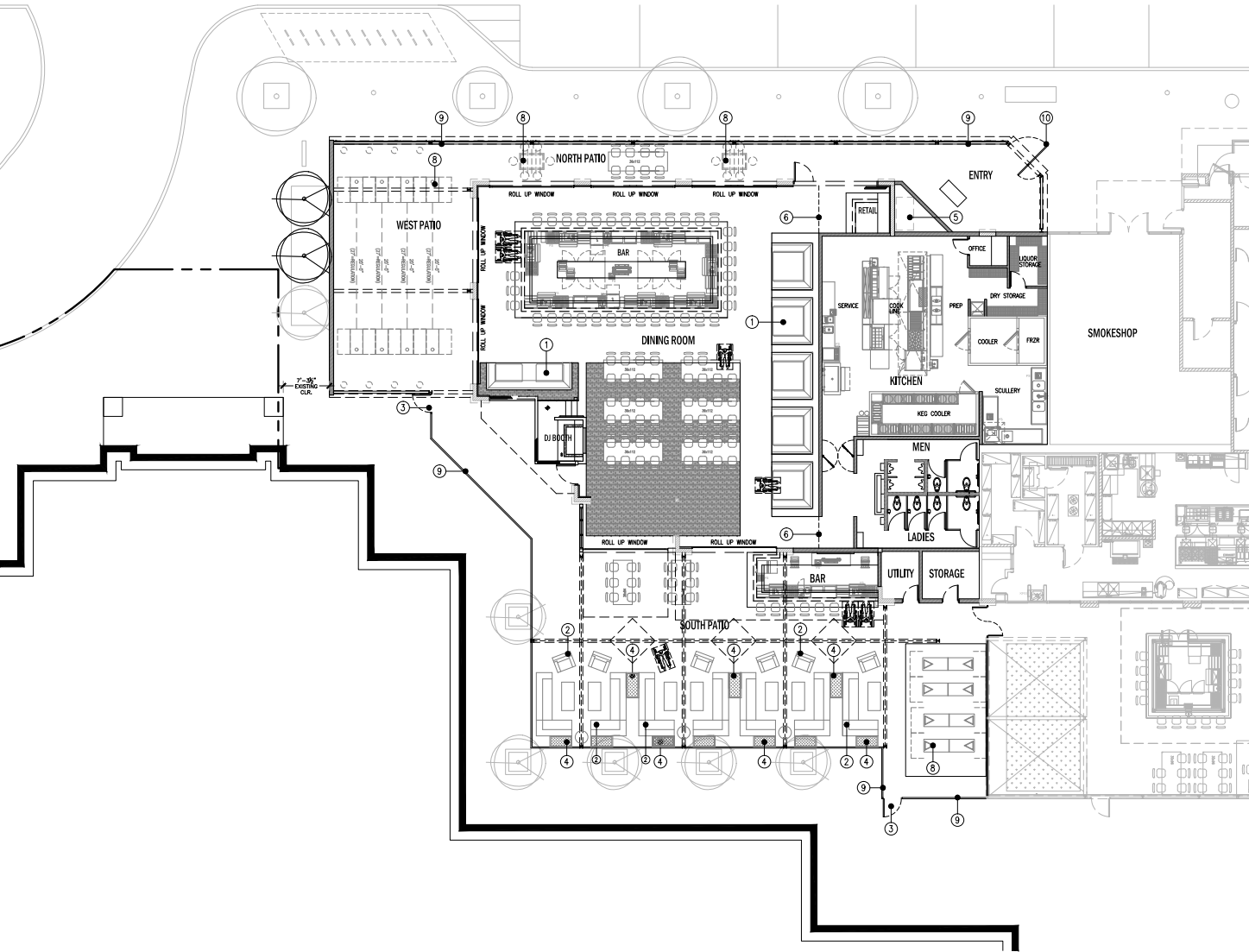


6TH STREET

FOR:
RIOT HOSPITALITY
WHISKEY ROW
TAVANT IMPROVEMENT
TEMPE, AZ

KEYED NOTES

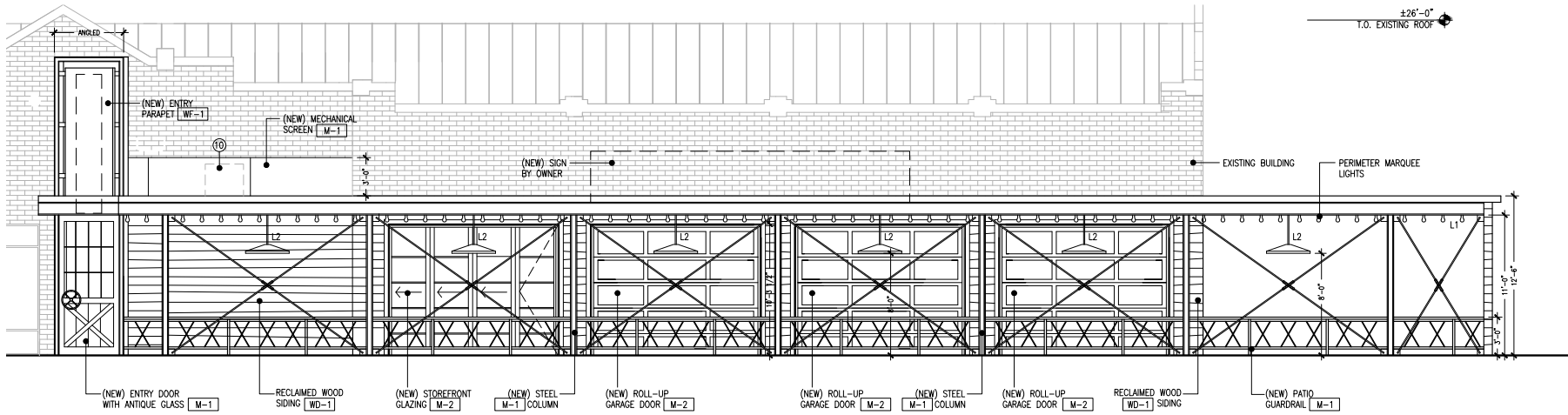
- ① (NEW) WOOD FRAMED INTERIOR BOOTH WITH VINYL COVERING
- ② (NEW) CUSTOM EXTERIOR FURNITURE
- ③ EXIT
- ④ (NEW) CUSTOM WOOD BOX PLANTER
- ⑤ (EXISTING) GAS METER
- ⑥ DASHED LINE INDICATING SOFFIT ABOVE
- ⑦ NOT USED
- ⑧ (NEW) GAMES BY OWNER
- ⑨ (NEW) HANDRAIL; STEEL FRAME, WITH REBAR PICKETS, WOOD CAP
- ⑩ (NEW) STEEL PIVOT DOOR WITH DECORATIVE GLASS PANELS



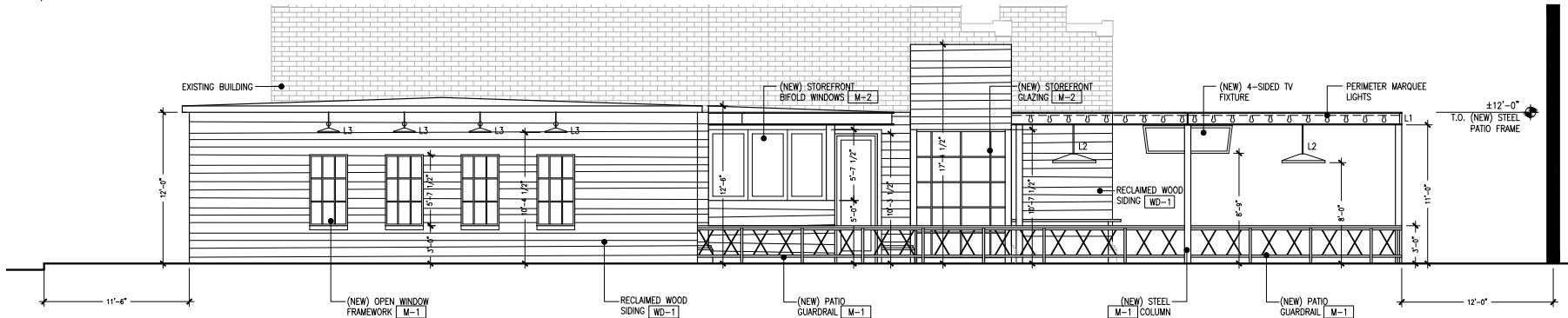
FLOOR PLAN
SCALE: 1/8" = 1'-0"

DEVELOPMENT REVIEW
FLOOR PLAN
PROJECT # 14012
2014 . 10 . 10

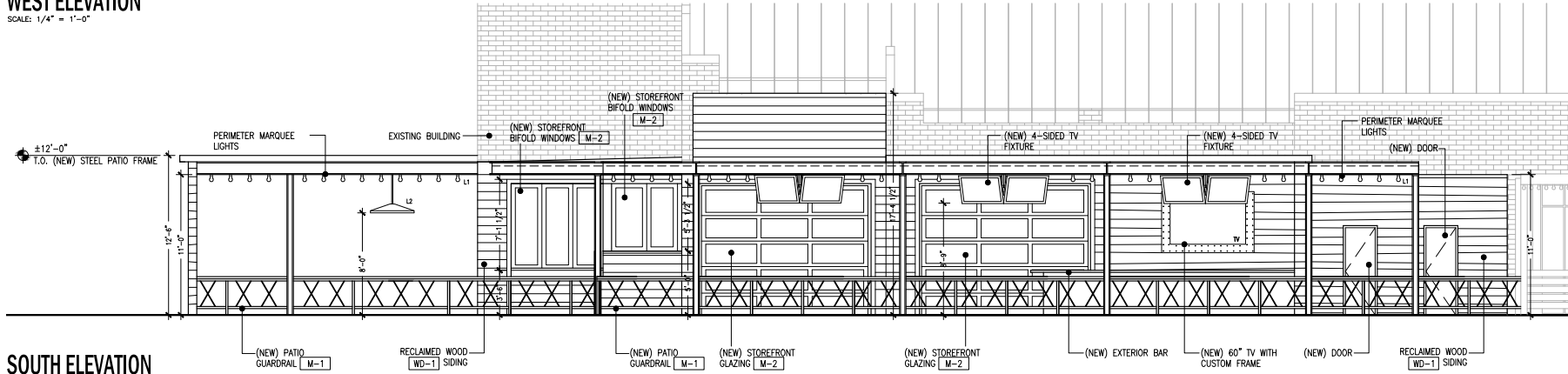
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NORTH ELEVATION
SCALE: 1/4" = 1'-0"



WEST ELEVATION
SCALE: 1/4" = 1'-0"



SOUTH ELEVATION
SCALE: 1/4" = 1'-0"

FOR:
RIOT HOSPITALITY
WHISKEY ROW
TENANT IMPROVEMENT
TEMPE, AZ

DEVELOPMENT REVIEW
EXTERIOR ELEVATIONS
PROJECT # 14012
2014 . 10 . 10

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FOR: RIOT HOSPITALITY
WHISKEY ROW
 TENANT IMPROVEMENT
 TEMPE, AZ

NORTH ELEVATION- SIXTH STREET- EXISTING

SCALE: N.T.S.



**DEVELOPMENT REVIEW
 ELEVATIONS
 02b**

project # 14012
 2014, 10, 10

NORTH ELEVATION- SIXTH STREET- PROPOSED

SCALE: 1/4" = 1'-0"

- (NEW) ENTRY DOOR WITH ANTIQUE GLASS [M-1]
- RECLAIMED WOOD SIDING [WD-1]
- (NEW) STOREFRONT GLAZING [M-2]
- (NEW) STEEL [M-1] COLUMN
- (NEW) ROLL-UP GARAGE DOOR [M-2]
- (NEW) ROLL-UP GARAGE DOOR [M-2]
- (NEW) STEEL [M-1] COLUMN
- (NEW) ROLL-UP GARAGE DOOR [M-2]
- RECLAIMED WOOD [WD-1] SIDING
- (NEW) PHOTO GUARDRAIL [M-1]

*LANDSCAPE REMOVED FOR CLARITY. REFER TO LANDSCAPE PLAN.

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FOR: RIOT HOSPITALITY
WHISKEY ROW
 TENANT IMPROVEMENT
 TEMPE, AZ

WEST ELEVATION- MAPLE AVENUE- EXISTING

SCALE: N.T.S.



DEVELOPMENT REVIEW
WEST ELEVATION
02b

project # 14012
 2014 . 10 . 10

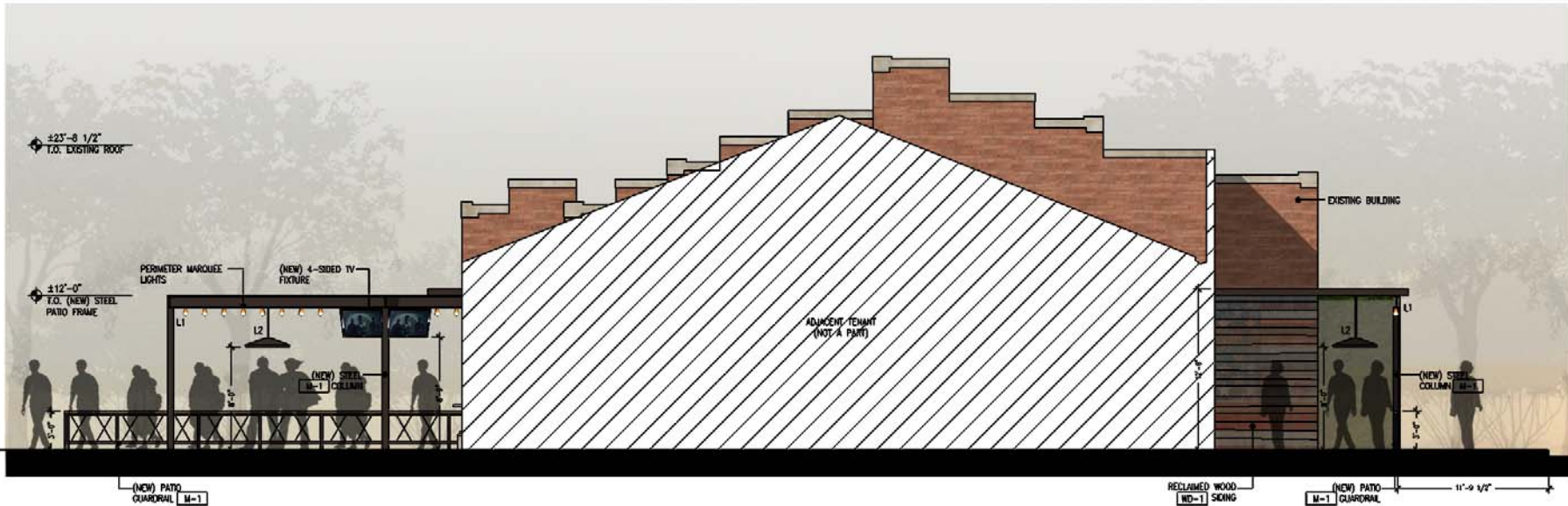
WEST ELEVATION- MAPLE AVENUE- PROPOSED

SCALE: 1/4" = 1'-0"

*LANDSCAPE REMOVED FOR CLARITY.
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EAST ELEVATION- MILL AVENUE- PROPOSED

*LANDSCAPE REMOVED FOR CLARITY.
 REFER TO LANDSCAPE PLAN.

SCALE: 1/4" = 1'-0"

**DEVELOPMENT REVIEW
 EAST ELEVATION
 02b**

project # 14012
 2014 . 10 . 10



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SIXTH STREET - FACING SOUTHWEST

FOR: RIOT HOSPITALITY
WHISKEY ROW
 TENANT IMPROVEMENT
 TEMPE, AZ

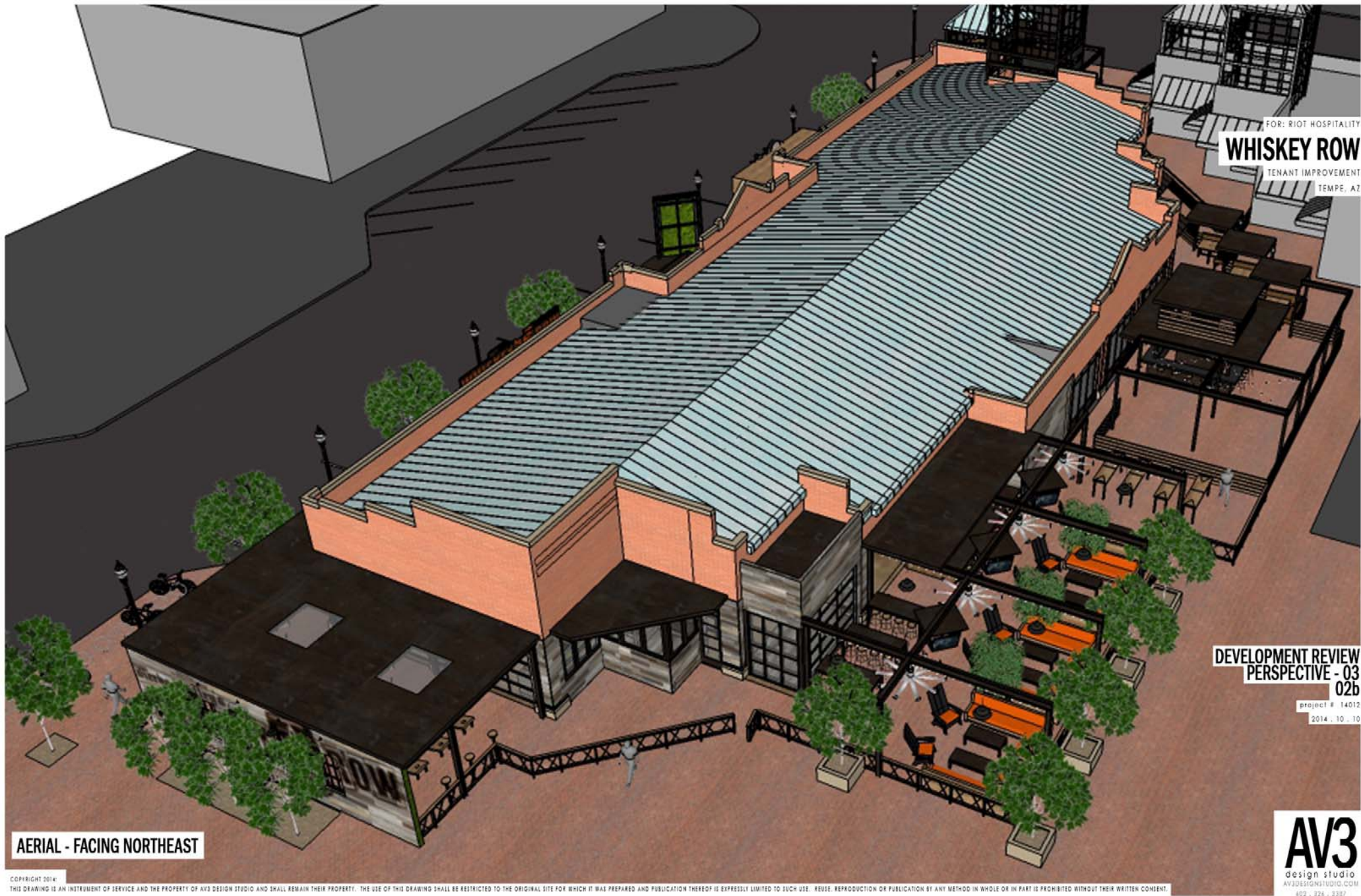


SIXTH STREET - FACING SOUTHEAST

DEVELOPMENT REVIEW
 PERSPECTIVES- 01
 02b
 project # 14012
 2014 . 10 . 10

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AERIAL - FACING NORTHEAST

FOR: RIOT HOSPITALITY
WHISKEY ROW
TENANT IMPROVEMENT
TEMPE, AZ

**DEVELOPMENT REVIEW
PERSPECTIVE - 03
02b**

project # 14012
2014. 10. 10

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FOR: RIOT HOSPITALITY
WHISKEY ROW
TENANT IMPROVEMENT
TEMPE, AZ

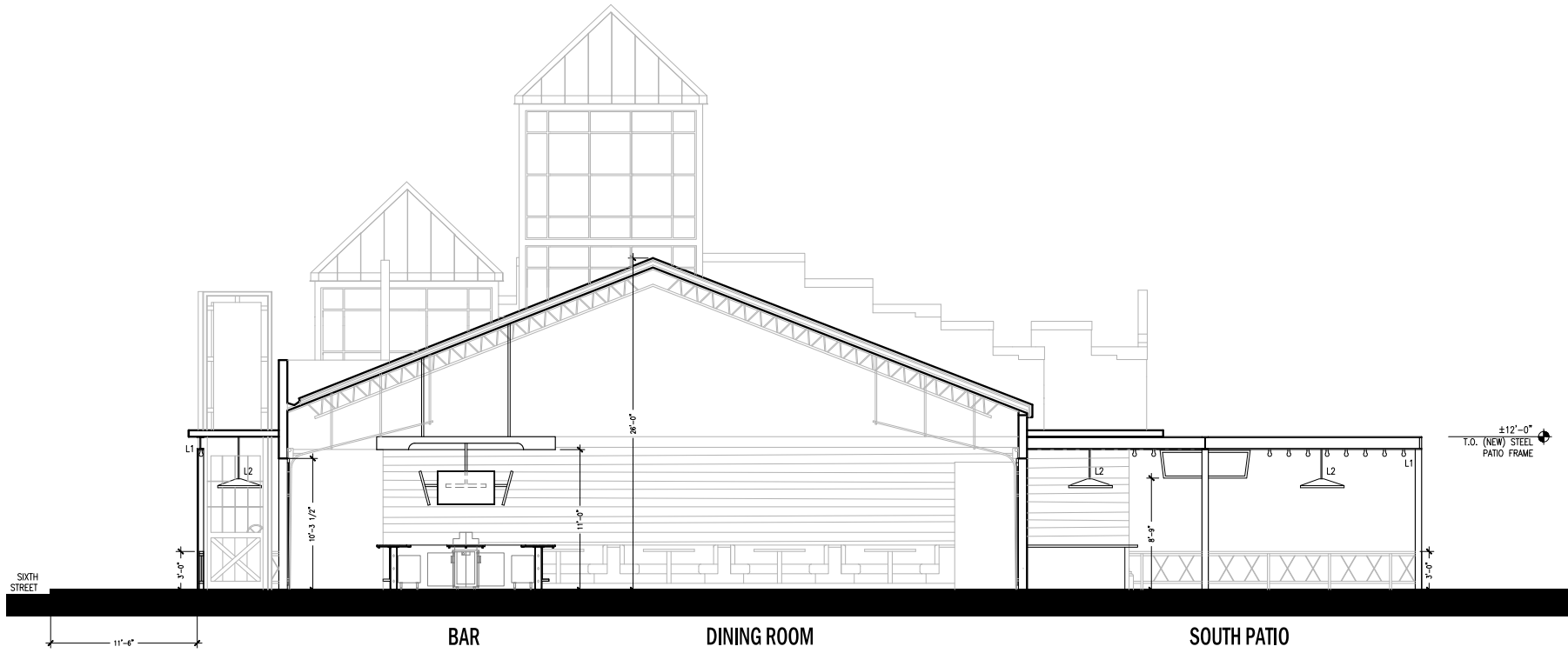
DEVELOPMENT REVIEW
PERSPECTIVE - 02
02b

project # 14012
2014 . 10 . 10

INTERIOR - AT ENTRY

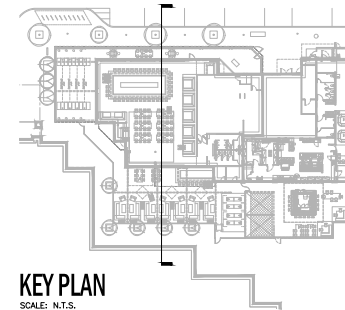
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BUILDING SECTION- NORTH/SOUTH THROUGH DINING ROOM

SCALE: 1/4" = 1'-0"

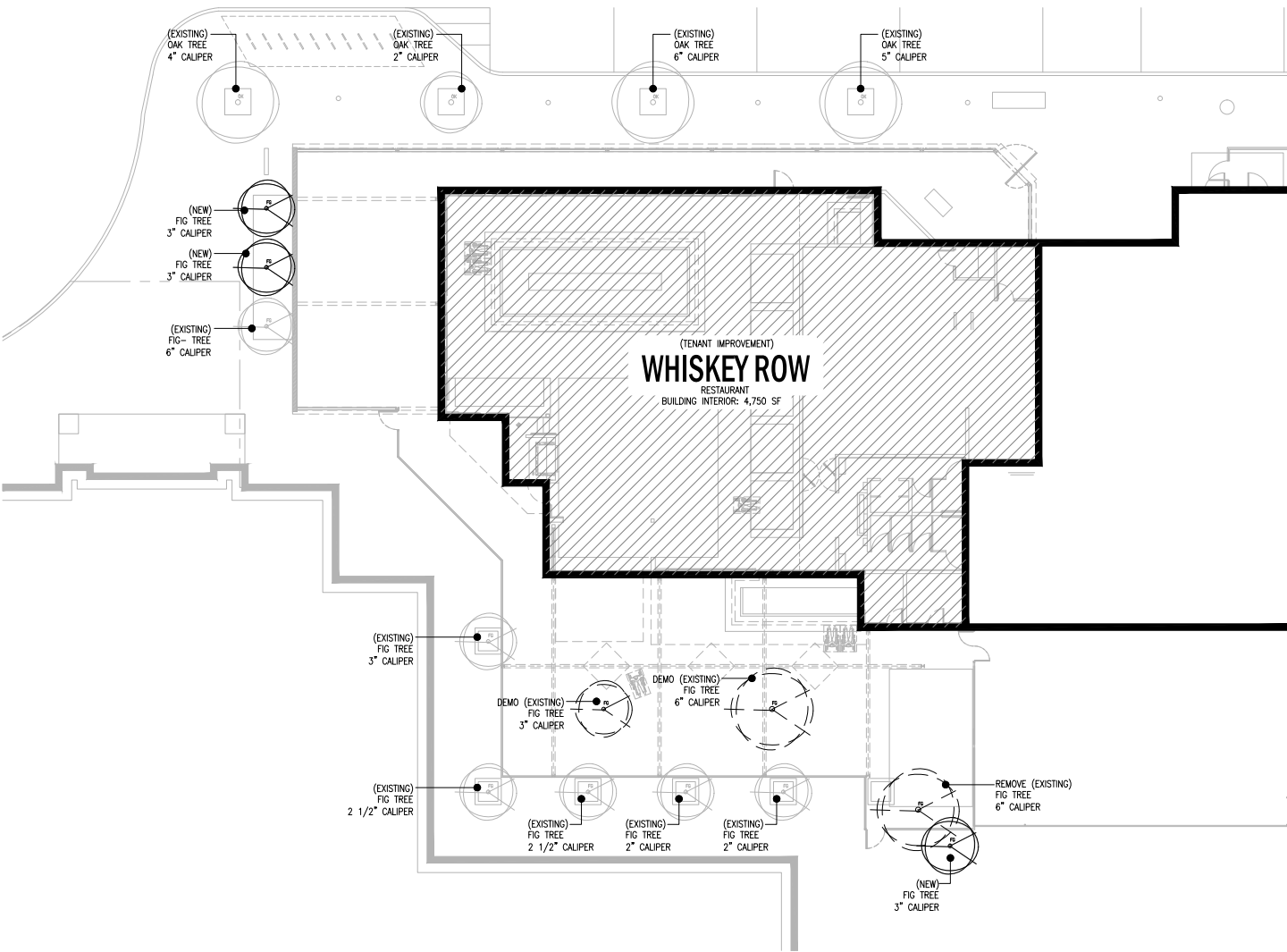


KEY PLAN
 SCALE: N.T.S.

LANDSCAPE LEGEND

SYMB	BOTANICAL NAME COMMON NAME	CALIPER	QTY EXIST.	QTY DEMO	QTY NEW
⊗	FICUS MICROCARPA NITIDA COMPART INDIAN LAURAL FIG	2"-6"	6	3	3
⊙	QUERCUS VIRGINIANA SOUTHERN LIVE OAK	2"-6"	4	-	-

PLANT QUANTITIES INDICATED ARE FOR GENERAL REFERENCE ONLY. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO DETERMINE THE QUANTITIES AND MATERIALS NECESSARY TO COMPLETE THE WORK IN ACCORDANCE WITH THE SYMBOLS AND CALLOUTS SHOWN ON THE PLANS.



Colors and Material Legend

WD 1
 MFG: PORTER BARN WOOD LLC
 TYPE: RECLAIMED LUMBER
 COLOR: GRAY/BLACK MIX
 LOCATION: EXTERIOR/INTERIOR SIDING

M 1
 MFG: MAGNUM METALS
 TYPE: STEEL PANEL SIDING
 COLOR: BLACKENED STEEL / HOT ROLLED
 LOCATION: EXTERIOR/INTERIOR WALLS

M 2
 MFG: ARCADIA
 TYPE: ALUMINUM STOREFRONT / CANOPY FRAME
 COLOR: DARK BRONZE AB-7
 LOCATION: EXTERIOR STOREFRONT / CANOPY
 LTV: NOT PROVIDED

WF 1
 MFG: COMMERCIAL SILK INT'L
 TYPE: ENGLISH IVY WALL MAT FOLIAGE
 COLOR: GREEN
 LOCATION: EXTERIOR WALL / CANOPY



WD 1



M 1



M 2



WF 1