

**CITY OF TEMPE
DEVELOPMENT REVIEW COMMISSION**

**Meeting Date: 07/23/2013
Agenda Item: 7**

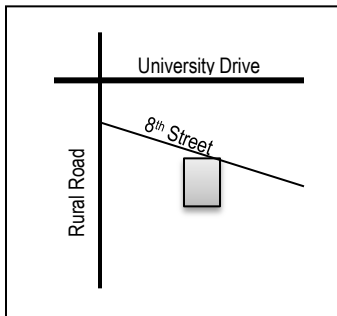
ACTION: Request approval for a Development Plan Review exterior modification for HAVANA CABANA BAR AND GRILL located at 1001 E. 8TH Street, Tempe. The applicant is Jason Garnett, Bongo, LLC.

FISCAL IMPACT: N/A

RECOMMENDATION: Staff – Approval, subject to conditions

BACKGROUND INFORMATION: HAVANA CABANA BAR AND GRILL (PL130198) is located on the south side of 8th Street. The applicant has applied for a Development Plan Review for an exterior paint modification including the following:

DPR13170 Development Plan Review for an exterior paint modification to an existing commercial building



Property Owner	Francis Massimiano, MBM 101 LLC
Applicant	Jason Garnett, Bongo, LLC
Zoning District	CSS
Code Compliance Inspector	Marvin White
Parking Required/Provided	75
Bike Parking Required	11

ATTACHMENTS: Development Project File

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

Department Director: Lisa Collins, Interim Community Development Director

Legal review by: N/A

Prepared by: Diana Kaminski, Senior Planner



COMMENTS

Located on the south side of 8th Street, Havana Cabana is an existing patio bar with an interior stage and an exterior bar. The site is a commercial site with industrial property to the north and surrounded by multi-family residences, including apartments and condominiums to the south and east. The site has been used as a bar since the 1970s and has had many architectural styles. The current owner purchased the property in 2010 and has changed concepts several times during tenure as operator of the bar. After Dos Gringos closed, it became Rocky Point Cantina, and now, after a recent facelift by Spike TV's reality television show Bar Rescue, the rebranded bar is called Havana Cabana, with a new exterior, interior, sign, menu and theme. The owner was advised by the producer that all permits for work would be taken care of prior to the bar rehabilitation, and was unaware that the exterior modification was done without authorization.

PUBLIC INPUT

At the writing of this report, staff has received one comment from a resident who did not like the colors and felt it was not in context with the surrounding area.

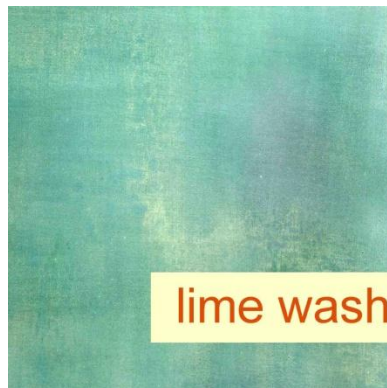
DEVELOPMENT PLAN REVIEW

Site Plan

There are no proposed changes to the site plan; the existing building and parking lot were approved under prior ownership. A portion of the parking is owned by the City of Tempe and leased by the business to fulfill parking requirements.

Building Elevations

The building is a shell structure enclosing a small interior bar area with a stage, a mezzanine and a large exterior bar and patio area. The structure of the building elevations has not changed. The mezzanine was recently found to be deteriorated structurally, and has been closed for occupancy by building safety staff. The owner is working with structural engineers to determine next steps in restoring the structural supports of the mezzanine. The materials of the exterior have not changed. Stucco surfaces have been painted six bright pastel colors reflective of the Caribbean colors found in Havana Cuba, only more intense in hue. The north elevation is a pastel sea-foam or mint green, which is replicated on the west elevation and broken by the neutral brick tower element at the corner, a sky blue section and a raspberry sherbet pink entryway. Forsythia yellow sections are highlighted with a bright orange wainscot and bright blue window shutters. A line of clothing connects between a pop-out section of the building to the main façade. Per the applicant's letter of intent, the design is a cheerful inviting setting that creates an oasis with a unique theme. The examples given as context are located a mile to the south east of the property and 6 miles due north in central Scottsdale, not within visual context of this project. Although there are examples of bright colored buildings in Tempe, the palettes typically have more muted desert earth tones. To the east of the site is a condominium development with a clean off-white, peach and salmon color scheme that the former building colors tied into with a burnt orange color. Further east is a deep maroon and pale gold color scheme, with medium grey accents. Further east is a muted olive/taupe concept with dark red accent walls. The area is very diverse and has the potential to support an eclectic color range. The proposed palette is very clean and cool in tones, providing a unique departure from traditionally warm color palettes. The quantity of the hues and their intensity however, are very bright, almost cartoonish. Over time, the colors may fade, becoming more muted. Staff is recommending a modification to the proposed design, in keeping with the colorful context of Cuba, with a white lime wash finish applied over the façade, lightening the colors and blending the sections to create a more unified appearance. An example can be seen in this image from Havana, and a sample of the painterly effect of a lime washed finish.



With regard to the laundry line hanging from the entry façade, conceptually this ties in with the theme, and provides some kinetic visual interest to the façade. It is not considered a banner or pennant, although could be considered an attention-getting device. With inclement weather the clothes may blow off and become litter, or weather and decline in aesthetic condition. Clothing could potentially be replaced with advertising, which would not be allowed without a permit. Staff is conditioning the removal of the clothes line after a 30-day grand opening period, to allow the concept to be carried through the opening. Alternatively, the clothes line may be displayed inside the premises, out of public view, with consideration for fire safety. Should the applicant wish to consider a more permanent architectural solution to this theme, a mural on the wall could be considered at a staff level review.

Landscape Plan

There are no proposed modifications to the landscape plan. The applicant is responsible for maintaining the landscape on his property and the City property to the west. Per prior entitlements, the property is conditioned by this approval to replace dead or missing vegetation and maintain the landscape as required. This request is also conditioned to replace broken curbing.

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 proposed color palette articulates the sections of the building to provide variety in the massing.
2. *Materials are of a superior quality, providing detail appropriate with their location and function while complementing the surroundings;* the exterior façade has unique detailing in the railing used across faux balconies facing the street, shutters on faux windows, tile roof elements and a strong grounded brick tower at the corner. The colors are too intense for the surrounding area, and are recommended to be washed w/ a white lime finish to produce a more subtle integrated tonal quality in character with the architectural context of the area.
3. *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;* the building massing and roofline has not changed, larger elements are broken up with architectural features such as a variety of window shapes and sizes, doors, balconies and shutters that create an inviting and playful façade with visual interest from the street front.
4. *Plans appropriately integrate Crime Prevention Through Environmental Design principles such as territoriality, natural surveillance, access control, activity support, and maintenance;* the site has a security plan and provides onsite security.

Conclusion

Based on the applicant information provided and the above analysis, staff recommends approval of the requested 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.
2. The project will meet the development standards required under the Zoning and Development Code.
3. The proposed project meets the approval criteria for a Development Plan Review.

CONDITIONS OF APPROVAL:

EACH NUMBERED ITEM IS A CONDITION OF APPROVAL. THE DECISION-MAKING BODY MAY MODIFY, DELETE OR ADD TO THESE CONDITIONS.

Building Elevations

1. The materials and colors are approved as presented:
Roof Concrete Tile existing
Brick veneer existing
Black steel picket fencing and balcony railing existing
Stucco finish painted:
 SW6945 Belize – (sky blue)
 SW6934 Rally Green – (sea foam green)
 SW6840 Exuberant Pink (raspberry sherbet)
 SW6884 Obstinate Orange (bright orange)
 SW6907 Forsythia – (bright yellow)
Faux window shutters – bright blue (color not specified)
2. Provide a translucent white lime finish over the surface of all of the colors to mute the tones. Provide main colors and materials with a light reflectance value of 75 percent or less. Call for planning inspection upon completion of elevation modification.
3. Remove the laundry clothing line and clothes from public view by August 30th 2013. If the concept is relocated to the interior of the building, do not place near fire apparatus or electrical or propane equipment.
4. Replace dead or missing landscape material on site and on parking lot.
5. Replace broken concrete and repair paving where damaged by large production vehicles; sign site to prevent large vehicle entry in areas without sufficient turnaround.

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.

- 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.
- Any exterior modification to the building or landscape, lighting or signage, requires Development Plan Review process.
- Any structural, mechanical, plumbing or electrical changes require building permits; do not initiate any work other than maintenance, without construction permits.
- **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, depending on size. Directional signs are subject to review by planning staff during plan check process.

HISTORY & FACTS:

- | | |
|-------------------|--|
| February 17, 1972 | Property record card indicated a liquor license issued for a business at 1001 E. 8 th St, The Library Bar. |
| May 4, 1987 | Planning Division issued a letter to the Sun Club, indicating it had a legal non-conforming use previously operated as the Library Bar and Freddie's Down the Road. The letter indicated that if |

the use significantly changed or intensified, a use permit would be required. The building associated with this use was destroyed by fire.

- June 22, 1994 Board of Adjustment approved a request for a Use Permit to allow a new bar/nightclub to operate at 1001 E 8th Street in the C-2 General Commercial District.
- August 17, 1994 Design Review Board approved building elevations, site plan, landscape plan and signage for the Thirsty Beaver at this location.
- September 28, 1994 Board of Adjustment approved a request for a Variance to allow a deviation in the landscape buffer requirements on the south of the property.
- June 26, 2002 Board of Adjustment approved a request for a Use Permit to allow a bar under new ownership, a Use Permit for a 1,200 s.f. outdoor dining area, and a Variance to reduce the parking from 75 to 51 spaces for Shady Grove Bar and Grill. The parking reduction was contested by residents due to perceived parking issues with the prior Thirsty Beaver business.
- July 15, 2002 Design Review Board staff approved a request for the design of a patio addition for Shady Grove Bar and Grill.
- October 2, 2003 City Council approved a Resolution selecting the proposal by Trailer Park Restaurant Inc. to improve 939 and 949 E. 8th Street for surface parking in exchange for lease of these properties. Trailer Park Restaurant was also known as Dos Gringos.
- May 1, 2010 The Planning Department received a letter that the property had been purchased by Francis Massimiano.
- May 18, 2010 The parking lease agreement was transferred to Francis Massimiano.
- June 1, 2010 Hearing Officer approved two Use Permits for Trailer Park Restaurant, to allow a Series 6 bar in the CSS and to allow live entertainment including disc jockeys and live bands. Condition #1 indicated that the use permits may be transferable through an administrative review, at the discretion of the Development Services manager or designee. Condition #2 indicated that any intensification or expansion of the use required return to the Hearing Officer for new use permits. The venue name later changed to Rocky Point Cantina, and the format of the bar changed to become a concert venue leased out for bands to perform with on-line ticket sales.
- May 23, 2013 Spike TV's Bar Rescue television series came to the site and did a 4 day business remodel, including name and menu change, and new interior and exterior decorations. This work was done without a Development Plan Review process for the exterior paint.
- June 13, 2013 Spike TV applied for the Development Plan Review for the exterior modification. This request will be heard by the Development Review Commission on July 23, 2013.
- July 16, 2013 Hearing Officer denied a Use Permit for Havana Cabana for live entertainment. This decision is being appealed to the Development Review Commission.

ZONING AND DEVELOPMENT

CODE REFERENCE:

Section 6-306, Development Plan Review



DEVELOPMENT PROJECT FILE

for

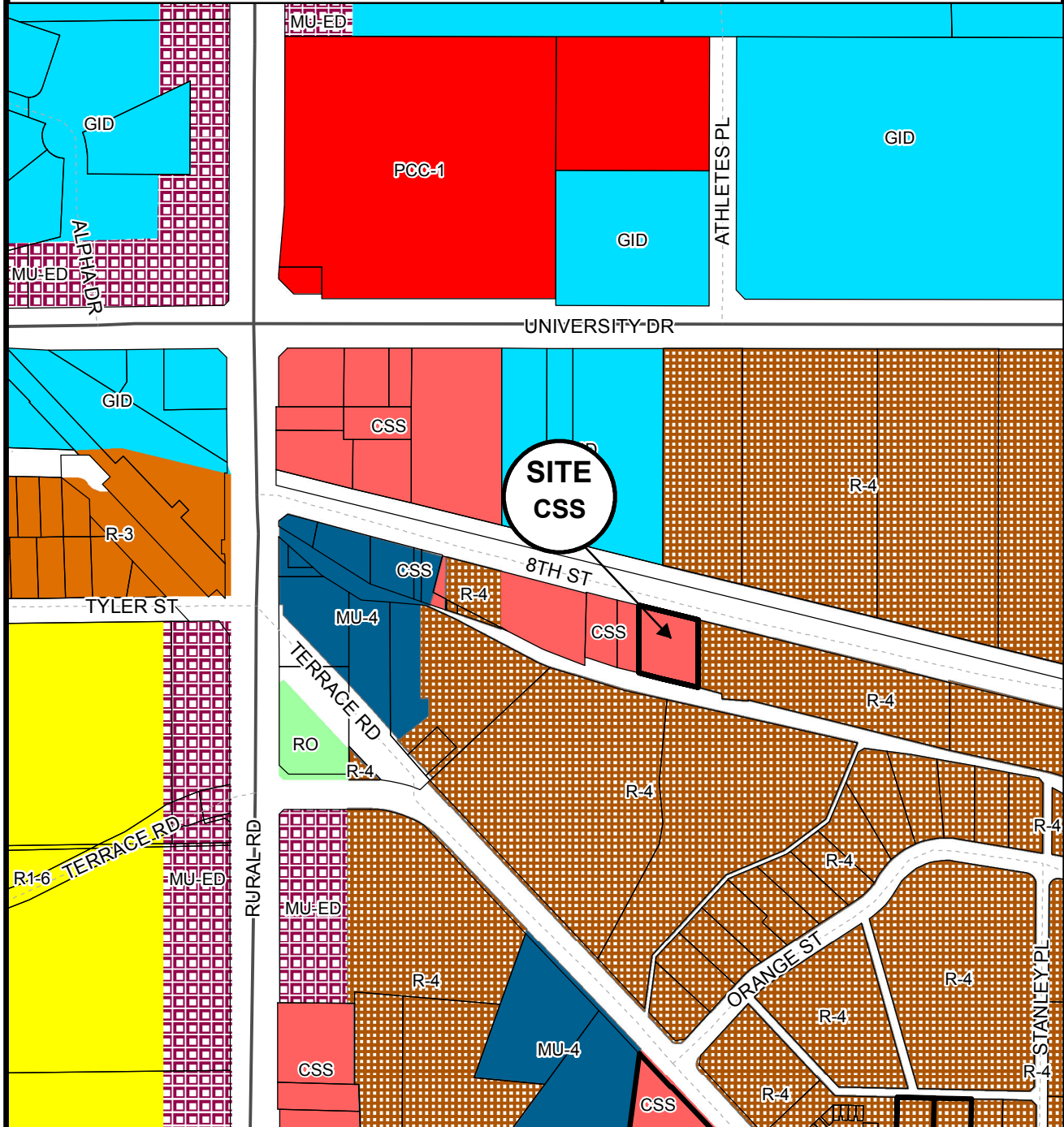
HAVANA CABANA BAR & GRILL

ATTACHMENTS:

1. Location Map
- 2-3. Aerial Photos
4. Letter of Explanation
5. Proposed Color Palette
6. Before & After concept changes provided by applicant
7. Examples from McClintock & Don Carlos and from Scottsdale & Drinkwater
- 8-11. Site Plan (from Dos Gringos Trailer Park), Floor Plan (from 6/10 staff sketch), Floor Plan (from 6/10 applicant submittal)
12. New color scheme and menu theme
13. Color sample board
14. Site Photo

HAVANA CABANA BAR & GRILL

PL130198

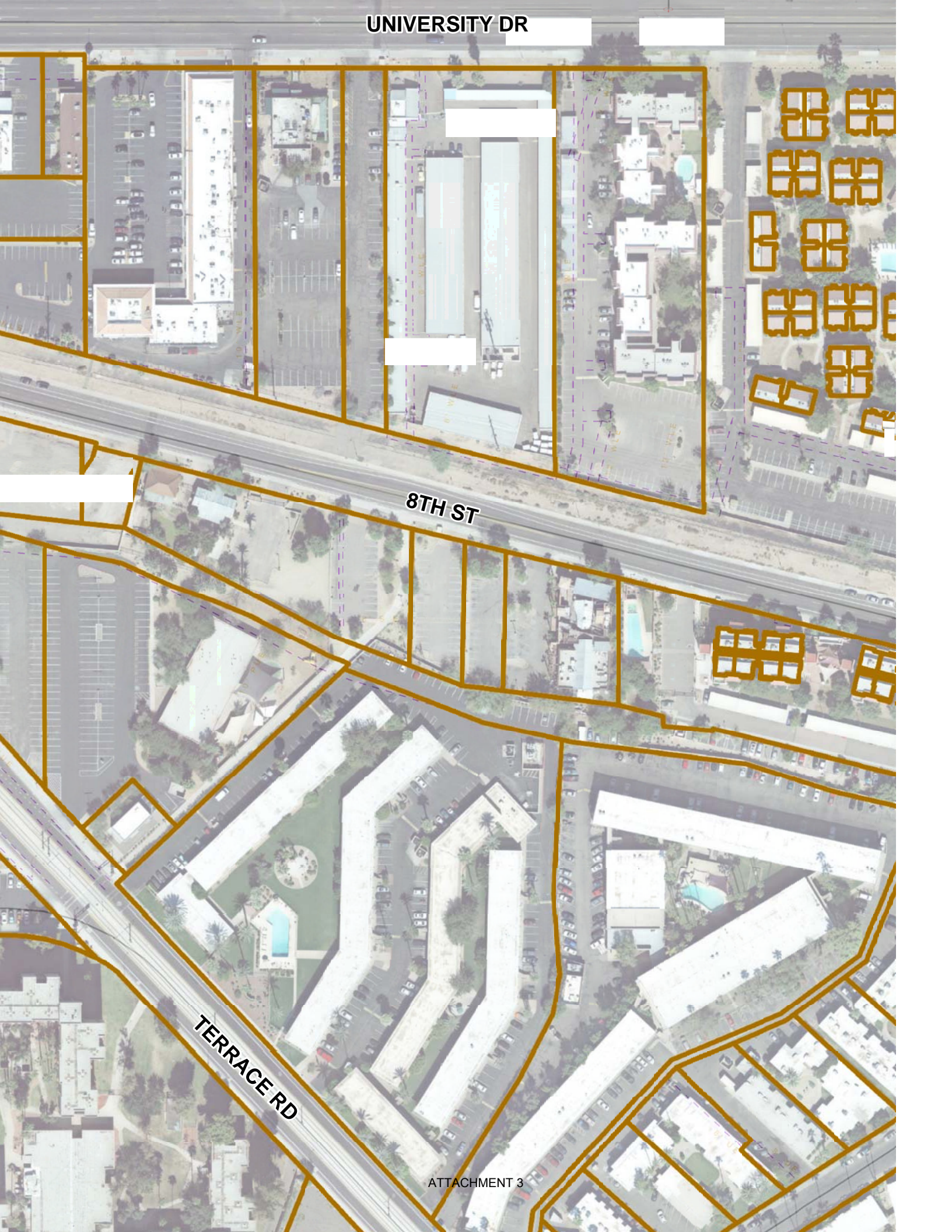


Location Map



HAVANA CABANA BAR & GRILL (PL130198)

UNIVERSITY DR



8TH ST

TERRACE RD

LETTER OF INTENT

3650 Redondo Beach Ave
Redondo Beach, CA 90278

June 6, 2013

Diana Kaminski
Community Development Department
City of Tempe

To Whom It May Concern:

The intention of this letter is to explain remodeling work that was done at the Havana Cabana (Formerly the Rocky Point Cantina) located at 1001 E. 8th Street, Tempe AZ 85281. We are submitting this information to the Development Plan Review, to explain the intention of the new design.

Work that was completed during the filming of Spike TV's "Bar Rescue" between the dates of May 23 – May 27, 2013 included exterior paint, new signage and interior paint.

The intent of the design was to create a more positive environment for the college students of Arizona State University and surrounding patrons in the neighborhood. Jon Taffer (host of Spike television's Bar Rescue) and the design team wanted to create a more inviting, cheerful setting, given the architecture of the building. As Rocky Point Cantina, the bar was getting a bad reputation, and our intent was to create a safer space for the neighborhood. Inspiration for the colors and design was pulled from Havana, Cuba. We wanted to create a different theme than other bars in the Tempe area, while keeping a destination style venue and "oasis" from the desert climate. Given the outdoor characteristics of the footprint of the building, we thought an outdoor, destination style theme for the design would be perfect.

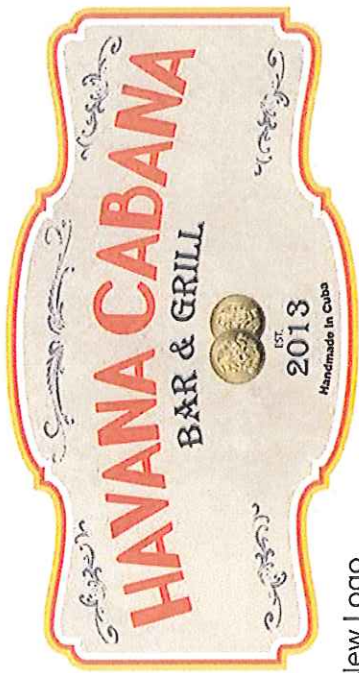
Tempe and the surrounding cities have beautiful buildings that are painted with cheerful, bright colors. These colors play well with the desert and xeriscape landscaping found throughout the city. Examples of brightly painted exteriors we found during research included: The Saguaro Scottsdale (4000 N Drinkwater Blvd Scottsdale, AZ 85251) and Cabana on McClintock Apartments (1701 E Don Carlos Ave Tempe, AZ 85281).

The design intention for the front of the building was to create a Cuban style streetscape. Given the existing blocking of different colors across the exterior, we thought using a color blocking approach again would stay in line with the original paint aesthetic. To update the building and make it more inviting, we chose Cuban style colors, which were also very similar to the local existing buildings, listed

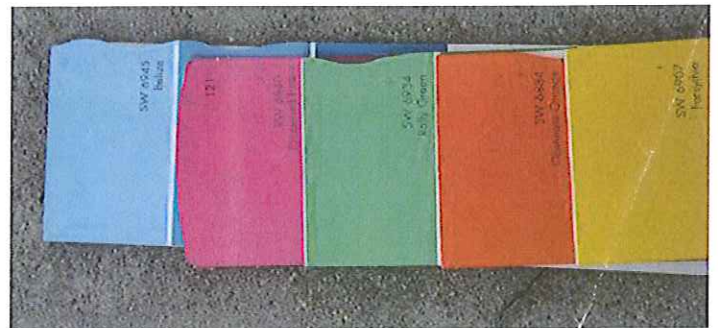
HAVANA CABANA

"After"

Inspired by a Cuban Streetscape

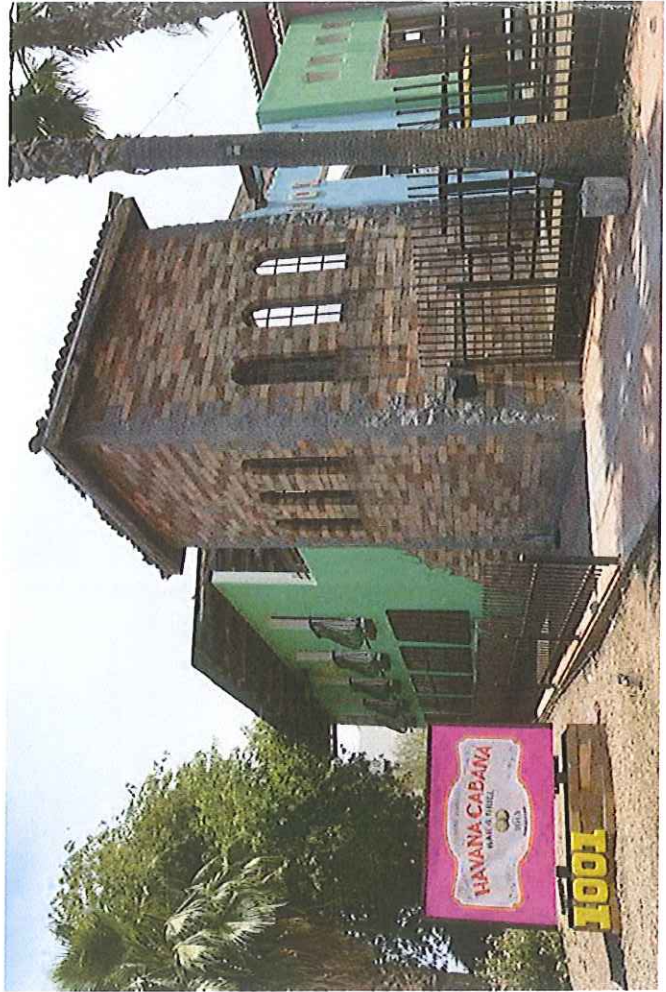


New Logo



New Color Palette

Front Facade

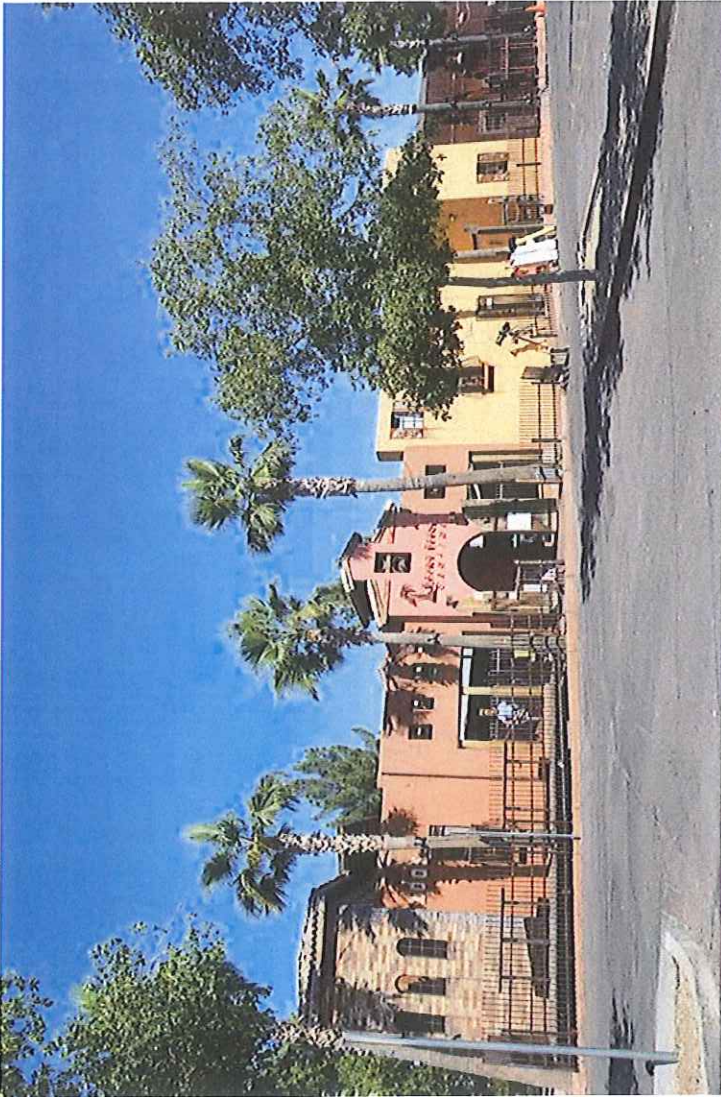


8th Street Side

(Rear and Right Side Elevations: All original, nothing changed.)

Before & After
Comparison

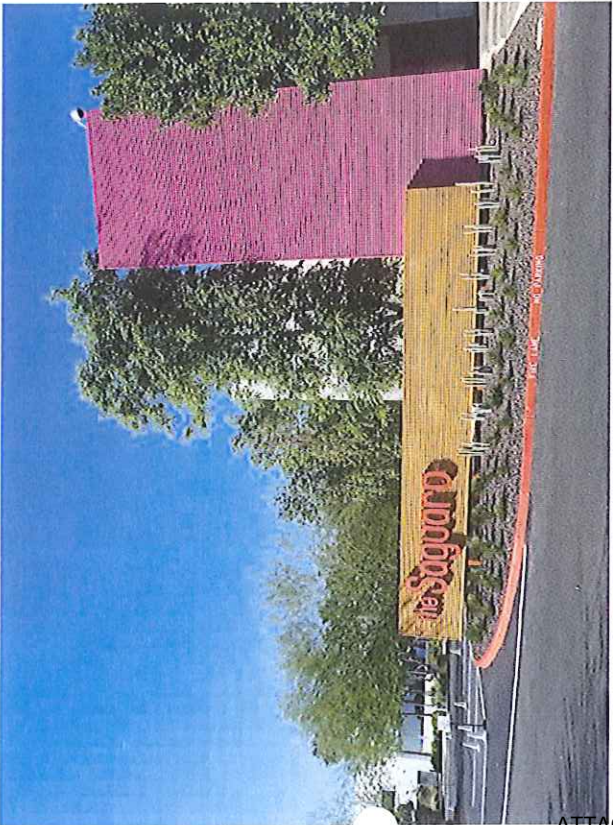
ROCKY POINT CANTINA
"Before"



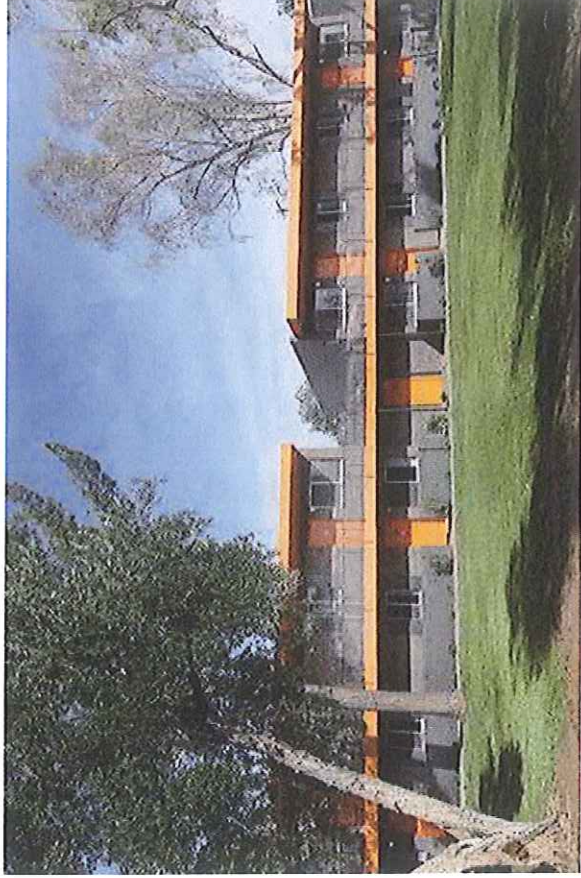
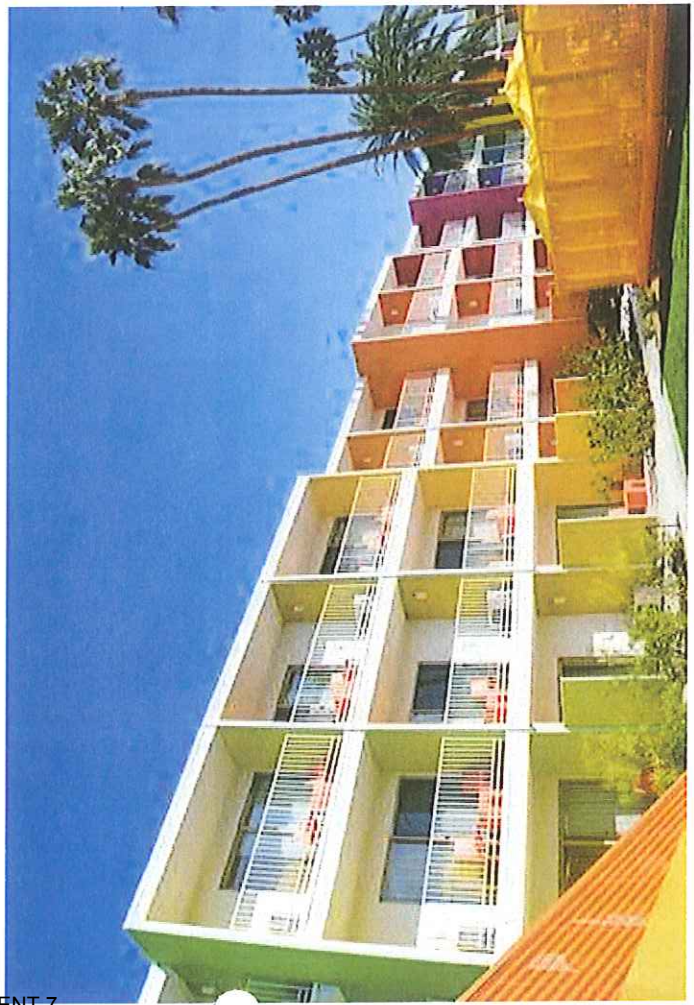
HAVANA CABANA
"After"



Surrounding buildings near Havana Cabana



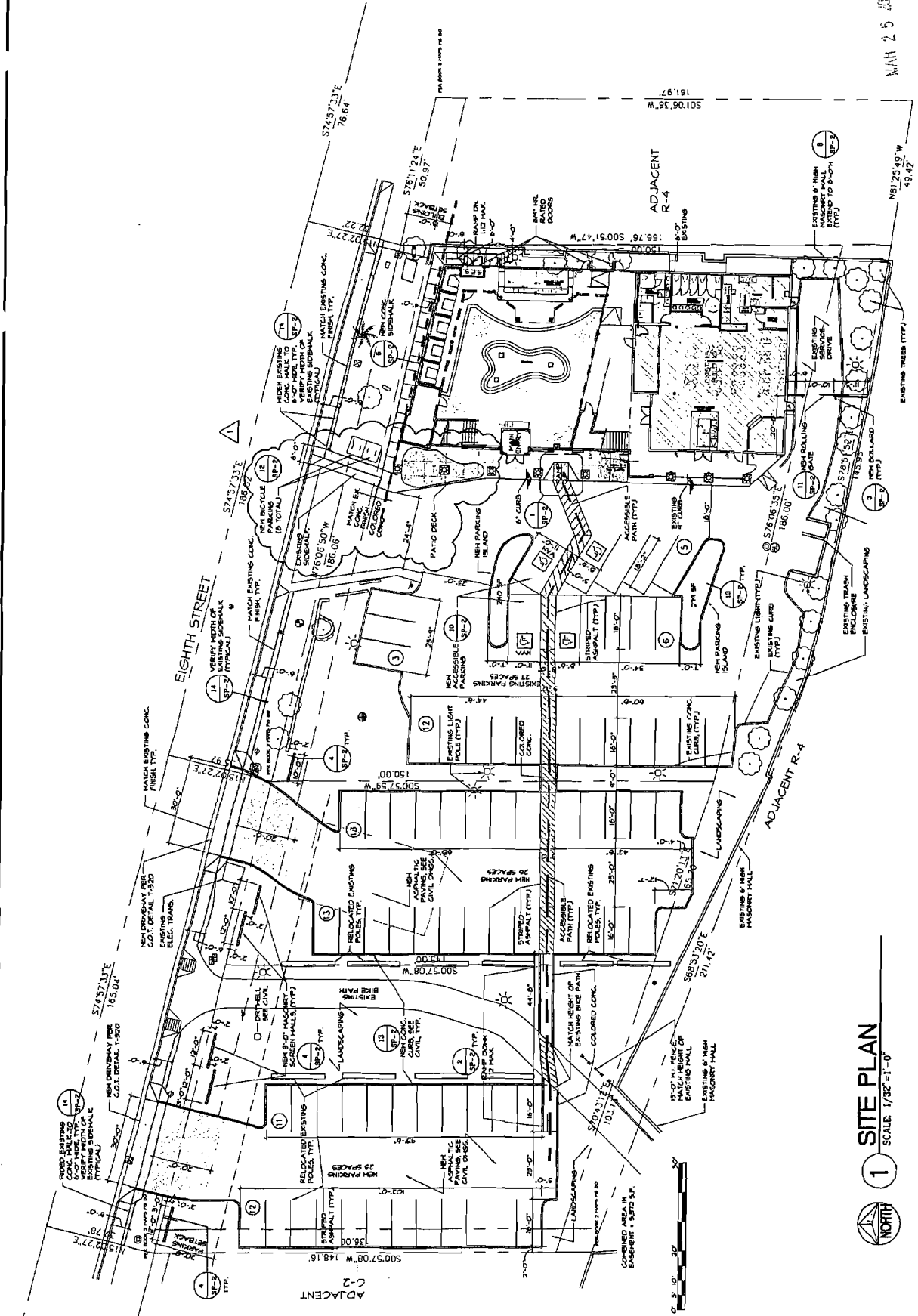
The Saguaro, Scottsdale



Cabana on McClintock Drive, Tempe



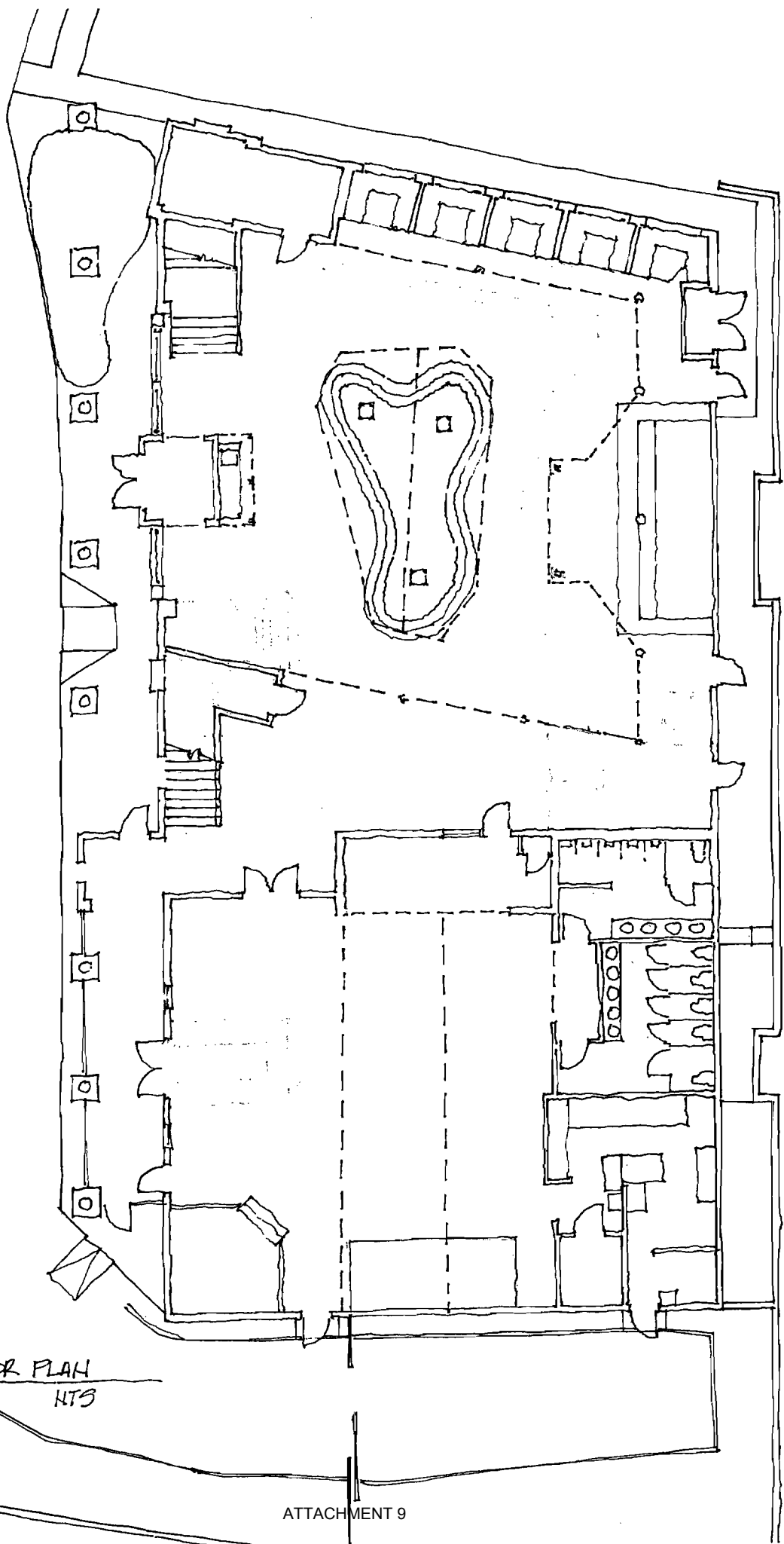
MAR 25 2009



ATTACHMENT 8

1 SITE PLAN
SCALE: 1/32" = 1'-0"

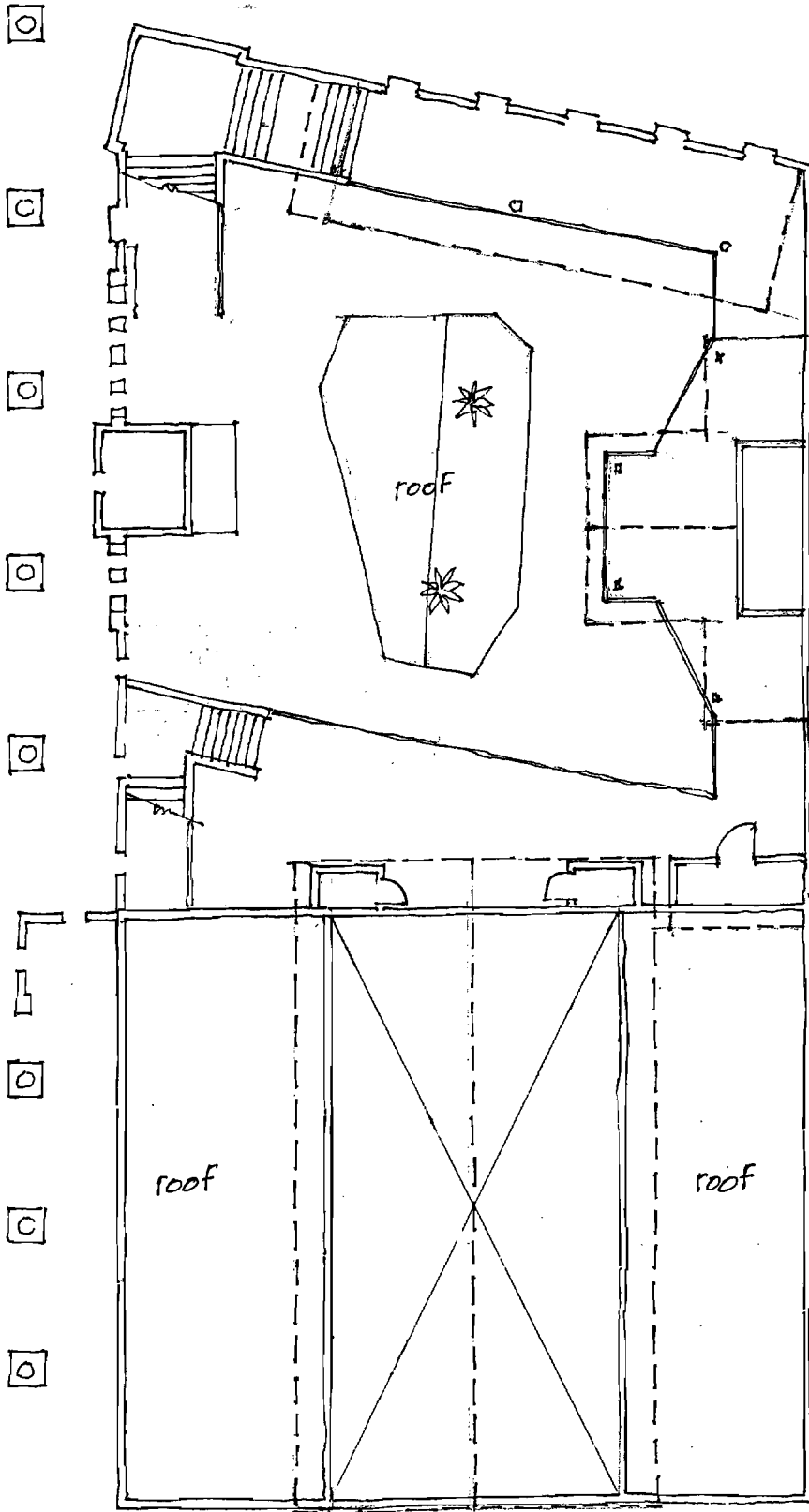




FIRST FLOOR PLAN

staff
sketch

NTS



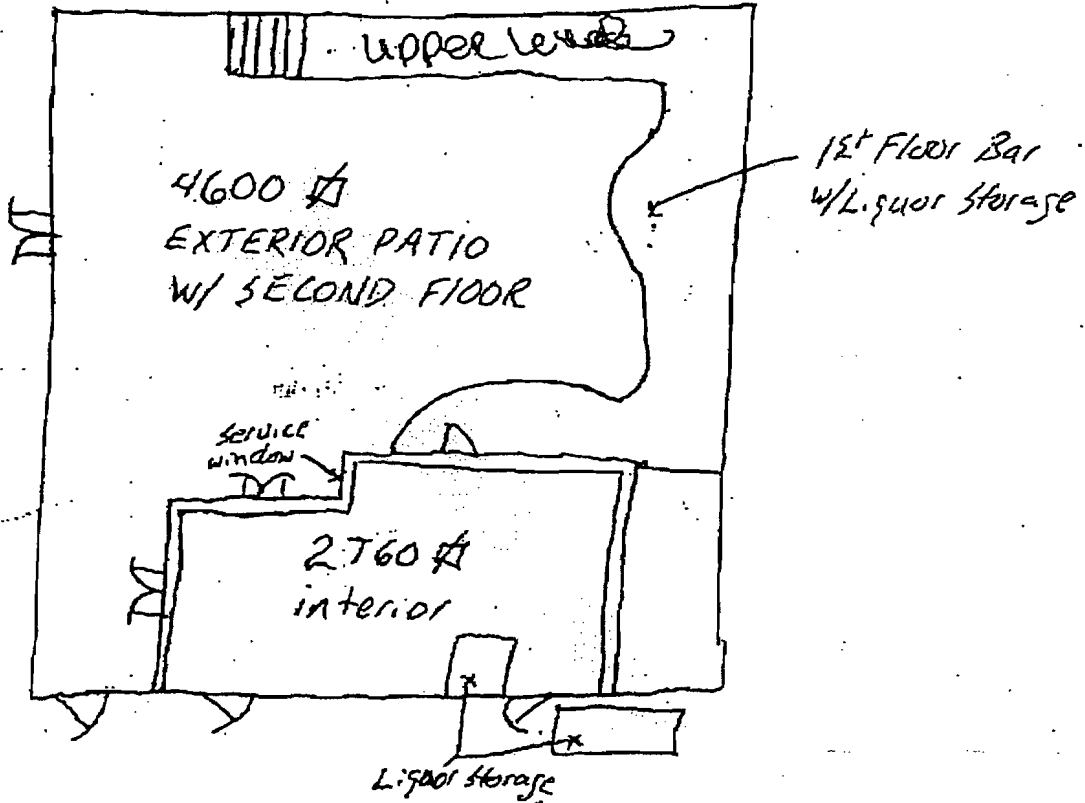
SECOND FLOOR PLAN

HTB

staff
sketch



TRAILER PARK RESTAURANT
1001 E. 8th Street
Tempe, AZ 85281



FLOOR PLAN
applicant's sketch



COMIDA

CUBANO SANDWICH

A PRESSED SANDWICH OF ROASTED PORK, SLICED HAM, SWISS CHEESE, BREAD AND BUTTER PICKLES.

..... 7.95

CHEESE CROQUETAS

CRUSHED POTATO AND CHEESE, PANKO BREADED AND LIGHTLY FRIED. SERVED WITH A CREAMY MOJO.

..... 5.95

YUCCA FRIES

CRISPY YUCCA FRIES TOPPED WITH QUESO BLANCO, CILANTRO, AND LIME SALT. SERVED WITH CREAMY MOJO.

..... 4.95

HAVANA CABANA SKEWERS

GUAVA MOJO MARINATED PORK OR BEEF GRILLED TO PERFECTION

..... 4.95

WINGS

SERVED WITH CHOICE OF SAUCE MEDIUM / HOT / BBQ / HONEY HOT

•• 8 FOR 7.95 / 12 FOR 11.95 ••

MAC N CHEESE BITES

LIGHTLY FRIED AND SERVED WITH OUR SPECIAL SAUCE

..... 6.95

QUESADILLA

SERVED WITH GRILLED CHICKEN

..... 6.95

FRENCH FRIES •• 3.95 SWEET POTATO FRIES •• 4.95 CHEESE FRIES •• 5.95

BEBIDAS

DIABLO DEL SOL

CAPTAIN MORGAN SPICED RUM, ORANGE JUICE, GRENADINE, GARNISHED WITH CHERRY, ORANGE, CINNAMON AND MINT

..... 7.25

THE GRADUATE

SMIRNOFF LEMON SORBET LIGHT, SMIRNOFF VANILLA, PINEAPPLE JUICE, PINEAPPLE WEDGE GARNISH

..... 7.25

CABANA CUBA LIBRE

CAPTAIN MORGAN SPICED RUM, COLA, LIME, SUGAR CANE

..... 6.25

TEMPE SORBET

SMIRNOFF RASPBERRY POMEGRANATE SORBET LIGHT, SMIRNOFF COCONUT, CRANBERRY JUICE, COCONUT MILK FLOAT GARNISHED WITH DRIED HIBISCUS

..... 7.25

HAVANA NIGHTS

CAPTAIN MORGAN SPICED RUM AND GOLDSCHLAGER

..... 6.25

SUNBURST

3 OLIVES RASPBERRY AND CHERRY VODKA, GINGER-ALE AND ORANGE

..... 7.25

CERVEZAS

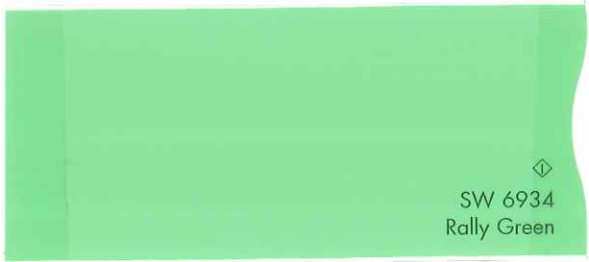
DOMESTICS 4.25

BUDWEISER / BUD LIGHT / BUD LIGHT PLATINUM / COORS LIGHT / MILLER LIGHT / PABST BLUE RIBBON TALL BOY / SHOCK TOP / MICHELOB ULTRA

ALL THE REST 5.25

4 PEAKS 8TH ST ALE / 4 PEAKS HOP KNOT / 4 PEAKS KILT LIFTER / LOST COAST INDICA PALE ALE / LOST COAST TANGERINE WHEAT / LOST COAST 8 BALL STOUT / SIERRA NEVADA / KONA BIG WAVE / BECK'S SAPPHIRE / STELLA ARTIOS / HEINEKEN / NEGRA MODELO / MODELO ESPECIAL / GUINNESS / DOS EQUIS LAGER / DOS EQUIS AMBER / PACIFICO / TECATE

Havana Cabana Bar & Grill - 1001 E 8th St Tempe, AZ 85281 - (480) 968-7879



ATTN: DIANA KAMINSKI

PAINT CHIPS FOR
HAVANA CABANA
1001 E. 8th St.
TEMPE, AZ 85281

PLEASE CONTACT
JASON GARNETT
310.467.8621
WITH ANY QUESTIONS

