

# Staff Summary Report



Hearing Officer Hearing Date: October 2, 2007

Agenda Item Number: 7

**SUBJECT:** This is a public hearing for a request by **THE GREEN ROOM (PL070402)** located at 640 South Mill Avenue for one (1) use permit.

**DOCUMENT NAME:** 20071002dssd03

**PLANNED DEVELOPMENT (0406)**

**SUPPORTING DOCS:** Yes

**COMMENTS:** Hold a public hearing for a request by **THE GREEN ROOM (PL070402)** (Amy Nations/ALIC, applicant; ~~City of Tempe~~ **Centerpoint Holdings LLC**, property owner) located at 640 South Mill Avenue, Suite No. 110, in the CC, City Center District for:

**ZUP07142** Use permit to allow a bar (Series 6) with live entertainment.

**PREPARED BY:** Shawn Daffara, Planner II (480-858-2284)

**REVIEWED BY:** Steve Abrahamson, Planning & Zoning Coordinator (480-350-8359)

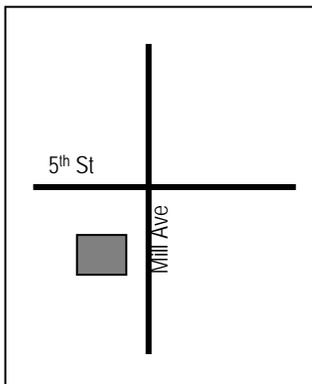
Handwritten signature in black ink, appearing to read 'SEA'.

**LEGAL REVIEW BY:** N/A

**FISCAL NOTE:** N/A

**RECOMMENDATION:** Staff – Approval subject to Conditions 1-7

**ADDITIONAL INFO:** The Green Room is requesting a use permit to allow a bar and grill with live entertainment, including two (2) outdoor patios located at 640 South Mill Avenue, Suite 110 in the CC, City Center District. The need for the use permit stems from the ownership requesting a series 6 liquor license. To date, staff has not received public input regarding this request. In that this use is not out of character with the area's existing retail and commercial businesses, staff recommends approval of the use permit request with attached conditions.



**PAGES:**

1. List of Attachments
2. Comments; Reason(s) for Approval
3. Conditions of Approval; History & Facts
4. Description; Zoning & Development Code Reference

**ATTACHMENTS:**

1. Location Map(s)
2. Aerial Photo(s)
3. Letter of Intent
4. Site plan
5. Floor Plan
6. Elevations
- 7-9. Staff Photograph(s)

## COMMENTS:

The Green Room is requesting a use permit to allow a bar and grill with live entertainment, including two (2) outdoor patios located at 640 South Mill Avenue, Suite 110 in the CC, City Center District. The use permit is required for both live entertainment and a series 6 liquor license. The Green Room will be a lounge catering to the 25-35 age demographic and is complimentary to the condominium developments in the downtown Tempe area. The Green Room intends to promote environmental safe products. They propose utilizing recycled/unbleached paper products, recycling all glass and using energy-star light bulbs. The Green Room will also offer catering services upon request.

Business hours of operation are from 7:00 p.m. until 2:00 a.m., Tuesday through Sunday. The business will have approximately 40-50 employees.

To date, staff has not received public input regarding this request.

## Use Permit

The Zoning and Development Code requires Bars, Taverns and Nightclubs with Live Entertainment to obtain a use permit in the CC, City Center District. This use permit request meets all applicable tests in the following manner:

Evaluating the use permit, the proposal appears to pass the use permit test listed below:

- a. Any significant increase in vehicular or pedestrian traffic in adjacent areas;
  - There will be no significant increase in vehicular or pedestrian traffic in adjacent areas.
- b. Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat, or glare at a level exceeding that of ambient conditions;
  - This use is similar to others in the area; there should be no nuisances.
- c. 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 requested use would not contribute to neighborhood deterioration or downgrade property values.
- d. Compatibility with existing surrounding structures and uses;
  - The proposed use appears to be compatible with surrounding structures and uses.

## Conclusion

Staff recommends approval of the use permit, subject to the conditions of approval.

## REASON(S) FOR APPROVAL:

1. The business is a general commercial use (bar/tavern), and is compatible with the other businesses on the property and within the area.
2. No apparent nuisance resulting from noise, smoke, odor, dust, vibration, or glare.

3. No apparent hazards to persons or property from possible explosion, contamination, fire or flood
4. Traffic generated by this use should not be excessive.
5. The use appears to be compatible with the building, site and adjacent property.
6. Approval of the use permit will not be materially detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood or the public welfare in general.

**SHOULD THE HEARING OFFICER ELECT TO TAKE AFFIRMATIVE ACTION ON THE REQUEST, THE FOLLOWING CONDITIONS OF APPROVAL SHOULD APPLY.**

**CONDITION(S)  
OF APPROVAL:**

1. This use permit is valid for "The Green Room "and may be transferable. Should the business be sold, the new owners must contact the Board of Adjustment/Hearing Officer staff for review of the business operations.
2. All permits and clearances required by the Building Safety Division shall be obtained prior to the use permit becoming effective.
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.
4. Any expansion or intensification of the use will require review of the use permit.
5. The use permit is valid for the plans as submitted within this application.
6. Submit a security plan with the Tempe Police Department within 30 calendar days (**November 2, 2007**). Contact Officer Derek Pittam at (480) 858-6341
7. The Use Permit does not constitute a Development Plan Review approval. The applicant shall submit a Development Plan Review application for all exterior work.

**HISTORY & FACTS:**

July 18, 1989	BA890124: Use Permit approved for Frascoti's/Romeo's Restaurant with outdoor dining
May 22, 1992	SPD 92.12: 3 <sup>rd</sup> Amended P.A.D. Centerpoint approved with a Use Permit to allow Shared Parking for Centerpoint Development.
December 16, 1993	CC930087: Use Permit approved for Frascati's Ristorante Patio addition.
April 21, 1994	CC940037: Use Permit approved for Bite of New York to allow two (2) patios and live entertainment.
April 27, 1995	CC950030: Use Permit approved for Palapa's to allow an outdoor patio.
January 7, 1999	CC980088: Use Permit approved for Palapa's to allow live entertainment and a second patio.
February 17, 1998	BA980009: Use Permit approved for Churchill's Cigars

**DESCRIPTION:**

Owner – City of Tempe  
Applicant – Amy Nations/ALIC  
Existing Zoning – CC, City Center District  
Parcel Size– 89,391 s.f. / 2.05 acres  
Building Area (B2) – 9,649 s.f.  
Suite Area – 3,940 s.f.  
North Patio –354 s.f.  
South Patio – 2,074 s.f.  
Parking Required for Suite– 127 spaces  
Total Parking Provided– Parking by Demand (3<sup>rd</sup> Amended P.A.D. for Centerpoint)

**ZONING AND  
DEVELOPMENT**

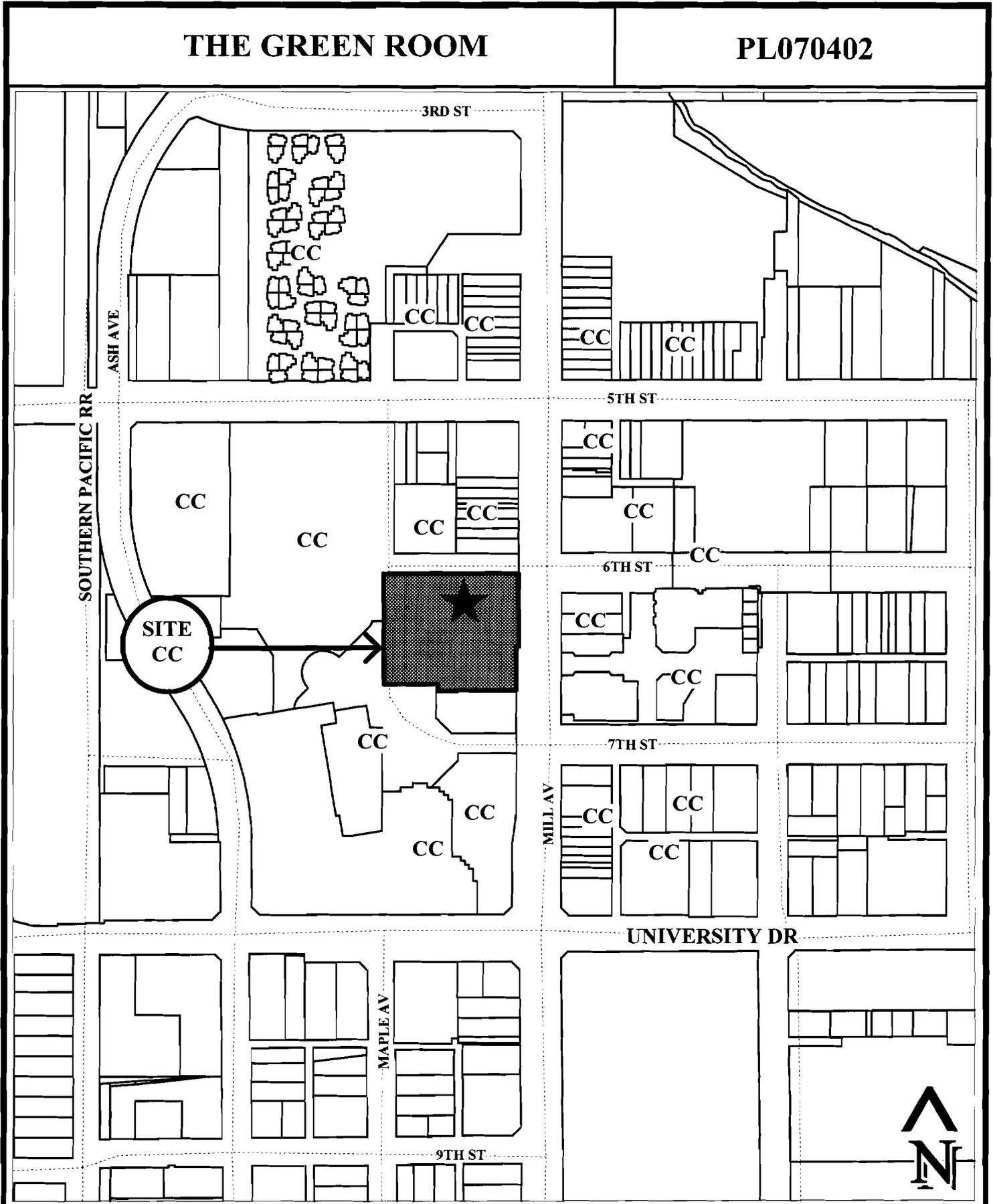
**CODE REFERENCE:**

Part 3, Chapter 2, Section 3-202, Table 3-202A – Permitted Land Uses in CC, Commercial Shopping and Services District.

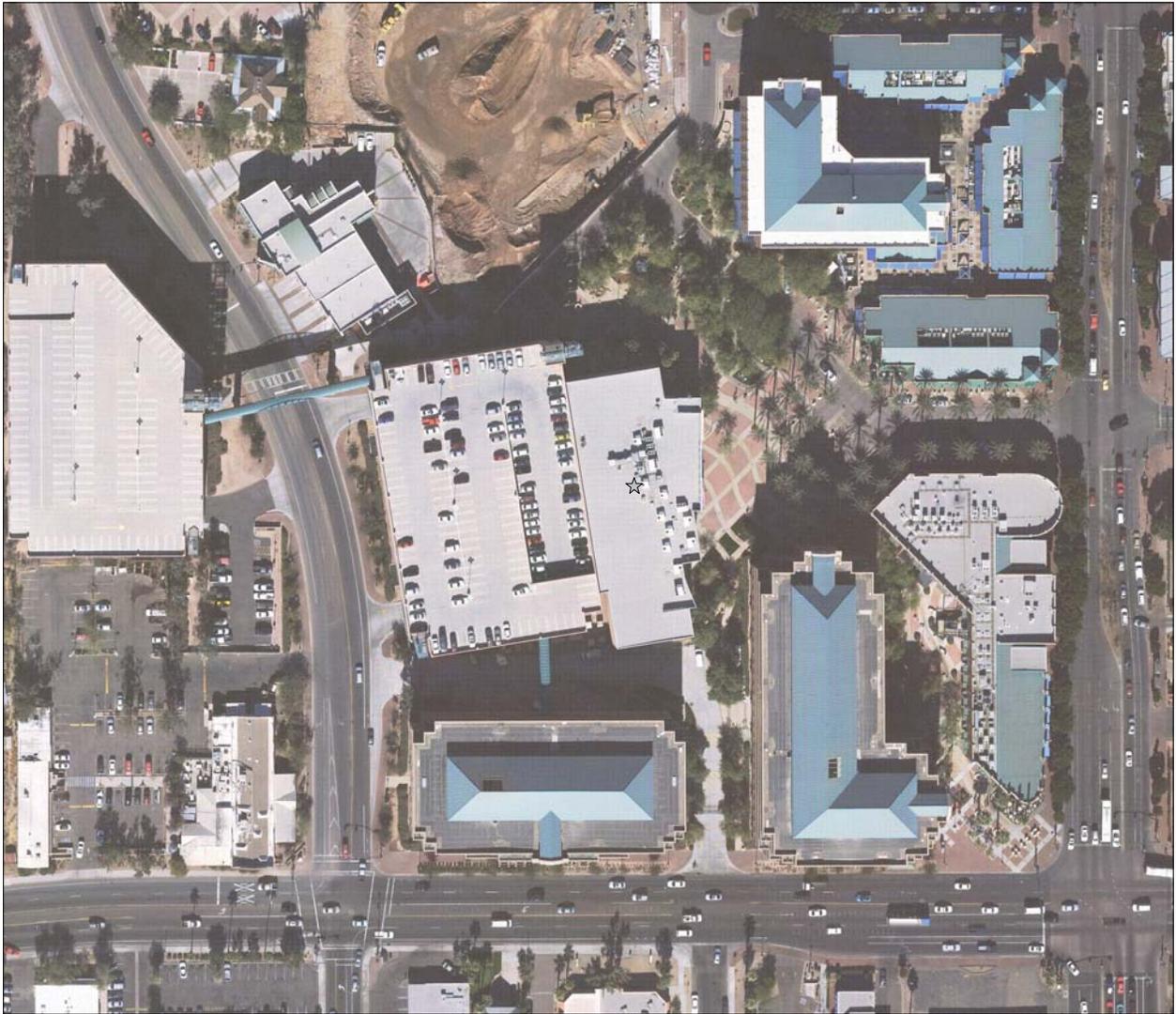
Part 6, Chapter 3, Section 6-308 – Use Permit

# THE GREEN ROOM

PL070402



Location Map



THE GREEN ROOM (PL070402)

September 4, 2007

City of Tempe  
Development Services  
31 East Fifth Street  
Tempe, AZ 85280

RE: Letter of Explanation for The Green Room

To Whom It May Concern:

The Green Room will be a lounge catering to the 25-35 demographic complimentary to the numerous condominium developments already in progress in the Mill Avenue district. We will operate Tuesday through Sunday from 7:00 p.m. to 2:00 a.m. Catering services available upon request. We will have approximately 40-50 employees.

There is adequate sidewalk and pathway to promote pedestrian access and circulation in and around the building entrance/exit.

The Green Room entrance/exit faces due east which will prevent noise from filtering out to any surrounding residential areas. Our smoking section will comply with all City and State laws and ordinances. The awnings on our patio reduce heat and promote energy efficiency in the building.

The Green Room intends to promote and enhance the goals and objectives of the City of Tempe by using recycled/unbleached paper products, recycling all glass and using Energy-Star light bulbs. We will comply with all State and local laws and ordinances. The Green Room's operators, with combined experience of over 40 years in the hospitality industry, also operate Zuma Grill on Mill Ave. Zuma Grill has an impeccable reputation with the Tempe Police Department and will maintain that relationship as The Green Room.

The Green Room will be compatible with existing surrounding structures. We are going into an existing structure and will use superior building materials, complimentary color schemes and any remodeling will blend seamlessly with the surrounding buildings and area.

The Green Room will provide adequate lighting and employ ample security to support a safe and secure environment for our patrons and the general public.

Sincerely Yours,



R. Damon Scott  
Operations Director, The Green Room







# DRAGONFLY BAR TENANT IMPROVEMENT



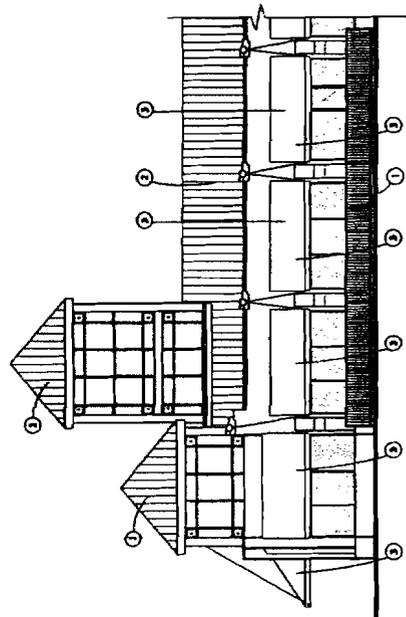
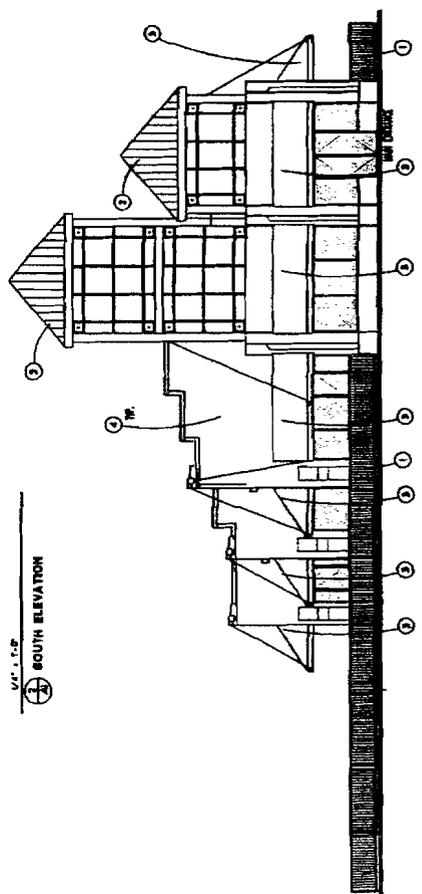
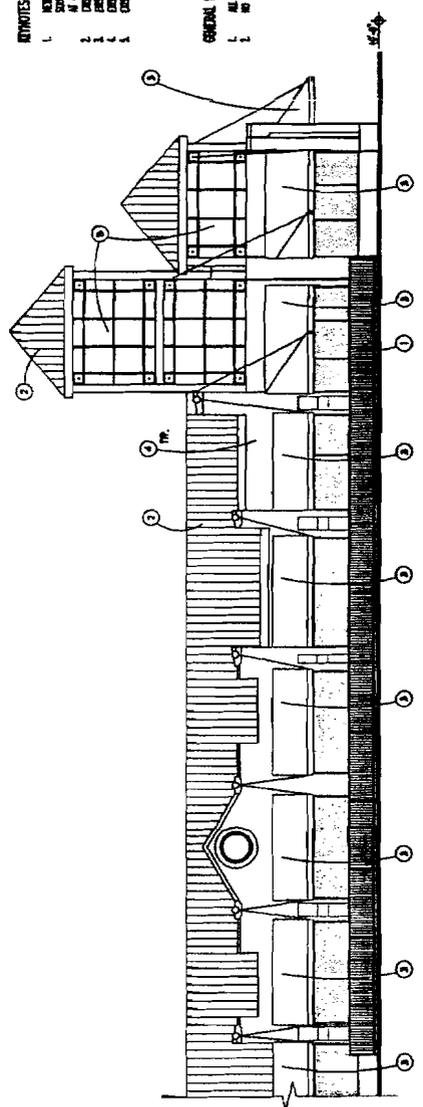
JOB NUMBER: 07/08  
 DATE: 8-3-07  
 CONTENTS: ENLARGED PLANS

A-4

- NOTES:**
1. SEE ALL WORK UNDER EXISTING FLOOR FINISHES AND REMOVE EXISTING MATERIALS AND 1/2" SOLAR SHIELDING MEMBRANE AT ALL U.G.C. POINTS TO MATCH EXISTING BUILDING EXTERIOR FINISHES.
  2. EXISTING EXTERIOR TO REMAIN.
  3. EXISTING INTERIOR TO REMAIN.
  4. EXISTING EXTERIOR FINISHES TO REMAIN.

**GENERAL NOTE:**

1. ALL WORK UNDER EXISTING FLOOR FINISHES TO BE COMPLETED BEFORE EXTERIOR FINISHES.





**THE GREEN ROOM**

**640 S MILL AVE**

**PL070402**

**NORTH SIDE OF SUITE: VIEW TO SOUTHWEST**



**THE GREEN ROOM**

**640 S MILL AVE**

**PL070402**

**FRONT OF SUITE: VIEW TO WEST**



# **THE GREEN ROOM**

**640 S MILL AVE**

**PL070402**

**SOUTH SIDE OF SUITE: VIEW TO WEST**