

# Staff Summary Report



Hearing Officer Hearing Date: April 7, 2009

Agenda Item Number: 5

**SUBJECT:** This is a public hearing for a request by the **SLEEPY DOG BREWERY (PL090092)** located at 1920 East University Drive, Suite No. 104 for one (1) use permit.

**DOCUMENT NAME:** 20090407dssd02

**PLANNED DEVELOPMENT (0406)**

**SUPPORTING DOCS:** Yes

**COMMENTS:** Hold a public hearing for a request by the **SLEEPY DOG BREWERY (PL090092)** (Scott Rasmussen/Synectic Design Inc., applicant; University and Perry LLC, property owner) located at 1920 East University Drive, Suite No. 104 in the GID, General Industrial District for:

**ZUP09044** Use permit to allow a brewery.

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

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

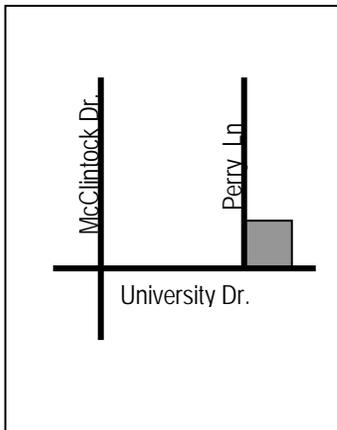
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**LEGAL REVIEW BY:** N/A

**FISCAL NOTE:** N/A

**RECOMMENDATION:** Staff – Approval subject to Conditions

**ADDITIONAL INFO:** The applicant is requesting a use permit to allow a brewery at 1920 East University Drive in the GID, General Industrial District. The proposal will involve a production facility for the micro-brewery with a small retail and tasting room. To date, staff has received no public input to this request. Staff recommends approval of the proposal as submitted, with conditions.



**PAGES:**

1. List of Attachments
2. Comments;
3. Reasons for Approval; Conditions of Approval; History & Facts/Description
4. Zoning & Development Code Reference

**ATTACHMENTS:**

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

## COMMENTS:

The applicant is requesting a use permit to allow a brewery at 1920 East University Drive in the GID, General Industrial District. The proposal will involve a production facility for the micro-brewery with a small retail and tasting room. Approximately 75% of the space will be used for the brewery and 25% for retail/customer area. The customer area can be utilized as a sales floor, tasting room, retail area, office, and meeting room. Sleepy Dog brewery will not be a "bar" and does not want a bar culture at this facility. The primary use will be a brewery where clients can taste, purchase, experience and order the product.

Sleepy Dog Brewery business hours are Monday through Friday from 11:00 AM to 11:00 PM and brewery tours on the weekend from 10:00 AM to 11:00 PM. The brewery could have up to seven (7) employees but only three (3) could be working at any given time.

To date, staff has received no public input for this request.

## Use Permit

The Zoning and Development Code requires a use permit for a brewery with a retail area greater than 15% floor area within the GID, General Industrial District. The 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, with conditions, should not create nuisances within this industrially zoned area.
- 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 development would not contribute to neighborhood deterioration or downgrade property values. This use permit request is consistent with the General Plan 2030's Land Use Element. The requested use permit will not be detrimental to the surrounding area, but will further the General Plan Land Use Element Goals and Strategies.
- d. Compatibility with existing surrounding structures and uses;
  - The proposed use appears to be compatible with surrounding uses.

## Conclusion

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

**REASON(S) FOR APPROVAL:**

1. The use will not be detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood, or to the public welfare in general.
2. There appears to be no significant increase in vehicular or pedestrian traffic.
3. There appears to be no nuisances arising from the emission of odor, dust, gas, noise, vibration, smoke, heat, or glare.
4. The use will not contribute to the deterioration of the neighborhood or to the downgrading of property values.
5. The location is compatible with the existing surrounding structures and uses.

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

**CONDITION(S) OF APPROVAL:**

1. The use permit is valid for Sleepy Dog Brewery and may be transferable with approval from the Development Services staff. Should the business be sold, the new owners must contact the Development Services staff for review of the business operation.
2. The use permit is valid for the plans submitted and reviewed by Development Services staff.
3. The use is only valid for brewery/manufacturing. No intensification to include restaurant use will be allowed unless a new use permit is approved.
4. All business signs will require sign permits prior to installation.
5. The applicant or business owner shall contact the City of Tempe Police Department, Crime Prevention Unit to implement/update a Security Plan for the business. Please contact the Crime Prevention Department at 480-858-6027.

**HISTORY & FACTS:**

December 21, 2005

DRB05229: Design Review Board approved the UNIVERSITY & PERRY BUILDING for a new office/warehouse building.

June 17, 2008

ZUP08097: Hearing Officer approved a use permit for BIMBO BAKERIES to allow a bakery with retail use in the GID district.

**DESCRIPTION:**

Owner – University and Perry LLC  
Applicant – Scott Rasmussen/Synectic Design Inc.  
Existing Zoning – GID, General Industrial District  
Lot Area – 89,843 s.f./ 2.06 acres  
Tenant Space – 3,273 s.f.  
Required Parking – 65 spaces  
Provided Parking – 78 spaces

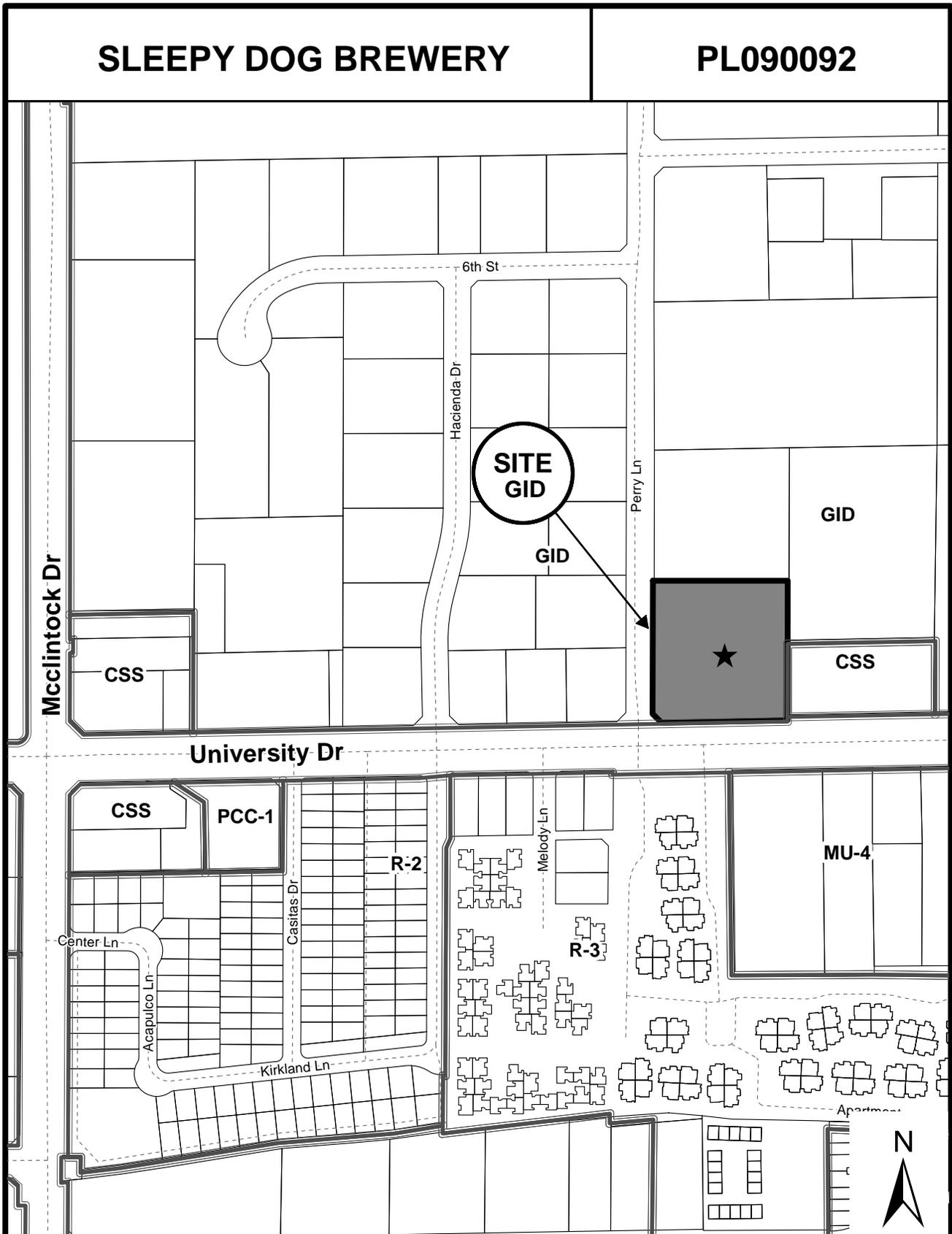
ZONING AND  
DEVELOPMENT  
CODE REFERENCE:

Part 3, Chapter 3, Section 3-302

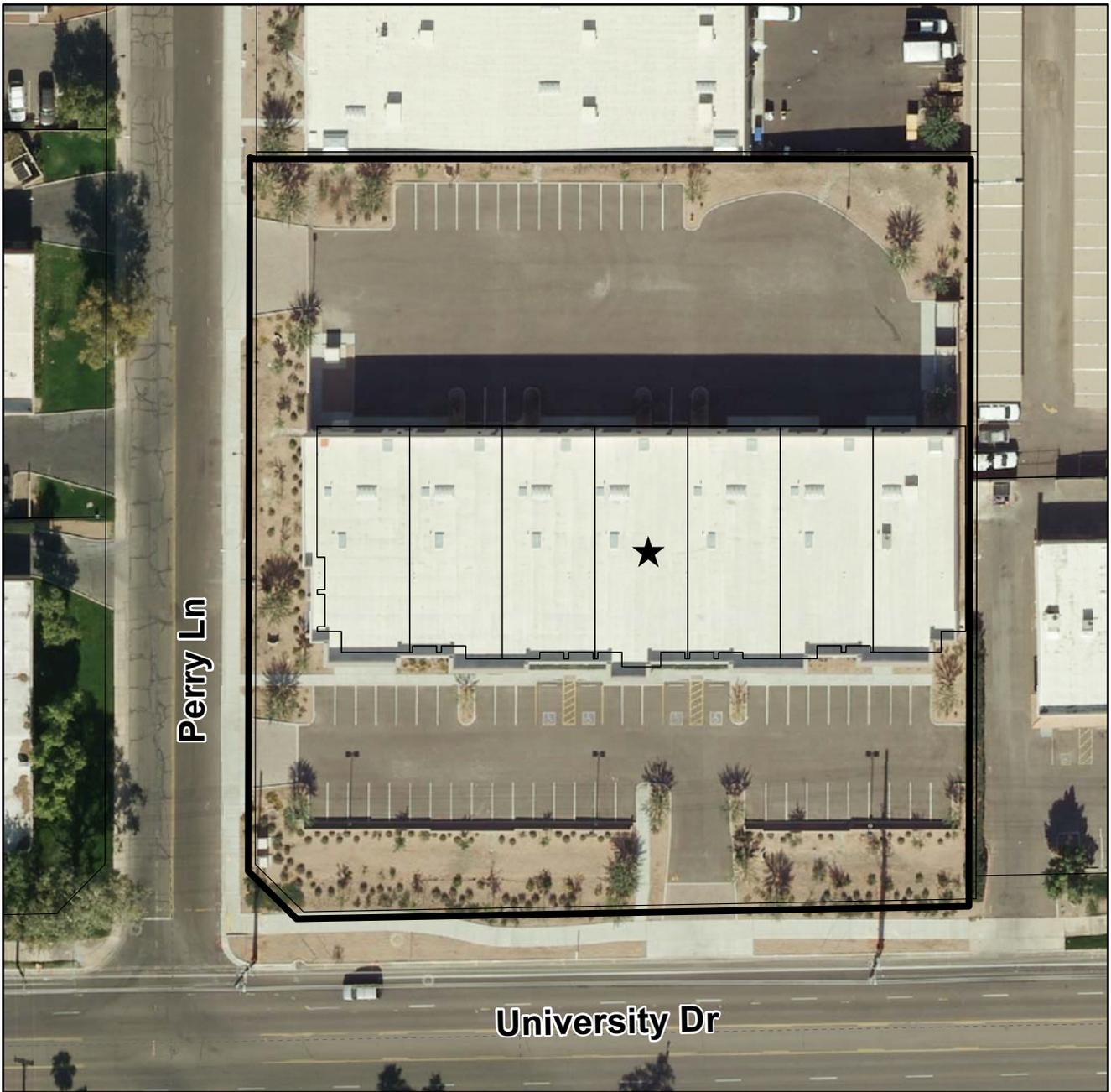
Permitted Uses in Office/Industrial Districts – Table 3-302A – Brewery in GID, General Industrial District  
require a use permit;

Part 6, Chapter 3, Section 6-308

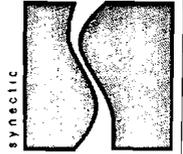
Use Permit.



**Location Map**



**SLEEPY DOG BREWERY (PL090092)**



**Letter of Explanation**

**Sleepy Dog Brewery**

1920 E University Drive, Suite 104  
Tempe, Arizona 85281

Application for Use Permit

*Submitted: March 9, 2009*

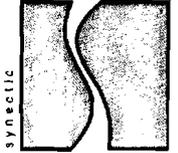
This application requests a Use Permit to allow Sleepy Dog Brewery, a micro-brewery, to be built at 1920 E University Drive. The brewery will be located within an existing shell building located in a GID zoning district. Approximately 75% of the space will be used for the brewery and 25% for the retail / customer area. This use is allowed by the zoning code although the retail portion of this facility is larger than the allowed 15%, thus requiring a use permit.

Sleepy Dog Saloon and Brewery will be predominantly a production facility. However, in an effort to set Sleepy Dog Saloon and Brewery apart from the competition and create a positive lasting impression with our prospective sales clients, the client and customer area will be a fun and entertaining environment with a spirited and comfortable atmosphere. The customer area at the Sleepy Dog Saloon and Brewery will be used in a variety of ways including a sales floor, tasting room, retail area, office, and meeting room. Regarding employees, the Sleepy Dog Brewery will have a minimum of three basic positions: a brewer, tap tender, and assistant brewer/delivery driver. These positions may be occupied by at most seven employees, but it is anticipated that there will only be three employees at any given time.

Many of the contract brewing sales activities will be undertaken on the sales floor/retail area. To accomplish the transition from prospective marketing target to sales contract, it will be a comfortable place where clients can relax and take the necessary time to experience the product in an appropriate environment away from the distractions of their own businesses. Sleepy Dog intends to roll out the red carpet, entertain, and engage clients with their unique brand and brewing philosophy. There will be tables, televisions mounted on the walls, two sofas arranged in a conversational setting, and eight to ten bar stools at the tasting bar countertop.

The retail area and tasting room is a natural extension of the brewery. It will exist as a place where walk-in customers can taste, critique, and hopefully purchase packages to take away. All of the sales floor area will be open to the general public assuming no sales activities are taking place as they would take precedence. The profit margin on beer sales across the bar top is such that sit down customers will not be turned away unless there is a conflict with existing AZ liquor laws. Sleepy Dog Brewery will function under a Series 3 liquor license.

Sleepy dog will create a culture within the retail/customer area so as to discourage the development of a bar atmosphere and culture. It is not a bar. Adding to this effort will be the limited hours. The room will be open from around 11 AM to 11PM during weekdays and from the brewery tour time of 10AM until 11PM on the weekends.



The general office activities of Sleepy Dog, with the exception of sensitive documents and equipment, will take place in the customer area. It is designed with the philosophy that the working life of the owner should be as comfortable and fun for the owner as possible. In this way the sales floor will double as a general office.

The customer area/retail area will also be used to host clubs and event groups as a means of marketing. Among these groups will be the local home brewers clubs, local small-scale sports teams, hopefully Chamber of Commerce and the like, charitable groups, and activities. They will also be giving classes on beer history, culture, and brewing techniques and trends from time to time.

The retail area of Sleepy Dog Saloon and Brewery is a vital and irreplaceable portion of the brewery operation. The room will be engaged in bar type activities but Sleepy Dog has no interest or tolerance for a bar culture. They hope it becomes a neighborhood fixture and a positive place for creating customer loyalty and solid profits.

As stated previously, the Sleepy Dog Saloon and Brewery does not tolerate bar culture and is primarily a brewery where clients can taste, purchase, order, and experience the product. The customer/retail area parking will be calculated as an assembly space with the brewery calculated as warehouse, requiring a total of 11 parking spaces. There are a total of 78 parking spaces provided, including four handicapped stalls. The occupied tenant spaces currently are a majority warehouse with a portion of retail or business requiring approximately 9 spaces each. It is anticipated that the future three tenants will also have these occupancies and require a total of 54 parking spaces. Including the required parking for the Sleepy Dog Brewery, the total of required spaces will be 65, well under the provided 78.

Because the brewery will contain mostly production/warehouse uses of approximately 75% of the leasable area and 25% retail/customer area, this facility will not cause any significant increase in vehicular or pedestrian traffic to this area as this use is consistent with the original plan for the building and the GID zoning. All equipment used in the brewery will be contained inside the space and will not cause any undue nuisance (noise, odor, vibration, etc.) to the surrounding areas. This use is allowed by the zoning code and will not contribute to the deterioration of the neighborhood regarding goals, objectives and policies of the City. This brewery will bring more business to the area.

Please feel free to contact me with any questions. Thank you,

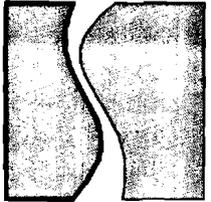
A handwritten signature in black ink, appearing to read 'Scott Rasmussen', with a long, sweeping horizontal line extending to the right.

**Scott Rasmussen**  
Project Manager



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**PROJECT DATA**

ADDRESS: 1920 E UNIVERSITY, STE 104

ZONING: GID

CONSTRUCTION TYPE: V-B, AFES

BUILDING USE	S.F.	PKG. REQ.
BREWERY (MANUF.)	1902	1.9
RETAIL (ASSEMBLY)	930	7.44
STORAGE/MECH.	441	0.88

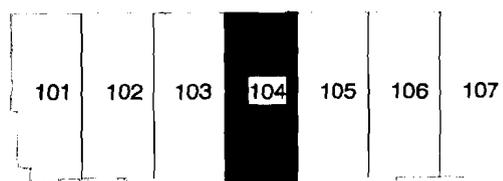
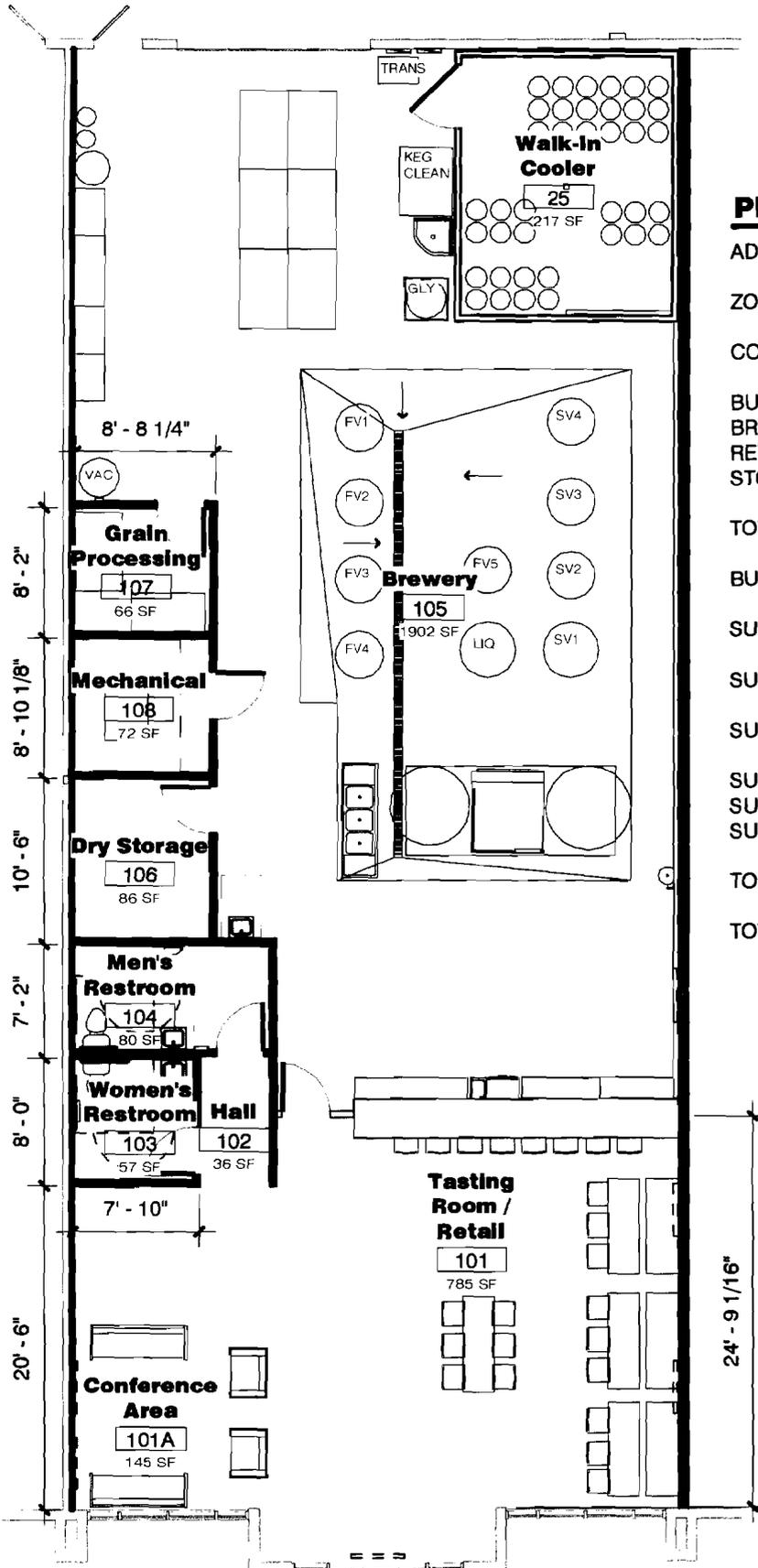
TOTAL: 11 SPACES

BUILDING (GROSS): 25,027

SUITE	USE	S.F.	SPACES
101	BIMBO BAKERY	3,358	9 SPACES
102	FRANKLIN AND ASSOCIATES	3,531	9 SPACES
103	DDC INTERLOCK	3,584	9 SPACES
105	VACANT	3,580	9 SPACES
106	VACANT	3,522	9 SPACES
107	VACANT	3,456	9 SPACES

TOTAL REQUIRED: 65 SPACES

TOTAL PROVIDED: 78 SPACES, 4 HANDICAPPED



1 Proposed First Floor

3/32" = 1'-0"

2 Key Plan

1" = 100'-0"

Phase: CD      Reviewd By: LDB      Drawn By: SCR      Date: 3/09/2009

Project #: 2777

**Sleepy Dog Brewery**

Address:  
1920 E University Drive, Suite  
104  
Tempe, Arizona 85281

Proposed Floor

**A2.0**

3/9/2009 1:30:50 PM



# **SLEEPY DOG BREWERY**

**1920 E UNIVERSITY DR., SUITE NO. 104**

**PL090092**

**FRONT OF BUSINESS**

