

**Puttshack
at
Scottsdale Quarter
NEC of E. Butherus Dr. & N. 73rd St
15059 N. Scottsdale Rd, Ste 100**

Use Permit Narrative – Bar Use

**Case No. 746-PA-2022
December 1, 2022**

I. Explanation of Request

Puttshack requests a Use Permit for a bar use in order to serve alcohol in its establishment. The proposal is for a “tech-infused” indoor minigolf establishment that also offers a restaurant and bar service. Following a trend in the restaurant industry, Puttshack uses entertainment and gaming concepts to create an interactive social atmosphere to attract food and beverage customers. Puttshack has several other successful locations.

Puttshack offers a high-end, version of minigolf that consists of 9-hole indoor courses, patented electronic ball-tracking technology, and a modern, fully automated point scoring system. Rounds last approximately thirty minutes, allowing guests to conveniently enjoy a round before or after their meal. We believe the proposal is the type of use envisioned for this district and will fit harmoniously within Scottsdale Quarter and the greater area. This development will be an asset to the area and add a unique and innovative entertainment opportunity.

Food service will not be available in the minigolf areas. The first floor has seating for food and beverage customers. Food service will also be available on the second level, where there will be additional seating. The total gross square footage of the interior space is 26,244. The total square footage of the patio areas is 3,097.

II. Conditional Use Permit Criteria, Section 1.401

As specified in Section 1.401 of the Zoning Ordinance, the following is an analysis of the general use permit criteria applicable to all use permit requests.

A. That the granting of such conditional use permit will not be materially detrimental to the public health, safety or welfare. In reaching this conclusion, the Planning Commission and the City Council's consideration shall include, but not be limited to, the following factors:

1. Damage or nuisance arising from noise, smoke, odor, dust, vibration or illumination.

The granting of a conditional use permit for a bar use will not increase damage or nuisance arising from noise, smoke, odor, dust vibration, or illumination. Rather, a use that integrates entertainment with food and drinks is the exact type of use that is fitting for the area. Further, this location is not one that is inappropriate for the serving of alcohol. Scottsdale Quarter includes a wine bar (Sorso Wine Room) and several restaurants that serve alcohol including Culinary Dropout, True Food, and SOL. Further, noise will be mitigated (see **Exhibit 1** Sound Attenuation Plan) and Puttshack has a single access point located to the east of the Site—facing the parking garage.

2. Impact on surrounding areas resulting from an unusual volume or character of traffic.

Puttshack's proposed use will not have a negative impact on the volume or character of traffic. Scottsdale Quarter is full of restaurants, stores, and other entertainment. Often patrons come to visit multiple businesses or come to visit one business and decide to visit others while there, meaning that one business alone should not have a great effect on traffic. The other retail and restaurant uses that could occupy the Puttshack space would have similar traffic volumes as the Puttshack use. Further, Scottsdale Quarter is well equipped with parking and well-planned circulation to handle a variety of uses. See below for more information regarding parking.

B. The characteristics of the proposed conditional use are reasonably compatible with the types of uses permitted in the surrounding areas.

Puttshack is the exact type of use envisioned for Scottsdale Quarter and will be an asset to the area and benefit other nearby businesses. Other uses in the immediate area include a variety of shops, restaurants, and entertainment—including several establishments that serve alcohol. Puttshack will be a welcome addition that makes good sense in Scottsdale Quarter. Further, the Site is located in the Greater Airpark Growth Area. This proposal supports the Airpark Growth Area's goals of "attract[ing] new businesses", "attracting a diversified business base", and "support[ing] and enhance[ing] existing tourist attractions." For all of these reasons, Puttshack's use of an upscale miniature golf experience with a bar is compatible with the surrounding area.

C. The additional conditions specified in Section 1.403, as applicable, have been satisfied.

See below.

III. Additional Conditional Use Permit Criteria 1.403

The following is an analysis of the specific criteria for a bar as included in Section 1.403 of the Zoning Ordinance.

C. Bars, cocktail lounges, and/or after hours establishments.

1. The use shall not disrupt existing balance of daytime and nighttime uses.

Scottsdale Quarter currently has a variety of both daytime and nighttime uses, Puttshack will not upset that balance. A variety of daytime uses include the assortment of retail stores that operate from the morning until around 8 p.m. Later uses include a movie theater that is open till 9 p.m. on Friday and Saturday, restaurants open till 10 and 11 p.m. on Friday and Saturday, and a wine room open until 12 a.m. every day. Puttshack's use is well suited for the area and will not disrupt the existing balance. Puttshack's hours will be in general conformance with the hours of other establishments in Scottsdale Quarter. They will not be open later than 1 a.m.

2. The use shall not disrupt pedestrian-oriented daytime activities.

Puttshack will not disrupt pedestrian-oriented daytime activities. Scottsdale Quarter has significant pedestrian traffic that Puttshack may add to but will not disrupt. Unlike a traditional “bar,” Puttshack is both a daytime and nighttime use. The addition of a bar use in Puttshack’s minigolf experience does not add to or disrupt any daytime activities. Rather, any pedestrian traffic created by Puttshack will be similar to and at similar hours as the regular pedestrian traffic in Scottsdale Quarter.

3. If the site is located within the Downtown Overlay District D-O then:

The Site is not located within the DO District.

a. The use shall not encourage displacement of daytime retail uses unless it can be demonstrated that the proposed use shall promote diversity of first floor uses along the street.

b. The required parking for the use shall be within six hundred (600) feet of the property and shall not be separated from the property by a major or minor arterial street.

4. If the use is located within five hundred (500) feet of a residential use or district then:

a. The use shall not adversely impact residential uses.

Puttshack’s use will not adversely impact residential uses. The residential uses that exist within 500 feet of the Site are integrated with Scottsdale Quarter and other nearby commercial uses. Residents of this area purposely have chosen to live nearby for convenient access to shops, restaurants, bars, and entertainment. Therefore, the addition of this development will benefit nearby residents, not adversely impact them.

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Puttshack has prepared a Sound Attenuation Plan. See Exhibit 1. This Plan states “[t]he audio processor shall be programmed to automatically reduce the output level at 10:45PM to satisfy the sound(noise) requirements for establishments within 200 feet of a residential use space.”

5. An active management and security plan shall be created, approved, implemented, maintained, and enforced for the business.

An active management and security plan is included in this submittal.

6. The property owner shall create a written exterior refuse control plan for approval by the City.

Per our submittal checklist, a refuse plan is not required.

7. The property owner shall demonstrate how noise and light generated by the use shall be mitigated.

Puttshack’s use is not unusually loud, and sound will be mitigated. Puttshack has multiple other locations and is well-versed in creating a well-designed

establishment that is sensitive to the surrounding area. A security, maintenance, and operations plan is included in this submittal. See also **Exhibit 1**, Sound Attenuation Plan.

8. The use shall conform to the parking requirements of Article IX and shall not exceed capacity for traffic in the area.

Puttshack will be located in the Scottsdale Quarter. The Landlord has verified that Scottsdale Quarter has sufficient parking facilities to allocate the required 343 parking spaces. See **Exhibit 2**, Parking Request Form.

9. After hours establishments must maintain a valid after hours establishment license.

No after hours license is required, Puttshack will not be open between 1 am and 6 a.m.

For the foregoing reasons, we request your approval of this Use Permit. If you have questions or want to discuss any of the above, please contact Greg Drain (greg.drain@puttshack.com), Madison Leake (602-234-8791), or me (602-234-9903).

Thank you.

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Thank you.

Very truly yours,
BURCH & CRACCHIOLO, P.A.

Brian Greathouse m.l.

Brian Greathouse
Madison Leake
For the Firm

BDG:lc

Exhibit 1



October 10, 2022

RE:

Puttshack-Scottsdale
15059 N Scottsdale Rd
Suite 100
Scottsdale, AZ 85254

Subject: Sound Attenuation Plan

To Whom It May Concern:

The following plan shall be in place to attenuate the sound form the space occupied by Puttshack.

The audio processor shall be programmed to automatically reduce the output level at 10:45PM to satisfy the sound(noise) requirement for establishments within 200 feet of a residential use space.

Once the audio system is fully functional, we will configure the system accordingly and test the output levels to confirm this procedure.

Sincerely,

Jeff Travis
President

travis | sound design

When you want it done right.

PO Box 544 • Delavan, WI 53115 • **T:** 262.728.6335 **F:** 262.728.6333
travissounddesign.com • info@travissounddesign.com

Exhibit 2

Puttshack

Dear SDQ III Fee, a Delaware Limited Liability Company, ("Landlord")

Puttshack has had multiple communications with the City of Scottsdale regarding parking requirements for the Puttshack use at the Scottsdale Quarter, Building "M". The City's Principal Planner, Bryan Cluff, has confirmed there are 691 unused parking spaces with the Scottsdale Quarter. See attached email dated August 19, 2022 from Bryan Cluff.

The City has determined Puttshack is a "Bar" use and requires the following parking spaces:

Bars, cocktail lounges, taverns, afterhours or micro-brewery/distillery A. (80) One (1) space per eighty square feet of gross floor area; and

B. One (1) space per two hundred (200) gross square feet of outdoor patio area, excluding the first two hundred (200) gross square feet.

The gross square footage of interior space is 26,244 SF. The interior space requires 328 parking spaces (26,244 / 80). The outdoor patio space is 3,097 SF. After deducting the first 200 SF of outdoor patio space, the remainder is 2,897 SF. The total required outdoor patio parking spaces is 15 spaces (2897 / 200). Thus, the total required parking spaces for Puttshack is 343.

We understand Building "M" was previously occupied by the American Girl Store. The American Girl Store's parking requirement was 1 space per 350 SF of interior retail space. The total interior store area is 27,343 SF. Therefore, there were 79 parking spaces allocated for the American Girl Store.

The 79 parking spaces originally allocated to the American Girl Store can be credited back to the available parking spaces. Adding the 79 spaces to the existing 691 parking spaces equals 770 unused parking spaces with the Scottsdale Quarter.

We request your cooperation in providing 343 parking spaces for the Puttshack use. We do not believe Puttshack will require that many parking spaces but the City's parking requirements dictates that we need the spaces available to use.

The City has requested an email or letter from the property owner providing authorization to allocate 343 parking spaces to Puttshack. Please let us know if you can provide the required documentation.

Kind Regards,
Puttshack

Without verification of or stipulation to the calculations set forth above, Landlord acknowledges that tenant, Puttshack, is entitled pursuant to its Lease to the non-exclusive use of the common area parking facilities within/benefiting the mixed use venue commonly known as Scottsdale Quarter (the "Center"). Landlord further represents that said parking facilities have sufficient capacity to accommodate Puttshack's parking load of 343 spaces.

Landlord: SDQ III Fee, A Delaware Limited Liability Company

Signature/Date  28 NOV 2022

Joshua Lindimore, EVP Head of Leasing