

CITY OF TEMPE DEVELOPMENT REVIEW COMMISSION

Meeting Date: 09/24/2019

Agenda Item: 4

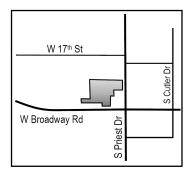
ACTION: Request a Use Permit to allow vehicle rental (rideshare service) in the PCC-1, Planned Commercial Center Neighborhood district, for **UCARS**, located at 1414 West Broadway Road.

FISCAL IMPACT: N/A

RECOMMENDATION: Staff – Approve, subject to conditions

BACKGROUND INFORMATION: UCARS (PL190208) is requesting a Use Permit to allow vehicle rental within the PCC-1 zoning district. UCARS rents vehicles to customers to utilize rideshare services such as Uber and Lyft. The request includes the following:

ZUP190062 Use Permit to allow vehicle rental.



Property Owner Mcmaron Investments, LLC
Applicant Joel Goldberg, UCARS
Zoning District PCC-1
Suite Area 2,440 s.f.
Vehicle Parking 286 spaces (204 min. required for the center)

Hours of Operation

M-F, 9 a.m. - 5 p.m.

ATTACHMENTS: Development Project File

STAFF CONTACT(S): Dalton Guerra, Planner I (480) 350-8652

Department Director: Chad Weaver, Community Development Director

Legal review by: N/A

Prepared by: Dalton Guerra, Planner I

Reviewed by: Steve Abrahamson, Principal Planner

COMMENTS

UCARS rents vehicles on site to customers that are employed by companies such as Uber, Lyft, Door Dash, and Postmates. The anticipated fleet will be 15 vehicles that will be rented out daily. There is adequate parking on site to accommodate the 15-vehicle fleet and the applicant stated that not all vehicles will be on site at once. Staff will condition that the fleet does not occupy more spaces than allowed.

PUBLIC INPUT

To date, staff has not received public input.

USE PERMIT

The proposed use requires a Use Permit to allow vehicle rental within the PCC-1, Planned Commercial Center Neighborhood zoning district.

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

- 1. Any significant increase in vehicular or pedestrian traffic; the proposed use will have no more than fifteen vehicles in the fleet within the allowed parking spaces on site.
- 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 use is not expected to create a nuisance exceeding that of the ambient conditions.
- 3. 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; vehicle rental is a permitted use within the PCC-1 zoning district, subject to a Use Permit.
- 4. Compatibility with existing surrounding structures and uses; the proposed use is in an existing office building with commercial and industrial uses surrounding the site.
- 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 is expected to have adequate control of disruptive behavior on site.

REASONS FOR APPROVAL:

Based on the information provided by the applicant, the public input received and the above analysis staff supports approval of the requested Use Permit. This request meets the required criteria and will conform to the conditions.

SHOULD AN AFFIRMATIVE ACTION BE TAKEN ON THIS REQUEST, THE FOLLOWING NUMBERED CONDITIONS OF APPROVAL SHALL APPLY, BUT MAY BE AMENDED BY THE DECISION-MAKING BODY.

CONDITION(S) OF APPROVAL:

- The 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. As part of the Building Permit process, on-site storm water retention may be required to be verified or accomplished on this Site.
- 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. All required Federal, State, County, and Municipal permits, licenses, and clearances shall be obtained or the Use Permit is void.
- 4. Hours of Operation shall be Monday Friday, 9am 5pm.

- 5. To provide adequate off-street parking for the existing buildings and uses, the fleet inventory shall be limited to a maximum of fifteen (15) vehicles on site.
- 6. The business shall not prep, wash, stage or engage in similar activity for the vehicles on site.
- 7. There shall be no signs, banners, or similar methods of advertisement for the business without approval of a sign permit.

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.

USE PERMIT:

- The Use Permit is valid for UCARS and may be transferable to successors in interest through an administrative review with the Community Development Director, or designee.
- The use permit approval shall be void if the use is not commenced or if an application for a building permit has not been submitted, whichever is applicable, within twelve (12) months after the use permit is granted or within the time stipulated by the decision-making body.
- The decision-making body, upon finding that the applicant has not taken corrective actions to resolve issues related
 to the permit/approval and that a continuation of the permit/approval is not in the interest of the public health, safety
 and general welfare, can revoke the permit/approval after providing written notice of its intentions to the holder of
 the permit.
- 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 http://www.tempe.gov/zoning or purchase from
 Development Services.
- All business signs shall receive a Sign Permit. Contact sign staff at 480-350-8435.
- Any intensification or expansion of use shall require a new Use Permit.
- All required permits and clearances shall be obtained from the Audit and Licensing Division of the City of Tempe prior to the Use Permit becoming effective.

HISTORY & FACTS:

None pertinent to this case.

ZONING AND DEVELOPMENT CODE REFERENCE:

Section 3-202 Permitted Uses in Commercial and Mixed-Use Districts Section 4-203 Development Standards for Commercial and Mixed-Use Districts Section 6-308 Use Permit



DEVELOPMENT PROJECT FILE

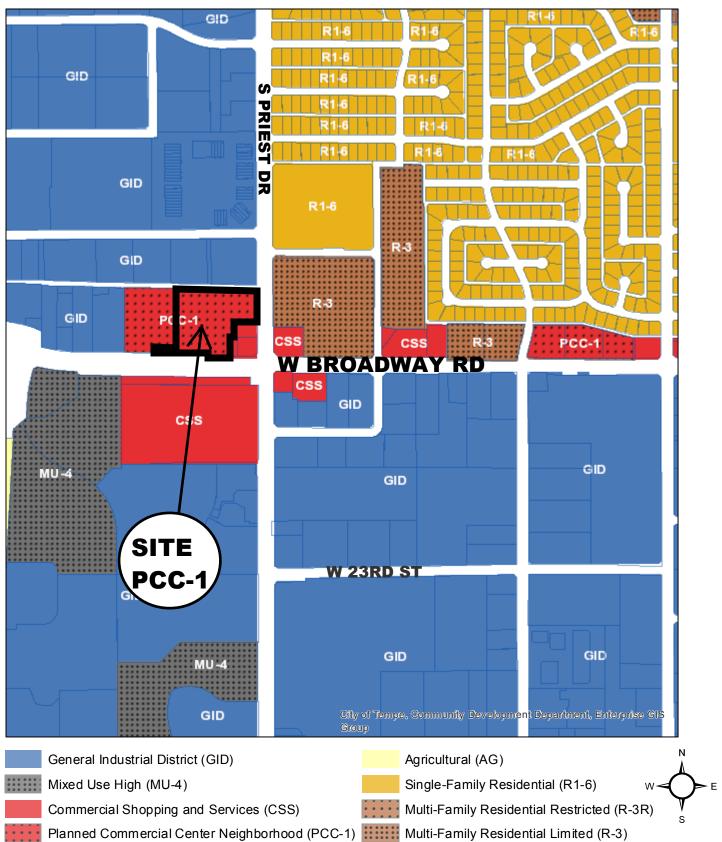
for UCARS (PL190208)

ATTACHMENTS:

- 1. Location Map
- 2. Aerial
- 3. Letter of Explanation
- 4-5. Site Plan
- 6-8. Floor Plans

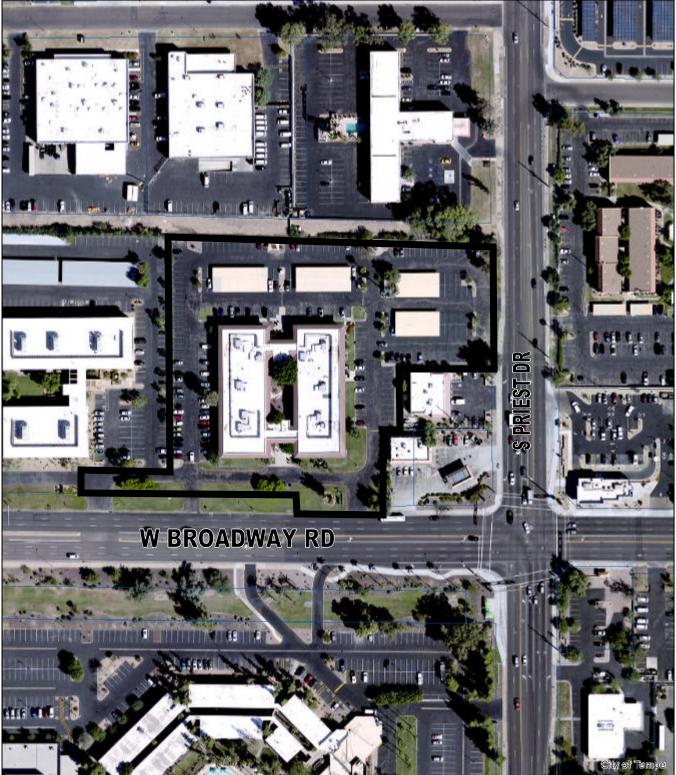


UCARS PL 190208





UCARS PL 190208



Aerial Map



Letter of Explanation

August 5, 2019

UCars 1414 W Broadway Rd #140 Tempe, AZ 85282

To Whom It May Concern:

This is our official Letter of Explanation for our Use Permit.

We provide fleet use of Toyota Prius vehicles to rideshare drivers. We are located in the same building as the Uber Greenlight Hub. There will be no more than 15 vehicles on site, which are clean and ready for use fleet use by drivers. Drivers take vehicles to their primary residence; thus, minimal vehicles will be stored on site.

We operate Monday-Friday 9am – 5pm. We have approximately 8-10 members of staff on site. At no time will be have more than 2-5 clients on site.

This request will not be detrimental to persons residing or working in the vicinity to adjacent properties, to the neighborhood, or the public welfare in general and will conform to the following standards and Zoning and Development Code Criteria Section 6-308(E), as applicable:

1. Any significant vehicular or pedestrian traffic in adjacent areas;

All business will be conducted in office and light cleaning of vehicles will be performed in designated parking spaces in the far corner of the parking lot and car wash locations in the vicinity. There will be no additional vehicular or pedestrian traffic in adjacent areas aside from 15 vehicles stored on site for fleet use.

2. Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat or glare at a level exceeding that of ambient conditions;

There is no heavy machinery being used in the cleaning of vehicles. Vacuuming is performed at nearby car wash along with cleaning of vehicles. Any additional cleaning on site is performed using hand towels and non-hazmat cleaning supplies.

3. Contribution to the deterioration of the neighborhood or to the downgrading of property values, which is conflict with the goals, objectives or policies of the city's adopted plans for General Plan;

Our operations aligns with the goals, objectives and policies of the city to provide friendly, clean service to fleet drivers.

4. Compatibility with existing surrounding structures and uses; and

\Business activities are compatible with existing surrounding structures and uses. Minimal visual impact on surround areas.

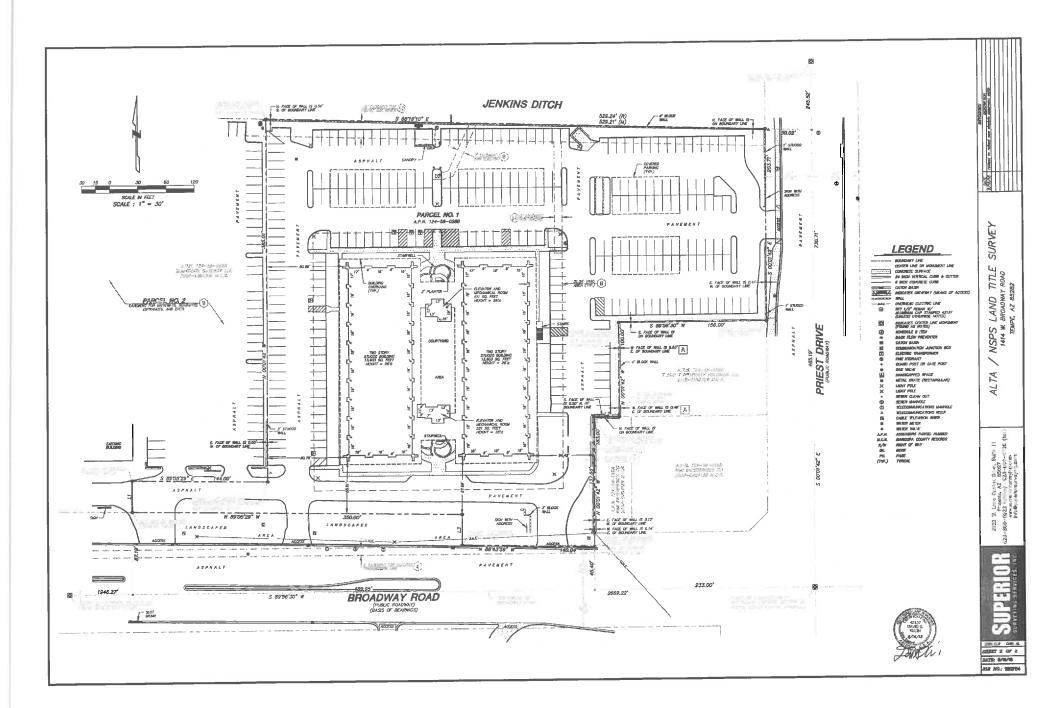
 Adequate control of disruptive behavior both inside and outside the premises, which may create a nuisance to the surrounding area or general public.

All staff and drivers are pre-screened with full background checks and MVR's to ensure high quality individuals onsite.

Sincerely,

Joel Goldberg

CEO UCars



s/8/Fs

ZOB NO.: 180754

ALTA / NSPS LAND TITLE SURVEY

OF A PORTION OF THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

- The basis of bearing is the monument time of Broadway Road, also being the South live of the Southeast parter of Section 20, using a bearing of South 80 degrees 56 inhuises 30 seconds livest per Special Worronty Deed No. 2003–0024312, Records of Maricapa County, Artaina.
- At 10th Information and the description should be been on Commitment for the information and the description should be beautiful beautiful Commitment for the insurance Company Fig. 10th Committee and the commit

- This surely shows intole more ground evidence of underground utilities or facilities on the subject property. No purprise can be miss as to the facilities on the subject property. No purprise can be miss as to the facilities of the surely location, in the event that size is not eleveraged or improved this surrey should not be used for design purposes. Places of an underground utility location or "ARCDAM SIT" of (002)503-1100 for the precise occition and artest of all utilities in the level prior to my owight ancient executation.

- Tally A. I. A. (1995) Lend Tible Burry, one present genelitority for the use of the parties moment in the confidence and their representations. Use of this surrey by any other party is forbidden unless approxy permitted a writing in contract by Superior European Surveyor Surveyor. In This survey permitted to writing in contract by Superior European Surveyor Surveyor Surveyor Confidence on the Surveyor Sur

REFERENCES

GENERAL LAND CEFFCE RECORDS ON FILE WITH THE U.S. DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT

SUBCHISION OF "PALC VERDE INDUSTRIAL PARK" RECORDED IN BOOK 105 OF MAPS, PAGE 31, MARICOPA SOUNTY RECORDS

PLAT OF "FREEWAY COMMERCE CENTER - AMERICED" RECORDED IN BOOK 187 OF MAPS, PAGE 7, MARICOPA COUNTY RECORDS

FINAL PLAT OF "MACH I" RECORDED IN BOOK 554 OF MAPS, PAGE 34, WARLOOPA COUNTY RECORDS

REPLAT OF "FOUNTAINHEAD CORPORATE PARK, LOT IA" RECORDED IN BOOK 729 OF MAPS, PAGE 43, MARIOCPA COUNTY RECORDS

PLAT OF "HOLDENAN ELEMENTARY SCHOOL" RECORDED IN BOOK 991 OF MAPS, PAGE 4, MARICOPA COUNTY RECORDS

DESCRIPTION

PARCEL NO. 1: THAT PART OF THE SOUTHEAST GUARTER OF SECTION 2C, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GLA AND SALT RIVER BASE AND MERDIAN, MARICOPA COUNTY, ARZONA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER;

THENCE WORTH PARALLEL TO THE EAST LINE OF SAID SOUTHEAST QUARTER A DISTANCE OF 45.40 FEET TO THE TRUE POINT OF BEGINNING.

THENCE NORTH 88 DEGREES 43 MINUTES 58 SECONDS WEST ALONG THE NORTH RIGHT-OF-WAY LINE OF BROADMAY ROAD, A DISTANCE OF 140.03 FEET TO A ROAT!

THENCE NORTH, PARALLE TO THE EAST UNE OF SAID SOUTHEAST QUARTER A DISTANCE OF JUSH FEET ID A POINT ON THE NORTH RIGHT-OF-WAY UNE OF BROADING FOOLS.

THENCE NORTH 89 DEGREES OF MINUTES 29 SECONDS WEST, A DISTANCE OF 150.00 FEET TO A POINT

THENCE NORTH, PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 33.00 FEET TO A POINT. THENCE SOUTH 89 DEGREES OF MINUTES 29 SECONDS EAST PARALLEL WITH THE NORTH ROUTH-OF-WAY LINE OF BROADWAY ROAD, A DISTANCE OF 144.00 FEET TO A POINT.

THENCE SOUTH, ALONG THE WEST RIGHT-DEST OF MAY LINE OF PRIEST ROAD, SAID RIGHT-OF-WAY LINE BEING SOLD FEET WEST OF AND PARALLEL TO THE EAST LINE OF SAID SOUTHERS DUMBER, A DISTANCE OF 2007.0F PEET TO A PORTY

THINKE SOUTH B9 GEGRES SO MINUTES 30 SECONDS WEST, PARALLEL TO THE SOUTH LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 156,00 FEET TO A POINT.

THENCE SOUTH, PARALLEL TO THE EAST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 100.00 FEET TO A POINT: THENCE SOUTH 89 DEGREES 56 MINUTES 30 SECONDS WEST, PARALLEL TO THE SOUTH LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 27 DC FEET TO A POINT;

THENCE SOUTH, PARALLEL TO THE EAST LINE OF SAID SOUTHEAST GUARTER A DISTANCE OF 157.80 FEET TO THE TITUE POINT OF BEGINNING.

REQUIRING AT THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER;

THENCE SOUTH 88 DECREES 66 MINUTES 3D SECONDS WEST ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 233,00 FEET TO A POINT!

THENCE SOUTH BY DECREES SO MANUTES TO SECONDS MEST ALONG THE NORTH-RIGHT-OF-WAY LINE OF BROADWAY POAD, SAID LINE BEAG 40.00 FEET NORTH-OF AND PARALLEL TO THE SOUTH LINE OF SECTION 20, A DISTANCE OF 140.00 FEET TO A FOR

DESCRIPTION

THENCE MORTH BO DEGREES OF MINUTES 29 SECONDS WEST, A DISTANCE OF SELOT FEET TO A POINT.

THENCE SOUTH BY DEGREES SO MINUTES TO SECONDS WEST, PARALLEL TO THE SOUTH LINE OF SAID SOUTHEAST QUAPTER, A DISTANCE OF 158.00 FEET TO A POINT.

THENCE SOUTH, PARALLEL TO THE EAST LINE OF SAID SOUTHEAST QUARTER A DISTANCE OF 100 DO FEET TO A POINT! THENCE SOUTH B9 DEGREES 56 MINUTES 3D SECONDS WEST, PARALLEL TO THE SOUTH LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 27.00 FEET TO A POINT,

EXCEPT FROM SAID EASEMENT THAT PART OF THE SOUTHEAST QUARTER OF SECTION 20, THINSHIP I NORTH, RANGE 4 EAST OF THE GLA AND SAIT RIVER BASE AND MERCULAN, MARKDOPA COUNTY, APPOINA, DESCRIPED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER;

THENCE SOUTH BE DECREES SE MINUTES TO SECONDS WEST, ALONG THE SOUTH UNE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 233.00 FEET TO A POINT;

THENCE MORTH BB DEGREES 43 MINUTES 59 SECONDS WEST ALONG THE NORTH BIGHT-OF-WAY LINE OF BROADWAY ROAD, A DISTANCE OF 140.03 FEET TO A POINT,

THENCE NORTH, PARALLEL TO THE EAST LINE OF SAID SOUTHEAST QUARTER A DISTANCE OF 32.94 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF BROADWAY ROAD!

DIENCE MORTH 89 DEGREES 05 MINUTES 29 SECONDS WEST, A DISTANCE OF 380.06 FEET TO A POINT.

THENCE NORTH, PARALLEL WITH THE EAST UNE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 33.05 FEET TO A POINT, THENCE SOUTH 80 DEGREES OF MINUTES 26 SECONDS EAST, PARALLEL WITH THE MORTH RIGHT-OF-WAY LINE OF BROADWAY ROAD, A DISTANCE OF 144.00 FEET TO A POINT.

THENCE SOUTH, ALONG THE WEST RIGHT-OF-WAY LINE OF PRIEST RGAD, SAID RIGHT-OF-WAY LINE BEING SOLDO FEET WEST OF AND PARALLEL TO THE EAST LINE OF SHOT SOUTHERST QUARTER, A DISTANCE OF ZOLTO FEET TO A POWN THENCE SOUTH BE DEGREES HE MINUTES TO SECONDS WEST, PARALLEL TO THE SOUTH LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 156.00 FEET TO A POINT.

THENCE SOUTH PARALLEL TO THE EAST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 100.00 FEET TO A POINT;

THENCE SOUTH, PARALLEL TO THE EAST LINE OF SAID SOUTHEAST QUARTER A DISTANCE OF 137.80 FEET TO THE TRUE POINT OF BEGINNING

SCHEDULE "B" ITEMS

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- A poor-exclusive experient over and within the triviality, relatively, entireces and write and parking and withinking or a reservoir and yearted by socialist fractional in Suchel 1948, Page 825.

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AREA = 4.446 ACRES 193883 SQ FT.

SIGNIFICANT OBSERVATIONS

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CERTIFICATION

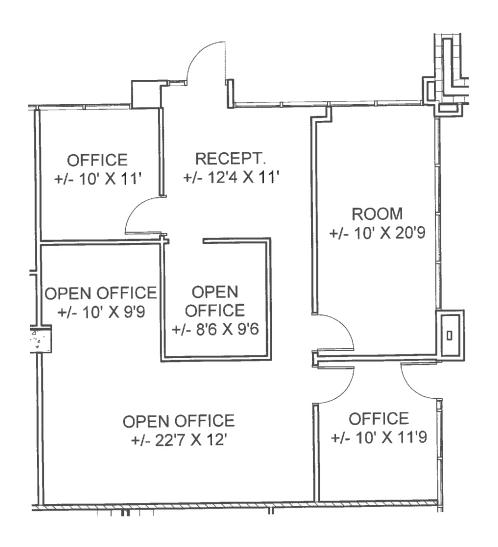
To: MCMARGON INVESTMENTS, LLQ, or Arteria limited lictality company, PRESSON ADVISORY, LLQ, or Arteria limited lictality company. Presson Advisory, LLQ, or Arteria limited lictality company, and FRST AMERICAN TITLE INSTANCE COMPANY.

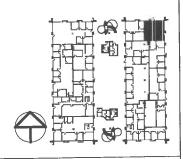
This is to carbly that this map or plot and the survey on which it is based were made in accordance with the 2018 Minimum Standard Datas Requirements for ALTA/PSS; Lond Tibe Survey, jointly, established and adopted by ALTA and NSPS, are induces items 2, 4, To), To(1), To(1, 8, and 9 of Table A thereof. The Ald event was completed or ALTA and 1.3 of Table A

Date of Fiat or Map: August 15, 2018. Last Revised: August 18, 2018 David S. Mein R.L.S. 42137



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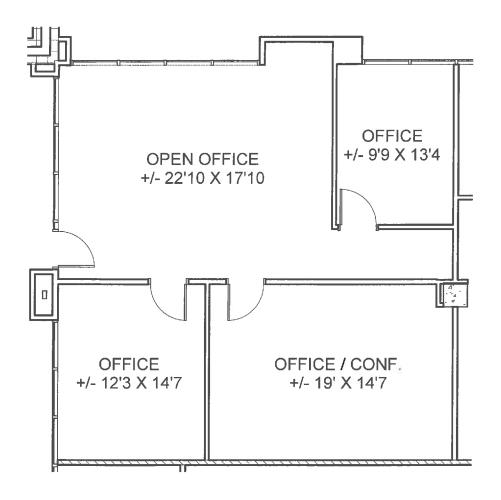


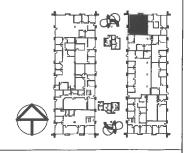
1,220 RSF



MAC6 COMMUNITIES COMMERCIAL SPACE 1414 BUILDING - SUITE 140

Attachment 7





1,220 RSF



MAC6 COMMUNITIES COMMERCIAL SPACE 1414 BUILDING - SUITE 130

Attachment 8