

CITY OF TEMPE DEVELOPMENT REVIEW COMMISSION

Meeting Date: 10/27/2020

Agenda Item: 7

ACTION: Request a Use Permit to allow a restaurant with a drive-through in the General Industrial District for KYRENE & GUADALUPE, located at 6375 South Kyrene Road. The applicant is Cawley Architects.

FISCAL IMPACT: N/A

RECOMMENDATION: Staff – Approve, subject to conditions

BACKGROUND INFORMATION: KYRENE & GUADALUPE (PL200217) is located on the northeast corner of South Kyrene Road and West Guadalupe Road in the GID, General Industrial District. The site is currently a dry-cleaning service business with a drive-through. The applicant wishes to repurpose the building as a drive-through focused quick service restaurant, either a coffee establishment or a local concept restaurant group. The project is authorized for processing under the City's adaptive reuse program. Should the use permit be approved, further processing of a minor development plan review will be required for any proposed site, elevation, and landscape modifications. The request includes the following:

ZUP200051 Use Permit to allow a restaurant with a drive-through in the GID, General Industrial District.



Property Owner The Elmukhtar Group

Applicant Kevin W. Fawcett, Cawley Architects

Zoning District GID
Site Area 29,084 s.f.
Building Area 2,878 s.f.

Lot Coverage 10% (no max. required)
Landscape Coverage 39% (10% min. required)
Building Height 20'-4" (35'-0" max. allowed)

Building Setbacks 97' front, 19' side, 58' street side, 51' rear, 28'

parking (25', 0', 25', 0', 20' min. required)

Vehicle Parking 15 spaces (9 min. required)
Bicycle Parking 3 spaces (4 min. required)

Hours of Operation 24 hours, daily

Building Code Occupancy B / S-1

ATTACHMENTS: Development Project File

STAFF CONTACT(S): Lee Jimenez, Senior Planner (480) 350-8486

Department Director: Chad Weaver, Community Development Director

Legal review by: N/A

Prepared by: Lee Jimenez, Senior Planner Reviewed by: Steve Abrahamson, Principal Planner

COMMENTS

Pursuant to the City of Tempe Zoning and Development Code Section 4-602(E), *Parking Standards Applicable in the Adaptive Reuse Program*, parking for restaurant uses shall be calculated at one parking space per 150 square-feet of net area and shall exclude hallways, restrooms, kitchens and storage areas from the net area, essentially only requiring the dining areas to be parked. However, the lot shall maintain the existing number of provided parking spaces, except for modifications required by the American with Disabilities Act. Therefore, based on the fifteen (15) provided off-street parking spaces, the maximum floor area permissible for indoor and outdoor dining is 2,250 square-feet and 500 square-feet, respectively. Should an increase in dining area be pursued in the future, the property owner may satisfy parking requirements with a parking affidavit or a shared parking application with a combination of a parking affidavit and a shared parking model or professional parking analysis.

PUBLIC INPUT

A neighborhood meeting is not required for this use permit request. As of the publishing of this staff report, no public comments have been received by staff.

USE PERMIT

The proposed use requires a Use Permit to allow a restaurant with a drive-through to operate in the GID 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 is expected to increase vehicular and pedestrian traffic to the site but not significantly more than the existing retail service 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; the proposed use is not expected to generate emissions greater than ambient conditions that would otherwise cause a nuisance to the surrounding area.
- 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; the proposed use is not expected to conflict in conflict with any City adopted plans and is consistent with the General Plan 2040.
- 4. Compatibility with existing surrounding structures and uses; the existing dry-cleaning business with drive-through service has been operating at this location with no issues for the past 18 years; however, site alterations may be necessary to support the new restaurant and drive-through operation of which the applicant is fully aware and intends to follow-through with if the use permit is granted.
- 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 nature of the proposed use is not expected to cause disruptive behavior.

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: (Non-standard conditions are identified in bold)

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

1. The Use Permit is valid only after a Minor Development Plan Review is approved and 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

- 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 development plan review or building plan check process.
- 3. Replace all dead or missing trees along the Kyrene Road and Guadalupe Road landscape frontage areas and within all required landscape islands, along with any other missing landscape material.

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.

- The Use Permit is valid for KYRENE & GUADALUPE 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.
- All required Federal, State, County, and Municipal permits, licenses, and clearances shall be obtained, or the Use Permit is void.
- SITE PLAN REVIEW: Verify all comments by all departments on each Preliminary Site Plan Review. If questions arise related to specific comments, they should be directed to the appropriate department, and any necessary modifications coordinated with all concerned parties, prior to application for building permit. Construction Documents submitted to the Building Safety Division will be reviewed by planning staff to ensure consistency with this Design Review approval prior to issuance of building permits

HISTORY & FACTS:

September 4, 2001

Hearing Officer approved a Use Permit to allow a new 3,900 s.f. commercial dry cleaners in an industrial district for QUALITY CLEANERS, located at 6375 South Kyrene Road in the I-1, Light Industrial District. (PL010319).

ZONING AND DEVELOPMENT CODE REFERENCE:

Section 3-202 Permitted Uses in Commercial and Mixed-Use Districts

Section 3-302 Permitted Uses in Office/Industrial Districts

Section 3-408 Drive-Through Facilities

Section 4-204 Development Standards for Office/Industrial Districts

Section 6-308 Use Permit



DEVELOPMENT PROJECT FILE

for KYRENE & GUADALUPE (PL200217)

ATTACHMENTS:

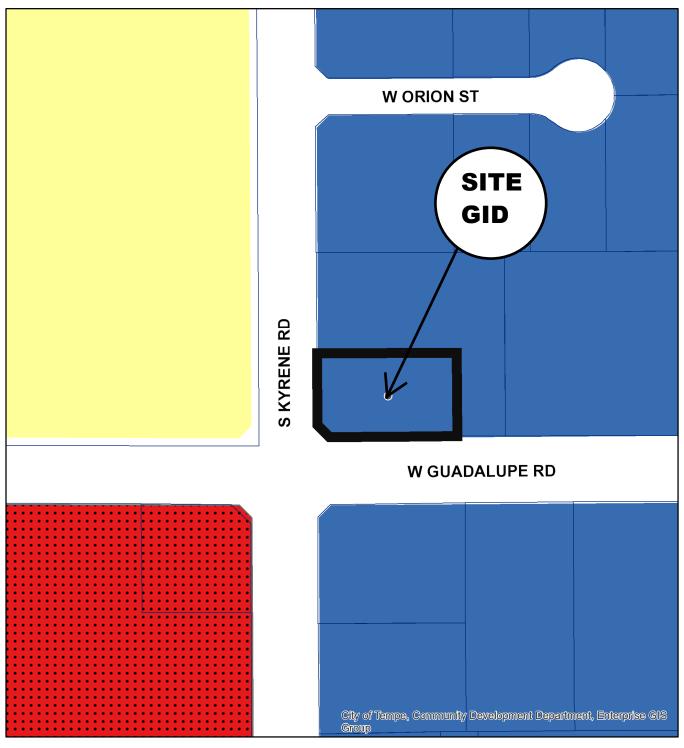
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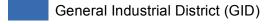
- 2. Aerial
- 3-7. Letter of Explanation
- 8-12. Site Context Photos
- 13. Site Plan
- 14-15. Existing and Proposed Blackline Elevations
- 16-17. Existing and Proposed Color Elevations
- 18. Floor Plan



KYRENE & GUADALUPE

PL200217





Planned Commercial Center Neighborhood (PCC-1)

Agricultural (AG)





KYRENE & GUADALUPE

PL200217



Aerial Map





September 21, 2020 Revised: October 2, 2020

Review Committee

City of Tempe - Use Permit Review Committee

RE: 6375 South Kyrene Road (SPR 20074)

Use Permit Application

To whom it may concern,

Please accept this letter of explanation in reference to the matter described above.

Project background

This site is located at the NEC of Guadalupe Road and Kyrene Road. The APN is 301-82-005C. The site is currently zoned GID, as is the adjacent, surrounding parcel at this northeast corner. Due south of this parcel, across Guadalupe Road, are a series of similarly zoned parcels (GID) including the corner parcel which currently has retail, restaurant and drive through uses approved. At the NWC of this intersection is the Benedict Sports Complex which is currently zoned AG. At the SWC, is a parcel zoned PCC-1, with an existing retail use (Circle K).

This parcel also recently received authorization to participate in the City of Tempe's Adaptive Reuse Program.

The subject site is currently occupied by a 2,800 square foot structure that houses a dry-cleaning service. The building has an enclosed entry portico of approximately 400 square feet and a single lane drive-thru with a canopy. The building was constructed in 2002 and appears to have been subsequently repainted some time ago, providing its current, dilapidated appearance. The construction is a mix of regular and split faced CMU, along with steel detailing for the entry and drive thru canopies.

Project Goals

Atlas Development intents to repurpose this building as a drive-through focused QSR, probably a coffee shop similar to Dunkin Donuts or local group similar to Cartel Coffee or the Crepe Bar. We would like to keep the existing building, parking, and drive-through assembly. Obviously, the provisions of the Adaptive Reuse Program will provide us flexibility in achieving compliance for this new use.

730 North 52nd Street, Suite 203 Phoenix, Arizona 85008 We anticipate a series of exterior and interior improvements, though the scope will be determined upon clarity of our development options. Standard permitting for these improvements will occur as well. As you can see based on the images provided in the exhibit, this building has seen its day. Our project goal, is to breathe new life into the site and building. We plan to beautify the building with vibrant and elegant color. We will improve and enhance the currently stale exterior elevation. Our aim will be to create a sense "of place" with a warm and inviting interior. We plan to upgrade the presently sparse landscaping with new abundant vegetation and native flora. Creating a lush and inviting atmosphere will bring positive attention, interest, and curb appeal to a rather unremarkable corner.

Request

We are requesting approval of a restaurant/retail use at this location with drive through facilities to service that business. We may also be providing a small outdoor seating area for dining onsite and we would like approval for this as well. This request is to establish compliance with Zoning Ordinance Table 3-302A, Table 3-202A, section 3-408, and section 3-425.

Justification

Our team is requesting approval of this change in use only. Given the existing site and the provisions of the Adaptive Reuse Program, we are not requesting relief from any setbacks or other development standards.

As discussed above, this business is anticipated to operate similarly to a Dunkin Donuts location. Hours of operation are undetermined at this point, but we would like the opportunity to operate as a 24 hour business, while respecting all applicable City of Tempe guidelines and regulations. We further anticipate that this type of business should have limited impact to pedestrian and vehicular activity. Please note that the current business, the dry cleaners, sees greatly reduced traffic, particularly walk-ins. The revitalization of this corner will inevitably create more visitation, but not in a fashion that exceeds what a comparable corner, with a thriving business, might generate. Please note that we have paid special attention to the vehicular queuing at this location. In converting to the site to one-way circulation, we have been able to establish queuing for 13 vehicles, thus eliminating any overflow backing up offsite.

In reference to the adjacent parcels, we don't foresee an impact. This site is essentially self-sufficient, with the exception of a shared driveway along Kyrene. While we may see some additional traffic through this driveway, the site is already configured with code compliant curb-cuts, drive aisles, etc. Therefore, vehicular impacts should be minimal. Please note that the drive through is also already configured to match the requirements of Section 3-408 of the Zoning Ordinance. The limited increase in pedestrian traffic should have no impacts.

There should not be any nuisance issues associated with this change in use. Noise, vibrations, heat, glare, etc. should be consistent with the current drive through traffic. Odors are anticipated to be reduced versus typical quick service restaurant uses. The anticipated business will have a limited menu focusing on beverages, as opposed to the robust food menu that one would see across the street at McDonalds.

The approval of this use permit would also provide some uniformity in the Planning for this intersection. As noted previously, across the street to the south, there is a similarly zoned parcel (GID) that appears to have been already been granted a similar use permit, establishing the McDonalds and Chevron businesses at this location. The opposite corner (SWC) also has auto focused retail and restaurant uses at the Circle K. Beyond that, obviously, the northwest corner is not in play as that land is owned by the Tempe Union High School District.

Please note that, as it relates to concerns regarding any disruptive behaviors at this location, there is nothing inherent to this type of business that should generate issues.

In terms of this use permit's effect on the surrounding community, we believe that the installation of an active, stable business at this location does more to improve the immediate area than leaving this site with an unsightly, low volume business in a rundown structure. Setting a trajectory for positive growth in this part of Tempe is reinforced by providing quality business and development opportunities. This Zoning action provides exactly this type of opportunity.

Please feel free to reach out with any questions or concerns.

Thanks very much,

/3

Kevin W. Fawcett Cawley Architects

Attachments:

- 1. Photos of the existing facility
- 2. Colored elevations of the existing facility
- Colored elevations describing an anticipated appearance after building modifications.
- 4. Conceptual Floor Plan

NW View

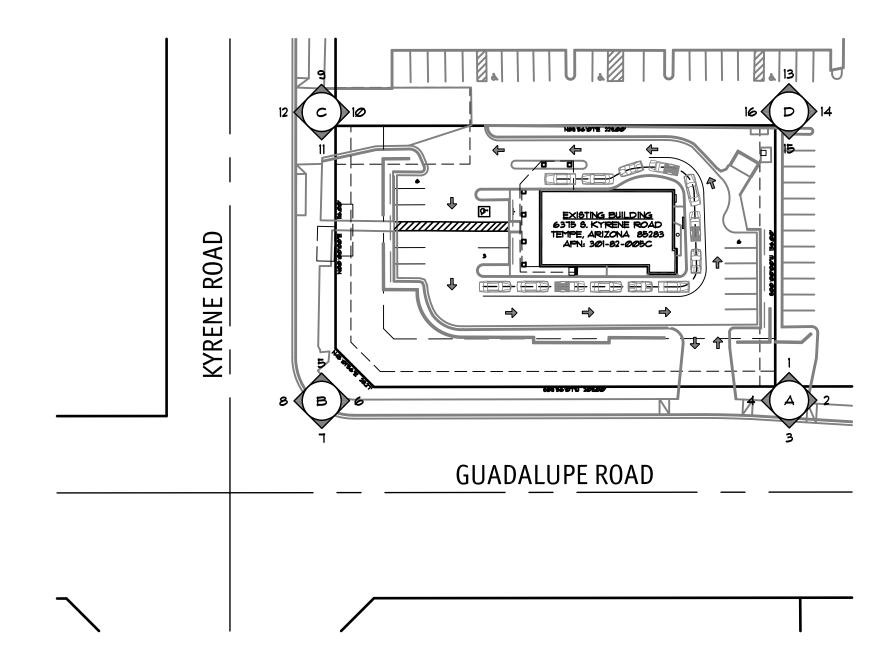


SE View



NW View







A-1



A-3



A-2



A-4



B-5



B-7



B-6



B-8







C-11



C-10



C-12



D-13



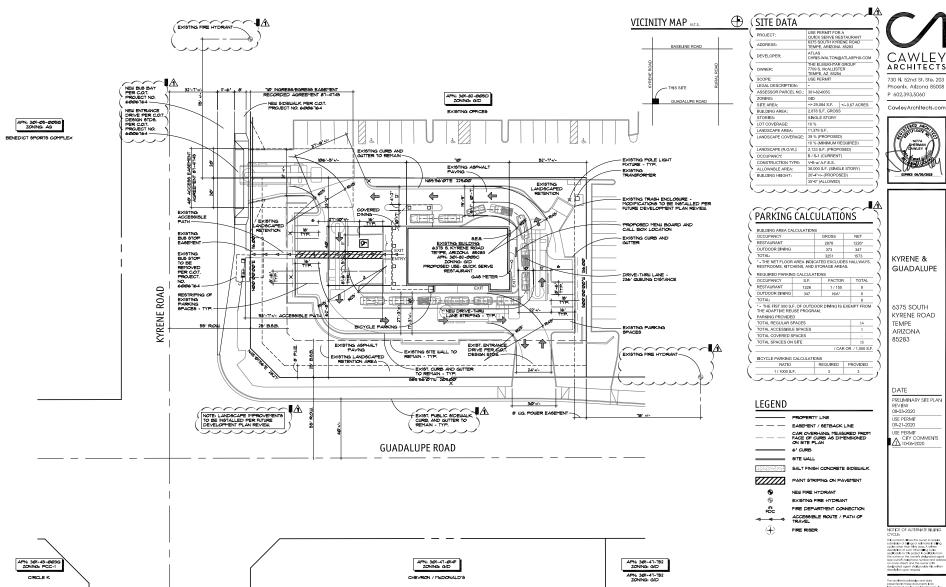
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D-14



D-16

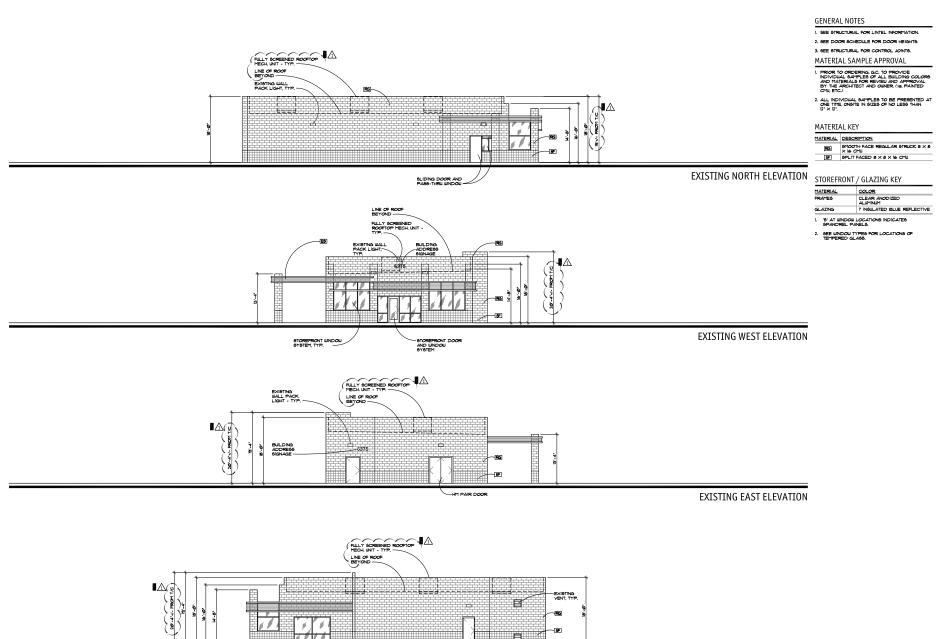














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KYRENE & GUADALUPE

6375 SOUTH KYRENE ROAD TEMPE ARIZONA 85283

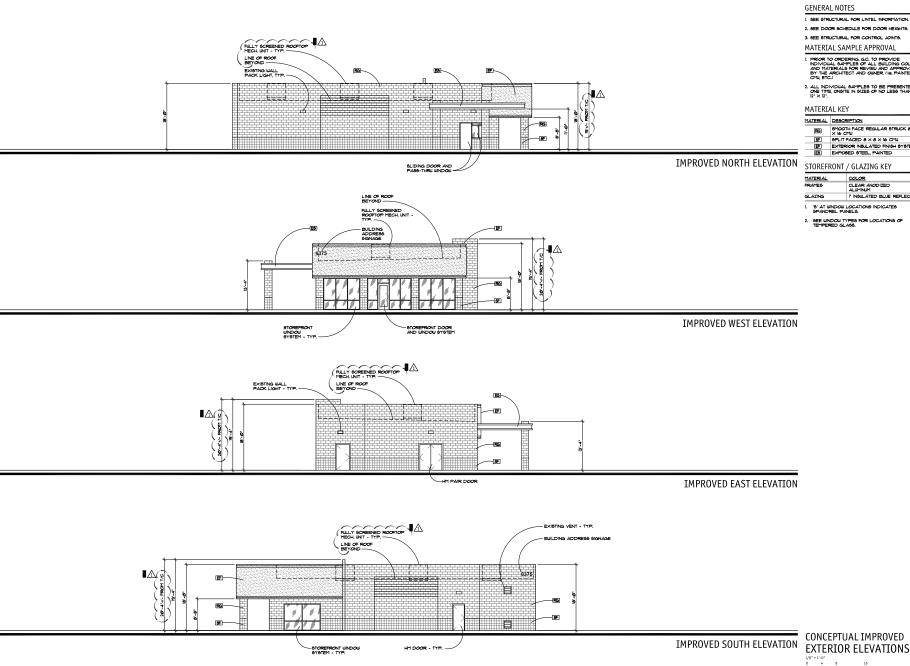
DATE

PRELIMINARY SITE PLAN REVIEW 08-03-2020 USE PERMIT 09-21-2020

Project 20097 A7.1

EXTERIOR ELEVATIONS

EXISTING SOUTH ELEVATION



- 1. SEE STRUCTURAL FOR LINTEL INFORMATION.
- 3. SEE STRUCTURAL FOR CONTROL JOINTS.

MATERIAL SAMPLE APPROVAL

- I. PRIOR TO ORDERING, G.C. TO PROVIDE NOIVIDIAL SAFFILES OF ALL BUILDING COLORS AND MATERIALS FOR REVIEW AND APPROVAL BY THE ARCHITECT AND OWNER (I.e. PAINTED CHJ. ETC.)

SMOOTH FACE REGULAR STRUCK 8 × 8 × 16 CMU

SP SPLIT FACED 8 × 8 × 16 CMU

EXTERIOR INJULATED FINISH SYSTEM

STOREFRONT / GLAZING KEY

| MATERIAL | COLOR |
|----------|-----------------------------|
| FRAMES | CLEAR ANODIZED ALUMINUM |
| GLAZING | I' INSULATED BLUE REFLECTIV |

- '6' AT WINDOW LOCATIONS INDICATES SPANDREL PANELS.
- SEE WINDOW TYPES FOR LOCATIONS OF TEMPERED GLASS.



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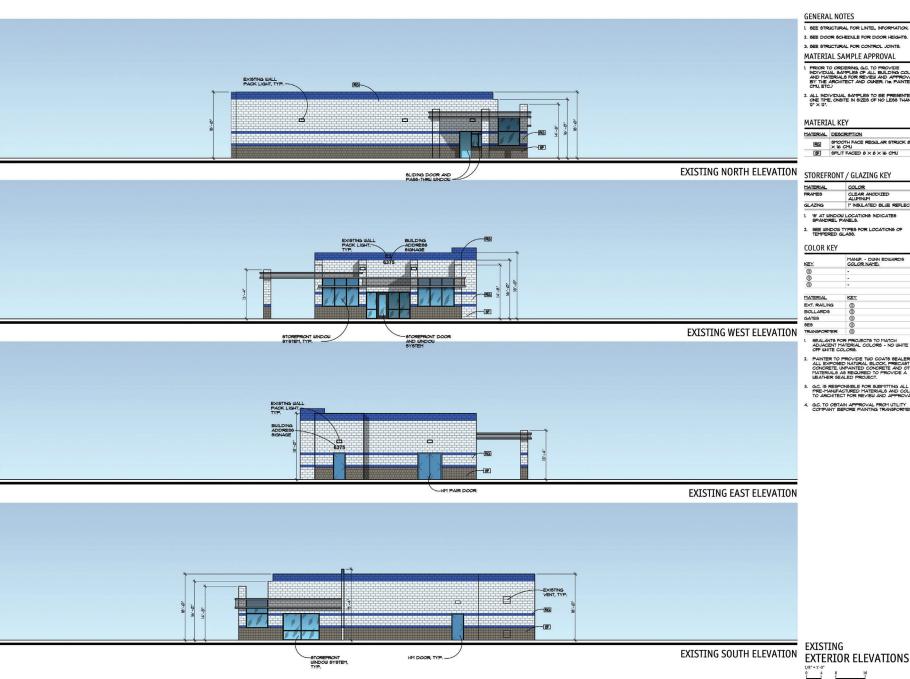
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PRELIMINARY SITE PLAN REVIEW 08-03-2020 USE PERMIT 09-21-2020

USE PERMIT

CITY COMMENTS
10-06-2020

Project 20097 A7.2





- 1. SEE STRUCTURAL FOR LINTEL INFORMATION.
- 2. SEE DOOR SCHEDULE FOR DOOR HEIGHTS.
- 3. SEE STRUCTURAL FOR CONTROL JOINTS.
- PRIOR TO ORDERING, G.C. TO PROVIDE NOW/DUAL SAMPLES OF ALL BUILDING COLORS AND MATERIALS FOR REVIEW AND APPROVAL BY THE ARCHITECT AND CUNER (Is. PAINTED CMJ, ETC.)
- ALL INDIVIDUAL SAMPLES TO BE PRESENTED AT ONE TIME, ONSITE IN SIZES OF NO LESS THAN 12' × 12'.

| MATERIAL | DESCRIPTION |
|----------|-------------|
| | |

RG SMOOTH FACE REGULAR STRUCK 8 X 8 X 16 CMJ SPLIT FACED 8 X 8 X 16 CMJ

| MATERIAL | COLOR |
|----------|-----------------------------|
| FRAMES | CLEAR ANODIZED |
| GLAZING | I' INSULATED BLUE REFLECTIV |

- '9' AT WINDOW LOCATIONS INDICATES SPANDREL PANELS.

| KEY | MANUF DUNN EDWARDS COLOR NAME: |
|--------------------------|-----------------------------------|
| 0 | |
| 1 | |
| 1 | - |
| | |
| MATERIAL | KEY |
| | |
| EXT. RAILING BOLLARDS | 0 |
| EXT. RAILING | 0 |
| EXT. RAILING BOLLARDS | 0 |



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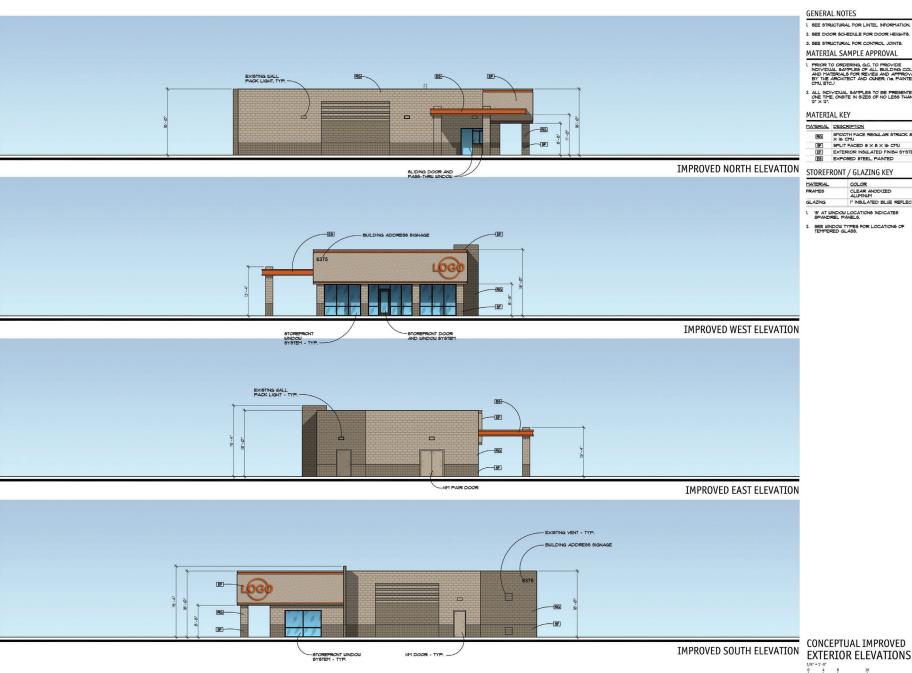


KYRENE & **GUADALUPE**

6375 SOUTH KYRENE ROAD TEMPE ARIZONA 85283

PRELIMINARY SITE PLAN REVIEW 08-03-2020 USE PERMIT 09-21-2020

Project: 20097 A7.1



GENERAL NOTES

- 1. SEE STRUCTURAL FOR LINTEL INFORMATION.
- 2. SEE DOOR SCHEDULE FOR DOOR HEIGHTS.
- 3. SEE STRUCTURAL FOR CONTROL JOINTS.

MATERIAL SAMPLE APPROVAL

- I. PRIOR TO ORDERING, G.C. TO PROVIDE NOVIDUAL SAMPLES OF ALL BUILDING COLORS AND MATERIALS FOR REVIEW AND APPROVAL BY THE ARCHITECT AND OWNER. (Is. PAINTED CHU, ETC.)

MATERIAL KEY

MATERIAL DESCRIPTION

SMOOTH FACE REGULAR STRUCK 8 × 8 × 16 CMU

SP OPLIT FACED 8 × 8 × 16 CMU

EXTERIOR INSULATED FINISH SYSTEM

ESD EXPOSED STEEL, PAINTED

| MATERIAL | COLOR |
|----------|------------------------------|
| FRAMES | CLEAR ANODIZED ALUMINUM |
| GLAZING | I' INSULATED BLUE REFLECTIVE |

- SEE WINDOW TYPES FOR LOCATIONS OF TEMPERED GLASS.



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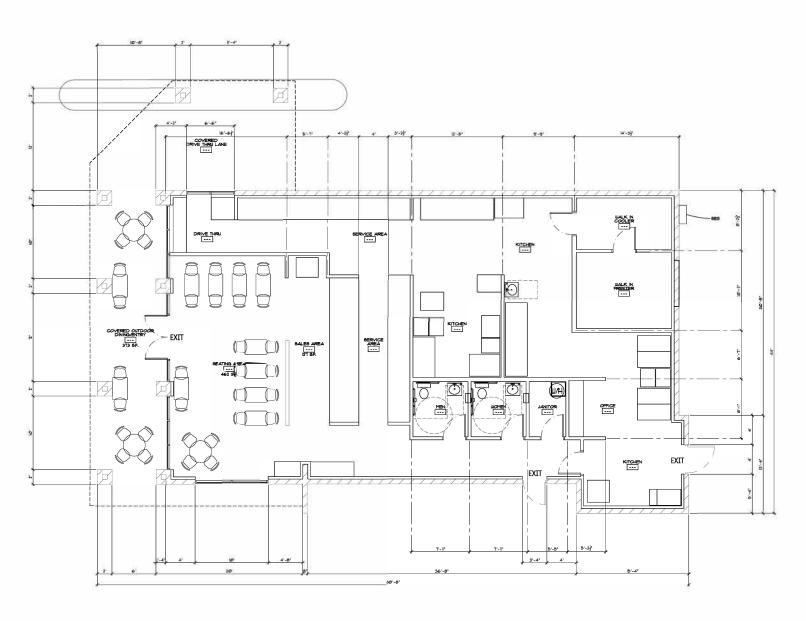


KYRENE & GUADALUPE

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PRELIMINARY SITE PLAN REVIEW 08-03-2020 USE PERMIT 09-21-2020

Project: 20097 A7.2







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PRELIMINARY SITE PLAN REVIEW 08-03-2020 USE PERMIT 09-21-2020

USE PERMIT
CITY COMMENTS
10-06-2020

