

**CITY OF TEMPE
DEVELOPMENT REVIEW COMMISSION**

**Meeting Date: 5/25/2021
Agenda Item: 5**

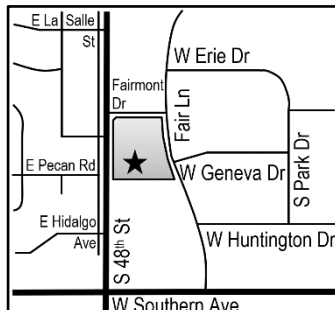
ACTION: Use permit to allow resale items (donated school/office supplies) for TREASURES 4 TEACHERS, located at 3025 South 48th Street, Suite 101. The applicant is Sender Associates.

FISCAL IMPACT: N/A

RECOMMENDATION: Staff – Approve, subject to conditions

BACKGROUND INFORMATION: TREASURES 4 TEACHERS (PL210123) is a local non-profit catering to teachers by providing donated school and office supplies for free or at low cost. The business operates out of an industrial building located on the southeast corner of South 48th Street and West Fairmont Drive in the GID, General Industrial District. A growing list of companies that have donated in the past include Motorola, the National Football League, Arizona Public Service, Shutterfly, University of Phoenix, National Bank of Arizona, Joann Fabric and Craft Store. The request includes the following:

ZUP210041 Use Permit to allow resale items (donated school/office supplies).



Property Owner	550 WIS LLC
Applicant	Jennifer K. Boblick, Esq, Sender Associates
Zoning District	GID
Site Area	173,955 s.f. / 3.99 ac
Building Area	47,387 s.f.
Leased Space	22,480 s.f.
Lot Coverage	27% (no standard max. required)
Landscape Coverage	10% (10% min. required)
Building Height	21' (35' max. allowed)
Building Setbacks	240' front, 98' west street side, 117' east street side, 64' rear (25', 25', 25', 0' min. required)
Vehicle Parking	164 spaces (158 min. required)
Bicycle Parking	0 spaces (4 min. required)
Hours of Operation	10 a.m. to 6 p.m., Tuesday through Friday, and 9 a.m. to 4 p.m., Saturday and Sunday
Building Code Occupancy	'M' – Mercantile and 'S-1' - Storage

ATTACHMENTS: Development Project File

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

Department Director: Shelly Seyler, Interim Community Development Director
 Legal review by: N/A
 Prepared by: Lee Jimenez, Senior Planner
 Reviewed by: Steve Abrahamson, Principal Planner

COMMENTS

This site is located between West Fairmont Drive, West Southern Avenue, South Fair Lane, and South 48th Street, and is a part of the 48 Commons Condominium subdivision.

PUBLIC INPUT

Staff has not received any public comments as of the publishing of this staff summary report.

USE PERMIT

The proposed use requires a Use Permit to allow resale items 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 consistent with the retail-like uses that have been occurring on the premises and is not expected to increase vehicular or pedestrian traffic at a significant level.
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 will take place in the interior of the premises and is not expected to generate emissions at a level exceeding 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*; the proposed use is consistent with the City's adopted plans and is not expected to contribute to the deterioration of the neighborhood.
4. *Compatibility with existing surrounding structures and uses*; the proposed use is compatible with surrounding structures and uses which are primarily office/industrial buildings and uses.
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 generate disruptive behavior that would otherwise create a nuisance to the surrounding area.

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 Building Permit, if required, 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. **Provide a minimum of four (4) bicycle spaces per City of Tempe bicycle rack detail (T-578) or equivalent design within one (1) year of approval. Bicycle racks shall be installed near customer entrances or exits, subject to approval by Community Development. Once installation is complete, schedule a Final Planning Inspection by calling the City Inspections Line IVR at (480) 350-8072.**

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 Treasures 4 Teachers 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.

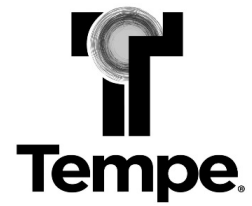
HISTORY & FACTS:

No history or facts relevant to this request.

ZONING AND DEVELOPMENT CODE REFERENCE:

[Section 3-302, Permitted Uses in Office/Industrial Districts](#)

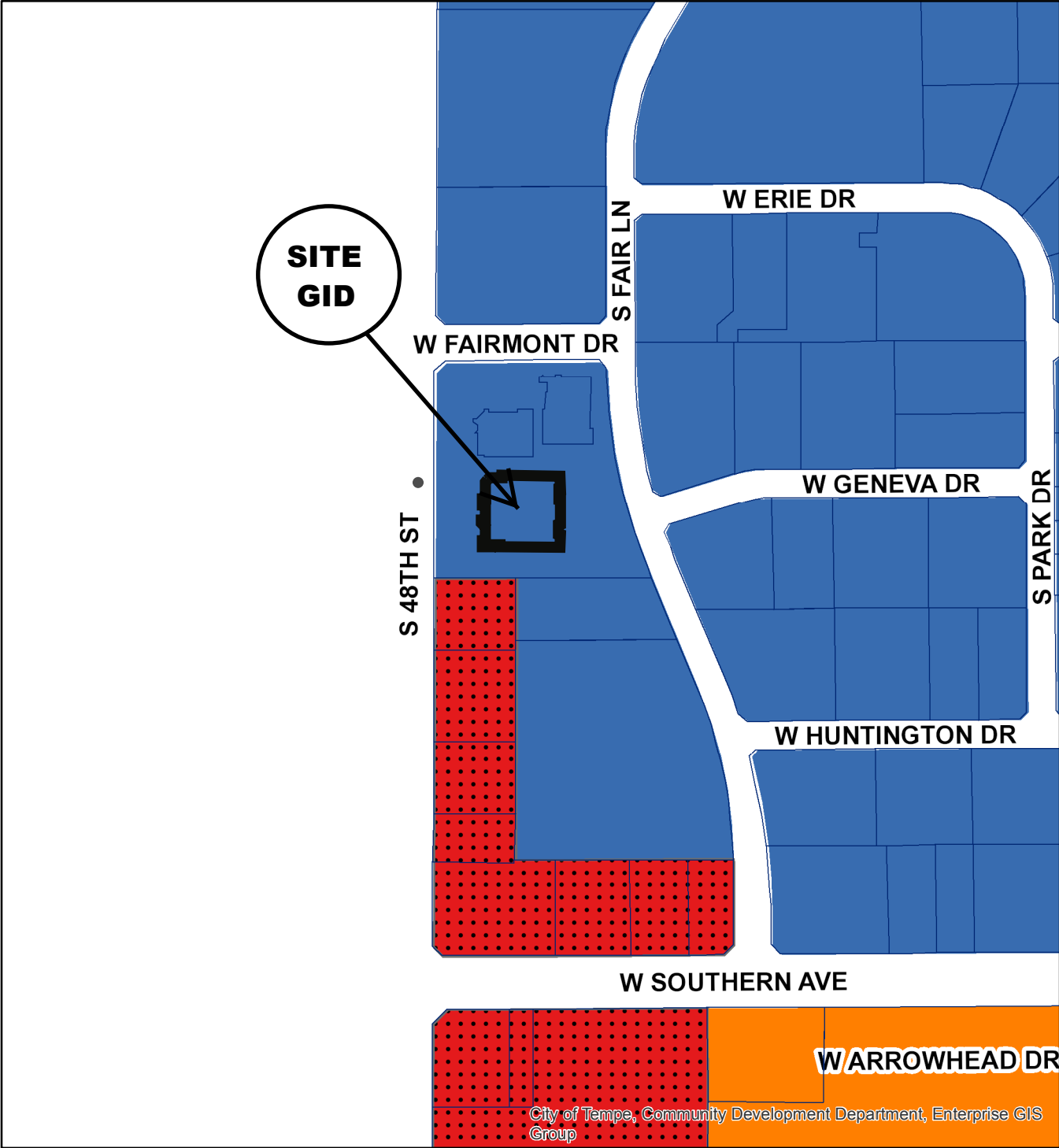
[Section 6-308, Use Permit](#)






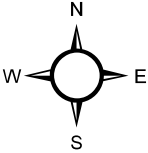
DEVELOPMENT PROJECT FILE
for
TREASURES 4 TEACHERS
(PL210123)

ATTACHMENTS:

1. Location Map
2. Aerial
- 3-12. Letter of Explanation
13. Site Plan
14. Floor Plan
15. Building Elevation (Storefront Photo in lieu of blackline drawing)

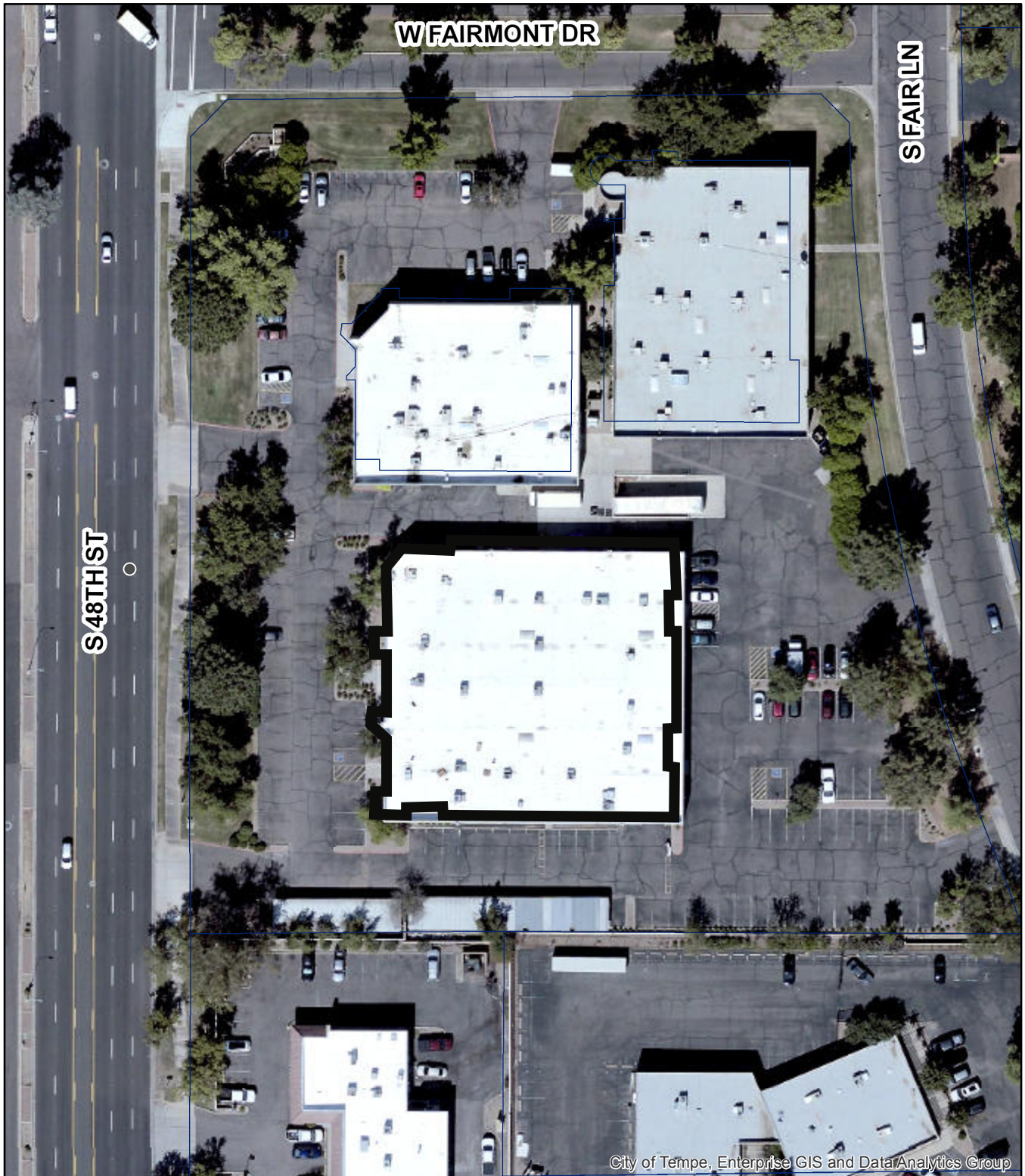


-  General Industrial District (GID)
-  Planned Commercial Center Neighborhood (PCC-1)
-  Mobile Home Residence (RMH)

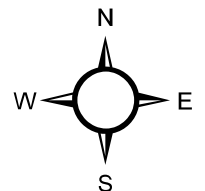


Treasures 4 Teachers

PL210123



Aerial Map



TREASURES 4 TEACHERS
FORMAL SUBMITTAL
USE PERMIT

3025 SOUTH 48TH STREET
TEMPE, ARIZONA
APN: 123-28-1654 & 123-28-1654

PREPARED FOR:
TREASURES 4 TEACHERS
BARBARA BLALOCK
DIRECTOR

APPLICANT:
SENDER ASSOCIATES, CHARTERED
DARIN A. SENDER, ESQ. JENNIFER K. BOBLICK, ESQ.
464 S. FARMER AVENUE, SUITE 102
TEMPE, ARIZONA 85281
(480) 966-6735
DARIN@SENDERLAW.COM JEN@SENDERLAW.COM

APRIL 12, 2021

Treasures Teachers



 **SENDER**

TREASURES 4 TEACHERS

PROJECT NARRATIVE

I. INTRODUCTION

Treasures 4 Teachers (T4T) respectfully submits this entitlement application for T4T Thrift Shop, a second-hand resale store located at 3025 South 48th Street, south of the southeast corner of Southern Avenue and Fairmont Drive Street (the “Site”).

Treasures 4 Teachers is a unique, local non-profit dedicated to serving Arizona’s teachers for the benefit of their students. Founded in 2004 by Barbara Blalock, T4T is a creative reuse center that caters to teachers, providing supplies they need for free or at a low cost. Barbara’s passion for helping teachers comes from her years of experience as an educator. As a YMCA Preschool Director working to accredit YMCA preschools, Barbara quickly realized the schools did not have the funds for basic supplies. She reached out to Intel to ask for surplus office supplies and began gathering their donations in her garage. Over the course of 16 years, she has grown her charity from a small operation in her garage to a thriving network of Arizona locations serving over 4,500 member educators each year. The list of companies contributing to the cause has grown as well, including Motorola, the NFL, APS, Shutterfly, University of Phoenix, National Bank of Arizona, and Joann Fabric and Craft Store. T4T was named 2020 Charity of the Year by the Tempe Chamber Women in Business Council.

THANK YOU

Thank you to the following for their generous financial or material donations.



T4T now has two valley locations and an affiliate organization in Tucson. The corporate offices and warehouse are located at the Site. By repurposing and reusing materials, T4T diverts tons of materials from the landfill each year.

T4T is 100% donation based – down to the fixtures and office resources. As a “Reusable Resource Center” T4T promotes sustainability through the concepts of “reuse, repurpose, and reimagine” – finding creative ways to use materials in classrooms and learning environments. Most donations come from companies looking to donate supplies as they go paperless, downsize, or close offices. Other materials for the warehouse come from school supply drives sponsored by companies throughout the valley. T4T accepts donations on Site and also picks up directly from select sponsors and businesses.

T4T is an affiliate of the Kids in Need Foundation, which allows T4T to provide free school supplies to teachers in schools with a high percentage of students participating in the National School Lunch Program. T4T is one of 40 mission-driven organizations in the United States that participates in the Kids in Need Foundation National Network of Resource Centers. As an affiliate of the Kids in Need Foundation, T4T is connected with companies looking to donate goods to classrooms. Those companies then donate the materials to T4T where they are given to teachers for free. T4T creates Classroom Pass boxes – a prepacked assortment of basic classroom materials that are available for free to any teacher.

As a member-based resource and supply store, anyone who works closely with students can obtain a membership to gain access to a wide selection of education materials and resources available at the warehouse. On average, teachers spend \$500 to \$1,200 each year from their own pocket on school supplies and resources needed for their students to succeed. T4T saves teachers thousands of dollars each year on school supplies and materials for their classrooms, ranging from basic supplies such as paper, binders, desk trays, markers, staplers, and tape dispensers to larger items like filing cabinets and everything in between. They also provide books and a variety of creative classroom materials including STEM kits and art supplies. T4T helps bridge the gap between available funding and needed materials.

With T4T’s growth, companies and patrons increased their donations to T4T, including non-education related items. To manage the non-education related donations, T4T opened T4T Thrift Store as an accessory to the existing corporate offices, warehouse, and teacher supply store. Unlike the members-only supply store, T4T Thrift Store is open to the general public, allowing T4T to generate additional revenue so they can increase their ability to provide low-cost and free supplies to teachers across Arizona.

A. REQUEST OVERVIEW – ENTITLEMENTS

T4T is a truly unique operation, with a warehouse, corporate offices, accessory members-only supply store, and the accessory thrift shop. T4T is located within an existing light industrial office complex in the General Industrial District (GID) and requests a Use Permit for second-hand resale. The requested Use Permit will encompass T4T’s unique mix of uses, including donation distribution activities, operation of the members-only teacher supply store, and the accessory T4T Thrift Shop. The Thrift Shop supports T4T’s other uses and helps T4T operate the members-only teachers’ store.

B. PROJECT LOCATION, GENERAL PLAN, AND ZONING

The Site is located on the east side of 48th Street, approximately 825 feet north of Southern Avenue. (See attached Exhibit – Location Maps.) The Site is one of three units in the 48 Commons Condominium Plat. The Site is surrounded by office, light industrial, and commercial uses to the north, east and south. The Site is bound by 48th Street on the west, the end of the City of Tempe’s limits. On the west side of 48th Street is single family residential development within the City of Phoenix.

The surrounding properties to the north, west, and southwest are zoned GID and similarly developed with light industrial and office buildings. The property to the south is zoned PCC-1 and is occupied by a retail strip-center with a mix of restaurant, retail, and office uses. The property to the west is within the City of Phoenix jurisdiction and is zoned R1-6 with existing single-family residential development. (See attached Exhibit – Zoning Map.)

Adjacency to Site	Zoning	Current Use	GP Projected Land Use	GP Residential Density
SITE	GID	Office/Light Industrial	Industrial	NA
North	GID	Office/Light Industrial	Industrial	NA
Northeast	GID	Office/Light Industrial	Industrial	NA
East	GID	Office/Light Industrial	Industrial	NA
Southeast	GID	Office/Light Industrial	Industrial	NA
South	PCC-1	Commercial/Retail/Restaurant	Commercial	NA
Southwest	R1-6 (PHX)	Single Family Residential	Residential	3.5 – 5 DUA
West	R1-6 (PHX)	Single Family Residential	Residential	3.5 – 5 DAU
Northwest	R1-6 (PHX)	Single Family Residential	Residential	3.5 – 5 DUA

II. APPLICATION REQUEST – USE PERMIT TO ALLOW SECOND-HAND RESALE

This entitlement application is a request for a Use Permit to allow second-hand resale in the GID zoning district. Second-hand stores are allowed with a Use Permit in the GID zoning district under Section 3-302 of the Zoning and Development Code. The second-hand resale use is compatible with existing commercial development and is comparable to other uses allowed by right in the GID district.

A. CITY USE PERMIT APPROVAL CRITERIA

A use permit shall be granted upon a finding that the use covered by the permit will not be detrimental to persons residing or working on the vicinity, to the neighborhood, or to the public welfare in general, and that the use will be in full conformity to any conditions, requirements, or standards of the Zoning and Development Code. The following factors shall be considered:

a. Any Significant increase in vehicular or pedestrian traffic.

A Use Permit for second-hand resale will not have a significant increase in vehicular or pedestrian traffic. The Site is located within an existing light industrial / office complex adjacent to a 5-lane, arterial street. Any pedestrian or vehicular traffic generated by the second-hand resale use would not be an increase beyond the expected traffic for other permitted uses within the GID zoning district.

The Site was developed with flexibility in mind – providing the necessary access and parking to accommodate a variety of light industrial, office, and commercial uses. The Site is located on an arterial street with average traffic volumes in excess of 33,000 trips – 2018’s recorded count was an average 33,361 for 48th Street at this segment. There are two primary vehicular access points on 48th Street and a secondary vehicular access point on Fair Lane. Sufficient parking is provided for the Site and adjacent properties. The existing parking meets the parking requirements for the entire complex to transition from light industrial to full office occupancy – which parks at the same ratio as the proposed second-hand resale use. In light of these existing conditions, T4T’s second-hand resale operations will have no impact on existing vehicular traffic beyond that anticipated by other permitted uses such as offices, manufacturing, churches, schools, auto repair shops, or wholesaling.

Pedestrian access to the Site is available via the sidewalk adjacent to the 48th Street frontage. Although an occasional patron to the Site may come by foot, the typical visitor to T4T will arrive by vehicle. Pedestrian traffic to the Site will not increase beyond levels generated by other uses permitted by right in the GID district, such as offices, medical clinics, theaters, schools, and churches.

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

The requested Use Permit will not present a nuisance condition in which the aforementioned elements are generated to a level exceeding ambient conditions. The Site is located in an existing office/light industrial complex surrounded by a variety of commercial and industrial uses. Uses in the Site’s vicinity include manufacturing, axe throwing, restaurants, drive-throughs, retail, freight services, and auto repair shops. Traffic in the vicinity includes vehicle counts in excess of 33,000 on the adjacent 48th Street arterial and 25,595 on the nearby Southern Avenue arterial. In consideration of the existing conditions adjacent to and within the vicinity of the Site, as well as other GID uses allowed by right, the requested second-hand resale use will not emit the aforementioned elements beyond existing ambient conditions.

c. Contribution to the deterioration 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 requested Use Permit and supported activities will not contribute to the downgrading of property values nor does the use conflict with any goals, objectives, or policies of the General Plan or other plans adopted by the City. The second-hand resale use will occupy space within an existing building and utilize existing warehouse loading zones. There will be no changes to the exterior of the Site, including existing building elevations, landscaping, or site layout. The Site has sufficient on-site parking and vehicular access from 48th Street, ensuring no traffic will impact adjacent properties. The use is similar to a variety

of other uses permitted by right within the GID zoning district and less intense than many others. The hours of operation are in line with the surrounding office, light industrial, commercial, and restaurant uses, ensuring no late night or early morning disruptions to adjacent properties.

d. Compatibility with existing surrounding structures and uses.

The second-hand resale use is compatible with the existing surrounding structures and uses allowed by right within the GID district. The proposal does not include any changes to the exterior of the existing building, landscape, or site plan.

The second-hand resale use is accessory to T4T’s primary office and warehouse use of the Site. The hours of operation are similar to an office use with minimal weekend hours. The business is closed Monday, open 10 AM – 6 PM Tuesday through Friday, and 9 AM – 4 PM Saturday and Sunday.

The use is compatible with other existing uses surrounding the Site, which include the following:

- Manufacturing
- Retail
- Office
- Restaurant (including drive-thrus)
- Banking
- Entertainment (axe throwing)
- Freight services
- Auto repair and parts

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

Second-hand resale will not foster disruptive behavior that would cause a nuisance to the surrounding area or general public. T4T employs approximately 22 staff members and additional volunteers between their two valley locations. T4T will continue to ensure adequate staff and volunteers are on Site to manage the offices, warehouse, member supply store, and proposed thrift store.

III. CONCLUSION

For the reasons stated above, T4T respectfully requests approval of the Use Permit for a second-hand resale store. T4T is committed to providing resources to teachers and students to ensure no child in Arizona goes without the classroom tools they need for success. Approval of the requested Use Permit will allow T4T to continue their mission to support as many educators as possible.

EXHIBIT B – LOCATION MAPS

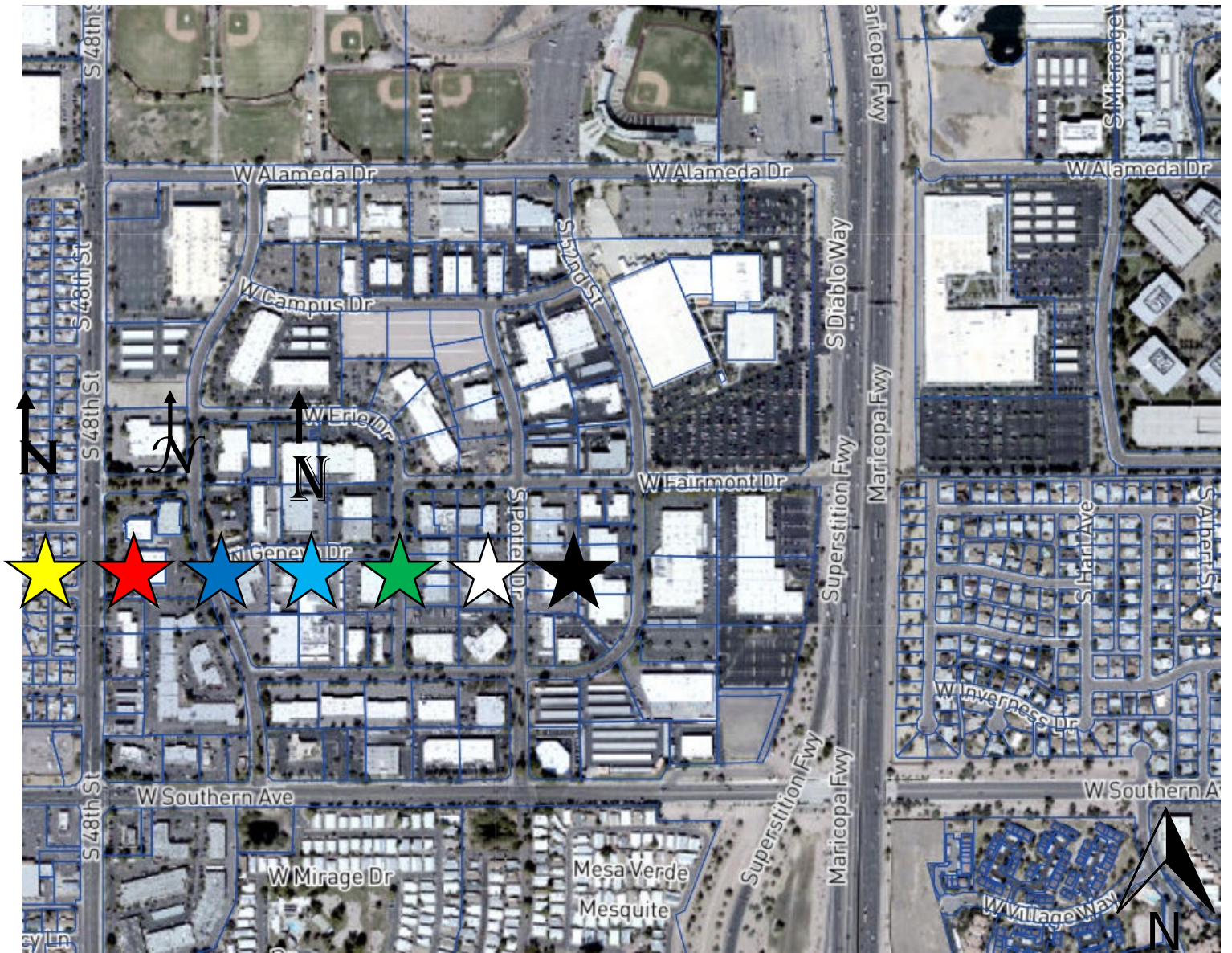
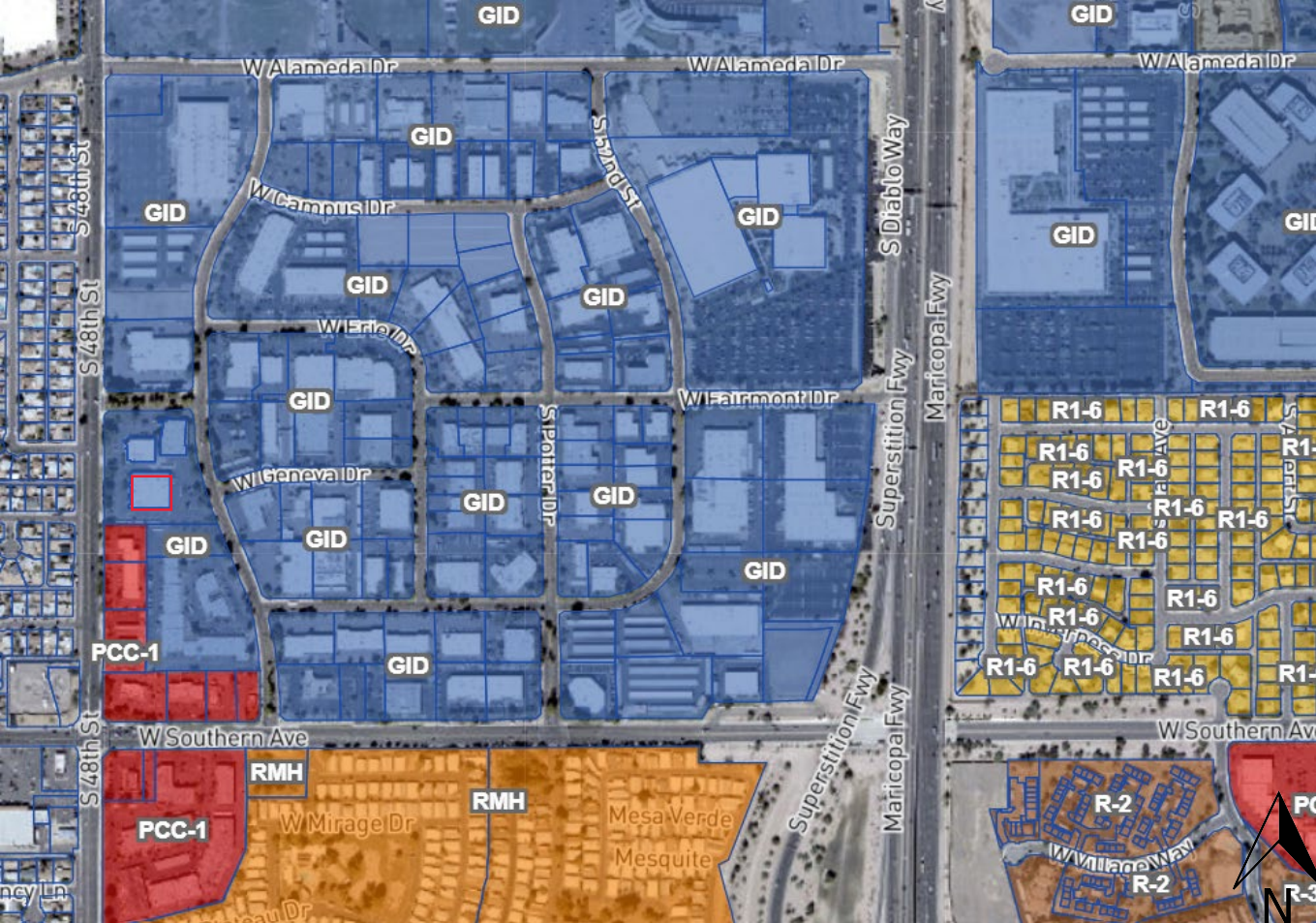




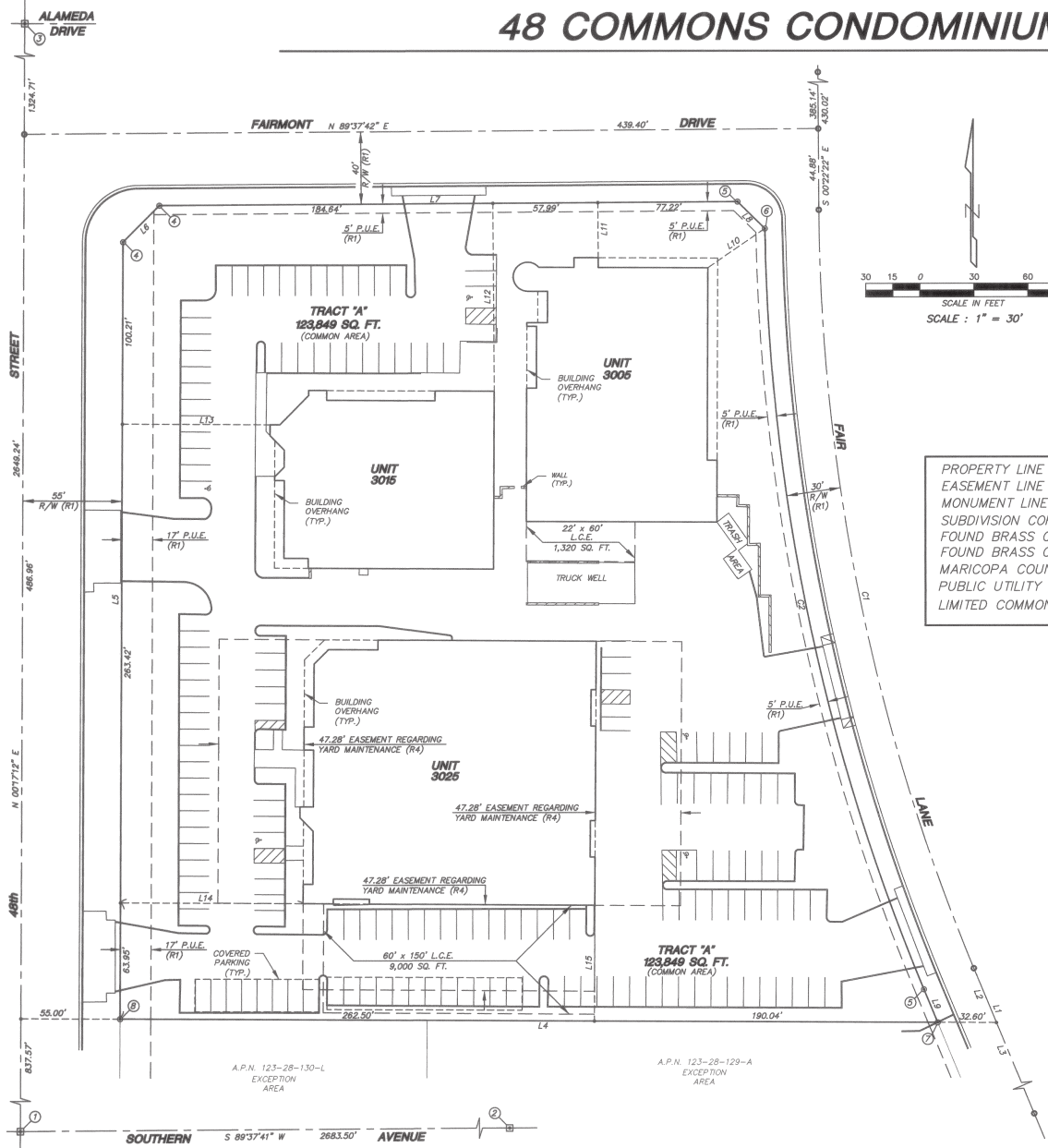
EXHIBIT A - ZONING MAPS



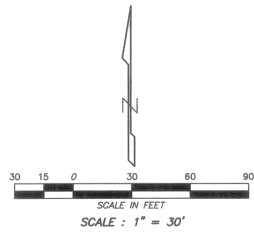


Enterprise GIS and Data Analytics Group | Esri Community M

48 COMMONS CONDOMINIUM



DEVELOPMENT STANDARDS	GID REQUIRED	PROVIDED
ZONING	GID	GID
GENERAL PLAN LAND USE	INDUSTRIAL	INDUSTRIAL
SITE AREA (GROSS)		±173,955
SITE AREA (NET)		±173,955
BUILDING HEIGHT	35'	1-STORY / 21' (To top of parapet)
BUILDING LOT COVERAGE	NO STANDARD	±27.2% (47,387 / 173,955)
SITE LANDSCAPE AREA	10%	±10%
BUILDING SETBACKS		
FRONT (WEST)	25'	±81'-10"
SIDE (NORTH)	0'-0"	±30'-4"
SIDE (SOUTH)	0'-0"	±63'-9"
REAR (EAST)	0'-0"	±30'-0"
VEHICLE PARKING QUANTITY		
OFFICE/RETAIL		±158 (±47,387 SF @ 1:300 SF)
TOTAL REQUIRED		±158
TOTAL PROVIDED		164
USES		UNIT 3025 ONLY
OFFICE/RETAIL		±10,000 SF
WAREHOUSE		±10,000 SF
MANUFACTURING		±2,480
TOTAL BUILDING		±22,480 SF
USE PERMITS		Second-Hand Resale



LEGEND

PROPERTY LINE	—————
EASEMENT LINE	-----
MONUMENT LINE	-----
SUBDIVISION CORNER PIN TO BE SET (OR FOUND AS NOTED)	⊙
FOUND BRASS CAP IN HANDHOLE	⊙
FOUND BRASS CAP FLUSH	⊙
MARICOPA COUNTY RECORDER	M.C.R.
PUBLIC UTILITY EASEMENT	P.U.E.
LIMITED COMMON ELEMENT	L.C.E.

LINE	BEARING	DISTANCE
L1	S 22°45'14" E	262.84'
L2	S 22°45'14" E	32.47'
L3	S 22°45'14" E	230.17'
L4	N 89°43'07" W	452.54'
L5	N 00°17'12" E	427.58'
L6	N 44°37'22" E	28.45'
L7	N 89°37'42" E	319.85'
L8	S 45°27'54" E	21.25'
L9	S 22°45'14" E	19.71'
L10	N 53°38'56" E	38.22'
L11	N 00°22'18" W	30.35'
L12	N 00°22'18" W	103.54'
L13	N 89°42'48" W	81.85'
L14	N 89°42'48" W	101.09'
L15	S 00°16'53" W	63.75'

AREA TABLE:

TRACT "A":	126,568 SQ. FT.
UNIT 3005:	13,970 SQ. FT.
UNIT 3015:	10,937 SQ. FT.
UNIT 3025:	22,480 SQ. FT.
48 COMMONS CONDOMINIUM	(TOTAL) 173,955 SQ. FT. 3.993 ACRES

REFERENCE DOCUMENTS:

- (R1) PLAT PER BOOK 171, PAGE 31, M.C.R.
- (R2) R.O.S. PER BOOK 785, PAGE 42, M.C.R.
- (R3) R.O.S. PER BOOK 854, PAGE 42, M.C.R.
- (R4) DOC. NO. 1983-517317, M.C.R.
- (R5) DOC. NO. 1985-038848, M.C.R.
- (R6) DOC. NO. 2000-0390738, M.C.R.
- (R7) DOC. NO. 2000-0390739, M.C.R.



DS130511

SBD13011

REC13036

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