

**CITY OF TEMPE
DEVELOPMENT REVIEW COMMISSION**

**Meeting Date: 12/14/2021
Agenda Item: 7**

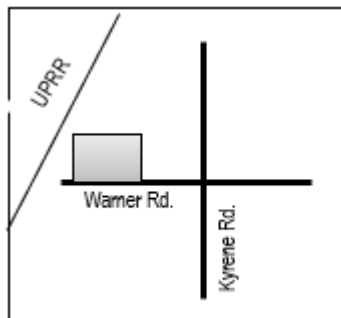
ACTION: Request a Use Permit to allow a restaurant within the GID, General Industrial District for **ANGRY CRAB SHACK**, located at 660 West Warner Road. The applicant is Ronald Lou. (PL210334)

FISCAL IMPACT: N/A

RECOMMENDATION: Staff – Approve, subject to conditions

BACKGROUND INFORMATION: **ANGRY CRAB SHACK** (PL210334) is a seafood restaurant seeking a Use Permit to operate within the GID, General Industrial District. The building is currently unoccupied and was a former restaurant and bar. The request includes the following:

ZUP210085 Use Permit to allow a restaurant within the GID, General Industrial District.



Property Owner	Welborn Partners, LLC
Applicant	Ronald Lou, ACF Tempe, LLC
Zoning District	GID (General Industrial District, SWOD (Southwest Tempe Overlay District))
Site Area	39,452 s.f.
Building Area	5,720 s.f.
Outdoor Patio	890 s.f.
Vehicle Parking	76 (Indoor dining), 4 (patio)= total 80 spaces 101 spaces provided on site through shared parking
Hours of Operation	10 a.m. to 11 p.m., Daily

ATTACHMENTS: Development Project File

STAFF CONTACT(S): Lily Drosos, Planner I (480) 350-8245

Department Director: Shelly Seyler, Interim Community Development Director
Legal review by: N/A
Prepared by: Lily Drosos, Planner I
Reviewed by: Steve Abrahamson, Principal Planner

COMMENTS

The proposed restaurant is located on the north side of Warner Road, east of the Union Pacific Railroad, and west of Kyrene Road. The building was previously occupied by Tilted Kilt, which obtained a use permit in 2005 to allow a restaurant and bar with an entertainment area in the I-1, Light Industrial District. The Tilted Kilt restaurant closed in 2016, leaving the building vacant. The applicant is seeking a use permit to allow a seafood restaurant, Angry Crab Shack, within the GID, General Industrial District.

PUBLIC INPUT

Since the writing of this report, there has been no public input regarding this case.

POLICE INPUT

Tempe Police Department has not made any comments about this request.

USE PERMIT

The proposed use requires a Use Permit to allow a restaurant within 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 restaurant use is not expected to significantly increase traffic.
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 kitchen is located indoors and will have the proper ventilation. There are no anticipated nuisances from the proposed use.
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*; A restaurant is a permitted use within the GID zoning district subject to a Use Permit.
4. *Compatibility with existing surrounding structures and uses*; The restaurant is a compatible with the surrounding structures and uses, as there is an existing shopping plaza across the street.
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 use is not expected to cause a nuisance, but the business is prepared to handle any issues accordingly.

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.

CONDITIONS OF APPROVAL:

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 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.

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:

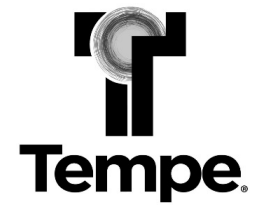
- The Use Permit is valid for Angry Crab Shack and may be transferable to successors in interest through an administrative review with the Community Development Director, or designee.
- The use permit approval shall be void if the use is not commenced or if an application for a building permit has not 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 Mike Scarpitta 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 Tax 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.
- Music, sound, or live entertainment shall not violate the City of Tempe Noise Ordinance.

HISTORY & FACTS:

- January 28, 2005 The Board of Adjustment approved the request for a Use Permit for the Tilted Kilt to allow a restaurant and bar with an entertainment area, in the I-1, Light Industrial District.
- June 17, 2010 The Development Services Department approved the request for a shared parking analysis for the Tilted Kilt, in the GID, General Industrial District.
- 2016 The Tilted Kilt restaurant closed, leaving the building vacant.

ZONING AND DEVELOPMENT CODE REFERENCE:

Section 3-302 Permitted Uses in Office/Industrial Districts
Section 4-204 Development Standards for Office/Industrial Districts
Section 6-308 Use Permit



DEVELOPMENT PROJECT FILE

for

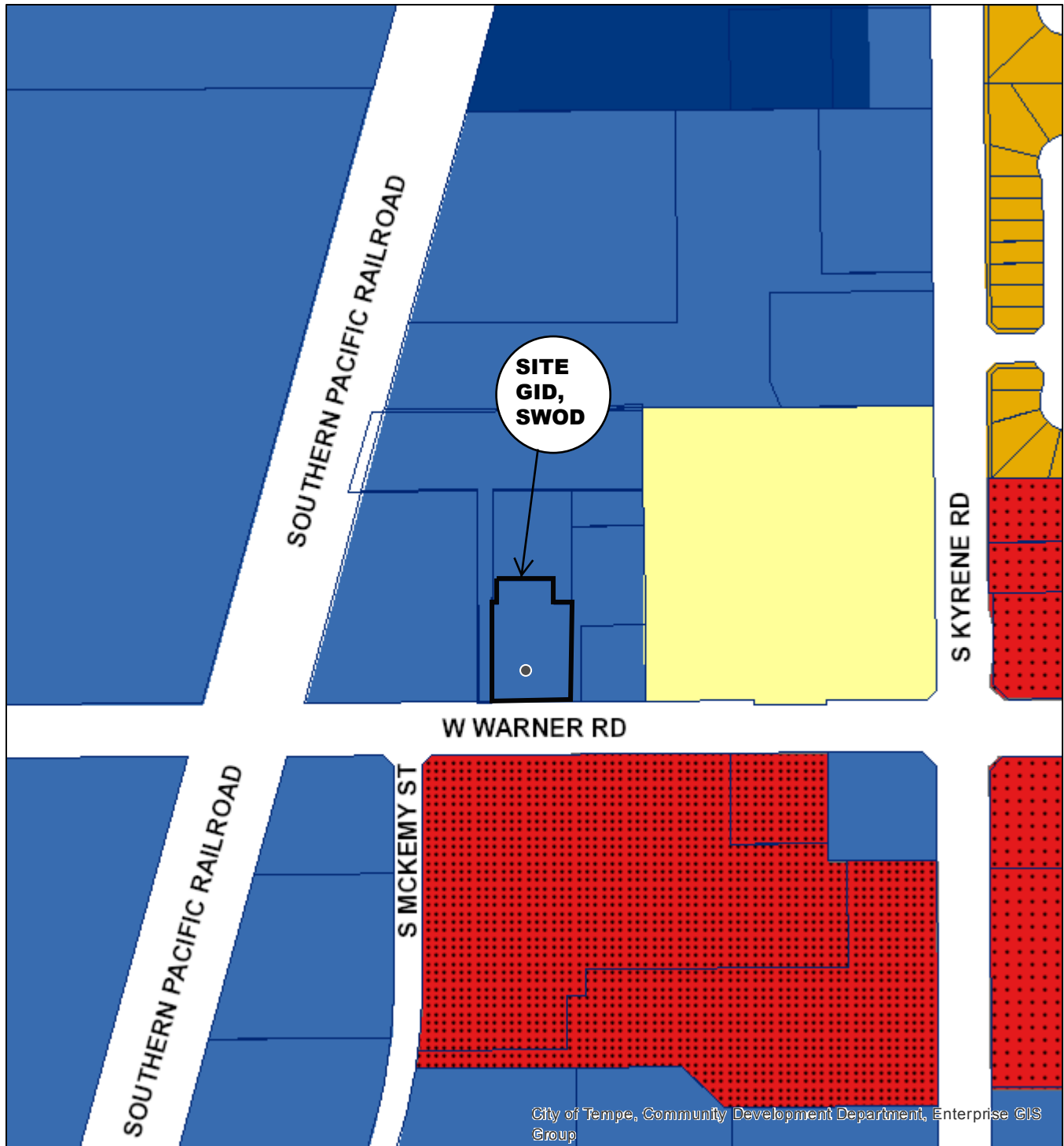
ANGRY CRAB SHACK
(PL210334)

ATTACHMENTS:

1. Location Map
2. Aerial Map
3. Letter of Explanation
- 4-5. Site Plans
6. Floor Plan
- 7-9. Site Context Photos

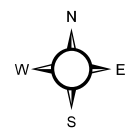
ANGRY CRAB SHACK

PL210334



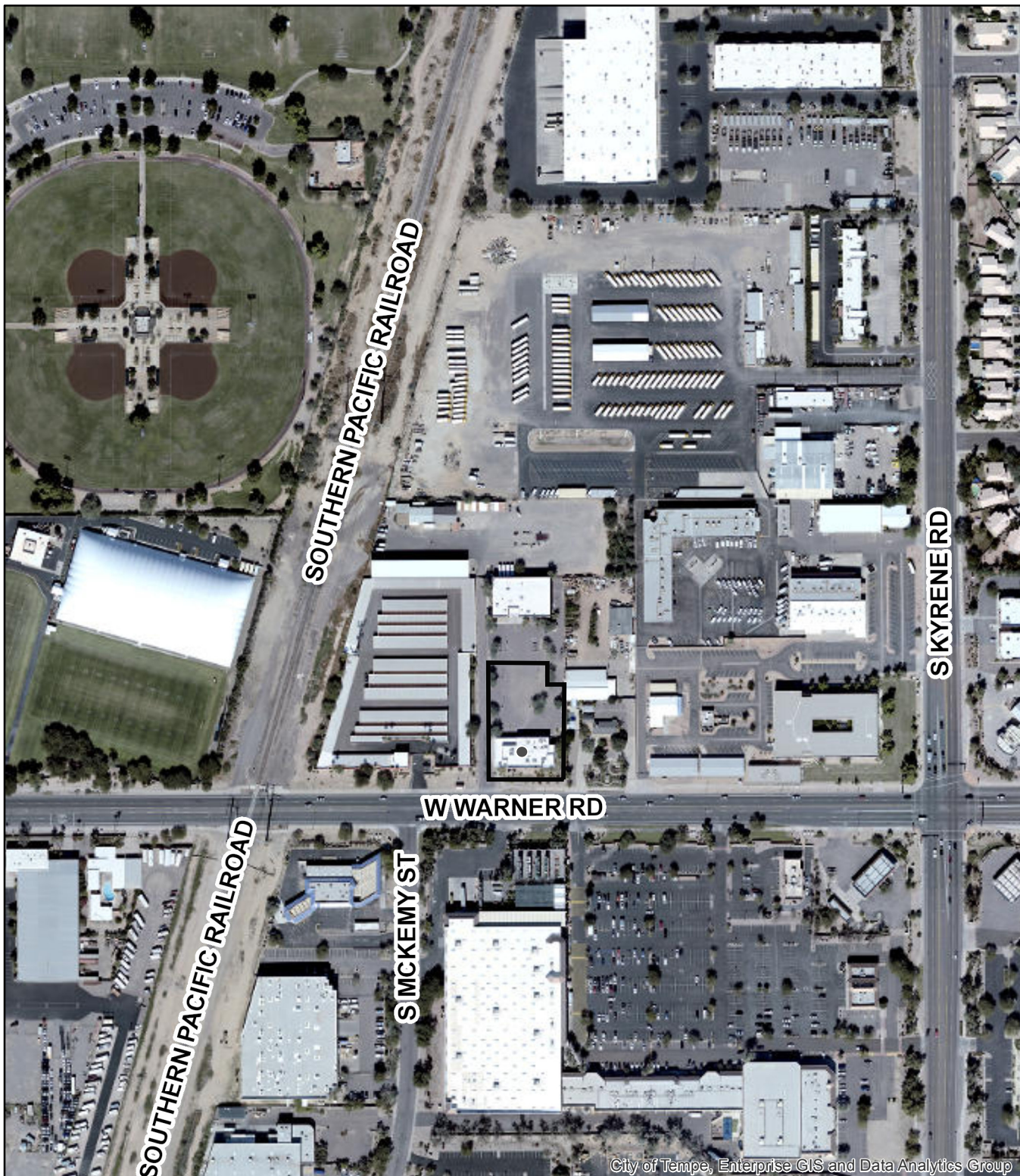
City of Tempe, Community Development Department, Enterprise GIS Group

- General Industrial District (GID)
- Heavy Industrial District (HID)
- Planned Commercial Center General (PCC-2)
- Agricultural (AG)
- Single-Family Residential (R1-6)
- Planned Commercial Center Neighborhood (PCC-1)



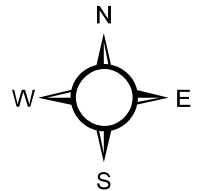
ANGRY CRAB SHACK

PL210334



City of Tempe, Enterprise GIS and Data Analytics Group

Aerial Map





**Angry Crab Shack
2345 S. Alma School Road, Suite 106
Mesa, AZ 85210**

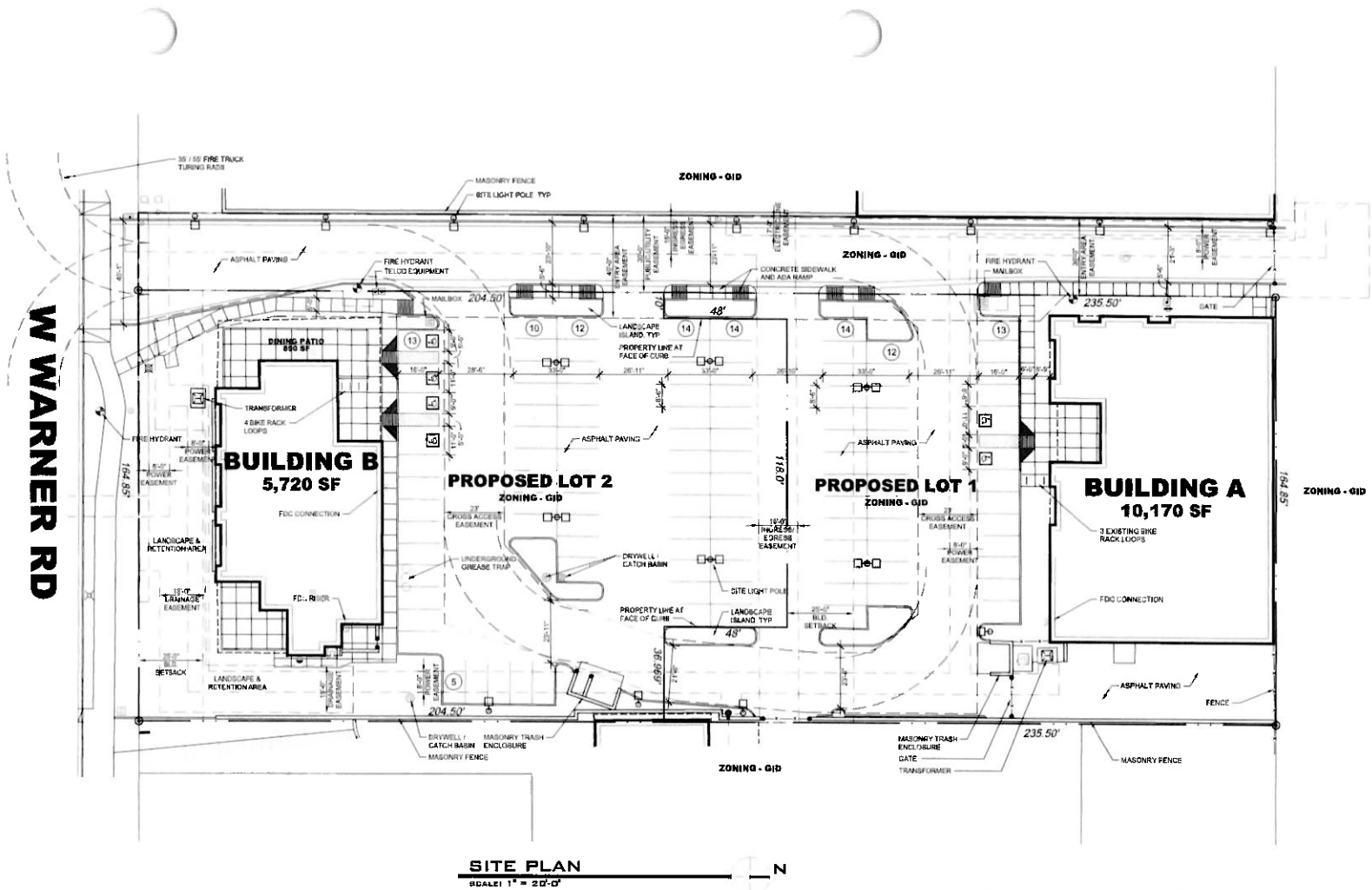
November 9, 2021

Re: Use permit related to 660 W. Warner Rd, Tempe, AZ 85284

To whom it may concern:

The proposed use of this location is for a seafood boil restaurant. Please see the below outline of details regarding this location and project:

- Hours of operation will be approximately 10:00 am – 11:00 pm daily
- The approximate amount of employees we will have, will be 60
- Angry Crab Shack will be a positive impact on the surrounding neighborhood and businesses, as we encourage a family atmosphere
- The pedestrian traffic will not be significantly impacted from the current traffic
- Our compatibility with the surrounding structures will be positive as we foresee the increase in business for all buildings by the well-known name of Angry Crab Shack
- Angry Crab Shack does not expect any type of disruptive behavior, but as a well-established restaurant chain, we will handle accordingly in conjunction with our local law enforcement agencies



W WARNER RD

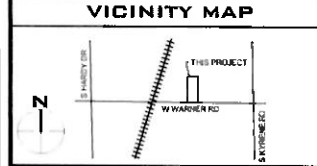
SITE PLAN
SCALE: 1" = 20'-0"

EXISTING SITE DATA	
APN:	30143-000
ADDRESS:	660 AND 664 W WARNER RD
ZONING:	GID - GENERAL INDUSTRIAL 20' FRONT SETBACK, 15' SIDEYARD
NET SITE AREA:	72,569 SF (1.66 AC)
GROSS BUILDING AREA:	16,890 SF
COVERAGE:	21.5%

PROPOSED SITE DATA	
PROPOSED LOT 1	
ADDRESS:	664 W WARNER RD
ZONING:	GID - GENERAL INDUSTRIAL
GROSS SITE AREA:	NA
NET SITE AREA:	32,117 SF (0.736 AC)
GROSS BUILDING AREA:	18,170 SF
COVERAGE:	56.7%
LANDSCAPE AREA:	3,347 SF (16.2%)
USE:	20% OFFICE / 80% WAREHOUSE
TOTAL PARKING REQUIRED:	2 CAR SP @ 1000 = 6 (A) STALLS 8,136 SF @ 1300 = 16.3 (1) STALLS
TOTAL PARKING PROVIDED:	24 TOTAL STALLS REQUIRED
ADA STALLS (REQUIRED / PROVIDED):	(22) / 1 VAN ACCESSIBLE
BICYCLE PARKING:	1500 SF FIBER OPTIC W/ WAREHOUSE = 500 (1) BICYCLE 1500 SF REMAINING WAREHOUSE = 1500 (2) BICYCLE WAREHOUSE/OFFICE = 1500 (2) TOTAL BICYCLE = 2500 (5)

PROPOSED LOT 2	
ADDRESS:	660 W WARNER RD
ZONING:	GID - GENERAL INDUSTRIAL
NET SITE AREA:	39,452 SF (0.91 AC)
GROSS BUILDING AREA:	8,720 SF
GROSS PATIO AREA:	890 SF
COVERAGE:	14.8% (16.4% W/ PATIO)
LANDSCAPE AREA:	8,348 SF (21%)
USE:	RESTAURANT
TOTAL PARKING REQUIRED:	1/75 INDOOR DINING / 1/150 PATIO DINING LATER FIRST 300 SF
8,720 GROSS SF = 5,434 NET SF	5,434 SF / 75 = 72.5 (73) STALLS (800 - 300 = 500) SF / 150 = 3.3 (4) STALLS
TOTAL PARKING PROVIDED:	77 TOTAL STALLS REQUIRED
ADA STALLS (REQUIRED / PROVIDED):	(4) / 1 VAN ACCESSIBLE
BICYCLE PARKING:	11000 SF INDOOR RESTAURANT = 5700 SF (1000 = 5.7) BICYCLE 12000 SF OUTDOOR RESTAURANT = 800 SF / 200 = 4 (4) BICYCLE = 9700 (14)

COMBINED VEHICLE PARKING	
TOTAL REQUIRED PARKING FOR BOTH PARCELS:	131 STALLS REQUIRED
TOTAL PARKING PROVIDED:	173 STALLS PROVIDED
NOTE: SHARED PARKING AGREEMENT SHALL BE REQUIRED AS A PART OF THE LOT SPLIT PROCESS.	



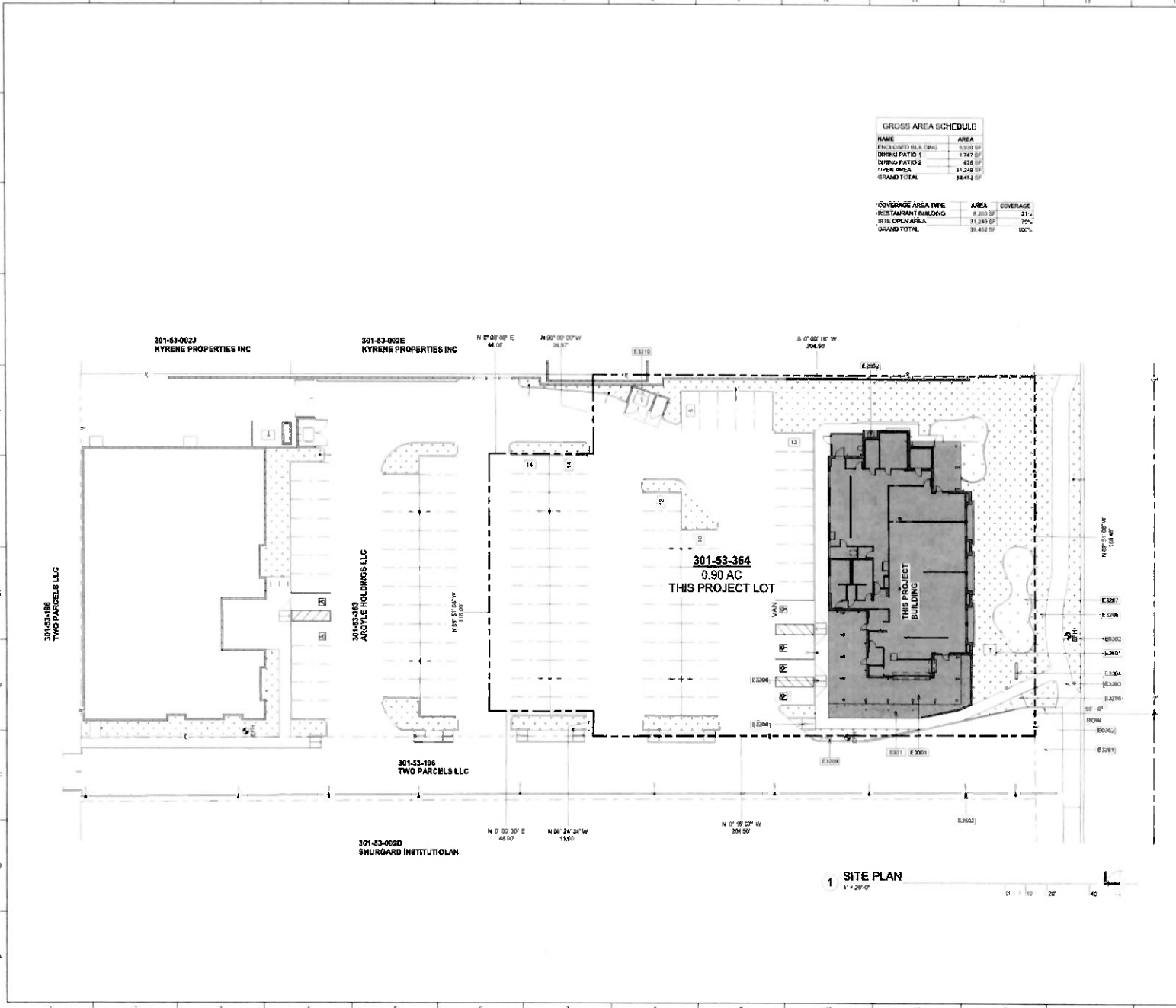
CONTACTS	
OWNER	ARCHITECT
VELOCITY COMMERCIAL CAPITAL LLC 30609 RUGGELL RANCH ROAD, SUITE 208 WESTLAKE VILLAGE, CA 91362 T (916) 532-0235 CONTACT: FRICK FAVELA EMAIL: favela@velocitycommercial.com	THREADED STUDIOS, PLLC 3370 N. HAYDEN RD STE 175-303 SCOTTSDALE, AZ 85257 T (602) 214-2170 CONTACT: JOHN MESSINGER, AIA, NCARB EMAIL: jfm@threadstudios.com

SUBDIVISION PLAT FOR VELOCITY COMMERCIAL COMPLEX

660 AND 664 W. WARNER RD
TEMPE, AZ

NOT FOR CONSTRUCTION
05/11/20

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GROSS AREA SCHEDULE

NAME	AREA
ENCLOSURE BUILDING	5,530 SF
DINING PATIO 1	1,747 SF
DINING PATIO 2	828 SF
OPEN AREA	31,249 SF
GRAND TOTAL	39,452 SF

COVERAGE AREA TYPE

COVERAGE AREA TYPE	AREA	COVERAGE
RESTAURANT BUILDING	8,203 SF	21%
SITE OPEN AREA	31,249 SF	79%
GRAND TOTAL	39,452 SF	100%

1 SITE PLAN
 1" = 20'-0"

- MATERIAL KEYNOTES**
- E001 4" CONCRETE ON 4" ABC
 - E002 EXISTING CONCRETE SLAB
 - E003 EXISTING CONCRETE CURB
 - E201 EXISTING TRANSFORMER
 - E005 EXISTING LIGHTING
 - E003 EXISTING LIGHT PILE
 - E101 EXISTING DRIVEWAY
 - E102 EXISTING SIDEWALK
 - E104 EXISTING BUILDING SIGN
 - E105 EXISTING SIGNMENT
 - E106 EXISTING LANDSCAPE GRANITE
 - E107 EXISTING LANDSCAPE GRASS AREA
 - E108 EXISTING ACCESSIBLE RAMP
 - E200 EXISTING MACHINERY PREVENTER
 - E210 EXISTING TRASH ENCLOSURE

- GENERAL NOTES**
- STRUCTURAL NOTE**
- REFER TO STRUCTURAL DRAWINGS FOR UNTEL AT NEW EXTERIOR WALL OPENING
 - REFER TO STRUCTURAL DRAWINGS FOR DECORATIVE SMOKE ROOF STRUCTURE DETAILS
- MEP NOTE'S**
- REFER TO MEP DRAWINGS FOR ADDED VENTILATION, LIGHTING, POWER AND OTHER EQUIPMENT AS NEEDED.
 - REFER TO LAYOUT FOR NEW ELECTRIC, MECHANICAL AND PLUMBING LOADS.

SHEET SPECIFIC NOTES - LEGEND



CANARANO ARCHITECTURE
 ARCHITECTURE DEVELOPMENT,
 COMMERCIAL RESIDENTIAL
 1000 N. BULLOCK BLVD.
 SUITE 100
 TAMPA, FL 33606
 PH: 407-237-2812
 WWW.CANARANOARCHITECTURE.COM

SITE ORIENTATION PLAN

PROJECT NO: 21069-01
 DATE: 8/30/2021
 CLIENT: ANGRY CRAB
 800 W. WARNER RD
 TAMPA, FL 33606

G.101

1ST CITY SUBMITTAL



ARCHITECTURE DEVELOPMENT,
COMMERCIAL RESIDENTIAL
ANGRY CRAB ARCHITECTURE
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www.angrycrabarchitecture.com

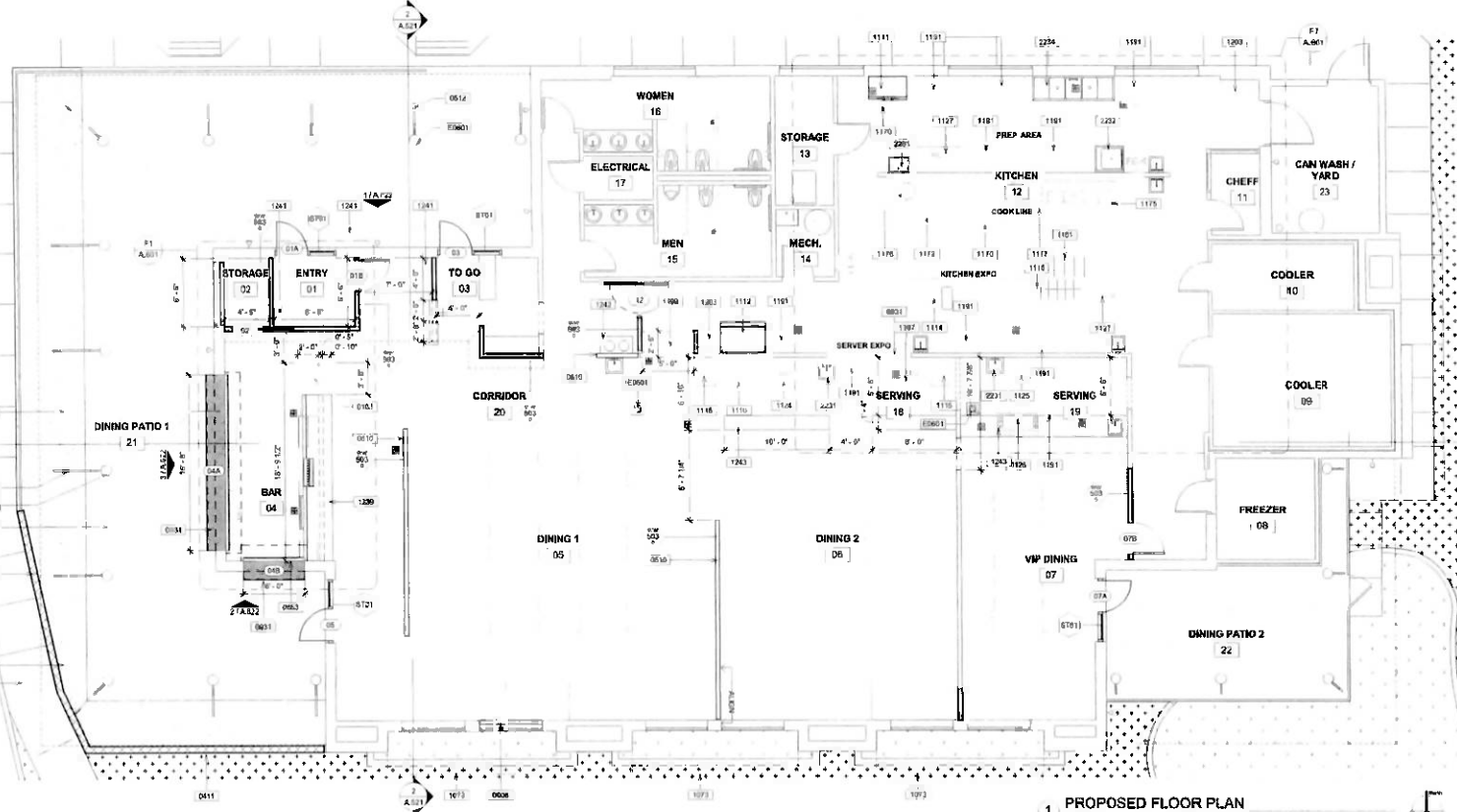
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MARKOPA COUNTY HEALTH DEPARTMENT KITCHEN NOTES

- EXISTING KITCHEN FINISHES TO REMAIN NOT PART OF THE SCOPE
- EXISTING FINISHED AT KITCHEN COMPLY WITH MARKOPA COUNTY HEALTH DEPARTMENT
- FLOOR IS MADE OF WASHABLE SURFACE TILES WITH BRIGHT LIGHT COLOR WHICH MEET REQUIREMENTS FOR DURABILITY, BURNIT AND IMPERVIOUS TO WATER, GREASE AND ACID, AND OF EASY CLEANABLE CONSTRUCTION
- FLOOR SURFACES CONTINUE UP THE WALL AT LEAST 4 INCHES WITH 1/2" MARQUETTE COVE IN KITCHEN AND AREAS WHERE FOOD IS STORED IN OPEN CONTAINERS, FOOD PREPARATION AREAS, JANITORIAL ROOMS, TOILET ROOMS ROOMS WHERE LITTERABLE ARE INSURED AND OTHER RELATED AREAS
- FLOOR DRAINAGE ARE INSTALLED TO FACILITATE CLEANING AND TO KEEP MOISTURE FROM ACCUMULATING ON FLOOR
- ALL WALLS HAVE WHITE PLY PANELS EXCEPT COOKING LINE WALL WHICH HAS STAINLESS STEEL PANELS
- EXISTING CEILING AT KITCHEN AND FOOD STORAGE ARE DURABLE, SMOOTH AND NON-ABSORBENT WITH A LIGHT COLOR ON THE FINISH AND WASHABLE FINISH
- REPAIR TO EXISTING CEILING FINISHES AT KITCHEN WHICH SHOULD HAVE WASHABLE SURFACE, ENOUGH LIGHT TO MEET COUNTY REQUIREMENTS AND SHATTER RESISTANT CEILING



1 PROPOSED FLOOR PLAN
3/18" = 1'-0"

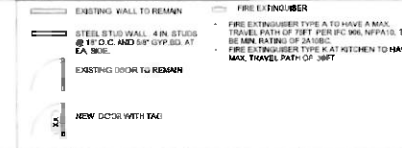
MATERIAL KEYNOTES

0103	FULPUP TABLE FOR 20" ACCESSIBLE BAR SECTION	0631	PASS THROUGH COUNTER WALL WITH 4"X4" CONCRETE SLAB, 10" EXTERIOR OVERHANG AND 4" EXTERIOR OVERHANG REFER TO STRUCTURAL FOR CONNECTION TO CMU	1124	UNDERCOUNTER REFRIGERATOR	1241	MURICA
0061	4" CONCRETE ON 4" ABC	1073	FRIGERATED METAL FINISH BY OTHERS	1125	BALK BAR COOLER	1242	TRASH BINS UNDER CABINET WITH GROOMET ON TOP
0431	6 FT CMU SCREEN WALL	1074	ULTRA SAJAD REFRIGERATOR	1126	DOUBLE REACH IN REFRIGERATOR	1243	DOORKNIB BY OWNER
0510	NEW PONY WALL - METAL STUD FRAMING	1075	FREEZER	1127	EXHAUST HOOD	2201	UTILITY SINK
0512	NEW STEEL CLING DETECTION WINDING	1107	FRIGERATOR	1128	DOUBLE STOCK POT RANGE	2221	HAND SINK
0653	HOLLAD DOOR REPLACING EXISTING WINDOWS, PROVIDE COUNTERTOP FOR PASS THROUGH AND OVERHEAD AIR CURTAIN	1108	FRIGERATOR	1129	FRYER	2230	PREP SINK
0706	BLOCK OUT WINDOW WITH COPOLYMER BOARD WALL AS EXTERIOR COVER - GLASS TO BE RETROFITTED AS SPANDREL WITH OPAQUE RESISTIVE FILM	1109	FRIGERATOR	1130	ICE MAKER	2234	THREE COMPARTMENT SINK
		1110	FRIGERATOR	1131	PAINT CHANGEBLER	2241	EXISTING CONCRETE SLAB
		1111	ICE MAKER	1132	STEAK TABLE	2260	EXISTING HEAVY TIMBER COLUMN TO REMAIN
		1112	STEAK TABLE	1133	SOCIA MACHINE	2263	EXISTING SIDEWALK
		1113	SOCIA MACHINE	1134	ULTRA SANITARY REFRIGERATOR	2280	TABLE
		1114	ULTRA SANITARY REFRIGERATOR				

GENERAL NOTES

- DO NOT SCALE DRAWING. DIMENSIONS TAKE PRECEDENCE OVER SCALE
- IF SUBCONTRACTOR SHOULD FIND ANY DISCREPANCIES IN AND/OR OMISSION FROM THESE DRAWINGS, OR IF HE HAS ANY QUESTION AS TO THEIR MEANING OR INTENT, HE SHOULD CONTACT THE ARCHITECT IMMEDIATELY FOR INTERPRETATION OR CLARIFICATION
- ALL LABOR AND MATERIALS SHALL BE LOCAL OR EXCEEDED ALL APPLICABLE STATE OR LOCAL CODE REQUIREMENTS
- CONTRACTOR SHALL MAKE EVERY EFFORT TO HAVE A FULL UNDERSTANDING OF SPECIFIC PRICES OF PROPERTY MANAGER AND LANDLORD AND COMPLY IN EVERY WAY
- CONTRACTOR TO MEASURE OF EXISTING CONDITIONS PRIOR TO START OF WORK AND DURING CONSTRUCTION AS NECESSARY TO ASSURE CONSTRUCTION
- BY ENTERING INTO A CONSTRUCTION CONTRACT FOR AND BEGINNING OF THIS WORK, THE CONTRACTOR SHALL INDICATE HIS LIABILITY WITH THE SITE FIELD CONDITIONS AND UNDERSTANDING OF THE SCOPE OF WORK REFERRED FROM THE DOCUMENTS
- ANY ALTERATIONS SHALL BE ACCEPTED BY AND EXECUTED ONLY AT THE DIRECTION OF THE TENANT AND OWNER'S REPRESENTATIVE THROUGH THE ARCHITECT
- PROVIDE BLOCKING IN WALLS AS NECESSARY TO SUPPORT WALL MOUNTED FIXTURES

SHEET SPECIFIC NOTES - LEGEND



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ANGRY CRAB ARCHITECTURE DEVELOPMENT, COMMERCIAL RESIDENTIAL, 1001 N. GARDNER BLVD., TULSA, OKLAHOMA 74103, PH: 918.233.8078, WWW.ANGRYCRABARCHITECTURE.COM



12/16/2020
1. West patio area



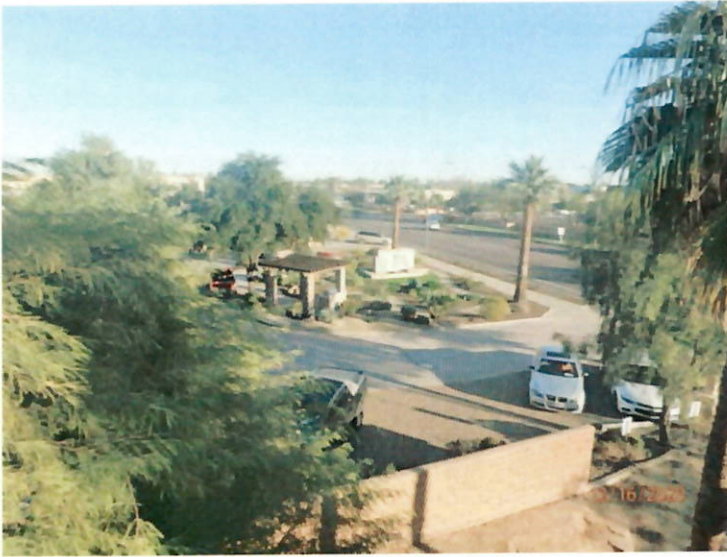
12/16/2020
2. South elevation



12/16/2020
3. Electrical approved by City of Tempe - 4-27-05



12/16/2020
12. South adjacent property



12/16/2020
13. East adjacent property



12/16/2020
14. NE adjacent property



12/16/2020
15. North adjacent property



12/16/2020
16. West adjacent property



660 West Warner Road
Tempe, Arizona
2019 Aerial Map
20-5981



DESERT DRYWALL
PROPERTY
IMPROVEMENTS

Dry Well

Transformer

W WARNER RD

W WA