

# Staff Summary Report



Hearing Officer Hearing Date: June 22, 2010

Agenda Item Number: 4

**SUBJECT:** This is a public hearing for a request by **BEEMER HAUS** located at 6315 South Kyrene Road, Suite No. 105, for one (1) use permit.

**DOCUMENT NAME:** 20100622dsdk01 **PLANNED DEVELOPMENT (0406)**

**COMMENTS:** Request by **KYRENE BUSINESS PARK - BEEMER HAUS (PL100144)** (Charble Antoun, applicant; Grubb & Ellis/BRE Commercial LLC, property owner) located at 6315 South Kyrene Road, Suite No. 105, in the GID, General Industrial District for:

**ZUP10054** Use permit to allow automotive sales in the GID, General Industrial District.

**PREPARED BY:** Diana Kaminski, Senior Planner (480-858-2391)

**REVIEWED BY:** Steve Abrahamson, Planning & Zoning Coordinator (480-350-8359)

**LEGAL REVIEW BY:** N/A

**DEPARTMENT REVIEW BY:** N/A

**FISCAL NOTE:** N/A

**RECOMMENDATION:** Staff – Approval, subject to conditions

**ADDITIONAL INFO:**

This property has formerly been addressed as 435 W. Orion St. and 6275 S. Kyrene Rd. The property currently has two automotive related uses on site, this request is for a use permit to allow vehicle sales.

**PARKING:**

Suite 101 - 12.24 (warehouse)+6.45 (office) = 19 spaces

Suite 104 - 5.58 (warehouse)+3.95 (office) = 10 spaces

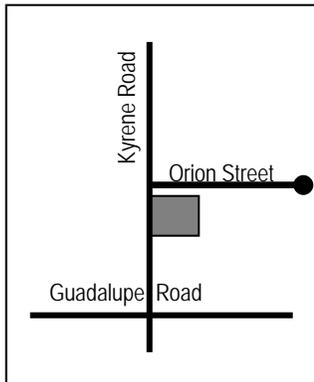
Suite 105 – 16.28 vehicle sales = 16 spaces

TOTAL per suite calculation requires 45 parking spaces

PROVIDED: 44 parking spaces

Additional parking is available inside the 3,700 square foot warehouse being used as a showroom for this proposed use.

No neighborhood meeting was required for this request.



**PAGES:**

1. List of Attachments
2. Comments
3. Reasons for Approval; Conditions of Approval; History & Facts/Description; Zoning & Development Code Reference

**ATTACHMENTS:**

1. Location Map
2. Aerial Photo
3. Letter of Intent
- 4-5. Site plans
- 6-7. Photograph(s)

## COMMENTS:

The proposed use would be located in an industrial office building south of Baseline Road, north of Guadalupe Road, on the east side of Kyrene road and west of Rural Road, on the south east corner of Orion St and Kyrene. The property has previous entitlements under two other addresses. The lot is a corner lot with three suites: 101, 104 and 105, all currently being used for automotive related uses. The applicant has been operating Beemer Haus in this space since December 2009, and previously for three years at 1330 W. Auto Drive in Tempe. The applicant has indicated a total of 20-30 late model (2006 and newer) BMWs would be parked on site; either in the parking spaces along the south side of the property or within the showroom. Parking has been reviewed to determine compatibility of this use with other existing tenants on site.

Based on calculations of the combined spaces on site, without vehicle sales, 35 parking spaces would be required:

12,609 sf of warehouse = 20.5 spaces

4,304 sf of office = 14.35 spaces

Existing current suite sizes and use allocations, without the vehicle sales 40 spaces would be necessary:

Suite 101 - 12.24 (warehouse)+6.45 (office) = 19 spaces

Suite 104 - 5.58 (warehouse)+3.95 (office) = 10 spaces

Suite 105 - 7.4 (warehouse)+3.95 (office) = 11 spaces

The addition of vehicle sales to the site would modify the required parking ratio from warehouse (1 to 500) to retail (1 to 300), which would require Suite 105 to have 16 spaces, bringing the site total to 45 required spaces. The property has 44 designated parking spaces on site, and the proposed use would provide parking inside the warehouse portion of the suite, as a vehicle showroom. The applicant has indicated the lease allows for 11 parking spaces outside of the showroom, including employee and guest parking. Code requires 16 spaces; staff will recognize up to 5 spaces inside as part of the required parking for this use.

## Use Permit

The Zoning and Development Code requires a use permit for vehicle sales in the General Industrial District.

- a. The proposed site has sufficient parking for the sale of vehicles at the proposed scale (20-30 cars). The business will have 4 employees on site, and will do no repairs at the facility. There will be no significant vehicular or pedestrian traffic in adjacent areas;
- b. The proposed use is less intense than the other automotive uses, which include installation of audio equipment and an auto body shop. The sale of BMWs will not cause any nuisance (odor, dust, gas, noise, vibration, smoke, heat or glare, etc.) exceeding that of ambient conditions;
- c. The proposed sale of newer model BMWs will not contribute to the deterioration of the neighborhood or be in conflict with the goals, objectives and policies of the City, and will keep an existing successful business in Tempe;
- d. The proposed sale of vehicles is compatible with existing surrounding automotive uses and industrial structures; and
- e. The sale of vehicles will not result in any disruptive behavior or create a nuisance to the surrounding area or general public.

## Conclusion

Staff recommends approval of the requested use permit for vehicle sales in the GID General Industrial District.

**REASON(S) FOR APPROVAL:**

1. There will be no significant vehicular or pedestrian traffic in adjacent areas;
2. The proposed use is less intense than the other automotive uses, the sale of vehicles will not cause any nuisance (odor, dust, gas, noise, vibration, smoke, heat or glare, etc.) exceeding that of ambient conditions;
3. The sale of BMW vehicles will not contribute to the deterioration of the neighborhood or be in conflict with the goals, objectives and policies of the City;
4. The proposed sale of vehicles is compatible with existing surrounding automotive uses and industrial structures; and
5. The sale of vehicles will not result in any disruptive behavior or create a nuisance to the surrounding area or general public.

**SHOULD THE HEARING OFFICER ELECT TO TAKE AFFIRMATIVE ACTION ON THE REQUEST, THE FOLLOWING CONDITIONS OF APPROVAL SHOULD APPLY.**

**CONDITION(S) OF APPROVAL:**

1. The use permit is valid for Beemer Haus and may be transferable to successors in interest through an administrative review with the Development Services Manager, or designee.
2. All permits and clearances required by the Building Safety Division shall be obtained prior to the use permit becoming effective.
3. The Beemer Haus shall have no more than 30 vehicles on site at any time, intensification of the use on this site will require a new use permit request and proof of sufficient parking.
4. Provide signage and enforcement of no parking in non-designated spaces, including fire lane, maneuvering area and refuse enclosure.
5. Parking to be allocated as follows:
  - Suite 101 - 19 spaces
  - Suite 104 - 10 spacesSuite 105 - 10 spaces on the southern side of the site for vehicle sales, 5 additional allowed for employees and customer parking, with the remaining 1 space required by parking per code (16 total required) parked inside in the showroom/warehouse.

**HISTORY & FACTS:**

- |                   |   |
|-------------------|---|
| February 23, 1978 | City Council approved the Final Plat of Kyrene Business Park.   |
| October 1, 1997   | Design Review Board approved building elevations, site plan and landscape plan for a 16,915 s.f multi-tenant office/warehouse building.   |
| October 21, 1997  | Hearing Officer approved a request by Armor Deck, located at 534 W. Orion Street, for a variance to reduce the required front yard setback from 30' to 25' to allow columns of the roof overhang and a variance to omit the parking lot landscape islands along the east and southeast property line. |

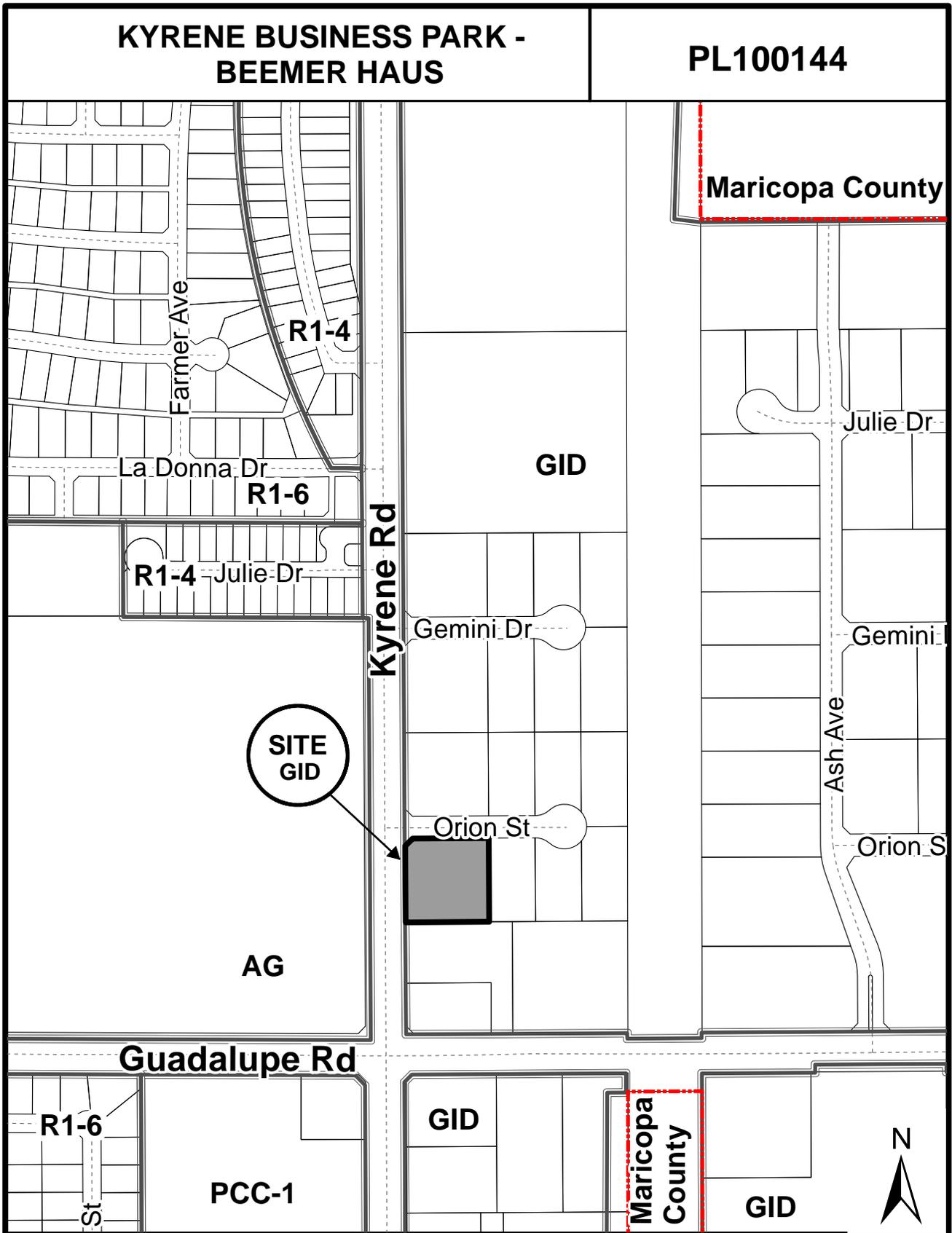
**DESCRIPTION:**

Owner – Grubb & Ellis/BRE Commercial LLC  
Applicant – Charble Antoun  
Existing Zoning – GID, General Industrial District  
Parking Provided on site – 44 spaces outdoors, plus additional spaces within the showroom/warehouse area of Suite 105.

**ZONING AND DEVELOPMENT CODE REFERENCE:**

Part 3, Section 3-301 and Table 3-302A – Permitted Uses in Industrial Districts





**Location Map**



**KYRENE BUSINESS PARK - BEEMER HAUS (PL100144)**



6315 S Kyrene road

Tempe, AZ 85283

(480)730-8881

May 17th 2010.

To whom this may concern,

The purpose of this letter is to explain the nature of the business.

Beemer Haus is seeking a use permit for car sales at 6315 south Kyrene road.

Beemer Haus specializes in used BMW ranging between 2006 and newer models. The inventory size would be anywhere between twenty and thirty vehicles. Up to eleven vehicles would be parked outside and the rest of the inventory would be inside of the warehouse.

The business would have up to three sales people and one clerk.

There would be no repair done at the facility, just strictly sales.

The two other suites occupied in the same building are currently used by other tenants. One business is in the car repair and the other business does car audio and window tinting.

The building just north of 6315 South kyrene is also currently used for auto purposes. It has a body shop, a car repair shop and car sales.

Beemer Haus would not be creating any noise, odor or anything that would have any effect on the neighbors surrounding the area.

Beemer Haus would be generating more business to the area and collecting sales tax for the City as we have been doing for the last three years at 1330 W Auto drive in tempe.

Thank you.

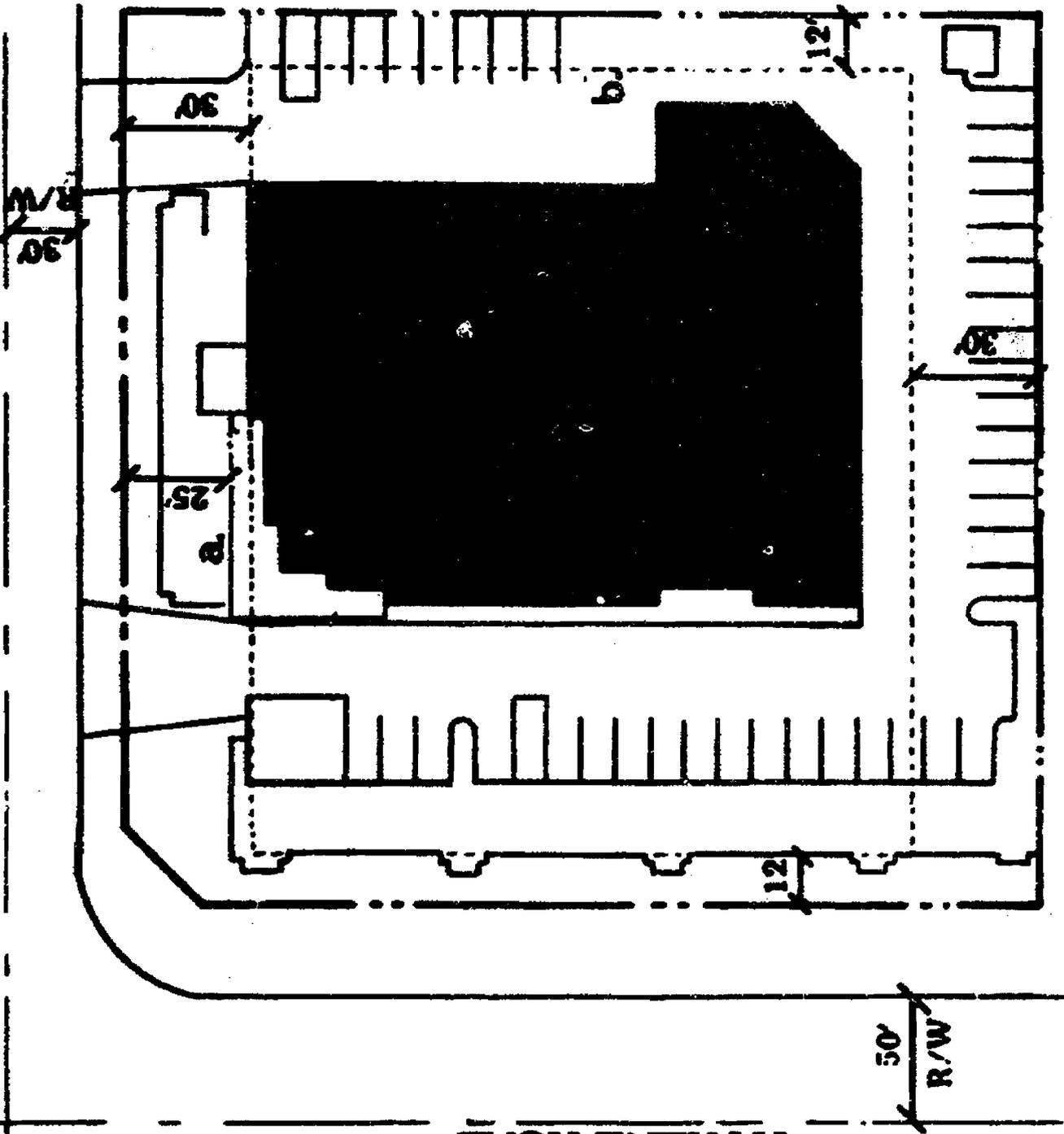
Beemer Haus Seyara Auto sales,LLC

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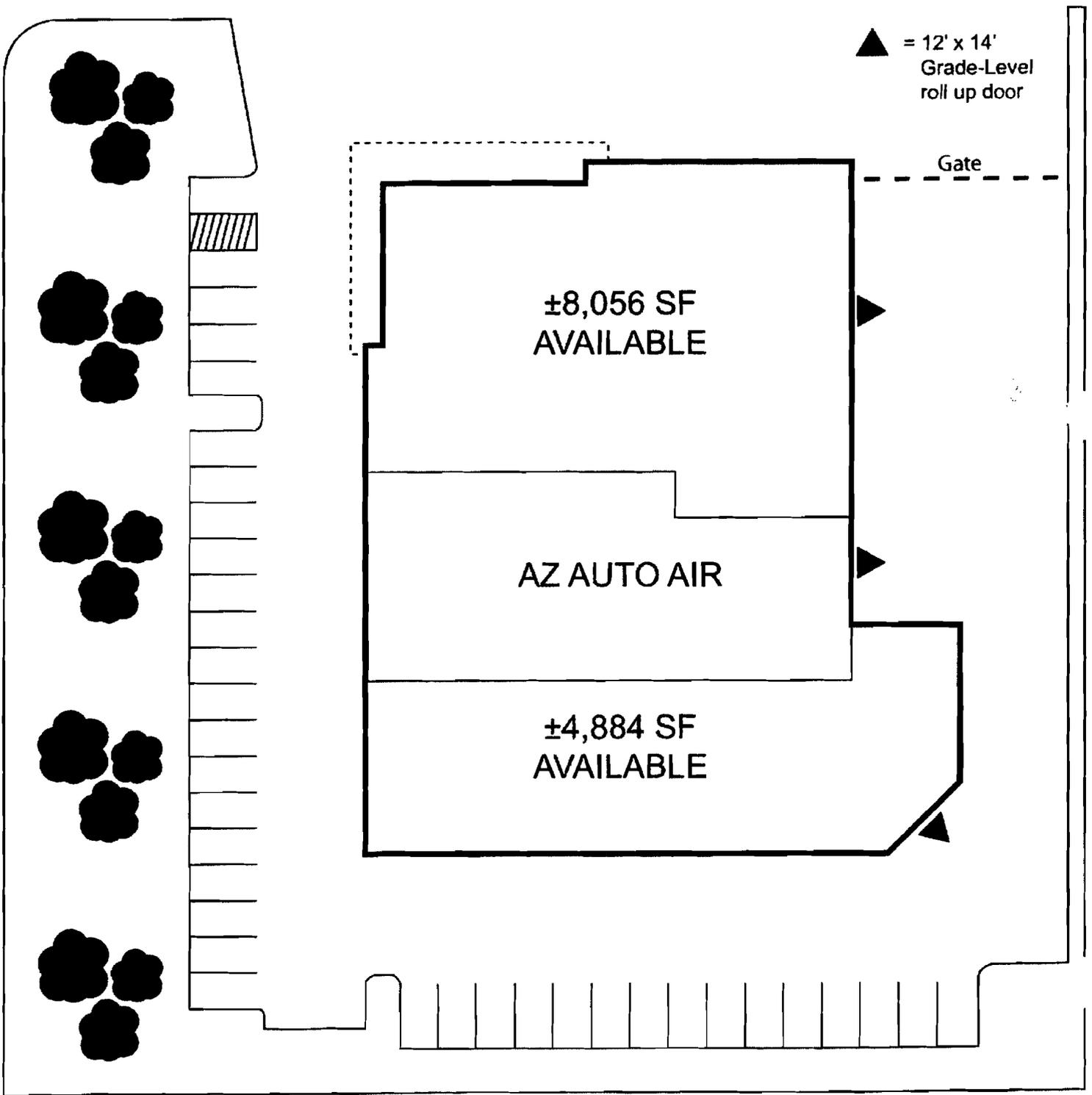


**ORION STREET**

**KYRENE ROAD**



**N**





# **KYRENE BUSINESS PARK – BEEMER HAUS**

**6315 S KYRENE RD., SUITE NO. 103**

**PL100144**

**FRONT OF BUSINESS**



