

Staff Summary Report



Hearing Officer Hearing Date: 8/16/11

Agenda Item Number: 5

SUBJECT: This is a public hearing for a request by **CARTEL COFFEE LAB MICROBREWERY AND COFFEE BAR** located at 225 West University Drive, Suite Nos. 101 and 102, for one (1) use permit.

DOCUMENT NAME: 20110816cdsl04 **PLANNED DEVELOPMENT (0406)**

COMMENTS: Request by **UNIVERSITY SQUARE - CARTEL COFFEE LAB MICROBREWERY AND COFFEE BAR (PL110267)** (Jason Silberschlag, applicant; Friedman Investments LLC, property owner) located at 225 West University Drive, Suite Nos. 101 and 102 in the GID, General Industrial and CC, City Center Districts for:

ZUP11066 Use permit to allow a microbrewery in the GID, General Industrial District.

PREPARED BY: Sherri Lesser, Senior Planner (480-350-8486)

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

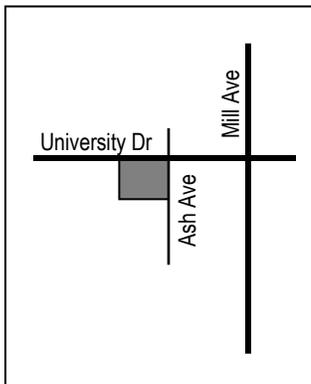
LEGAL REVIEW BY: N/A

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

FISCAL NOTE: There is no fiscal impact to City funds.

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

ADDITIONAL INFO:



The applicant is requesting a use permit to allow a microbrewery in the GID, General Industrial District. Cartel Coffee Lab has existed at this location for several years and is looking to expand by operating a microbrewery as part of their business. The property is located at 225 W University Dr., Suite Nos. 101 and 102. Staff supports approval of the use permit based on the criteria for approval of a use permit. To date staff has received one phone call of inquiry regarding this request.

PAGES:

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

ATTACHMENTS:

1. Location Map
2. Aerial Photo
- 3-4. Letter of Intent
5. Site Plan
6. Floor Plan
7. Staff Photograph

COMMENTS:

The applicant is requesting a use permit to allow a microbrewery in the GID, General Industrial District. Cartel Coffee Lab has existed at this location for several years and is looking to expand by operating a microbrewery as part of their business. The property is located at 225 West University Drive, Suite Nos. 101 and 102. Per the applicant's letter of explanation, most of their customer base walk or bike in daily. The proposed expanded hours of operation will be from 7:00 a.m. to midnight, seven (7) days a week. Cartel Coffee Lab currently operates 7:00 a.m. to 10:00 p.m. seven (7) day a week. It is proposed that there will be about 25 gallons of beer brewed per batch with a total of 2-3 batches being brewed a day.

Staff supports approval of the use permit at this location based on the criteria for approval of a use permit. To date staff has received one phone call of inquiry regarding this request.

Use Permit

The Zoning and Development Code requires a use permit to allow a microbrewery in the GID, General Industrial District.

Evaluating the use permit, the proposal appears to pass the use permit test listed below:

- a) Any significant increase in vehicular or pedestrian traffic in adjacent areas;
There will be significant increase in vehicular or pedestrian traffic in adjacent areas, however according to the approved shared parking analysis ; there should be enough parking on site to accommodate this use expansion.
- b) Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat, or glare at a level exceeding that of ambient conditions;
This use should not create a nuisance from emission of odor, dust, gas, noise, vibration, smoke, heat or glare.
- c) 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 development would not contribute to neighborhood deterioration or downgrade property values. This use permit request is consistent with the General Plan 2030's Land Use Element. The requested use permit will not be detrimental to the surrounding area, but will further the General Plan Land Use Element Goals and Strategies.
- d) Compatibility with existing surrounding structures and uses;
The proposed use appears to be compatible with surrounding uses.
- e) Adequate control of disruptive behavior both inside and outside the premises, which may create a nuisance to the surrounding area or general public;
The proposed use appears to have adequate control of disruptive behavior.

Conclusion

Staff recommends approval of the use permit request with conditions.

REASONS FOR APPROVAL:

1. No apparent nuisance resulting from noise, smoke, odor, dust, vibration, or glare.
2. No apparent hazards to persons or property from possible explosion, contamination, fire or flood.
3. Traffic generated by this use should not be excessive.
4. The use appears to be compatible with the building, site and adjacent property.
5. Approval of the use permit will not be materially detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood or the public welfare in general.

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

CONDITIONS OF APPROVAL:

1. The use permit is valid for Cartel Coffee Lab Microbrewery and Coffee Bar and may be transferable to successors in interest through an administrative review with the Community Development Manager, or designee.
2. Obtain all necessary clearances from the Building Safety Division.
3. Any intensification or expansion of the use would require the use permit to be reheard by the Hearing Officer.
4. If there are any complaints arising from the use permit that are verified by a consensus of the complaining party and the City Attorney's office, the use permit will be reviewed by city staff to determine the need for a public hearing to re-evaluate the appropriateness of the use permit.
5. The applicant shall work with the Tempe Police Department to implement/update a Security Plan for the business. Please contact William Gallauer at 480-350-8749.
6. Any new business signs shall receive a Sign Permit. Please contact Planning staff at (480) 350-8372.

HISTORY & FACTS:

- December 15, 1981 A-81-12.15 – The Board of Adjustment approved a use permit request by Martens/O'Brien to operate a boutique and second hand store (resale of clothes) located at 221 W University Dr.
- December 26, 1984 A-84-12.13 – The Board of Adjustment approved the request by Carolina Chavarria located at 221 W University Dr. for:
a. Use permit to establish a new non-residential use (a proposed sit-down restaurant)
b. Variance to reduce the required number of off-street parking spaces from 100-92.
- June 19, 1998 BA980159 – The Hearing Officer approved the requests by Buffalo Exchange located at 227 W University Dr. for:
a. Use permit request to expand an existing retail facility (5,794 s.f.) for new and used clothing with a 2,820 s.f. addition.
b. Variance request to reduce the required parking by 9 spaces; from 144 spaces required to 135 spaces provided to accommodate a 2,820 s.f. retail addition.

- June 27, 2001 BA010136 – The Board of Adjustment approved a use permit request by University Square / Cinema Park Health Foods to allow a 4,000 s.f. health food store located at 215 W University Dr.
- December 29, 2003 BA030286 – The Board of Adjustment approved a use permit request by Plush Living for the sale of clothing and accessories located at 215 W University Dr.
- November 21, 2006 PL060633 – The Hearing Officer approved a use permit request by What It Is LLC d.b.a. The Headquarters to allow a smoke shop located at 219 W University Dr.
- October 2, 2007 PL070384 – The Hearing Officer approved a request by Cartel Coffee Lab, LLC for two (2) use permits located at 225 W University Dr., Suite 101 for:
- a. Use permit to allow coffee roasting/retail.
 - b. Use permit to allow portable outdoor retail coffee (coffee cart).

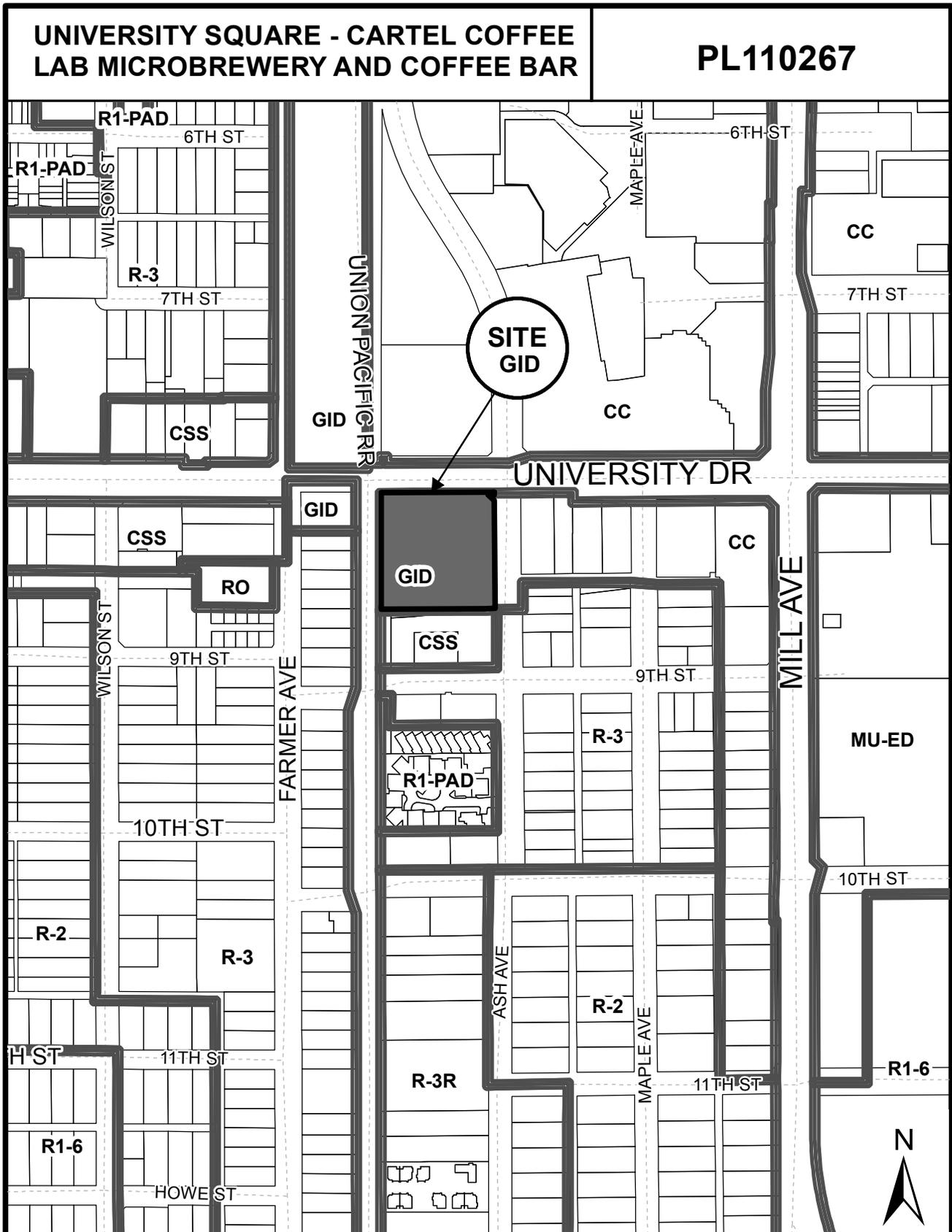
DESCRIPTION:

Owner – Friedman Investments LLC
 Applicant – Jason Silberschlag
 Existing Zoning – GID, General Industrial and CC, City Center Districts
 Tenant Space Area –
 Parking Required –
 Parking Required per Shared Parking Model –
 Parking Provided – 132 spaces

ZONING AND DEVELOPMENT

CODE REFERENCE:

Part 3, Chapter 2, Section 3-302 – Permitted Uses in Office/Industrial Districts
 Part 6, Chapter 3, Section 6-308 – Use Permit
 Part 6, Chapter 3, Section 6-313 – Security Plan



Location Map



**UNIVERSITY SQUARE - CARTEL COFFEE LAB MICROBREWERY
AND COFFEE BAR (PL110267)**

To the committee:

Cartel Coffee Lab has been opened for 3.5 years. We have grown from an owner-operator to a successful small business that employs 14 full time & 12 part time employees, many of whom walk or drive from the neighborhood. We had no idea what a treasure we found in University Square & the Maple/Ash neighborhood. We enjoy working alongside the other local business, & feel we complement each other well. We are currently opened 7am to 10pm 7 days a week, with our busy hours being in the morning. A great benefit to being in the neighborhood, is a good portion of our customer walk or bike in daily.

We believe that we are more than just a coffee shop. We pride ourselves on being craftsmen in our trade, and love to share our knowledge and educate our customers at any opportunity we have. We also believe we have a responsibility to be socially responsible. This is evident in the relationships we build with our importers and with the coffee farmers themselves.

Our newest idea is to build on the existing community and location that has become known and loved in Tempe. We are expanding our craft to include a small microbrewery. We have found that the same love and passion that drives us to explore the world and flavor of coffee, is also evident in craft beer. The idea behind this new addition to our company vision is to give our consumers an additional beverage option to consume, particularly in the evenings, in a casual, coffee shop/living room type environment while they are meeting friends, studying, working on projects etc. Additionally we have a stellar in house pastry and treat program that is very complementary to our morning coffee crowd. We look forward to increasing our evening dessert selection with the increase of the evening crowd.

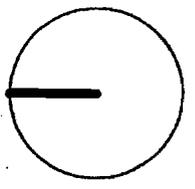
This expansion of our company will allow us to be open for 2 additional hours in the evening as well as to employ 2 additional full time & 4-8 part time employees. We foresee a slight increase in traffic, predominately in pedestrian and bicycles. We will be brewing anywhere from 2-4 varieties of beer on a weekly basis for consumption only in our retail locations. Our microbrewery set up will

brew 25 gallons of beer per batch with a total of 2-3 batches a day. As you can see, this is an extremely small brewing set up and will result in a very minor odor within the building, but should not be perceivable outside.

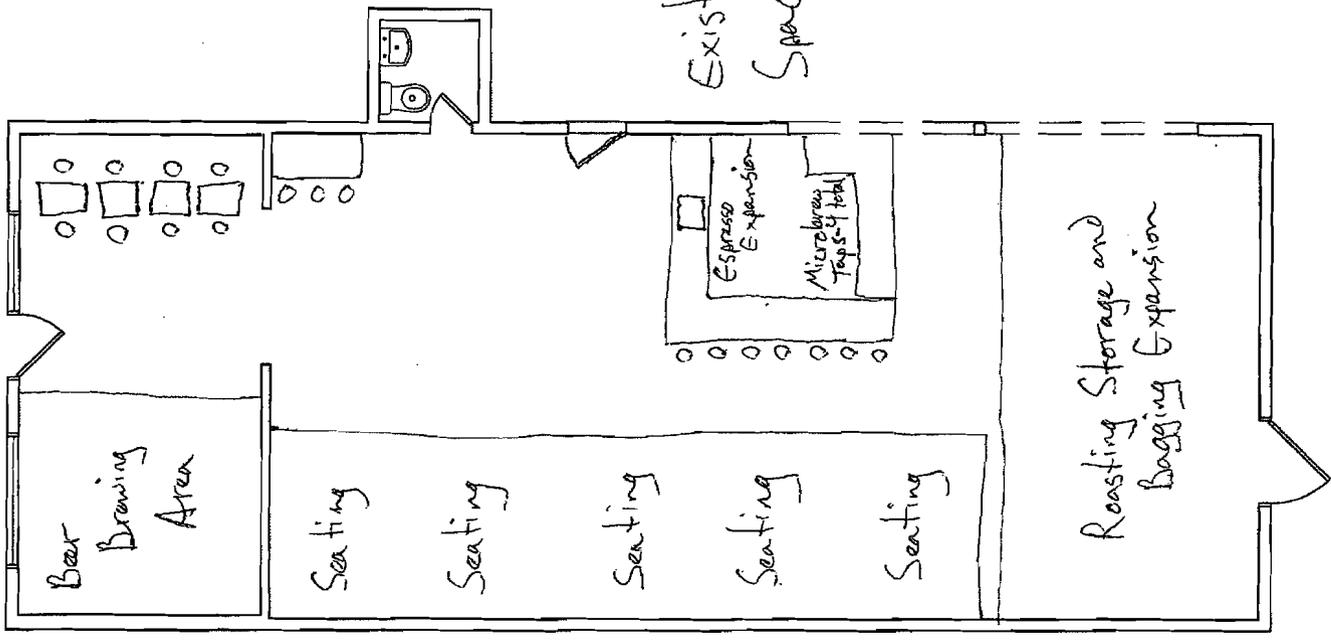
Our intention is to complement our current coffee and pastry/dessert program with an overall increase of 20% in sales. We don't foresee alcohol sales exceeding 20-25% of our total sales and believe that this will be an exciting addition to our café/restaurant.

We are excited to become a bigger party of Tempe & it's rise to excellence. Thanks in advance for your consideration of this opportunity.

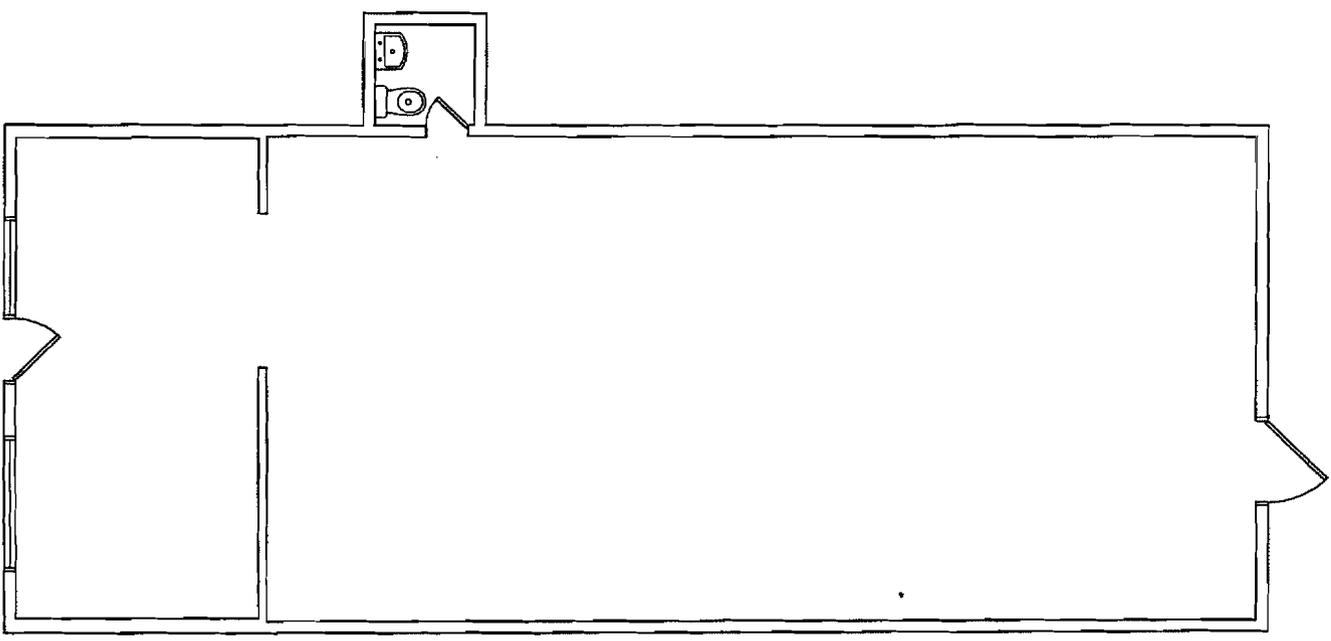
Jason and Amy Silberschlag
Cartel Coffee Lab



Existing
Space #101



~~EXISTING~~ FLOOR PLAN
SCALE: 1/8" = 1'-0"
1,400 sq. ft.



EXISTING CONDITIONS FLOOR PLAN
SCALE: 1/8" = 1'-0"



**UNIVERSITY SQUARE – CARTEL COFFEE LAB
MICROBREWERY AND COFFEE BAR**

225 W UNIVERSITY DR., SUITE NOS. 101 & 102

PL110267

FRONT OF BUSINESS

