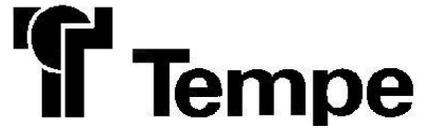


Staff Summary Report



Hearing Officer Hearing Date: 05/17/11

Agenda Item Number: 5

SUBJECT: Hold a public hearing for a request by EVERGREEN TEMPE located at 600 West 1st Street for one (1) use permit.

DOCUMENT NAME: 20110517cddk03 PLANNED DEVELOPMENT (0406)

COMMENTS: Request by EVERGREEN TEMPE (PL110131) (Dan Tilton, Tilton Development Company, applicant for Clay Toombs/Evergreen Development Inc.; Mark Winkleman, ZDCI Loan, LLC and ML Manager LLC., property owners) located at 600 West First Street, in the MU-4, Mixed Use District for:

ZUP11033 Use permit to allow outdoor retailing.

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

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

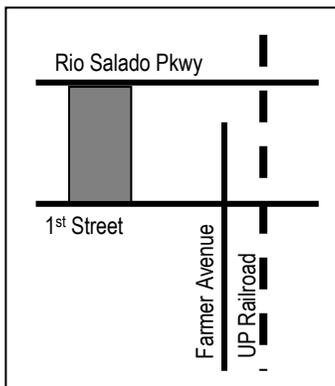
LEGAL REVIEW BY: N/A

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

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

RECOMMENDATION: Staff – Approval, subject to conditions

ADDITIONAL INFO: The applicant is requesting a use permit for outdoor vending, to allow a gourmet food truck court to operate from 8am to midnight seven days a week. Actual days would be specific to demand and events.



A neighborhood meeting was not required for this application; however the applicant met with residents in the Riverside Neighborhood to discuss the project informally. To date, staff has 3 phone calls and 2 emails. Public input regarding this request was positive from two of the phone calls, supportive of the development and proposed activity and use. The third phone call and 2 emails were from one individual concerned about existing condition of the property and in opposition to the proposed use.

PAGES:

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

ATTACHMENTS:

1. Location Map
2. Aerial Photo
- 3-6. Letter of Intent
- 7-8. Site and Floor plans
9. Rendering
10. Staff Photograph
- 11-15. Applicant photos of similar concepts in other locations
16. Public Input

COMMENTS

The property is bounded by Rio Salado Parkway to the north and First Street to the south. It is adjacent to existing industrial office space to the west and condominiums to the east. The neighborhood to the south of First Street is Riverside neighborhood. The property has been abandoned for the past few years, and has had code enforcement and security issues. The former owner had received approval of a Planned Area Development (PAD). The site is entitled for a mixed-use development of 512 condominium units, including 40 live-work units totaling 1.07 million square feet of development in 184-foot tall buildings. This project is no longer being built; a new plan is being proposed to include 379 units, including live-work space for artists in residence, gallery space, a coffee shop and wine bar and an outdoor food court. The total development area would be approximately 415,000 square feet and no taller than 75 feet. No restaurants are planned within the development at this time.

The proposed project has seven planning processes to complete:

- The first is the request for a use permit to allow outdoor food vending in a gourmet food truck court.
- The second is a request to allow temporary relocation of the existing cellular tower to a cellular tower on wheels during construction. This request is being handled administratively.
- The third is a request to amend the existing Planned Area Development, reducing the density, building height and building area, increasing the landscape area and modifying the building footprints. This request is decreasing the intensity of the site, and therefore is being reviewed administratively.
- The fourth will be a future request for a Development Plan Review for a new site plan, landscape plan and building elevations. This application will not be made until the applicant controls ownership of the property, which is contingent upon the current requested entitlements being approved. After construction of the new development, the cellular tower would be removed, and the cellular facilities integrated into an architectural element of the building.
- The fifth will be a Development and Disposition agreement for purchase of City of Tempe remnant property fronting Rio Salado Parkway, along with a cross access agreement and encroachment permit for use of property owned by City of Tempe.
- The sixth will be a cross access agreement with adjacent parcels to the east and west, and shared maintenance agreement.
- Lastly, a Subdivision Plat to combine six properties into one parcel.

The proposed food court would schedule a variety of food vendors for different times, offering greater diversity of menus than a free-standing restaurant.

PUBLIC INPUT

A neighborhood meeting was not required. Two property owners adjacent to the site expressed positive interest in the project and proposed use. One property owner adjacent to the site expressed opposition to the proposed use, an email was provided to staff and is attached.

USE PERMIT

The proposed use requires a Use Permit, to allow outdoor vending within the Mixed-Use 4, MU-4 zoning district. The purpose of the use permit is to assure compatibility of uses in an area and provide conditions specific to the use that controls the activity and provides a mechanism to revoke the use if problems arise. The applicant has provided a letter of explanation for the proposed gourmet food court, including hours of operation and specific parking separate from other vehicle parking.

Section 6-308 E Approval criteria for Use Permit:

1. The manner of conduct and the building for the proposed use will not be detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood, or to the public welfare in general, and that the use will be in full conformity to any conditions, requirement or standards prescribed therefore by this code.

The proposed food court would be located on the north west corner of the property, closest to the Tempe Center for the Arts. The food court would be landscaped for shade and provided with seating areas integrated into the landscape for outdoor dining with views of the lake to the north. The proposed use activates the area, provides amenities to pedestrians and cyclists on Rio Salado Parkway, and would be managed by the property owner to assure high standards of service and cleanliness. Food vendors would enter an exclusive agreement with the owner, to abide by site rules and specified times of operation.

2. Any significant increase in vehicular or pedestrian traffic.

The food court is designed for 4 trucks at any one time, and is intended to serve pedestrians and bicyclists nearby. Employees of the adjacent businesses to the west, as well as residents from the neighborhood to the south and condominiums to the east could access the food court through open pedestrian connections to the site. The food court is designed as a separate dedicated parking area to avoid conflicts with resident or guest parking areas. The proposed use is not intended as a destination use, but as an amenity to on-site and adjacent residents and employees. There may be an increase in foot traffic from the Tempe Center for the Arts, if the food court offers alternatives to the limited menu available at the Center. However, it is not anticipated to generate significant additional traffic to the area.

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

The food trucks are required to remove waste to a designated area, restrooms would be provided for workers and members of the public. The site is located under the runway to Sky Harbor International Airport, and within a block of the Union Pacific Railway. There is significant periodic ambient noise in this area. The location of the food court would not be near any existing residences, it would be closest to the street. Buildings to the south and east of the food court would block any food smells from entering residential areas off-site. The site will be paved and landscaped to prevent dust. There should be no gas, vibration, heat, glare or smoke from the food court. Conditions of approval address specific functions of the use.

4. Contribution to the deterioration of the neighborhood or to the downgrading of property values, the proposed use is not 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 for outdoor vending at a specific location controlled by on-site management with hours from 8am to midnight will not contribute to the deterioration of the neighborhood. As an amenity to on-site residences and adjacent property tenants, the use activates the street front, provides a gathering place to build community, helps revitalize a site that has fallen into disrepair and creates a unique use. The proposed food court is in compliance with the General Plan and Zoning Ordinance.

5. Compatibility with existing surrounding structures and uses.

The property to the west is existing industrial office space. The property to the east is existing condominiums. The proposed introduction of a food court offers a unique product in an area devoid of restaurants. The area does not have enough activity to support a restaurant investing in the neighborhood. This use fills a gap in the area, providing a bikable/walkable meeting place for breakfast, lunch or dinner, with views of the Tempe Center for the Arts and Tempe Town Lake. Guests can watch airplanes and trains and boats commute within the area. The proposed use is compatible with existing structures, creates a symbiotic synergy with surrounding uses.

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

Unlike mobile food vendors who drive through developments and randomly stop unscheduled, or spontaneously show up at an event, these food vendors will be registered with property management and scheduled for specific times to operate. They create a clientele using different media to announce their arrival and stay fixed for a designated amount of time. The property owner can control who is allowed to vend, and enter into contracts with preferred vendors. With residents living on site, behavior in and around the food court will be policed by residents and on-site security to maintain a livable quality of life.

Conclusion

Based on the information provided by the applicant, the public input received and the above analysis staff recommends 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:**

1. This Use Permit or Variance is valid only after a Building Permit has been obtained and 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 building plan check process.
3. The food trucks may only park in designated parking spaces within the food court identified on the plan.
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. No outdoor live entertainment shall be allowed. Live entertainment requires a separate Use Permit.
6. Hours of operation shall be from 8am to midnight on a daily basis.
7. Provide a grease trap interceptor and commercial sink for vendors to access for waste disposal. In order to authorize a discharge into the publicly owned treatment works (POTW) a discharge permit must be issued. A primary permit to the owner will require the owner to register each user. The permit would address discharge of liquid waste into a grease interceptor, best management practices (BMPs) to prevent violations of the storm water code, and BMPs for connection to the potable water system. Contact Michael Golden Environmental Compliance Supervisor
Public Works Department / Water Utilities Division (480) 350-2674
8. All required planning processes must be completed and construction and certificate of occupancy of the buildings must be complete prior to operation of the truck food court.
9. The Use Permit is valid for Evergreen Tempe and may be transferable to successors in interest through an administrative review with the Community Development Director, or designee.
10. 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 www.tempe.gov/planning/documents.htm or purchase from Community Development.
11. **SITE PLAN REVIEW:** Verify all comments by the Public Works Department, Development Services Department, and Fire Department given on the Preliminary Site Plan Reviews dated April 6, 2011. 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 Department will be reviewed by planning staff to ensure consistency with this Design Review approval prior to issuance of building permits.
12. All business signs shall receive a Sign Permit. Contact sign staff at 480-350-8372.
13. Any intensification or expansion of use, including shall require a new Use Permit.
14. 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.

HISTORY & FACTS:

There are six properties within the proposed development, one that is remnant property purchased by the City of Tempe from the State Land Department. Uses over the years have included residences, offices and industrial businesses.

- December 18, 1958 Building permits for residence at 636 W. 1st St.
- July 23, 2963 City Council approval of Zoning Amendment to I-2 at 636 W. 1st St.
- January 2, 1985 Design Review Board approval of Antique Radio and Tube site plan, landscape and building elevations located at 688 W. 1st St.
- August 6, 1986 Design Review Board approved Lafferty Electric site plan, landscape and building elevations located at 602 W. 1st Street.
- April 6, 2007 Development Review Commission approved Residences at Arts Park: a Zoning Amendment from GID to MU-4 with a Planned Area Development (PAD) overlay and a Use Permit for tandem parking. The PAD allowed 99 dwelling units per acre, 53% lot coverage and 35% landscape area, 512 residential units in buildings up to 185 feet tall including 1,256 parking spaces provided.

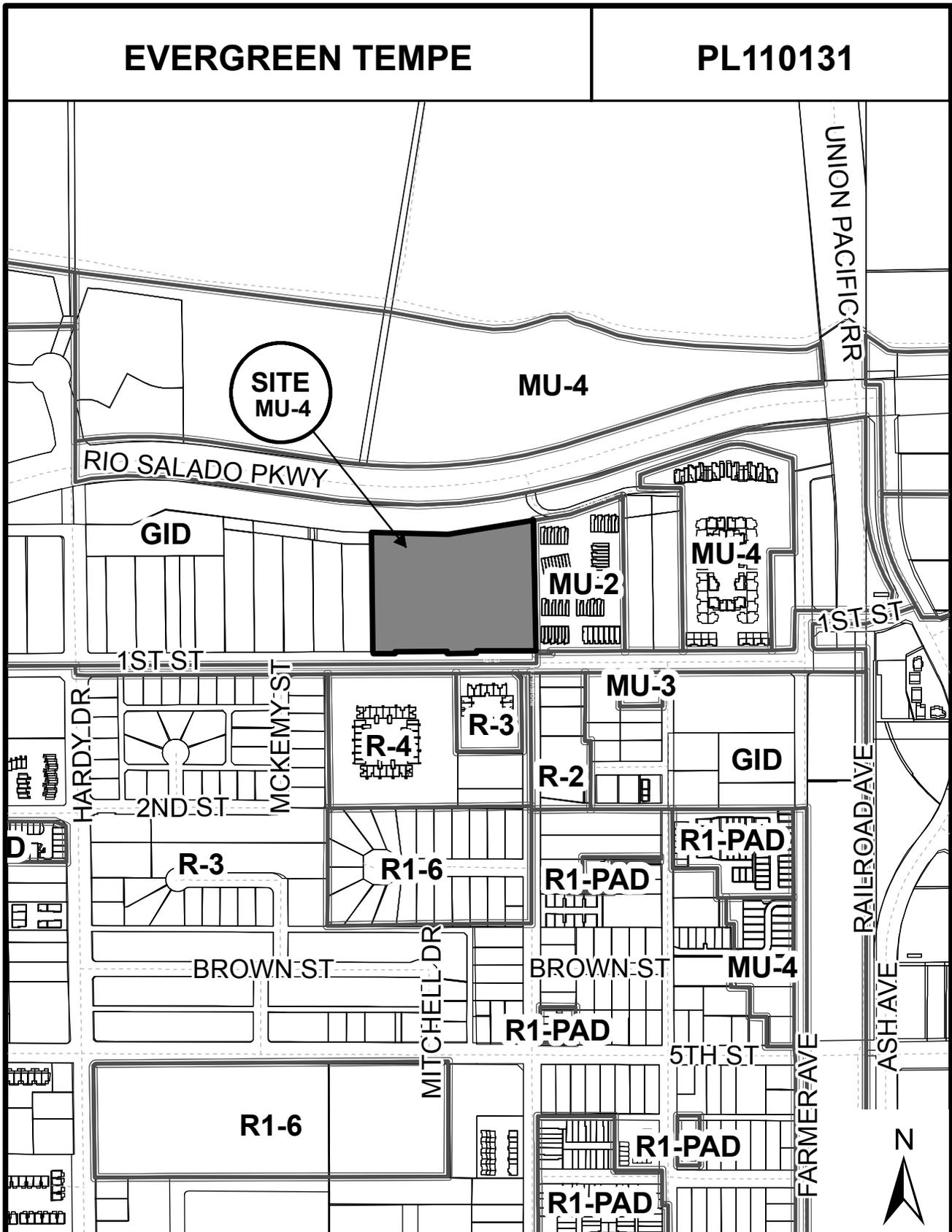
DESCRIPTION:

Owner – Evergreen Development Inc.; ZDCI Loan LLC; ML Manager LLC
Applicant – Dan Tilton/Tilton Development Company
Existing Zoning – CC, City Center District

ZONING AND DEVELOPMENT

CODE REFERENCE:

Section 6-308 Use Permit



EVERGREEN TEMPE

PL110131

SITE
MU-4

MU-4

RIO SALADO PKWY

GID

MU-2

MU-4

UNION PACIFIC RR

1ST ST

1ST ST

HARDY DR

2ND ST

MCKEMY ST

R-4

R-3

MU-3

R-2

GID

R-3

R1-6

R1-PAD

R1-PAD

BROWN ST

BROWN ST

R1-PAD

MU-4

5TH ST

R1-6

MITCHELL DR

R1-PAD

R1-PAD

FARMER AVE

RAILROAD AVE

ASH AVE



Location Map



EVERGREEN TEMPE (PL110131)



May 9, 2011

**VIA EMAIL: Diana_Kaminski@tempe.gov
AND US MAIL**

Ms. Diana Kaminski
Senior Planner
Community Development Department
City of Tempe
31 East Fifth Street
Tempe, Arizona 85281

RE: Evergreen Devco, Inc. ("Evergreen") proposed mixed-use master planned development consisting of 330-upscale apartment homes together with various commercial amenities including an exterior food facility, clubhouse, fitness center, swimming pool, landscape and hardscape elements and related parking facilities (the "Project") The Project is planned for a 5.22-acre parcel located at 600 West 1st Street in Tempe, Arizona (the "Property") Request for Use Permit to accommodate an outdoor dining facility (the "Outdoor Dining Use Permit") from the City of Tempe (the "City")

Dear Diana:

On behalf of our client, Evergreen Devco, Inc. ("Evergreen") Tilton Development Company ("TDC") has been asked to prepare this letter of intent to seek City approval of our request for an Outdoor Dining Use Permit as an integral part of the Project entitlement approvals.

More specifically, this letter of intent shall address each of the definitive approval criteria used by the City to evaluate and grant a use permit as required by Section 6-308 E of the City Zoning and Development Code as set forth below in italicized font. References made in this letter to the Evergreen Project site plan are intended to mean that certain site plan submitted in connection with Evergreen's Minor PAD Amendment as prepared by Killefer Flammang Architects dated May 10, 2011 (the "Evergreen Project Site Plan").

Criteria No. 1. The manner of conduct and the building for the proposed use will not be detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood, or to the public welfare in general, and that the use will be in full conformity to any conditions, requirement or standards prescribed therefore by this code.

By way of background, the underlying purpose of the Outdoor Dining Use Permit is to facilitate the treatment of a portion of the Project as an outdoor retail eating establishment featuring gourmet food truck(s) (the "Food Truck Court"). As depicted on the Evergreen Project Site Plan, the area designated for this use is generally situated near the northwest corner of the Property lying just south of the Rio Salado Parkway ROW. In this area, Evergreen proposes to construct an outdoor food court area complete with all

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necessary hardscape and landscape elements including, without limitation, a circular driveway with the capacity for a maximum of four, (4) Food Trucks at any one time, shade trees, low planter walls with seating, pedestrian lighting, along with a separate building containing a combination coffee / beer and wine bar with public restrooms collectively (the "Food Truck Court Improvements"). The Food Truck Court Improvements are a synergistic use to the Project itself and the context area around the Property because these improvements will cater primarily to local pedestrian traffic generated by other nearby residential properties, the Tempe Center for the Performing Arts and the residents and guests of the Project alike. Accordingly, the Food Truck Court Improvements will enhance rather than diminish the public welfare in the area surrounding the Project.

Criteria No. 2. Any significant increase in vehicular or pedestrian traffic.

The overwhelming success of the food truck concept in other urbanized areas throughout the country has largely been due to the unparalleled convenience of having the upscale cuisine that you want delivered to where you are within the urban setting. Indeed, in areas such as Los Angeles, California, 90-different food truck vendors own and operate approximately 200-hundred different food trucks. Here in metropolitan Phoenix, the Phoenix Street Food Coalition includes over 25-members serving a variety of fare such as gourmet tacos, barbeque, artisanal ice cream, Asian fusion and Crème Brule.

With that said, the customer base that seeks out the food truck experience is generally a pedestrian group that is already in the area either close to work, home, or a nearby entertainment venue such as the Tempe Center for the Performing Arts. Consequently, the Food Truck Court Improvements and the Outdoor Dining Use Permit will not generate any significant increase in vehicular or pedestrian traffic over and above the levels that will be a part of the Project at stabilized occupancy plus the surrounding area as it exists today. The remaining food truck spaces will be utilized as staging area or for additional food trucks in the occasion of a major sporting or concert type event.

Criteria No. 3. Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat or glare at a level exceeding that of ambient conditions.

Evergreen's intent with operating the Food Truck Court Improvements and the Outdoor Dining Use Permit is to enter into comprehensive lease agreements with certain specific food truck owner operators. These lease agreements will be structured to permit a rotation of different food truck vendors during each week. More specifically, the general operational platform will typically include only one food truck to be parked at one time within the Food Truck Improvements for a three, (3)-hour duration. As such, from 8:00 am to midnight, Sunday to Sunday, 3 to 4 food trucks may separately occupy the Food Truck Improvements during a typical day.

As a condition of the lease agreements, each food truck vendor will be required to closely coordinate their fare to be both compatible with and complementary to the beverages that Evergreen will offer from their combination coffee / beer and wine bar. Also integral to the structure of lease agreements by and between the food truck vendors and

Ms. Diana Kaminski
May 9, 2011
Page 3 of 4

Evergreen are performance provisions which will require the food truck vendors to maintain all necessary health and safety standards required by City code and a daily wash down and pickup of the Food Truck Improvements. To the extent necessary, the lease agreement will permit the food truck vendors to use the inline grease trap that will be furnished and installed with the combination coffee / beer and wine bar. Accordingly, since the food truck vendors will be bound by the lease agreement performance standards, Evergreen will be able to compel the food truck vendors to maintain an operation that does not promote any nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat or glare at a level exceeding that of ambient conditions.

Criteria No. 4. Contribution to the deterioration of the neighborhood or to the downgrading of property values, the proposed use is not in conflict with the goals and objectives or policies for rehabilitation, redevelopment or conservation as set forth in the City's adopted plans or General Plan.

As attachments to this letter of intent, we have included several photographs of the Tuesday evening food truck gathering at Main Street in Santa Monica, California which were taken on May 3, 2011. As evidenced by these photographs, the food truck lot is a popular gathering place for the community, including families with small children. The food trucks line up around a parking lot, and the patrons spread out on the grass and curbs around the lot and at the next door Victorian Restaurant and the Santa Monica California Heritage Museum. Accordingly, not unlike the compatibility of the food trucks within the Santa Monica area, we believe that the Food Truck Improvements and the Outdoor Dining Use Permit will promote the fundamental objectives of the City of Tempe General Plan.

Criteria No. 5. Compatibility with existing surrounding structures and uses.

The food truck concept is a very compatible use with the surrounding structures and uses because: (a) the Food Truck Improvements and the Outdoor Dining Use Permit are intended to be designed and operated to serve a customer base and demand that is already in existence, plus the Project residents and their guests and (b) since the food truck vendors will rely on this existing customer base plus the Project itself the impact to the existing street or utility infrastructure and contextual area is minimal at best.

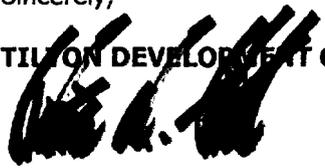
Criteria No. 6. Adequate control of disruptive behavior both inside and outside the premises which may create a nuisance to the surrounding area or general public.

To the extent that Evergreen's operational approach to the food trucks will include lease agreements with a series of checks and balances to maintain a standard of performance, then Evergreen will maintain the authority at all times to retain the food truck vendors that remain in compliance with the lease agreements or quickly terminate those vendors who fail to quickly cure their defaults.

Ms. Diana Kaminski
May 9, 2011
Page 4 of 4

In the event that you should have any questions or require additional information concerning this letter of intent or our request for the Outdoor Dining Use Permit, please do not hesitate to contact me.

Sincerely,


TILTON DEVELOPMENT COMPANY

Daniel W. Tilton
Managing Member

Enclosures – Photographs of the Tuesday evening food truck gathering at Main Street in Santa Monica, California.

cc: Jason Donkersley, Esq. (Evergreen Devco, Inc.)
Mr. Clay Toombs (Evergreen Devco, Inc.)
Ms. Lise Bornstein, AIA (Killefer Flammang Architects, Inc.)
(Evergreen) Master File

Project Name: Evergreen - Lakeside & Riverwalk
Developer: Interpoint Devco, Inc. 2300 East Camelback Road, Suite 411, Phoenix, Arizona 85016
Project Address: 600 West 1st Street
Owner Information: ZDC L Loan LLC, an Arizona limited liability company (the "Owner") and ML
 LLC, an Arizona limited liability company (the "Agent for the Owner") 1400 North 83rd
 Avenue, #180, Peoria, Arizona 85381
Use Permits/Variations: Use Permit for Outdoor Restaurant Space. Use permit for Cell Tower.

General Plan 2030 Projected Land Use: Mixed Use
Existing Zoning: MU-4
Type of Construction: Type I, II, III, and V
Proposed Uses: Above-ground swimming pool, traditional and live-work units, Apartment Amenities, Outdoor Retail, and an outdoor dining street facility that will be subject to Beer and Wine subject to separate approvals and an outdoor dining street facility that will be subject to accommodating permitted food trucks to serve the residents of the Project and the general public.
Project Density: 63 units/acre (330 units)
Building Height: 75' or maximum
Number of Stories: 6
Total Square Footage: 407,330 GSF
Landscaping Area: 31.5% minimum landscape area (71,677.225 sq. ft.)
Lot Coverage Area: 58% (131,544,027.32 sq. ft.)

Garage Parking:

Unit Type	# of Units	Parking Ratio	Required Parking
Studios	49	N/A	49
1-Bedroom	129	N/A	129
2-Bedroom	129	N/A	129
3-Bedroom	33	N/A	33
Guest Parking	330	N/A	330
Total for Apartments:			440

Outdoor Restaurant:

Unit Type	# of Units	Parking Ratio	Required Parking
Indoor Retail	1,279 SF	N/A	41
Outdoor Restaurant	4,000 SF	N/A	124
Total for Retail:			165

Total Parking Required: 605 spaces
 Parking Area: 2,121,700 sq. ft. on two levels

Bicycle Parking:

Unit Type	# of Units	Bicycle Estimate Area Parking Ratio	Required Parking
Studios	49	N/A	36.75
1-Bedroom	129	N/A	75.5
2-Bedroom	129	N/A	75.5
3-Bedroom	33	N/A	33
Guest Parking	330	N/A	66
Total for Apartments:			287

Indoor Retail: 1,279 SF
Outdoor Restaurant: 4,000 SF
Total for Retail: 41 spaces
Total Bicycle Parking Required: 330 spaces

DEVELOPMENT	GHF	MU-4	CURRENT	PROPOSED CHANGE
Max. Density	NS	NS	NS	0
Max. Building Height	35'	NS	75' (400')	40' (+100')
Min. Lot Coverage %	15%	NS	55%	40% (-15%)
Min. Lot Coverage Area #	10%	NS	20%	10% (-10%)
Min. Lot Area	NS	NS	0	0
Min. Lot Area	NS	NS	40' (-100')	40' (-100')
Min. Lot Area	NS	NS	0	0
Min. Lot Area	NS	NS	0	0



SECOND FLOOR PLAN
 1"=30' 0"

REVISION PLANNING SET 05.10.11



EVERGREEN TEMPE
 600 WEST 1ST STREET
 TEMPE, ARIZONA, 85281















EVERGREEN TEMPE

600 WEST FIRST STREET

PL110131

FRONT OF PROPERTY – VIEW TO NORTH



Kaminski, Diana

From: Paul Loverme <paull@titandoors.com>
Sent: Wednesday, May 04, 2011 5:11 PM
To: Daffara, Shawn
Cc: Kaminski, Diana
Subject: Re: Case # PL110131 525 Town Lake Homeowner... tracking this property .. prefer demolition of derelict 600 W. 1st bldg ... PL 5-4-11

Boooo ... Truck Food Vendors ??? I just spoke with Diana. Beware. Here argument .. Patrons from Art Center saying not enough food choices ???

Potential Buyer is from California. I asked for links to existing "Outdoor Vendors .. Truck Food Vendors examples of business in motion. Cities. ... No way in the short term. I asked that any approvals require demo of existing buildings 30-Days after close.

This is way suspicious .. not up to City of Tempe higher standards at all see you at the meeting.

In protest to Community Dev Supervisor support for this permit approval... Regardless, the existing bankrupt owners still pay Maricopa & City taxes. Tax lien on property?

Highest & Best Use ??? ... Short Term .. absolutley Not!

The Neighbors.

Paul Loverme
Titan Doors
U.S Contact
480-442-0652
paull@titandoors.com

On May 4, 2011, at 3:50 PM, Kaminski, Diana wrote:

Paul,

I think I spoke w/ you on the phone, but since I also had a voice message and email from you and Shawn, I figured I'd summarize what is currently happening with the site next door.