

Staff Summary Report

City Council Date: 1/24/08

Agenda Item Number: 47

SUBJECT: This is the second public hearing for a Zoning Map Amendment for HUNTINGTON SQUARE located at 3225 S Mill Avenue.

DOCUMENT NAME: 20080124dsdk01

PLANNED DEVELOPMENT (0406)

SUPPORTING DOCS: Yes

COMMENTS: Request for **HUNTINGTON SQUARE (PL070279)** (Don Kermin, Hanley Properties, owner / Reese Anderson, Pew and Lake, PLC, applicant) for a Zoning Map Amendment from CSS to PCC-1, to allow a Car Rental Facility within an existing retail center located at 3225 S. Mill Avenue, in the CSS, Commercial Shopping and Services District, including the following:

ZON07006 – (Ordinance No. 2007.76) Zoning Map amendment from CSS Commercial Shopping and Services to PCC-1 Planned Commercial Center.

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

REVIEWED BY: Lisa Collins, Planning Director (480-350-8989)

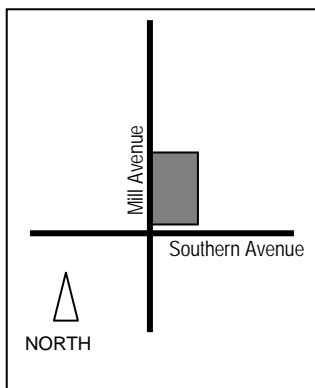


LEGAL REVIEW BY: N/A

FISCAL NOTE: N/A

RECOMMENDATION: Staff – Approval, subject to conditions (1-2).
Development Review Commission – 6-0 recommended approval, subject to conditions (1-2).

ADDITIONAL INFO:



| | |
|---------------------|---|
| Location | Northeast corner of Mill and Southern Avenues |
| Zoning | Current: CSS Proposed: PCC-1 |
| Gross/Net site area | 6.7 / 5.4 acres |
| Building area | 52,243 s.f. |
| Lot Coverage | 22% (50% maximum allowed in CSS and PCC-1) |
| Building Height | +/-17 ft (35 ft maximum allowed in CSS and PCC-1) |
| Building setbacks | 10' front, 36' side, 65' rear, 14' 8" street side |
| | (0', 0', 10', 20' min. req. in CSS: |
| | 0', 30', 30', 20' min. req. in PCC-1) |
| Landscaped area | 32,591 s.f.: 13.8% (15% minimum in CSS and PCC-1) |
| Vehicle Parking | 302 spaces approved through a Shared Parking Model in accordance with the Zoning & Development Code Section 4-604 |
| Bicycle Parking | 13 spaces current, 34 proposed (34 minimum required) |

A neighborhood meeting was held on June 26, 2007 for the zoning request.

- PAGES:**
1. List of Attachments
 - 2-3. Comments
 3. Reason for Approval
 3. Conditions of Approval
 4. History & Facts / Zoning & Development Code Reference

- ATTACHMENTS:**
- 1 Ordinance No. 2007.76
 - 2-3. Waiver of Rights and Remedies form
 4. Location Map(s)
 5. Aerial Photo(s)
 - 6-12. Letters of Explanation
 13. Neighborhood Meeting Summary
 14. Site plan
 15. Dutch Brothers Elevations and Floor plans
 16. Landscape Plan
 17. Grading & Drainage Statement
 - 18-23. Photographs, etc.
 24. Shared Parking Model

COMMENTS

The applicant is requesting an approval for a Zoning Map Amendment, Development Plan Review and a Use Permit for a project consisting of an existing one-story shopping center with proposed uses that include commercial office, restaurant, bar and retail within 52,243 s.f. of building area on 5.4 net acres. This site is located on the northeast corner of Mill and Southern Avenues. Existing uses on the subject site include: a tire store, three restaurants, a staffing agency, a cash advance office, a hair salon, several retail stores, a furniture rental store, a Moose Lodge, two bars, a tax service office, a pet store and a drycleaner. One tenant space is proposed to be used for a vehicle rental office with 12 parking spaces dedicated for this use. A new coffee shop with a drive-through is also planned to be added in the existing parking lot. The site had a Shared Parking Model approved in June of 2000, and of an updated and modified model to include the new uses. The Development Review Commission approved the Development Plan Review and Use Permit and recommended approval for the Zoning Map Amendment. This proposal is consistent with the General Plan 2030 Projected Land Use and implements many of the goals and objectives of the elements of the General Plan. Staff recommends approval of the requested Zoning Map Amendment.

PUBLIC INPUT

The Zoning and Development Code requires projects that propose a Zoning Map Amendment must organize a neighborhood meeting to facilitate dialogue with the community prior to public hearings. On June 26, 2007 at 6:00 p.m., the applicant held a neighborhood meeting at University Presbyterian Church. Property owners within a 300-foot radius were notified, as well as neighborhood associations within 600 feet of the subject site. With the exception of the applicant and their staff, no residents attended the meeting. See attached summary of meeting provided by the applicant (Attachment 14).

PROJECT ANALYSIS

The project is located on the northeast corner of Southern and Mill Avenues; the site has single-family residential to the north and multi-family residential to the east; across Mill Avenue to the west is the Fry's Shopping Center, to the southwest is Danelle Plaza, to the south is Valley Fair Plaza.

ZONING

The property is designated commercial within the General Plan 2030 land use map. Both CSS Commercial Shopping and Service and PCC-1 Planned Commercial Center Neighborhood are commercial uses; therefore the proposed request is in conformance with the General Plan. Further, the introduction of new tenants and uses may help revitalize the center and provide more revenue, fulfilling the objectives of the Economic Development element. The owner has a proposed tenant that is not allowed by the current zoning: vehicle rental. In order to allow this tenant, the property must be rezoned from CSS to PCC-1. The CSS District is intended to meet the daily shopping and service needs of neighborhoods. The PCC-1 District is intended for neighborhood retailing, services and entertainment, oriented to serve the needs of the neighborhood, community or region. There are very few differences in allowable uses between these districts; all of the uses are the same except the following uses are not allowed in CSS and would be allowed by right or by use permit in PCC-1: live-work, outdoor storage, commercial parking, car repair, car sales and rental. The proposed vehicle rental use appears to be compatible with the existing and surrounding uses. The center already has a tire store and brake shop on site, other uses on the site, such as the lodge, restaurants and bar, seem more in character with the PCC-1 District description. The development standards between CSS and PCC-1 are similar, however PCC-1 is more restrictive with the requirement for building height step back and larger side and rear yard setbacks; CSS is 0' and 10' respectively and PCC-1 is 30' for each. The existing commercial center complies with these required setbacks for the PCC-1 District and therefore would not be creating a deviation in standards by changing zoning districts.

The property has five existing buildings (A through E); buildings B –D are freestanding pad buildings with individual uses, Buildings A and E are multi-tenant retail buildings. All tenants share parking within the center, which is distributed throughout the site. The only modifications proposed in this application are the removal of 19 spaces in the center of the major parking area for the addition of a 377 square foot freestanding drive through coffee kiosk, and the addition of 18 spaces located behind the existing Building A, which would be designated as employee parking. The addition of the building also requires a sidewalk connection to Mill Avenue and site landscape surrounding the new building. Predominant access to the coffee shop will be by vehicle; however, the sidewalk access provides a new amenity for transit users waiting for the bus on Mill Avenue. The addition of the rental car facility also requires a modification to the parking lot, with the designation of 12 parking spaces for the use of the rental vehicles. These parking spaces are located in order to maintain the closest customer parking to existing tenants, and to provide visibility to the rental vehicles, minimizing potential vandalism. The proposed parking and building configurations comply with city development standards and have been reviewed for circulation, refuse collection and fire safety.

The existing center does not comply with the 20' parking set back requirement; this appears to be a grandfathered condition from the time the center was built, no historic information was available to determine why the center was built with a 14' parking setback. Because the proposed use does not involve significant redevelopment of the site, this request does not warrant upgrading the property to conform to the site standards. Based on the existing and proposed uses, and the existing development standards, staff is in support of the requested Zoning Map Amendment.

Section 6-304 C.2. Approval Criteria for Zoning Amendment:

1. The proposed zoning amendment is in the public interest. By changing the zoning to allow the addition of a rental car facility, the center has more services available to residents, may provide support for existing automotive service uses on site and may serve those who choose not to own a car, and use transit for the majority of their transportation needs.
2. The proposed zoning amendment conforms with and facilitates implementation of the General Plan. The change in zoning facilitates increased economic development opportunities, greater tenant mix and revitalization of the existing center.

Conclusion

The request complies with General Plan 2030 projected land use for this site. The proposed Zoning Map Amendment implements the General Plan, by enabling a larger variety of commercial uses to lease space on this site, encouraging economic development and revitalization. The proposed Use Permit is compatible with the surrounding uses and meets the criteria for approval. The proposed addition of a vehicle rental office and coffee shop will compliment the existing uses on site, providing greater variety of neighborhood-level goods and services, making use of existing structures and infilling within the existing parking area. The proposed building design, with conditions will fit with the surrounding commercial context and additional landscape material and improved lighting will be added as a result of the new building. The updated landscape plan will help revitalize this prominent intersection corner.

REASONS FOR APPROVAL:

1. The project meets the General Plan Projected Land Use for this site.
2. The project will meet the development standards required under the Zoning and Development Code for PCC-1 zoning district, with the exception of the parking setback, which is an existing non-conforming condition.
3. The project meets the criteria for a Use Permit per ZDC Section 6-308 E.
4. The project meets the criteria for a Development Plan Review.

ZON07006 CONDITIONS OF APPROVAL

1. A building permit shall be obtained on or before January 10, 2009 or the property shall revert to a previous zoning designation—subject to a formal public hearing.
2. Prior to the effective date of this ordinance, the property owner(s) shall sign a waiver of rights and remedies pursuant to A.R.S. §12-1134, releasing the City from any potential claims under Arizona's Private Property Rights Protection Act, or the zoning approval shall be null and void.

HISTORY & FACTS:

| | |
|-------------------|--|
| July 15, 1981 | Design Review Board approved building elevations, site and landscape plans for a retail shopping center on this site. |
| October 19, 1983 | Design Review Board approved building elevations, site and landscape plans for a pad restaurant, the Golden Corral. |
| February 1, 1984 | Design Review Board approved mounted sign for a pad restaurant, the Golden Corral. |
| March 28, 1984 | Board of adjustment approved a variance to allow a 12 s.f. freestanding tenant identification sign for the Golden Corral Restaurant. |
| May 2, 1984 | Design Review Board approved signage for the Golden Corral restaurant. |
| October 24, 1984 | Board of adjustment approved a variance for Goodyear Tire to allow a multi-tenant freestanding sign. |
| December 5, 1984 | Design Review Board approved signage for Goodyear Tire Co. |
| November 2, 1988 | Design Review Board approved an 890 s.f. addition to the Sizzler Restaurant. |
| September 6, 1989 | Design Review Board approved a freestanding sign for the Sizzler Restaurant. |
| February 1, 1989 | Design Review Board approved an elevation modification for the Sizzler Restaurant. |
| May 7, 2002 | Hearing Officer approved a use permit to allow a 4,740 s.f. bar/restaurant and a use permit to allow live entertainment (Karaoke) for Down The Hatch bar and restaurant. |
| June 1, 2004 | Hearing Officer approved a use permit to allow a restaurant and bar, a use permit to allow live entertainment and a use permit to allow an outdoor dining patio for Monkeypants Bar and Grill. |
| May 17, 2005 | Hearing Officer approved a use permit for a bar with a Class 6 liquor license. |
| June 1, 2007 | Staff approved a landscape modification for the Huntington Square Shopping Center. |
| November 29, 2007 | Staff approved a Shared Parking Model for Huntington Square Shopping Center. |
| December 11, 2007 | Development Review Commission approved a Development Plan Review for a new 378 s.f. coffee shop with a 200 s.f. patio and a drive-through and a Use Permit to allow a Car Rental Facility and recommended approval for a Zoning Map Amendment from CSS to PCC-1. |
| January 10, 2008 | City Council introduced and held a first public hearing for a Zoning Map Amendment from CSS to PCC-1 for 3225 S. Mill Avenue. |
| January 24, 2008 | City Council held a second public hearing for this request. |

ZONING AND DEVELOPMENT CODE REFERENCE:

Section 6-304, Zoning Map Amendment

ORDINANCE NO. 2007.76

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPE,
ARIZONA, AMENDING THE CITY OF TEMPE ZONING MAP, PURSUANT TO
THE PROVISIONS OF ZONING AND DEVELOPMENT CODE PART 2,
CHAPTER 1, SECTION 2-106 AND 2-107, RELATING TO THE LOCATION
AND BOUNDARIES OF DISTRICTS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, as follows:

Section 1. That the City of Tempe Zoning Map is hereby amended, pursuant to the provisions of Zoning and Development Code, Part 2, Chapter 1, Section 2-106 and 2-107, by removing the below described property from the CSS, Commercial Shopping and Service District and designating it as PCC-1 Planned Shopping and Commercial District on 6.7 gross acres.

LEGAL DESCRIPTION

Parcel 133-46-134 H

TOTAL AREA IS 6.7 GROSS ACRES.

Section 2. Further, those conditions of approval imposed by the City Council as part of **Case #ZON07006** are hereby expressly incorporated into and adopted as part of this ordinance by this reference.

Section 3. Pursuant to City Charter, Section 2.12, ordinances are effective thirty (30) days after adoption.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, this _____ day of _____, 2008.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

Development Services
Planning

WHEN RECORDED RETURN TO: Diana Kaminski
31 E. 5th Street, Garden Level
Tempe, AZ 85281

**WAIVER OF RIGHTS AND REMEDIES
UNDER A.R.S. §12-1134**

This Waiver of Rights and Remedies under A.R.S. § 12-1134 (Waiver) is made in favor of the City of Tempe (City) by _____ (Owner/s).

Owner acknowledges that A.R.S. § 12-1134 provides that in some cases a city must pay just compensation to a land owner if the city approves a land use law that reduces the fair market value of the owner's property (Private Property Rights Protection Act).

Owner further acknowledges that the Private Property Rights Protection Act authorizes a private property owner to enter an agreement waiving any claim for diminution in value of the property in connection with any action requested by the property owner.

Owner has submitted Application No. PL070363 to the City requesting that the City approve the following:

- _____ GENERAL PLAN AMENDMENT
- ☒ ZONING MAP AMENDMENT
- _____ PAD OVERLAY
- _____ HISTORIC PRESERVATION DESIGNATION/OVERLAY
- ☒ USE PERMIT
- _____ VARIANCE
- ☒ DEVELOPMENT PLAN REVIEW
- _____ SUBDIVISION PLAT/CONDOMINIUM PLAT
- _____ OTHER _____
(Identify Action Requested))

for development of the following real property (Property):

Legal Description:

Parcel No. 133-46-134 H 3225 S. Mill Avenue, Tempe, AZ

By signing below, Owner voluntarily waives any right to claim compensation for diminution in Property value under A.R.S. §12-1134 that may now or in the future exist if the City approves the above-referenced Application, including any conditions, stipulations and/or modifications imposed as a condition of approval.

This Waiver shall run with the land and shall be binding upon all present and future owners having any interest in the Property.

This Waiver shall be recorded with the Maricopa County Recorder's Office.

Owner warrants and represents that Owner is the fee title owner of the Property, and that no other person has an ownership interest in the Property.

Dated this _____ day of _____, 2007.

(Signature of Owner)

(Printed Name)

(Signature of Owner)

(Printed Name)

State of Arizona)
) ss
County of _____)

SUBSCRIBED AND SWORN to before me this _____ day of _____, 2007, by

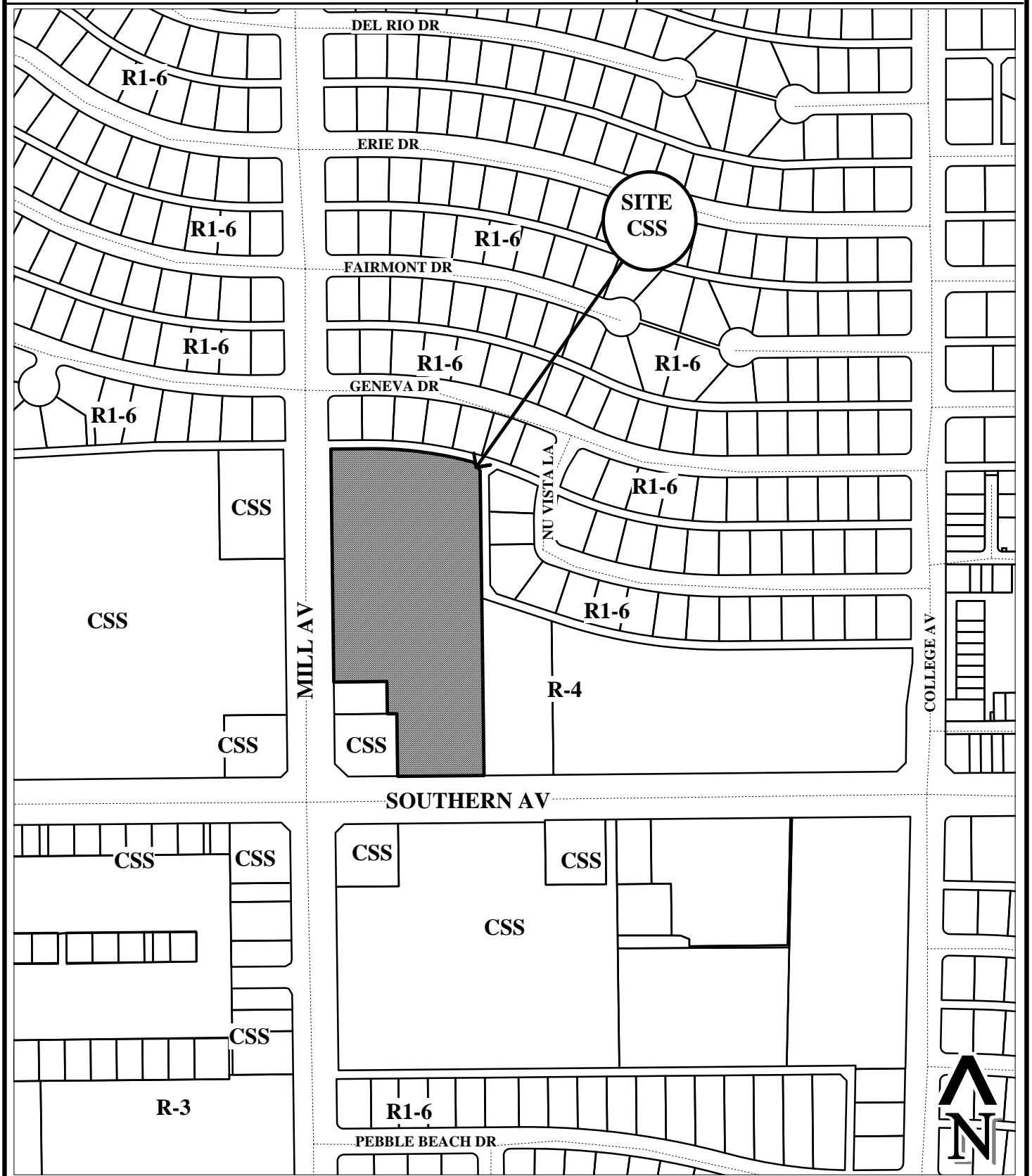
_____.

(Signature of Notary)

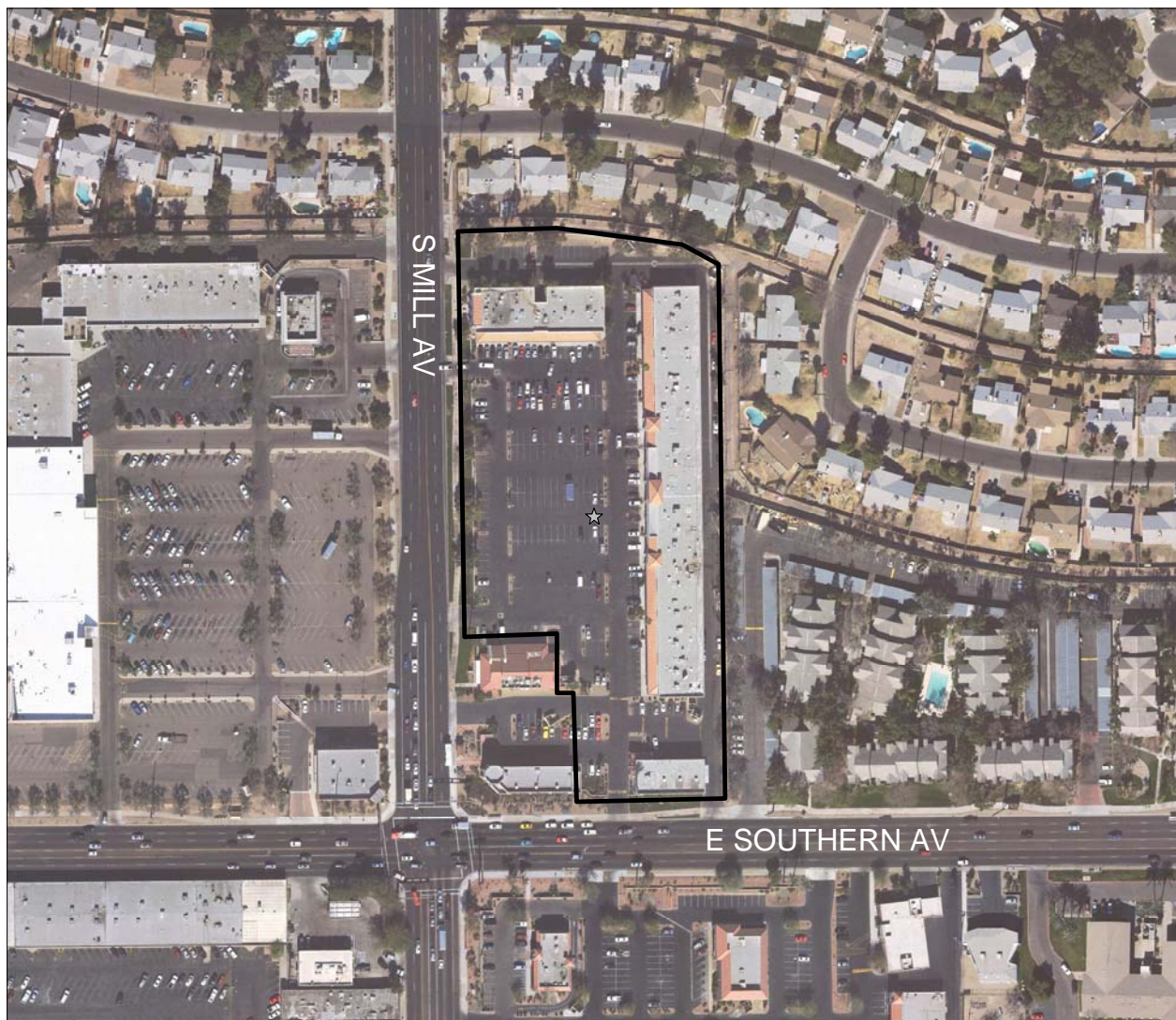
(Notary Stamp)

HUNTINGTON SQUARE SHOPPING CENTER

PL070279



Location Map



HUNTINGTON SQUARE SHOPPING CTR (PL070279)

HUNTINGTON SQUARE COMMERCIAL CENTER

Rezoning, Use Permit, & Site Plan Modification Project Narrative

3225 South Mill Avenue

NEC Southern & Mill

June 26, 2007

Revised: September 25, 2007

Revised: October 30, 2007

A. Request

Applicant, Pew and Lake, PLC, on behalf of Hanley Properties I, LLC respectfully requests rezoning for the existing Huntington Square Commercial Center located at the northeast corner of Southern & Mill from Commercial Shopping and Services (CSS) to Planned Commercial Center Neighborhood (PCC-1) in conjunction with a Use Permit to allow the operation of a Dollar Rent-a-Car facility, and a site plan modification to allow the construction of a Dutch Brothers Coffee. These requests are arising due to the current owner, Hanley Properties I, desire to lease approximately 1,465 sq.ft. to Dollar Rent-a-Car for a car rental facility and to construct an approximate 378 sq.ft. Dutch Brothers Coffee in a small portion of the existing parking lot. The Huntington Square commercial center is currently zoned CSS and properly built and permitted.

Specifically, the rezoning and use permit components of this application are being requested because the CSS zoning district does not allow a car rental facility. The PCC-1 zoning district, however, allows car rental facilities with a use permit. Accordingly, this rezoning request applies to the Huntington Square Shopping Center with the exception of APN's 133-46-134-J and 133-46-134-K, which are the two smaller lots on the immediate corner. These property owners were approached, and are supportive of the application, but did not wish to pursue a zone change for their properties. The Use Permit applies only to Suite B6 in which the vehicle rental facility will be located. The site plan modification applies to the Dutch Brothers Coffee and any improvements that are necessary to aid the development of the respective uses.

For simplicity, we have combined the rezoning, use permit, and site plan modification narratives together.

B. Existing and Surrounding Site Uses

As noted above, the proposed Dollar Rent-a-Car will occupy Suite B-6, as shown on the site plan, and the Dutch Brothers Coffee will be constructed in a portion of the existing parking lot as shown on the site plan. The subject property is currently zoned CSS and the General Plan Land Use designation is Commercial. The property is a large, multi-tenant development with various retail and commercial buildings.

Table B-1: Site Context with Surrounding Properties

| DIRECTION | ADJACENT LAND USE | ZONING | GENERAL PLAN |
|------------------|--|---------------|---------------------|
| North | Nu-Vista Subdivision | R1-6 | Residential |
| South | Commercial Shopping Center (Across Southern) | CSS | Commercial |
| East | Chesapeake Condominiums | R-4 | Residential |
| West | Commercial Shopping Center | CSS | Commercial |

C. Project Description

1. Introduction & Development Standards

The Developer proposes to locate an approximately 1,465 sq.ft. Dollar Rent-a-Car in Suite B6 of the existing Huntington Square commercial center. The Dollar Rent-a-Car will be open from 7:30am to 5:30pm, Monday through Friday, and 8:00am to 1:00pm, Saturday and Sunday. The Dollar Rent-a-Car suite will be staffed with two (2) employees, both of which will be on-site during business hours. It is anticipated that Dollar Rent-a-Car will utilize a maximum of twelve (12) parking spaces for the storage of onsite rental cars and these twelve (12) spaces are designated at the north end of the site as illustrated on the attached site plan.

The Developer also proposes to build an approximately 375 sq.ft. Dutch Brothers Coffee with a drive-thru in a portion of the existing parking lot. The Dutch Brothers Coffee will be open from 5:30am to 10:00pm, Monday through Thursday, and from 5:30am to 11:00pm, Friday and Saturday; the store will be closed on Sundays. The Dutch Brothers Coffee will be staffed with two (2) to three (3) employees, which will be on-site during business hours. The construction of the Dutch Brothers Coffee will result in a loss of twenty (20) parking spaces. To compensate for the loss of parking spaces resulting from the rental cars and Dutch Brothers Coffee construction, the developer is proposing to add an additional eighteen (18) spaces behind Building B. This parking area already exists and will be striped to formally designate the spaces.

Table C-1: Setbacks Table - City of Tempe Zoning Ordinance Table 4-203A

| SETBACKS | CSS | PCC-1 | EXISTING |
|-----------------|------------|--------------|-----------------|
| Front | 0' | 0' | 10'-14' |
| Parking | 20' | 20' | 42' |
| Side | | | |
| Building Wall | 0' | 30' | 36' |
| Common Wall | 0' | 0' | 36' |
| Rear | | | |
| Building Wall | 10' | 30' | 65'-89' |
| Street Side | | | |
| Parking | 20' | 20' | 14'8" |

2. City of Tempe Parking Model

Huntington Square commercial center is a properly built and permitted shopping center under previous versions of the City of Tempe's zoning code. Accordingly, it is a legal non-conforming use under current CSS standards. By code, the Huntington Square commercial center requires 403 parking spaces and 316 currently exist with the addition of the parallel spaces in the rear. This current reduction in parking is approved under a shared parking model that was approved by the Tempe City Council on July 20, 2000 (See Attached Shared Parking Model). This parking model observed the number of parking spaces occupied in the center. The model was sampled over two periods, one sample was conducted during the weekdays and the other sample was conducted during Saturdays. In both samples, the July 2000 study found that the maximum amount of parking spaces occupied at any given time was always lower than that which was required by code.

3. Parking Analysis – CivTech Shared Parking Model

As with any national rent-a-car facility, Dollar Rent-a-Car has a large, off-site storage facility wherein they primarily store their rental cars. For this location, however, Dollar Rent-a-Car anticipates storing no more than twelve (12) cars on-site. In addition to these spaces, Dollar Rent-a-Car will staff this site with two (2) employees during business hours, which will be from 7:30am to 5:30pm, Monday through Friday, and 8:00am to 1:00pm, Saturday and Sunday.

For the car rental suite specifically, per table 4-603E: Ratios for Off-Street Parking of the City of Tempe Zoning and Development Code, 1 space per 300 sq. ft. is required for vehicle rental/sales facilities with a minimum of seven (7) spaces. Under the current code the rental facility requires five (5) spaces (1,465sq.ft./300) and thus, the minimum of seven (7) spaces is required. Thus, assuming that all of the employees

and the rental cars are onsite, the total number of parking spaces used by the Dollar Rent-a-Car is at most fourteen (14) spaces; and given the nature of the rental car business, it is unlikely that any long term parking will be needed for patrons who are renting cars.

Additionally, it is anticipated that not all the rental cars will be onsite at one time and that the twelve (12) parking spaces dedicated for the car rental will be more than sufficient provided parking. Parking for the rental cars not in use will be located near Mill Avenue in the main parking field for the shopping center as shown on the site plan. Please note that this location is not directly adjacent to any storefronts or the other suites within Huntington Square and is also sufficiently screened from view from the adjacent neighborhood.

For the Dutch Brothers Coffee, the initial construction of the building will result in a loss of twenty (20) parking spaces. The Dutch Brothers Coffee itself is only 378 sq.ft. and the outdoor dining area is another 200 sq.ft. As previously mentioned, the owner of the property is going to stripe 18 spaces behind Building B to help compensate for the loss of parking due to the construction of the Dutch Brothers Coffee. Additionally, the hours in which Dutch Brothers Coffee is busiest is between 7:30-9:30am and the overwhelming majority of the customers patronizing Dutch Brothers Coffee use the drive-thru, which does not occupy other parking spaces within the center.

Currently, there are 316 parking spaces for the center. The Dollar Rent-a-Car will utilize twelve (12) spaces, the construction of the Dutch Brothers will occupy another twenty (20) spaces, and the additional parking behind Building B will add eighteen (18) spaces. Thus, 302 ($316 - 12 - 20 + 18$) spaces will still be available.

However, a more recent study was performed by CivTech that measured the volume of traffic in the center on Thursday (9-6-07), Saturday (9-8-07), Friday (9-28-07), and Wednesday (10-3-07). The study concluded that on Thursday the highest demand for parking was at 7:00pm and 8:00pm when 100 spaces were occupied, on Saturday the highest demand for parking was at 11:00pm when 131 spaces were occupied, on Friday the highest demand for parking was at 11:00pm and 12:00pm when 166 spaces were occupied, and on Wednesday the highest demand for parking was at 6:00pm when 79 spaces were occupied.

In conclusion, parking for the vehicle rental facility and coffee shop is adequately provided under the shared parking model conducted by the City of Tempe and the revised shared parking model conducted by CivTech. This is evident by the fact that more spaces are provided than actually occupied and that the hours of business in which the Dollar Rent-a-Car will be open and the hours which Dutch Brothers receives the most amount of customers do not coincide with the hours in which the overall center requires the highest parking demand. As noted above, evident by the parking studies conducted by both the City of Tempe and CivTech, the highest demand for parking occurred in the evening on both weekdays and weekends. The highest volume of activity within the shopping center occurs between the hours of 6:00pm and 12:00pm, and the rental facility closes at 5:30pm on the weekdays and 1:00pm on the weekends.

Additionally, the Dutch Brothers Coffee is busiest during the early mornings when the overall center experiences minimal activity and the majority of customers patronizing Dutch Brothers Coffee use the drive-thru, which does not occupy other spaces within the center.

In short, the Dollar Rent-a-Car and Dutch Brothers Coffee facilities will be compatible with the existing shared parking model, City of Tempe parking standards, and existing tenants within the center because their respective uses will not create a higher demand for parking than is currently provided and because the peak times in which the proposed uses experience the highest demand for parking does not coincide with the times the overall center experiences the highest demand for parking. For a quick reference for the parking requirements for the current and proposed parking conditions, see Table C3 (A) below.

Table C3 (A) – Summary of Current and Proposed Parking Conditions

| | |
|---|------------|
| Existing parking spaces currently provided for the entire center | 316 |
| # of spaces lost due to dedicating spaces for Dollar Rent-a-Car's rental cars | -12 |
| # of spaces lost due to the construction of Dutch Brothers Coffee | -20 |
| # of spaces gained by the added parallel parking spaces behind Building A | <u>+18</u> |
| Total Available Parking with Dollar Rent-a-Car and Dutch Brothers Coffee | 302 |
| Parking Provided Under Approved Shared Parking Model from July 2000 | 316 |
| Required Parking with Existing and New Tenants Based on Zoning Requirements | 411 |
| Required Parking Under City of Tempe Standard Shared Parking Model with Existing and New Tenants | 403 |
| Required Parking Under Modified Shared Parking Model with New Tenants | 309 |
| Highest Demand for Parking Spaces per Parking Demand Count by CivTech | 166 |

4. Access/Circulation

The Dollar Rent-a-Car and Dutch Brothers Coffee will take advantage of the already existing entrances along Southern Avenue to the south and Mill Avenue to the west. As previously mentioned, the rental cars will be stored onsite in a dedicated area that will not be adjacent to the store fronts of any other tenants within the center.

5. Architecture

As previously mentioned, the proposed development is being located in a portion of the overall commercial center. The proposed Dollar Rent-a-Car suite will take advantage of the existing exterior architecture but will be doing their own interior space improvements. The Dutch Brothers Coffee will be compatible with the architecture of the existing commercial center.

D. General Plan Conformance

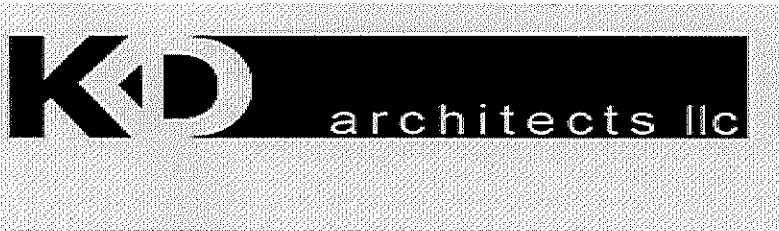
The City of Tempe General Plan 2030 designation for this site is Commercial (Work), which states:

Land that is used primarily for working: the full range of commercial, including retail, service, light industrial and medical uses. This category includes many types of buildings, including offices, restaurants, regional and neighborhood retail and private and charter schools.

As noted, the proposed development concept for the Dollar Rent-a-Car is consistent with the purposes and intents of the City of Tempe General Plan 2030.

E. Compatibility with Surrounding Area

The proposed retail use of a car rental facility is appropriate for the subject site because it is of similar use to the other commercial tenants located within the overall center. The project is also consistent with the intents and uses allowed within the PCC-1 zoning district and Commercial General Plan land use designation. In short, the proposed development is beneficial to the overall center because it accommodates a development that compliments the existing group commercial center and other similar uses in the area.



8151 East Indian Bend Road, Suite 109
Scottsdale, AZ 85250
Office: 480 483-3366
Fax: 480 483-2823

ARCHITECTURE

URBAN DESIGN

LAND USE STUDIES

October 29, 2007

DUTCH BROTHERS COFFEE OUTLET
3225 South Mill Avenue
Tempe, Arizona 85282
Project Narrative/Design Statement

The proposed new freestanding Dutch Brothers Coffee Facility is planned on the development known as Huntington Square, which is located on the Northwest corner of Southern Avenue and Mill Avenue.

As designed, the new coffee stand will be approximately 377 square foot building with a single-lane drive thru as well as a small 200 square foot outdoor patio. There will be no interior seating area within the building. The stand typically has two employees working during the busy times of the day. One individual will man the drive thru window, while the walk-up window is serviced by the second employee.

The building was designed to conform with the general design concepts of the overall center. The exterior finish of the building will be of a similar stucco/eifs system. The main building color will match that of the other main buildings on the site. All secondary/accent colors also appear at various points on the other structures on the site. The roof of the building will be a standing seam metal roof and painted to match the blue color that is prevalent as one of the accent colors on the overall site.

The proposed landscaping will match that of the overall development and will be placed to help screen the drive thru lane and soften the look of the refuse enclosure that will be constructed at the back of the building. The refuse enclosure will comply with City of Tempe standards.

All utilities to the site will be underground and meters and backflow devices will be properly screened so as not to be obtrusive on the site. Lighting on the overall development seems sufficient to also cover the new building as the site was formerly parking spaces for the overall site and was required to be properly lighted. We will have some new building mounted lighting. The lighting will consist of recessed cans in the soffits and some surface mounted fixtures at the drive-thru canopy.

Pedestrian access to the site will be located from Mill Avenue to the site by use of sidewalks and striping so as to be readily visible to pedestrians and vehicular access alike. The pedestrian route will be ADA compliant.

Sincerely,

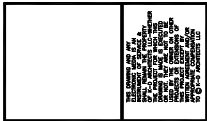
K-D ARCHITECTS LLC

A handwritten signature in black ink, appearing to read 'Greg McBride', is written over the printed name.

Greg McBride

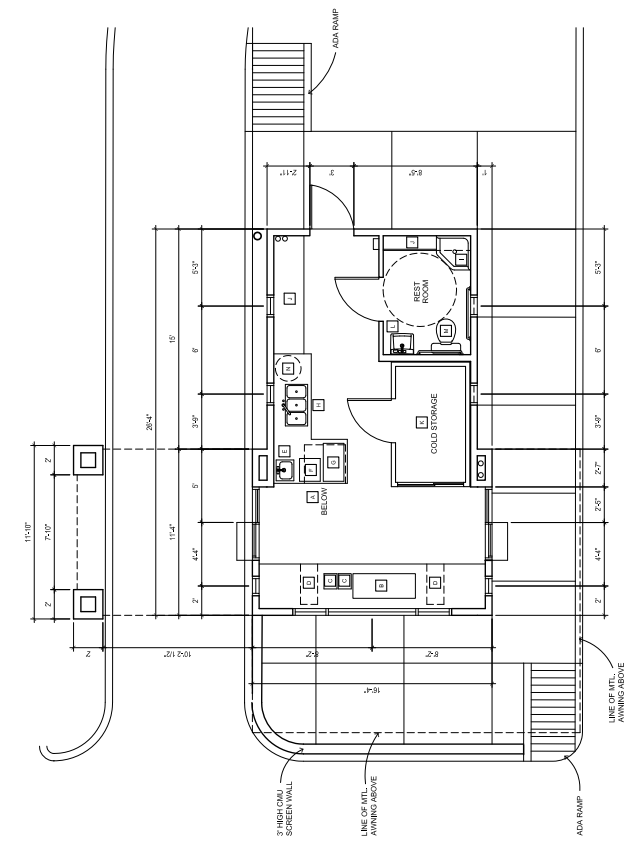
**Neighborhood Meeting Minutes
Huntington Square Commercial Center
3225 S Mill Avenue
NEC Southern and Mill
July 20, 2007**

The following are the minutes of the neighborhood meeting for the rezoning and use permit applications for the Huntington Square Commercial Center. The meeting was held at University Presbyterian Church at 6:00 pm, on June 26, 2007. Mr. Anderson, on behalf of the property owner started the meeting at approximately 6:00 pm. There were no neighbors in attendance. The meeting ended at approximately 6:40.



| | |
|--|--------------------------|
| COPYRIGHT © 2007 BY KD ARCHITECTS | |
| THESE DRAWINGS ARE NOT FOR CONSTRUCTION OR REVISION UNTIL THE PROJECT IS COMPLETED AND THE DRAWING IS CANCELLED | |
| SUBMITTED TO: DUTCH BROS | DATE: 04.11.07 |
| DESIGNED BY: KD ARCHITECTS | DATE: 04.11.07 |
| DRAWN BY: KD ARCHITECTS | DATE: 04.11.07 |
| CHECKED BY: KD ARCHITECTS | DATE: 04.11.07 |
| PROJECT NO.: 070241 | PROJECT NAME: DUTCH BROS |
| OWNER: DUTCH BROS | PREP. DATE: 04.11.07 |
| NO. REVISION | DATE |
| | |
| | |
| | |
| | |

SD3.0



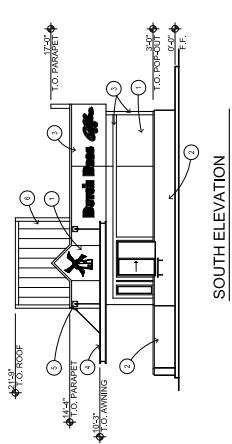
FLOOR PLAN
SCALE: 1/4" = 1'-0"

FLOOR PLAN LEGEND

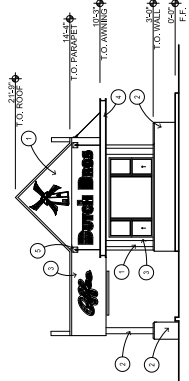
- 1 ICE MACHINE BELOW - MANTOVOC OC-272A W/ CASTERS
- 2 ESPRESSO MACHINE - FEMIA ET AMBASADOR A
- 3 GRINDER - GEE-MANUAL, THERM AUTOMATIC GROCERY
- 4 CASH DRAWER BELOW
- 5 HAND SINK - ADVANCED TARGO - 10-10 W/ FIBER 3015
- 6 VIT-A-MIX - V60115E (EMPTY)
- 7 BRAIN FREEZE - TAYLOR 428 FROZEN BEVERAGE PRELZER
- 8 THREE COMPARTMENT SINK - EAGLE 8010-144-6-3
- 9 MOP SINK
- 10 SHELF & SHELVE
- 11 COOLER PACKAGE - COOLER 102 (SEE MECHANICAL)
- 12 ADA LAV
- 13 ADA TOILET
- 14 WATER HEATER - BELOW

COLOR AND MATERIALS PALETTE

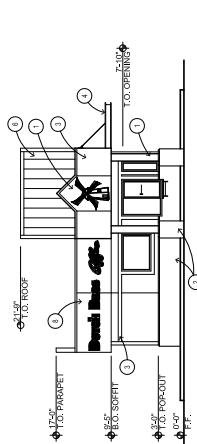
- 1 EPS - DUIN EDWARDS: SAND DUNE (DE 6129)
- 2 EPS - DUIN EDWARDS: RUSTIC TAPE (DE 6129)
- 3 EPS - DUIN EDWARDS: RAINY LAKE (DE 6652)
- 4 METAL AWNING
- 5 DUIN EDWARDS: GUTZY RED (DE 153)
- 6 DUIN EDWARDS: GUTZY RED (DE 153)
- 7 STANDING SEAM METAL ROOF
- 8 COLOR TO MATCH DUIN EDWARDS - RAINY LAKE (DE 6652)
- 9 PAINT TO MATCH ADJACENT SURFACE



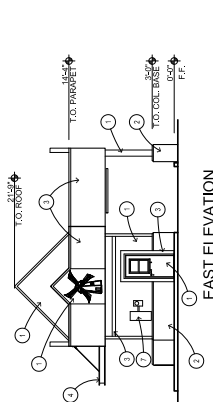
SOUTH ELEVATION



WEST ELEVATION



NORTH ELEVATION



EAST ELEVATION

BUILDING ELEVATIONS

SCALE: 1/8" = 1'-0"

October 24, 2007

Mr. Greg McBride
KD Architects
8151 E. Indian Bend Road, Suite 109
Scottsdale, AZ 85250

RE: Dutch Brothers Coffee – Tempe, Arizona

Dear Mr. McBride:

At your request, we have reviewed your proposed Dutch Brothers coffee shop project located within the existing parking lot of the Huntington Square Shopping Center located at the Northeast corner of Southern Avenue and Mill Avenue in Tempe Arizona. The purpose of our review is to render an opinion as to the need for storm water retention for this proposed project.


Based on our calculations and observations we understand that this project will be constructed within the existing paved parking lot for the shopping center. The proposed coffee shop structure appears to be approximate 377square feet in size with concrete hardscape around the new building. East of the proposed new building and along the drive through pick up area, the asphalt pavement and aggregate base course material will be removed and approximately 981.6 square feet of new landscaping will be constructed.

It is our opinion that there will be no increase in storm water runoff from this project. This opinion is based on our assumption that this new construction will occur within an existing parking lot that should already have adequate storage for storm drainage and the area of impervious surface has decreased, i.e. the removal of asphalt and the construction of landscape area. In fact, given the reduction in asphalt area there will be a slight decrease in runoff due to the reduction of impervious hard surface area.

If you have any questions or need additional information please contact this office at your convenience.

Sincerely,

TURNER DESIGN GROUP


Steve Turner, P.E.
President



77 East Weldon Avenue
Suite 210
Phoenix, AZ 85012

Phone: 602-277-6200
FAX: 602-277-6201
www.turnerdesigngroup.com



Building B architectural detail



Building C Brake Shop view south from parking lot



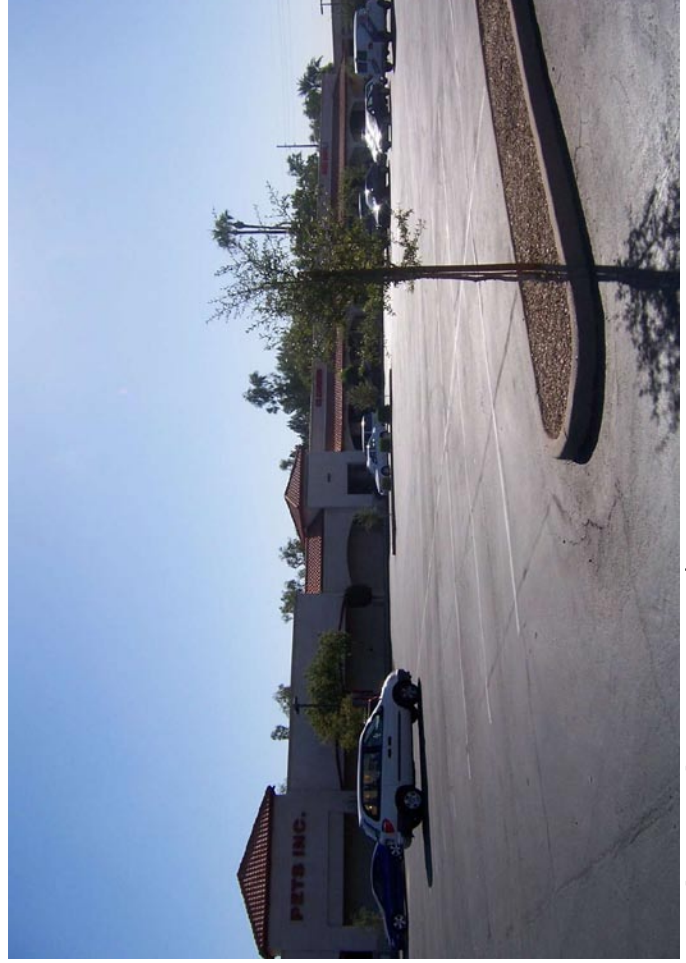
Building A architecture typical of center



Building B view to the southeast from parking lot



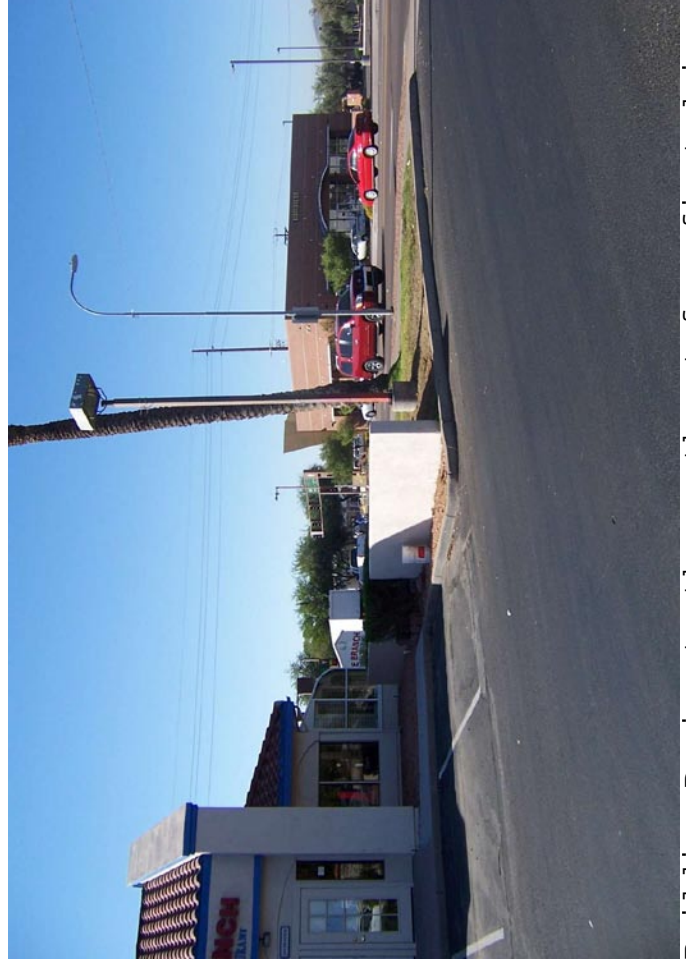
Landscape along Mill Avenue



Dutch Brothers Location



Building E view northeast from third drive on Mill



Building D view to the southwest from first drive on Mill



Landscape on Southern



Missing Landscape at perimeter



Landscape on Southern without street trees



Missing and dead landscape



Parking area to be modified by Dutch Brothers



Missing landscape in island



Olive Branch Restaurant Building D view from Dutch Brothers area



Perimeter landscape



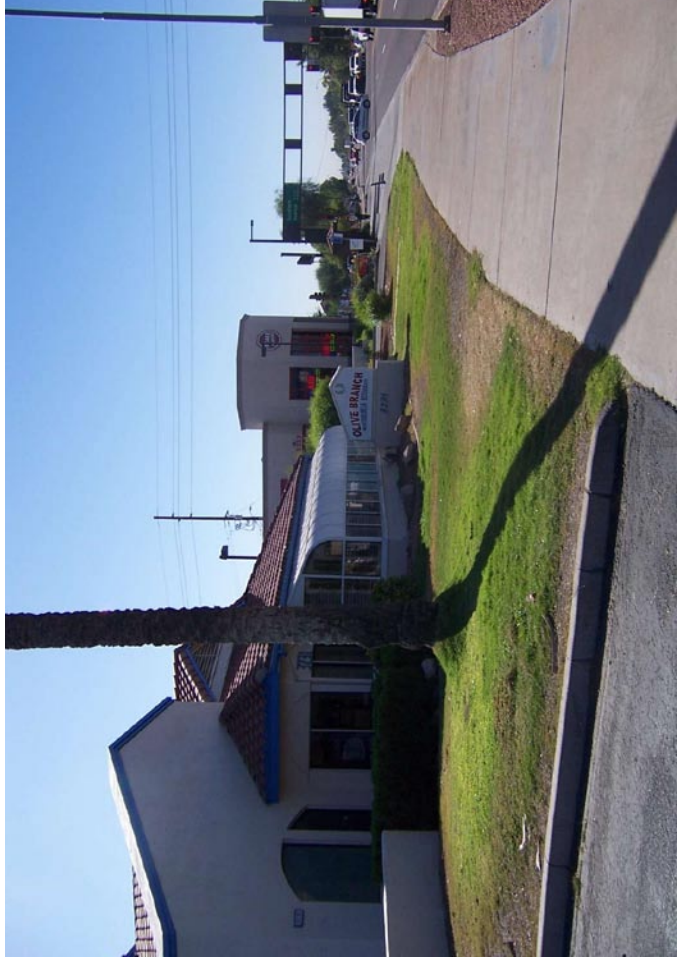
View northeast from Dutch Brothers area to Dollar
Rent A Car Tennant Space



View north behind Building A



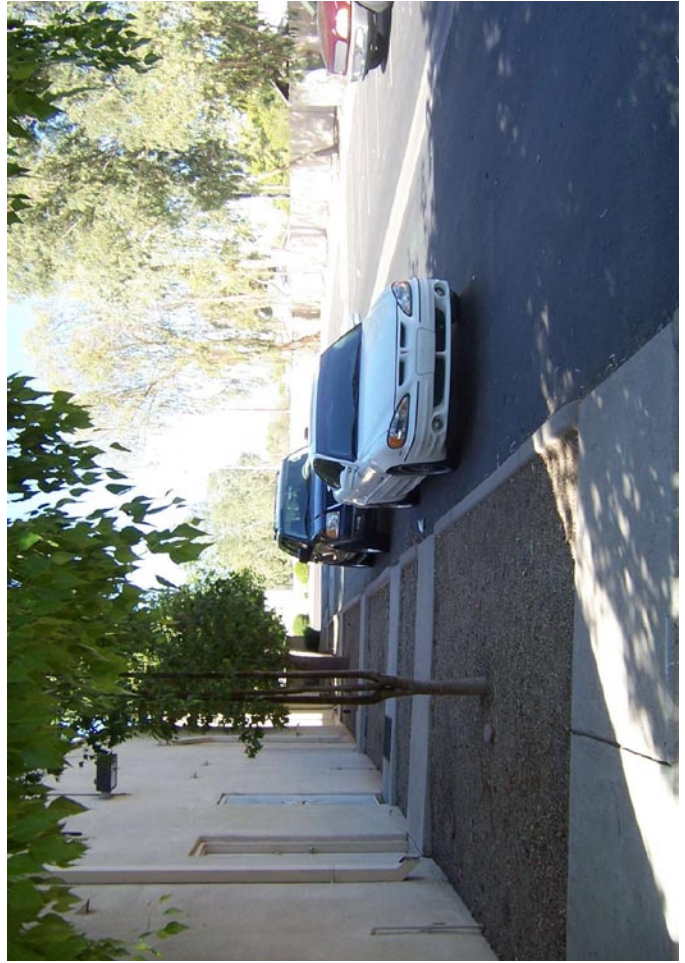
View north from third drive on Mill



View south from first drive on Mill



View west from parking lot missing plants and street trees



View west behind Building E



View to east of narrow planting strip

SHARED PARKING MODEL

| | |
|--|-----|
| • Existing number of spaces prior to removal and addition of spaces | 316 |
| • Parking allowed by existing 2000 shared parking model | 316 |
| • Actual number of parking spaces available after the addition of new uses | 302 |
| • Parking required by the Zoning and Development Code | 415 |
| • Parking allowed by the Tempe Shared Parking Model | 403 |
| • Parking proposed by the applicants revised Shared Parking Model | 296 |
| • Consultant observed highest demand for parking | 166 |

Based on the findings within the submitted parking analysis, which included a reduction for internal capture, a reduction for alternative mode use, a ULI updated ratio for restaurant use, and a shared parking model, staff has determined that the existing mix of tenants and hours of operation can support the proposed addition of a car rental facility and drive-through coffee shop. In the event that the tenant mix changes or the center's peak demand exceeds the available number of parking spaces, the car rental use permit may be re-evaluated or revoked, and other tenant changes will be required to stay within the available parking limits.