

# Staff Summary Report



Hearing Officer Hearing Date: November 6, 2007

Agenda Item Number: 12

**SUBJECT:** This is a public hearing for a request by **LOST DUTCHMAN COFFEE ROASTERS** located at 1920 East 3<sup>rd</sup> Street for one (1) use permit.

**DOCUMENT NAME:** 20071106dsjc01

**PLANNED DEVELOPMENT (0406)**

**SUPPORTING DOCS:** Yes

**COMMENTS:** Hold a public hearing for a request by **LOST DUTCHMAN COFFEE ROASTERS (PL070446)** (Victor Kessler, applicant; Third Street Commerce Center LLC, property owner) located at 1920 East 3<sup>rd</sup> Street in the GID, General Industrial District for:

**ZUP07166** Use permit to allow coffee roasting.

**PREPARED BY:** Jon Christopher, Planner II (480-350-8436)

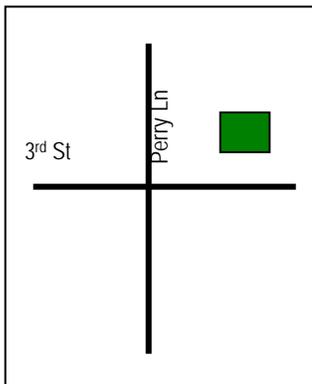
**REVIEWED BY:** Steve Abrahamson, Planning & Zoning Coordinator (480-350-8359) *SEA*

**LEGAL REVIEW BY:** N/A

**FISCAL NOTE:** N/A

**RECOMMENDATION:** Staff – Approval subject to Conditions 1-5

**ADDITIONAL INFO:** Lost Dutchman Coffee Roasters is requesting an approval for a use permit to allow coffee roasting with retail sales. The property is located at 1920 East 3<sup>rd</sup> Street in the GID, General Industrial District. The coffee roasting and retail sales operation will occupy Suite 9 within the Third Street Commerce Center located at the northwest corner of Perry Lane and 3<sup>rd</sup> Street. Staff recommends approval of the request with conditions. To date, staff has received two (2) phone calls of inquiry; the callers were concerned about odors that could emanate from a coffee roasting business.



**PAGES:**

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

**ATTACHMENTS:**

1. Location Map(s)
2. Aerial Photo(s)
3. Letter of Intent
4. Site plan/ Floor Plan/ Elevation
5. Staff Photograph(s)

## COMMENTS:

Lost Dutchman Coffee Roasters is requesting an approval for a use permit to allow a coffee roasting operation. The property is located at 1920 East 3<sup>rd</sup> Street in the GID, General Industrial District. The property is located at the northwest corner of Perry Lane and 3<sup>rd</sup> Street. The business operation calls for roasting of coffee beans that result in the periodic release of a coffee odor. The hours of operations will be 8 am – 5 pm from Monday through Friday and 11 am – 2 pm on Saturday. The business will be operated by the owner only until there is a need to hire additional employees.

To date, staff has received two (2) phone calls of inquiry; the callers were concerned about odors that could emanate from a coffee roasting business.

## Use Permit

The Zoning and Development Code requires a Coffee Roasting business to obtain a use permit in the GID, General Industrial District. The proposed use permit meets all applicable tests in the following manner:

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 no significant increase in vehicular or pedestrian traffic in adjacent areas
- b. 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 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.
- c. Compatibility with existing surrounding structures and uses;
  - The proposed use appears to be compatible with surrounding uses.

## Conclusion

Staff recommends approval of the use permit subject to the attached conditions of approval.

## REASON(S) FOR APPROVAL:

1. Traffic generated by this use shall not be excessive
2. There will be no apparent damage or nuisance arising from noise, smoke, odor, dust, vibration or illumination.
3. The use appears to be compatible with the building, site and adjacent properties.

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

CONDITION(S)  
OF APPROVAL:

1. All permits and clearances required by the Building Safety Division shall be obtained prior to the use permit becoming effective.
2. The use permit is transferable. Should the business be sold, the new owners must reprocess for administrative review.
3. Any expansion or intensification of use shall require a new use permit to be approved.
4. If there are any complaints arising from the uses herein permitted that are verified by a consensus of the complaining party and the City Attorney's office, the use permit may be reviewed by city staff to determine the need for a public hearing to re-evaluate the appropriateness of the use permit.
5. The vent, stack, chimney, and exposed mechanical equipment shall not exceed the parapet of the existing building. If the equipment exceeds the parapet, you will need a secondary screen wall that will have to be approved by applying to Development Plan Review.

HISTORY & FACTS: None pertinent to this case

DESCRIPTION: Owner – Third Street Commerce Center LLC  
Applicant – Victor Kessler  
Existing Zoning – GID, General Industrial District  
Suite Area – 338 s.f.

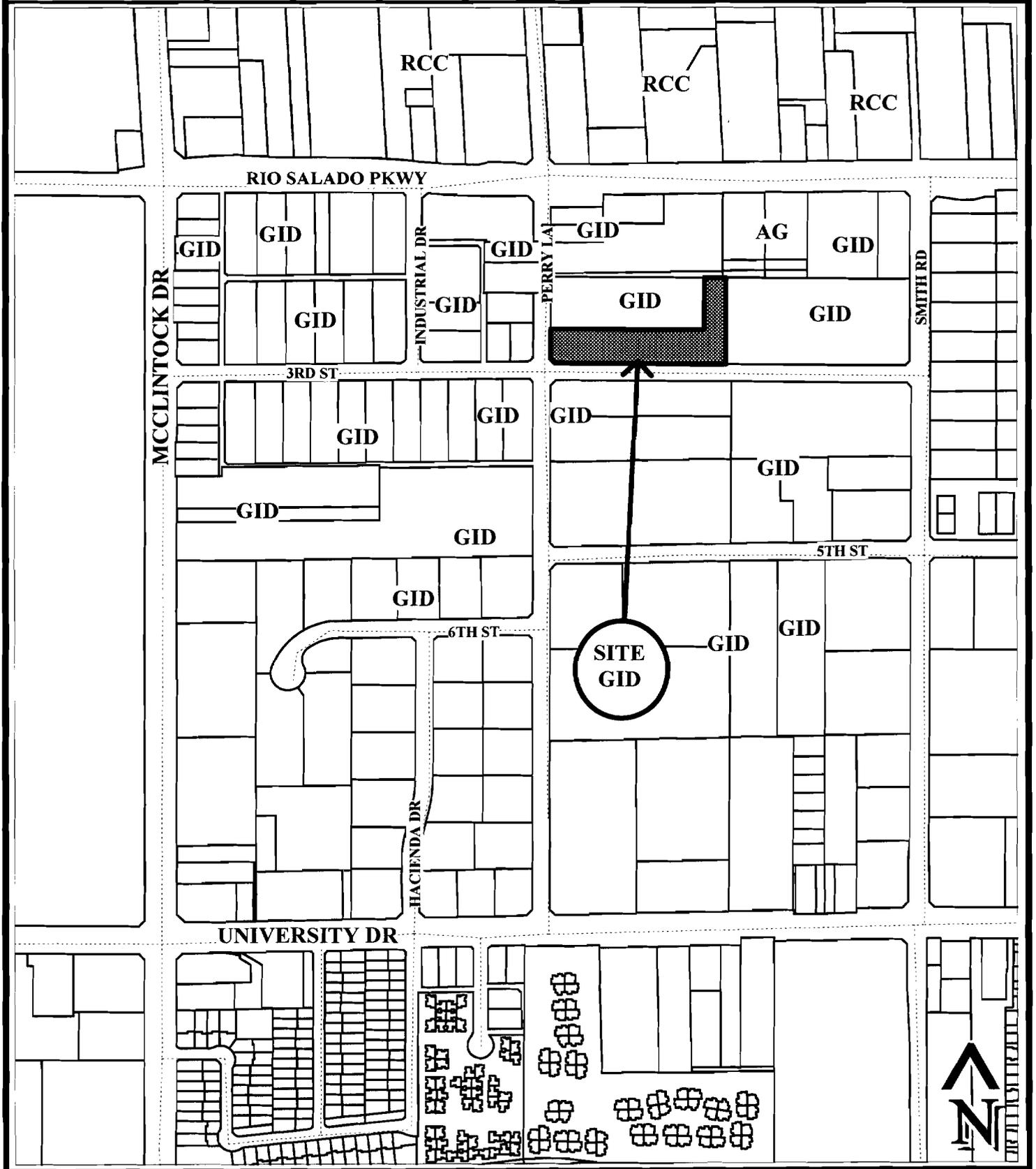
ZONING AND  
DEVELOPMENT  
CODE REFERENCE:

Part 3, Chapter 3, Section 3-302  
Permitted Uses in Office / Industrial Districts – Table 3-302A – Coffee Roasting or Manufacturing in GID, General Industrial District requires a use permit;

Part 6, Chapter 3, Section 6-308  
Use Permit

# LOST DUTCHMAN COFFEE ROASTERS

PL070446





LOST DUTCHMAN COFFEE ROASTERS (PL070446)

## Letter of Explanation

10/22/2007

Installation of a desk-sized 350 lb coffee roaster with an advertised 10kg (11 pound) roasting capacity and storage of several hundred pounds un-roasted, or "green coffee" beans, within a 338 square foot suite located in an industrial zoned commercial building. A 304-grade stainless steel, Class 1 venting stack will penetrate 2 feet above the roof and will not be visible from the outside at ground level due to a parapet encompassing the roof perimeter. Because of the relative small capacitive size of a single roast batch, there will be a only a small amount of coffee aroma exiting the vent stack. There will be no other modification to the building interior or exterior, surrounding landscape, or parking lot.

Hours of operation will vary within an 8am-5pm Monday through Friday and 11am-2pm on Saturday time frame. Actual roaster operations are expected to be 5 to 15 hours a week with the rest of the time devoted to packaging clerical tasks.

Operations will be conducted solely by the business owner with no employees unless future business growth requires hiring of help.

Applicant:  
Victor Kessler

623 217 1304

RECEIVED  
07 OCT 22 PM 12:56  
TEMPERATURE DEPARTMENT  
SERVICES DEPARTMENT

**Plan of Development for  
Third Street  
Commerce Center**  
AN OFFICE/COMMERCIAL PROJECT IN THE RD-3 ZONING DISTRICT  
ALL MEASUREMENTS AND DIMENSIONS ARE IN FEET AND INCHES UNLESS OTHERWISE SPECIFIED.

**LEGAL DESCRIPTION**  
THE SOUTHWEST CORNER OF THE SE CORNER OF THE EAST 1/4 OF SECTION 16, T4N, R12E, S44, PLAT 10, RANGE 12 NORTH, TOWNSHIP 4 NORTH, RANGE 12 WEST, COUNTY OF WYOMING, STATE OF WYOMING.

**PROJECT DATA**  
1920 1930 1960 1980  
1920 1930 1960 1980

**NEIGHBORHOOD MAP**  
SITE

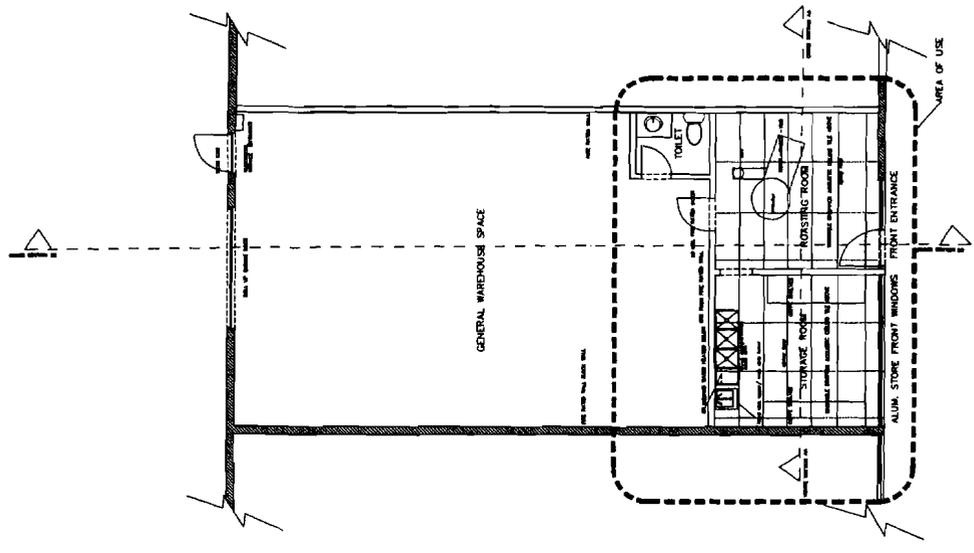
**SITE PLAN**  
SCALE 1/4" = 1'-0"

**COMMERCIAL ROASTER.**  
TANON THOMPSON ARCHITECTS  
1920 1930 1960 1980

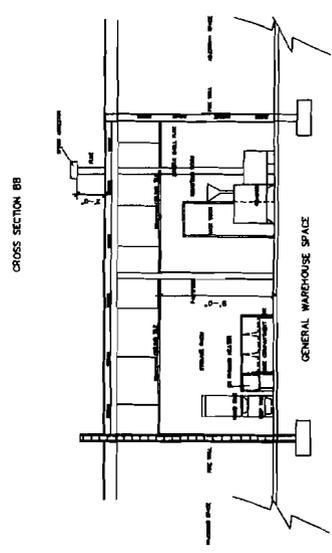
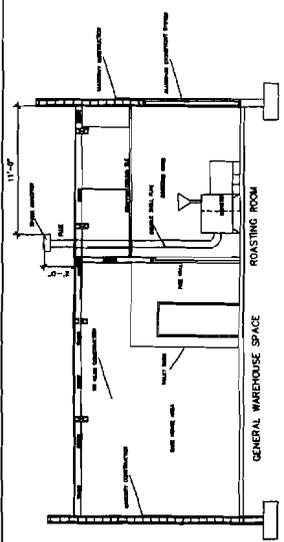
Project No.: 1980-01  
Date: 1-19-87  
Drawn By: [Name]  
Checked By: [Name]  
Reviewed By: [Name]

**FLOOR PLAN / SECTIONS**

**A-01**



SCALE 1/4" = 1'-0"



APPLICATION FOR USE PERMIT FOR COFFEE ROASTING COMPANY



# **LOST DUTCHMAN COFFEE ROASTERS**

**1920 E 3<sup>RD</sup> ST**

**PL070446**

**FRONT OF BUSINESS: VIEW TO NORTH**