ACTION: Request a Use Permit to allow vehicle rental (rideshare service) in the PCC-1, Planned Commercial Center Neighborhood district, for UCARS, located at 1414 West Broadway Road.

FISCAL IMPACT: N/A

RECOMMENDATION: Staff – Approve, subject to conditions

BACKGROUND INFORMATION: UCARS (PL190208) is requesting a Use Permit to allow vehicle rental within the PCC-1 zoning district. UCARS rents vehicles to customers to utilize rideshare services such as Uber and Lyft. The request includes the following:

ZUP190062 Use Permit to allow vehicle rental.

Property Owner: Mcmaron Investments, LLC
Applicant: Joel Goldberg, UCARS
Zoning District: PCC-1
Suite Area: 2,440 s.f.
Vehicle Parking: 286 spaces (204 min. required for the center)
Hours of Operation: M-F, 9 a.m. - 5 p.m.

ATTACHMENTS: Development Project File

STAFF CONTACT(S): Dalton Guerra, Planner I (480) 350-8652

Department Director: Chad Weaver, Community Development Director
Legal review by: N/A
Prepared by: Dalton Guerra, Planner I
Reviewed by: Steve Abrahamson, Principal Planner
COMMENTS
UCARS rents vehicles on site to customers that are employed by companies such as Uber, Lyft, Door Dash, and Postmates. The anticipated fleet will be 15 vehicles that will be rented out daily. There is adequate parking on site to accommodate the 15-vehicle fleet and the applicant stated that not all vehicles will be on site at once. Staff will condition that the fleet does not occupy more spaces than allowed.

PUBLIC INPUT
To date, staff has not received public input.

USE PERMIT
The proposed use requires a Use Permit to allow vehicle rental within the PCC-1, Planned Commercial Center Neighborhood zoning district.

Section 6-308 E Approval criteria for Use Permit (in italics):

1. Any significant increase in vehicular or pedestrian traffic; the proposed use will have no more than fifteen vehicles in the fleet within the allowed parking spaces on site.

2. Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat or glare at a level exceeding that of ambient conditions; the proposed use is not expected to create a nuisance exceeding that of the ambient conditions.

3. 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; vehicle rental is a permitted use within the PCC-1 zoning district, subject to a Use Permit.

4. Compatibility with existing surrounding structures and uses; the proposed use is in an existing office building with commercial and industrial uses surrounding the site.

5. Adequate control of disruptive behavior both inside and outside the premises which may create a nuisance to the surrounding area or general public; the applicant is expected to have adequate control of disruptive behavior on site.

REASONS FOR APPROVAL:
Based on the information provided by the applicant, the public input received and the above analysis staff supports 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. The Use Permit is valid only after a Building Permit has been obtained, 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 the building plan check process.

3. All required Federal, State, County, and Municipal permits, licenses, and clearances shall be obtained or the Use Permit is void.

4. Hours of Operation shall be Monday – Friday, 9am – 5pm.
5. To provide adequate off-street parking for the existing buildings and uses, the fleet inventory shall be limited to a maximum of fifteen (15) vehicles on site.

6. The business shall not prep, wash, stage or engage in similar activity for the vehicles on site.

7. There shall be no signs, banners, or similar methods of advertisement for the business without approval of a sign permit.

CODE/ORDINANCE REQUIREMENTS:
THE BULLETED ITEMS REFER TO EXISTING CODE OR ORDINANCES THAT PLANNING STAFF OBSERVES ARE PERTINENT TO THIS CASE. THE BULLET ITEMS ARE INCLUDED TO ALERT THE DESIGN TEAM AND ASSIST IN OBTAINING A BUILDING PERMIT AND ARE NOT AN EXHAUSTIVE LIST.

USE PERMIT:
• The Use Permit is valid for UCARS and may be transferable to successors in interest through an administrative review with the Community Development Director, or designee.

• The use permit approval shall be void if the use is not commenced or if an application for a building permit has not been submitted, whichever is applicable, within twelve (12) months after the use permit is granted or within the time stipulated by the decision-making body.

• The decision-making body, upon finding that the applicant has not taken corrective actions to resolve issues related to the permit/approval and that a continuation of the permit/approval is not in the interest of the public health, safety and general welfare, can revoke the permit/approval after providing written notice of its intentions to the holder of the permit.

• 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 http://www.tempe.gov/zoning or purchase from Development Services.

• All business signs shall receive a Sign Permit. Contact sign staff at 480-350-8435.

• Any intensification or expansion of use shall require a new Use Permit.

• 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:
None pertinent to this case.

ZONING AND DEVELOPMENT CODE REFERENCE:
Section 3-202 Permitted Uses in Commercial and Mixed-Use Districts
Section 4-203 Development Standards for Commercial and Mixed-Use Districts
Section 6-308 Use Permit
DEVELOPMENT PROJECT FILE
for
UCARS
(PL190208)

ATTACHMENTS:

1. Location Map
2. Aerial
3. Letter of Explanation
4-5. Site Plan
6-8. Floor Plans
Aerial Map
Letter of Explanation

August 5, 2019

UCars
1414 W Broadway Rd #140
Tempe, AZ 85282

To Whom It May Concern:

This is our official Letter of Explanation for our Use Permit.

We provide fleet use of Toyota Prius vehicles to rideshare drivers. We are located in the same building as the Uber Greenlight Hub. There will be no more than 15 vehicles on site, which are clean and ready for use fleet use by drivers. Drivers take vehicles to their primary residence; thus, minimal vehicles will be stored on site.

We operate Monday-Friday 9am – 5pm. We have approximately 8-10 members of staff on site. At no time will be have more than 2-5 clients on site.

This request will not be detrimental to persons residing or working in the vicinity to adjacent properties, to the neighborhood, or the public welfare in general and will conform to the following standards and Zoning and Development Code Criteria Section 6-308(E), as applicable:

1. Any significant vehicular or pedestrian traffic in adjacent areas;

   All business will be conducted in office and light cleaning of vehicles will be performed in designated parking spaces in the far corner of the parking lot and car wash locations in the vicinity. There will be no additional vehicular or pedestrian traffic in adjacent areas aside from 15 vehicles stored on site for fleet use.

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

   There is no heavy machinery being used in the cleaning of vehicles. Vacuuming is performed at nearby car wash along with cleaning of vehicles. Any additional cleaning on site is performed using hand towels and non-hazmat cleaning supplies.

3. Contribution to the deterioration of the neighborhood or to the downgrading of property values, which is conflict with the goals, objectives or policies of the city’s adopted plans for General Plan;

   Our operations aligns with the goals, objectives and policies of the city to provide friendly, clean service to fleet drivers.

4. Compatibility with existing surrounding structures and uses; and

   Business activities are compatible with existing surrounding structures and uses. Minimal visual impact on surround areas.

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

   All staff and drivers are pre-screened with full background checks and MVR’s to ensure high quality individuals onsite.

Sincerely,

Joel Goldberg
CEO
UCars

Attachment 3
ALTA / NSPS LAND TITLE SURVEY
OF A PORTION OF THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

DESCRIPTION

BEGINNING at the SOUTHEAST corner of the SOUTHEAST QUARTER of the TWENTY-FIRST SECTION, MARICOPA COUNTY, ARIZONA, and running thence North parallel to the said SOUTHEAST QUARTER 800.00 feet to a point, thence EAST parallel to the said SOUTHEAST QUARTER 800.00 feet to a point, thence SOUTH parallel to the said SOUTHEAST QUARTER 800.00 feet to a point, thence WEST parallel to the said SOUTHEAST QUARTER 800.00 feet to the beginning, all as shown on the plat thereof.

REFERENCES

1. Abstract of Title Records
2. Survey Records
3. Deeds
4. Plat Maps

SIGNIFICANT OBSERVATIONS

1. Water Erosion
2. Soil Erosion
3. Geologic Features

CERTIFICATION

[Signature]

[Date]

[Tealmark]

[Address]