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JAN 26 2012



Chandler - Arizona
Where Values Make The Difference

Chandler



2010

MEMORANDUM Transportation & Development – CC Memo No. 12-003

DATE: JANUARY 5, 2012

TO: MAYOR AND CITY COUNCIL

THRU: RICH DLUGAS, CITY MANAGER *RD*
 PATRICK MCDERMOTT, ASSISTANT CITY MANAGER *PM*
 R.J. ZEDER, TRANSPORTATION & DEVELOPMENT DIRECTOR *RJ*
 JEFF KURTZ, PLANNING ADMINISTRATOR *JK*
 KEVIN MAYO, PLANNING MANAGER *KM*

FROM: JODIE M. NOVAK, MEP, SENIOR CITY PLANNER *JMN*

SUBJECT: ZUP11-0025 APEX TINT LLC

Request: Use Permit approval to allow a window tinting business with on-site automotive tinting within the I-1 (Planned Industrial District) zoning

Location: 500 N. 56th Street, Suite 8; north of Chandler Boulevard and west of 56th Street

Applicant: Jody Nelson, owner

Project Info: Approximately a 1,504 square foot tenant space including an office, lobby, and installation area

RECOMMENDATION

Upon finding the request to be consistent with the General Plan and Planned Industrial District (I-1) zoning, Planning Commission and Planning Staff recommend approval for one (1) year with conditions.

BACKGROUND

This application requests Use Permit approval to allow a window tinting business with on-site automotive tinting within the I-1 (Planned Industrial District) zoning. The subject site is located at 500 N. 56th Street, Suite 8, which is north of Chandler Boulevard and west of 56th Street. The industrial development consists of two, multi-tenant one-story light industrial warehouse buildings which include an ancillary office space and warehouse area.

The I-1 zoning district allows a variety of storage, wholesale, warehousing, manufacturing, assembly type uses, and accessory/incidental office and retail sales. Since the late 1980s, there have been several Use Permits granted for commercial uses within this industrial development including a wholesale auto dealership, an auto detail shop, an equipment rental store, a lawnmower sales and repair store, a swim school, and an auto sales broker. In 1988, an auto wholesaler with a car detail business was granted Use Permit approval in this development. The auto wholesaler occupied four tenant spaces. The Use Permit was in effect until 1993. A condition was added to ensure there would be no outside storage of vehicles. At this time there are no existing auto related businesses within the development.

Businesses within the development include Oracle Forensics, Audio Recording Studio, Magic Touch Carpet Cleaning, Global Electronics, Pest Tube System, One Stop Signs, Choice Health Care, Energy 1st, Fastenal, Scion Gypsy Trading, ProEdge Performance Training, and Tribal Crossfit Bootcamp. Both ProEdge Performance Training and Tribal Crossfit Bootcamp have been notified of zoning violations and require a Use Permit. A Use Permit has been filed and is being processed for ProEdge. Tribal Crossfit is in the process of relocating to a commercial zoned property in the area awaiting completion of tenant improvements that are in progress. There are several vacant tenant spaces. The development's property management company received a notice from the City advising of the site's zoning and that uses not permitted cannot occupy a tenant space without first receiving Use Permit approval.

Apex Tint is a window tinting company specializing in commercial and industrial buildings with tinting performed off-site and automotive tinting performed on-site. The business has been at this location since June 2011. The business includes a front lobby, an installation area, and an administrative office. The business is open by appointments only on Mondays from 8 a.m. to 3 p.m., Tuesday and Thursday 8 a.m. to 5 p.m., Friday and Saturday 8 a.m. to 3 p.m., and closed Sunday. There are two owners and two installation technicians on-site.

Apex Tint is allocated four parking spaces by the landlord. Two spaces are for employee parking and two spaces are for customer parking. There are approximately 92 parking spaces throughout the development. Automotive window tinting appointments are staggered throughout the day to avoid overlap. Each installation process takes approximately 2 hours. There is always a parking space or two available. The business also works with dealerships and will bring vehicles from the dealership to the site one at a time for tinting service. Vehicles are brought to the rear of the tenant space where the warehouse area is located.

DISCUSSION

The proposed automotive window tinting use is compatible with existing businesses in the development. The business does not generate much traffic and is limited to the four parking spaces and use of the warehouse only for vehicle window tinting. Planning Commission and Planning Staff recommend a one year approval with conditions.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.

- A neighborhood meeting was held on December 5, 2011. No one attended other than the applicant.
- At the time of this memo, Planning Staff is not aware of any opposition or concern with this request.

PLANNING COMMISSION VOTE REPORT

Motion to Approve.

In Favor: 4 Opposed: 0 Absent: (Baron, Cunningham, Rivers)

Commission recommended adding Condition No. 5 to ensure no vehicles will be kept outside.

RECOMMENDATION

Upon finding consistency with the General Plan, Planning Commission and Planning Staff recommend approval of Use Permit ZUP11-0025 APEX TINT LLC, subject to the following conditions:

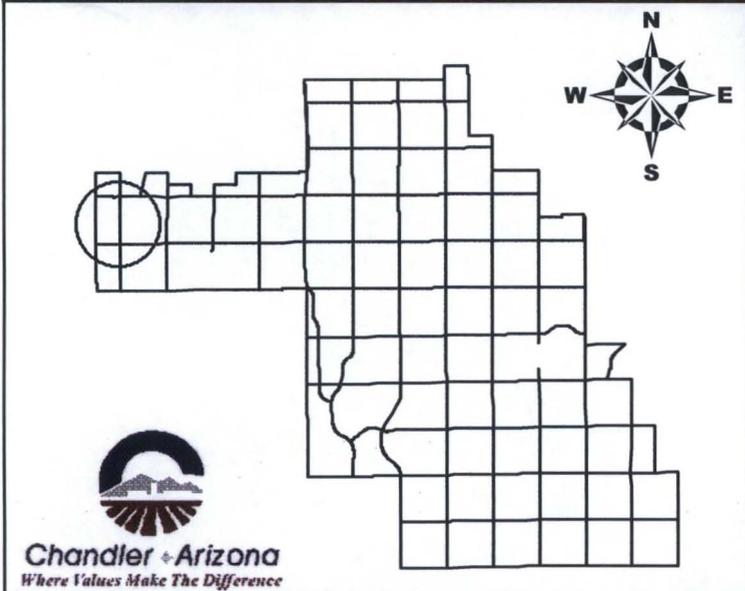
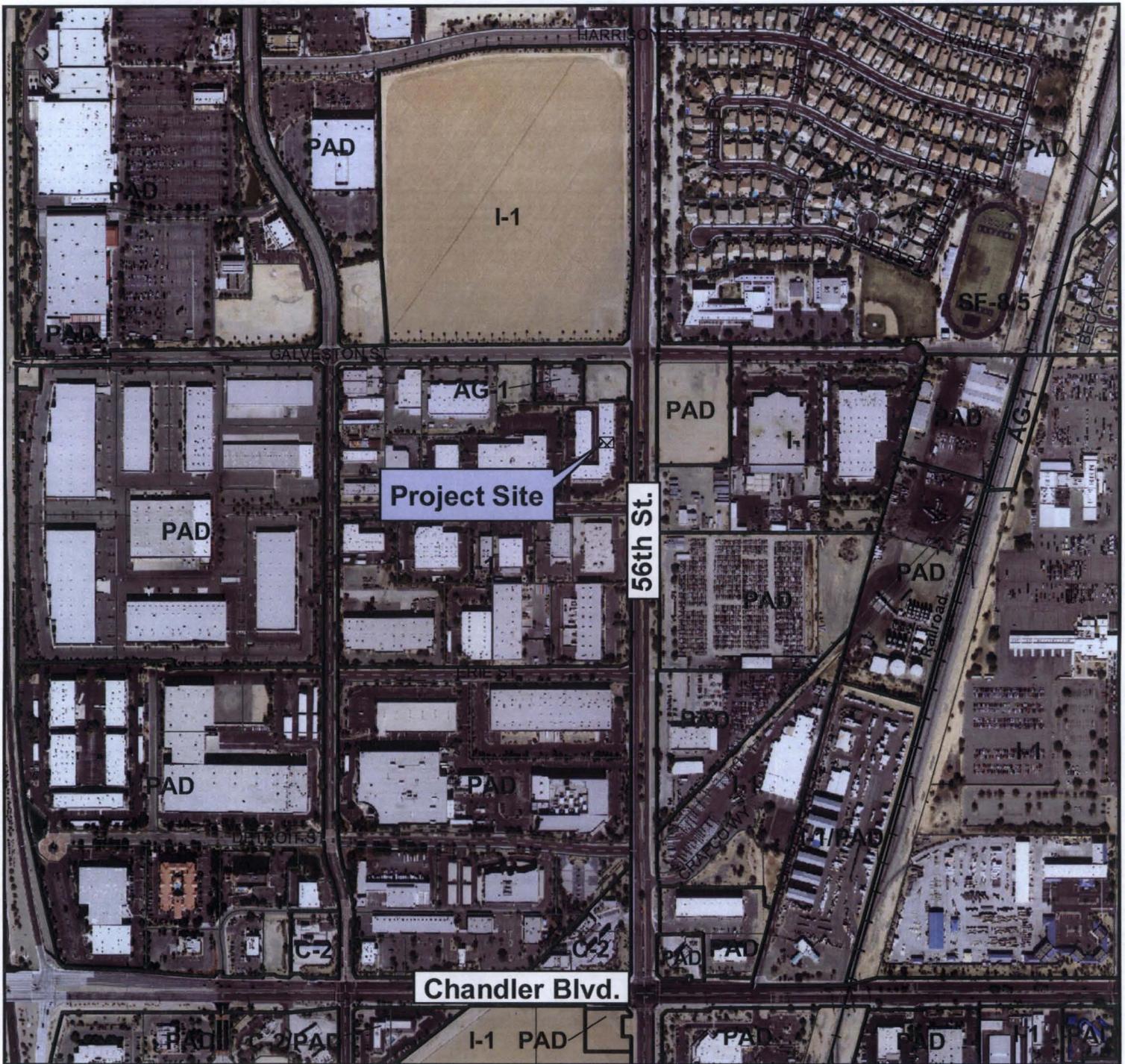
1. Expansion or modification beyond the approved exhibits (site plan, floor plan, narrative, parking plan) shall void the Use Permit and require new Use Permit application and approval.
2. The Use Permit shall remain in effect for one (1) year from the effective date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.
3. The use shall be in substantial conformance with exhibits and representations.
4. The property shall be maintained in a clean and orderly manner.
5. Overnight outdoor storage of vehicles is prohibited.

PROPOSED MOTION

Move to approve Use Permit case ZUP11-0025 APEX TINT LLC, subject to the conditions recommended by Planning Commission and Planning Staff.

Attachments

1. Vicinity Maps
2. Narrative
3. Site Plan
4. Floor Plan
5. Parking Plan



Vicinity Map



ZUP11-0025

Apex Tint LLC

City of Chandler Use Permit Narrative

APEX TINT LLC

Apex Tint LLC submits for approval a use permit from the City of Chandler for use of the property located in Oakland Business Park (500 N 56th St Suite 8, Chandler AZ 85226) for Automotive Window Tinting. The Suite is approximately 1,504 net rentable square feet. The Suite was already built out, as submitted in the Building floor plans, prior to our lease signed on June 10, 2011 and will not require any other major construction. The permitted use specified in our lease agreement is "Solely for automotive window tinting and for no other use."

Oakland Business Park is owned by Presson Advisory LLC (2122 E Highland, Suite 400, Phoenix AZ 85016) and managed by Reliance Management (property manager Jeanne Brazelton).

As submitted in the site pictures, the front lobby area (approximately 273 Sq Ft) is used for customer service purposes including product demonstration displays, checking in customers for automotive tinting services, and customer waiting area. The "shop" or installation area (approximately 715 sq ft.) is used for Automotive Window Tinting installation and is an employee only area. There is an owners' office (approximately 187 sq ft.) and the balance is hallway, small break room, and restroom.

Apex Tint hours of operation are as follows:

Monday	by appointment (usually 8am to 3pm)
Tuesday to Thursday	8am to 5pm
Friday & Saturday	8am to 3pm (on occasion open until 5pm)
Sunday	closed

Apex Tint employees include 2 owners, Ronald Ruddick and Jody Nelson, and 2 installation technician.

As outlined in our lease agreement, Apex Tint uses four parking spaces (one marked as Apex Tint Parking Only). Two spaces are used for employee parking and two for customer parking. Scheduling for our retail tinting services is staggered throughout the day. Typically we have one customer drop off at 8am, this vehicle is parked in one of two customer spaces while we check the customer in, then moved into the shop for installation leaving both customer parking spaces available. The installation process takes approximately 2 hours, so a second vehicle is typically schedule at 10am. The same process as above is applied. We continue throughout the day with a noon time drop off and a 2pm drop off. Scheduling may vary due to customer availability. We will at times have two vehicles dropped off and will leave one in one of two customer parking spaces or have both in the installation bay. This always leaves one customer parking space for non-scheduled customer walk-ins. This occurs usually once daily and results in scheduling an appointment at a future time if we are currently working on an installation. Most customers do not wait on site for their vehicle.

Dealership accounts are the other side of our business. Our second installation technician parks at the automotive dealership and shuttles one vehicle at a time between the dealership and Apex Tint for tinting service. No lot parking is required.

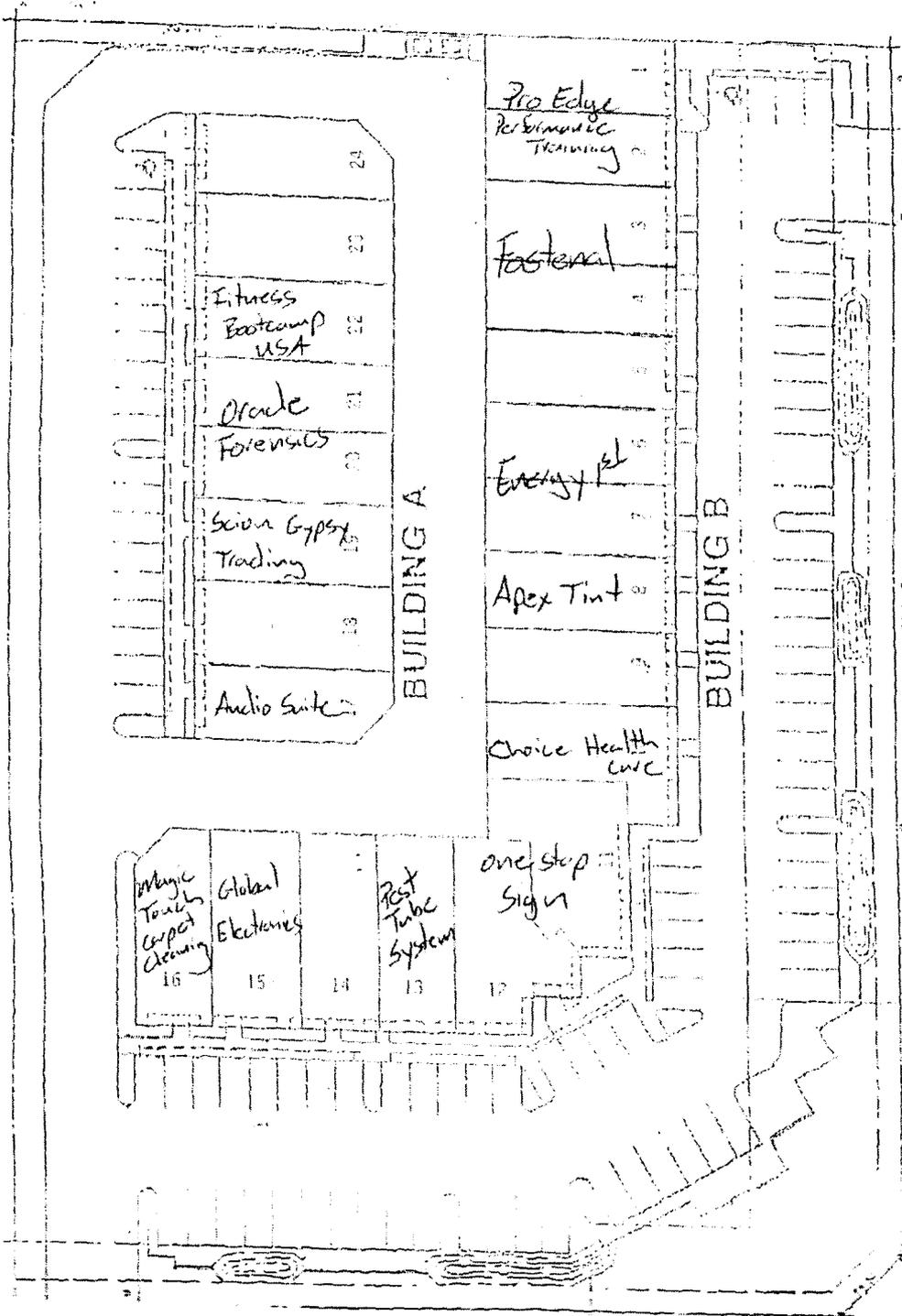
Thank you for your consideration of Apex Tint LLC Use Permit. We are excited to be a part of the City of Chandler Community and are proud members of the Chandler Chamber of Commerce.

Exhibit "B"

ATTACHED TO AND FORMING A PART OF
LEASE AGREEMENT
DATED AS OF JUNE 8, 2011
BETWEEN
PRESSON ADVISORY L.L.C., AN ARIZONA
LIMITED LIABILITY COMPANY, AS LESSOR,
AND

APEX TINT LLC, AN ARIZONA LIMITED LIABILITY COMPANY, AS LESSEE

SITE PLAN OF THE PREMISES

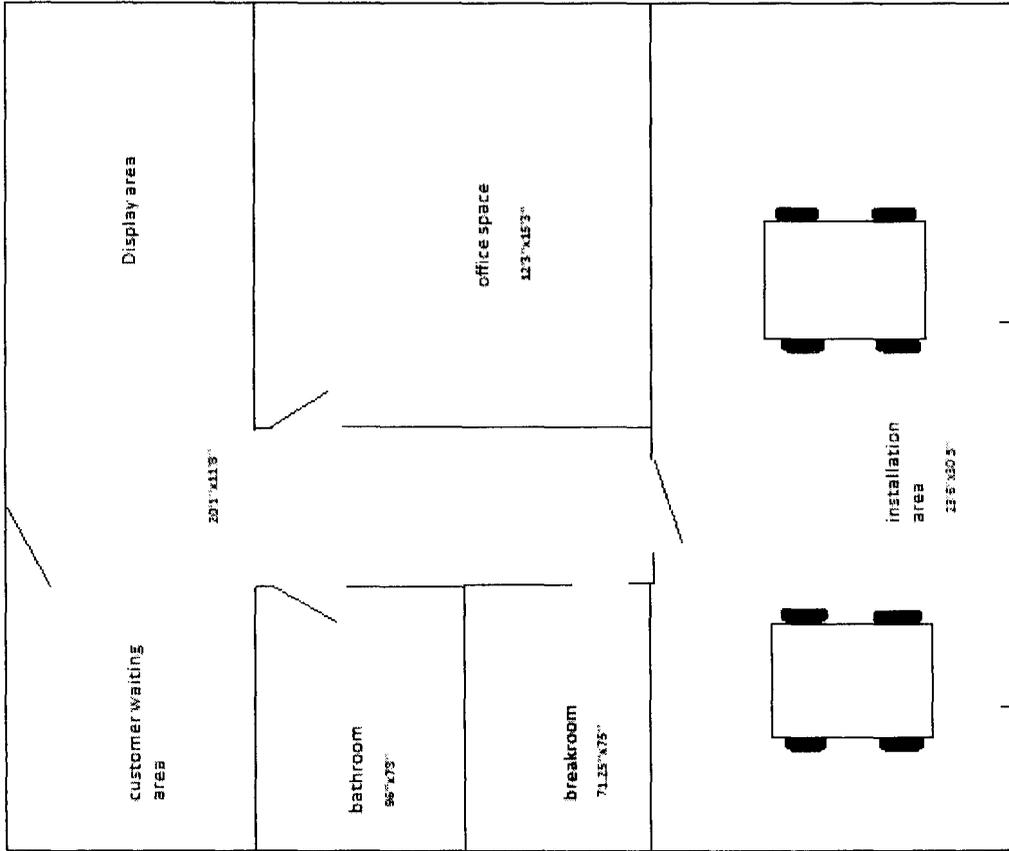


Site Plan

AS OF 11-8-11

Building Floor Plan

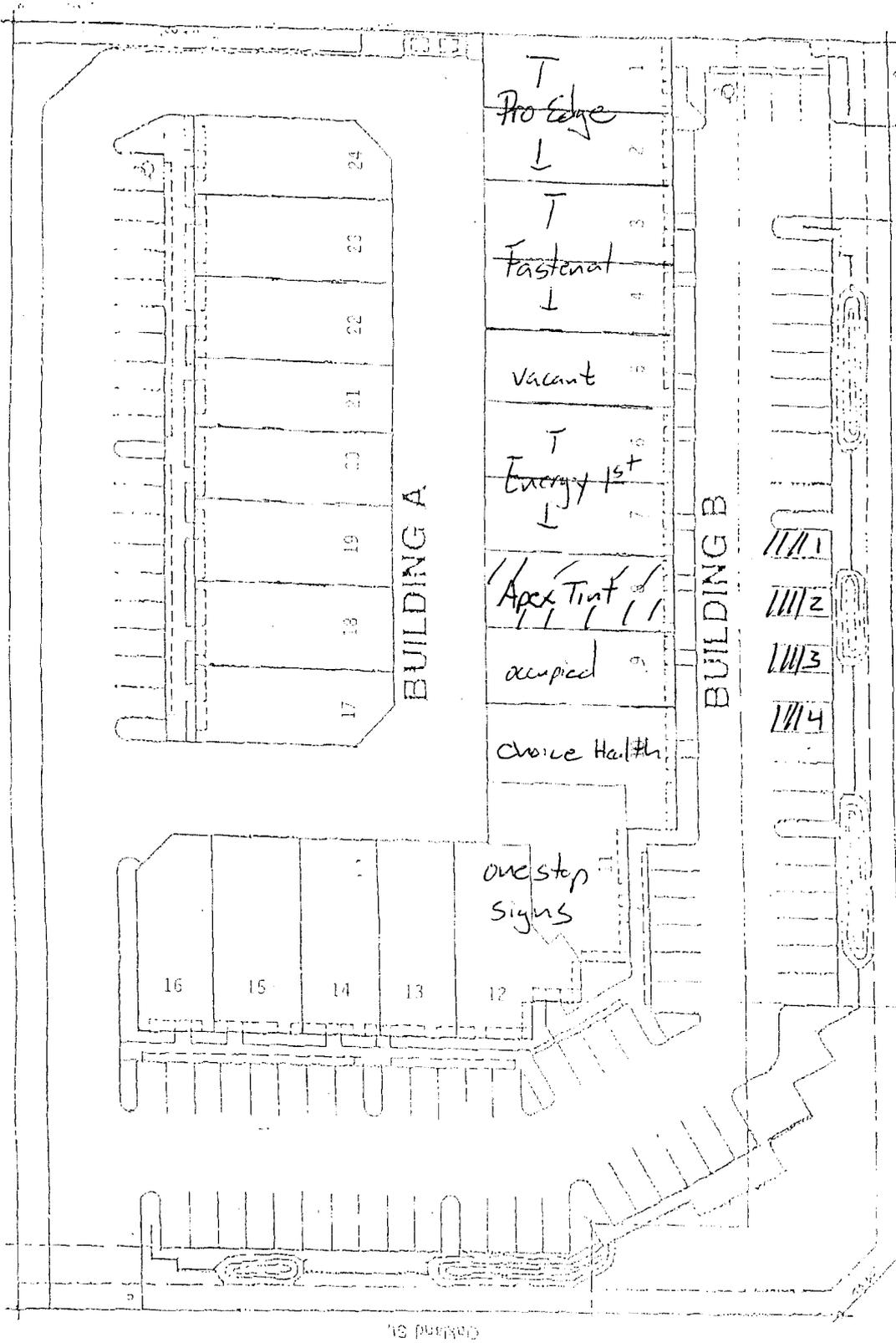
500 n. 56th St # 8 Chandler, AZ



Floor Plan

Parking Analysis
 500 N 56th St Ste
 Chandler AZ 85002

24 Suites
 92 parking spaces
 Avg. 3.83/suite ^{parking}



Parking Plan

