



mesa·az

Planning and Zoning Board

Case Information

CASE NUMBER: Z16-029 (PLN2016-00284)
LOCATION/ADDRESS: 5329 S. Power Road.
GENERAL VICINITY: Located south of Ray Rd. on the east side of Power Rd.
REQUEST: Site Plan Review/ Modification.
PURPOSE: This request will allow for the development of a drive-thru restaurant.

COUNCIL DISTRICT: District 6
OWNER: HZ Props RE, Ltd. – Amin Dhanani
APPLICANT: idstudio4 – Cody Bowman
STAFF PLANNER: Kim Steadman

SITE DATA

PARCEL NUMBER: 304-37-010D
DEVELOPMENT AREA: 1.2 ± acres
EXISTING ZONING: Limited Commercial-Planned Area Development (LC-PAD)
GENERAL PLAN DESIGNATION: Mixed Use Activity District, Community Scale
CURRENT LAND USE: Vacant

ZONING HISTORY/RELATED CASES:

June 16, 2005: Annexed 67± acres into The City of Mesa (A04-04, Ord. #4398)
May 21, 2005: City initiated rezone of 67± acres from Maricopa County Rural-43 PD, C-2 CUPD, C-2 PD, and IND-2 IUPD to R1-43, C-2 and M-1 (Z05-29, Ord. #4400)
June 6, 2005: City initiated rezone of 2.7± acres (parcel 304-37-028) from R1-43 to C-2 (Z05-49, Ord #4407)
June 6, 2005: City initiated rezone of 1.3± acres (parcel 304-37-010) from R1-43 to C-2 (Z05-50, Ord #4408)
August 18, 2008: City Council approval of a rezone from RS-43 to LC and LC PAD and Site Plan Review for the development of a retail center. (Z08-031)
September 18, 2013: Site Plan Modification for a retail center. (Z13-048)

STAFF RECOMMENDATION: Approval with conditions.

PROPOSITION 207 WAIVER SIGNED: ☒ Yes ☐ No

SITE CONTEXT

NORTH: Existing retail development and existing residential structure – zoned LC
EAST: Vacant – zoned LC-PAD
SOUTH: Vacant – zoned LC-PAD
WEST: (across Power Road) Gateway Gilbert Towne Center – zoned City of Gilbert RC

PROJECT DESCRIPTION/REQUEST

The applicant requests Site Plan Modification to allow a restaurant with a drive-thru on a 1.2-acre

site, located at 5329 S. Power Rd., south of Ray Rd. The land is zoned LC-PAD. This proposal will modify one parcel within a three-parcel, undeveloped commercial subdivision. Previously, a multi-tenant building (also with a drive-thru) had been approved for this parcel. The current proposal reduces lot coverage from 6,464 sq. ft. to a 2,844 sq. ft. building, and also proposes an outdoor dining area.

NEIGHBORHOOD PARTICIPATION

The applicant sent mailings to property owners within 1,000 feet of the site, to HOAs within ½ mile, and registered neighborhoods within a mile of the site. The applicant reports that they have not been contacted regarding this proposal. To date, staff has not been contacted with regard to this proposal.

CONFORMANCE WITH THE GENERAL PLAN

Summary: The proposed site plan modification is consistent with the intent of the Mesa 2040 General Plan and will help to develop and maintain a mixed use activity district in this area. The proposed site design is compatible with the proposed site plan for the surrounding Center.

The goal of the Mesa 2040 General Plan is to establish and maintain neighborhoods and to build a sense of place in neighborhoods and in commercial/employment areas of activity. Rather than focusing on individual land uses, the Plan focuses on the “character of development in different areas.” Character types combine concepts of land use with building form and intensity to describe the type of area being created through the development that occurs.

Criteria for review of development

The Zoning Ordinance requires that all site plans be consistent with the adopted General Plan. Determining this consistency requires a review of the proposal against the character area requirements and the other goals and policies of the Plan and any adopted sub-area plans. The following criteria have been developed for use during the review process to determine whether the proposed development is achieving the vision and goals established in this Plan and thus meeting the statute requirements.

1. Is the proposed development consistent with furthering the intent and direction contained in the General Plan?

The General Plan focuses on creating land development patterns that emphasize the character of place and focuses on those principles that build neighborhoods, stabilize the job base, and improve the sense of place.

This proposal is a simple drive-thru restaurant with an outdoor dining area. It modifies the approved plan which had a multi-tenant retail building.

Applicable General Plan goals and policies are to create inter-connected places that build strong neighborhoods. The applicant proposes connecting to the existing shops, to the north, with a temporary drive. This connection will become permanent when the east parcel in this commercial subdivision develops. The approved site design includes this connection.

The previously approved pedestrian paths from Power Road through this site are well-designed and retained with this modification. The orientation of the building, and the shaded outdoor seating enhance the site plan. The proposed use of this property is consistent with the guiding principles of the General Plan.

The Plan also describes 5 fundamentals to be considered with development to help move the City toward the goal of becoming a more complete, recognizable City. The five elements include:

1. High Quality Development
2. Changing Demographics
3. Public Health
4. Urban Design and Place-Making
5. Desert Environment

The Design Review Board discussed the building at their June 14, 2016 work session and made recommendations for improvements. The applicant has revised the building design to address these comments, making for a development of good quality. Also, the modified plan ties in with design elements of the existing approved site plan such as decorative pavement at intersections.

2. Is the proposed development consistent with adopted sub-area or neighborhood plans?

The Gateway Strategic Development Plan covers this area. This site is located in the "Inner Loop District" which comprises the northwest area of the plan, from the airport north to include Elliott Rd. The focus of this area is a mix of uses that are compatible with the airport. Village Centers are recognized as an appropriate component, and they should be designed for pedestrian circulation and transit networks. The pedestrian system of this site complies with the design intent of the Inner Loop District.

3. Is the proposed development consistent with the standards and guidelines established for the applicable character type(s)?

Figure 7-1 of the Mesa 2040 General Plan designates this area as a Mixed Use Activity District character type. The Mixed Use Activity Districts are large-scale (typically over 25 acres) community and regional activity areas characterized by significant retail commercial component including shopping areas such as malls, power centers, or lifestyle centers that are designed and developed to attract customers from a large radius. These districts often include other uses such as office, entertainment and residential. The goal is to help these districts be strong and viable centers of commercial activity that attract people to unique shopping and entertainment experiences.

The character sub-type is Community-Scale Districts, these character types are typically at the intersection of two arterial streets and are typically auto-dominant unless part of a Transit District. As part of redeveloping older community commercial areas, this character type may transition into providing a greater mix of uses including office and residential activities and should take on a more pedestrian-friendly environment. The primary goal of this character type is to provide high quality opportunities for commercial and entertainment activities consistent with the needs of today's consumer.

The proposal for a restaurant with drive-thru is an appropriate use for the character type given its location on Power Road adjacent to other commercial developments. The site plan integrates with the adjacent commercial development, and the building materials and design have been chosen with the intent of blending with that development. This supports the creation of a recognizable community-scaled district.

4. Will the proposed development serve to strengthen the character of the area by:

- **Providing appropriate infill development;**

Not applicable.

- **Removing development that is deteriorated and/or does not contribute to the quality of**

the surrounding area;

Not applicable.

- **Adding to the mix of uses to further enhance the intended character of the area;**

A drive-thru restaurant is a reasonable addition to this community-scaled district.

- **Improving the streetscape and connectivity within the area;**

The pedestrian system through the site, the architecture, outdoor seating and use of landscaping meet this criterion.

- **Meeting or exceeding the development quality of the surrounding area;**

The Design Review Board discussed the building at their June 14, 2016 work session and made recommendations for improvements. The applicant has revised the building design to address these comments, making for a development of good quality. The style and materials of the building were chosen to blend with the adjacent development.

- 5. Does the proposed development provide appropriate transitions between uses? In more urban areas these transitions should generally be accomplished by design elements that allow adjacent buildings to be close to one another. In more suburban locations these transitions should be addressed through separation of uses and/or screening;**

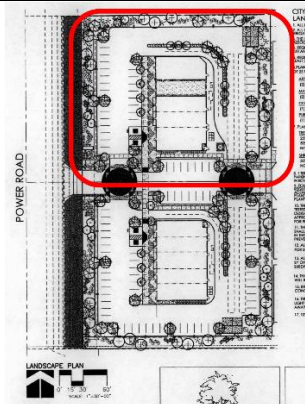
This is being developed as a Mixed Use Activity Area. The site design provides connection to the adjacent uses. The site plan meets the goal of providing appropriate transition between auto and pedestrian activities.

STAFF ANALYSIS

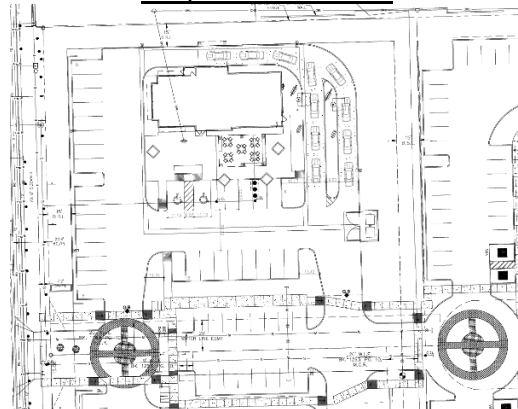
SUMMARY:

This request is to modify a portion of an existing site plan for a commercial subdivision development located south of the southeast corner of Ray Road and Power Road. The site is located one-half mile west of Phoenix-Mesa Gateway Airport and falls within the boundaries of the Mesa Gateway Area Plan – Inner Loop District. The proposed changes to the site plan are consistent with the goals and vision described for the Inner Loop District. The modification deletes a multi-tenant retail building, replacing it with a drive-thru restaurant. The subject pad site is being modified, but still works within the larger (as yet, undeveloped) site plan, tying into proposed drive aisles and integrating into the pedestrian circulation system.

Previously Approved Site Plan (Z13-048)



Proposed Site Plan



The building entrance faces south and provides a covered outdoor dining area. The drive-thru lane wraps around the east and north elevations with the pick-up window facing north.

The site plan meets current code, providing required parking as follows:

Restaurant building:	2,844 square feet (parking @ 100=30)
Additional outdoor seating area:	600 square feet (parking @ 200=3)
Total required:	33 spaces
Total provided:	33 spaces

In addition to meeting parking requirements the design meets setbacks and height restrictions as well. An existing PAD overlay on the commercial subdivision provided relief from height restrictions for a proposed hotel at the rear of the site. The PAD could still be useful when that parcel develops, but the current proposal is not depending on the PAD for relief from standards.

CONCLUSIONS:

Staff is in support of the proposed modification to the approved site plan and recommends approval of Z16-029 with the following:

CONDITIONS OF APPROVAL:

1. Compliance with the basic development as described in the project narrative, and as shown on the site plan submitted, (without guarantee of lot yield, building count, lot coverage).
2. Compliance with all requirements of Design Review approval through DR16-016.
3. Compliance with all City development codes and regulations.
4. The full width of the common driveway that connects the property to Power Road, as shown on the site plan, shall be installed to City Standards with the development of the first building on the property and shall include:
 - a. Extending the driveway from Power Road to the eastern boundary of this property;
 - b. Adding curb and temporary landscaping along the entire southern portion of the common driveway.
5. Compliance with all requirements of case Z13-048, except as modified by this request.
6. Provide alternate paving material in the crosswalk areas between all pedestrian ramps.
7. Noise attenuation measures be incorporated into the design and construction of the buildings to achieve a noise level reduction of 25 db.
8. Recordation of a reciprocal access and driveway maintenance easement with individual owners of each lot.