



Planning and Zoning Board

Staff Report

CASE NUMBER: ZON18-00335
LOCATION/ADDRESS: 6606 East McKellips Road
GENERAL VICINITY: Located west of Power on the north side of McKellips Road
REQUEST: Rezoning (removal of condition of approval); and Site Plan Modification
PURPOSE: This request will remove condition #10 from the original zoning approval to allow restaurant uses; and modification of the approved site plan to add a drive-thru.

COUNCIL DISTRICT: District 5
OWNER: Travis Hackett, Rielly Red Mountain LLC
APPLICANT: Alfred Patterson, Bar Napkin Productions
STAFF PLANNER: Ryan McCann, Planner I

SITE DATA

PARCEL NO.: 141-71-167
PARCEL SIZE: 1+/- acres
EXISTING ZONING: Limited Commercial (LC)
GENERAL PLAN CHARACTER: Neighborhood: Suburban
CURRENT LAND USE: Existing commercial

SITE CONTEXT

NORTH: Existing commercial, Zoned LC
EAST: Existing commercial, Zoned LC
SOUTH: Existing single family residential, Zoned RS-9
WEST: Existing single family residential (across McKellips Road), Zoned RS-9

HISTORY/RELATED CASES

September 22, 1986: Established City zoning (R1-10 and C-2-SU to C-2) for development of neighborhood retail center (Z86-089; Ord. No. 2121)
October 21, 1991: Approved extension and deletion of time limit condition for the development of a shopping center (Z91-035; Ord. No. 2639)

STAFF RECOMMENDATION: Approval with conditions

P&Z BOARD RECOMMENDATION: ☐ Approval with conditions. ☐ Denial

PROPOSITION 207 WAIVER SIGNED: ☒ Yes ☐ No

PROJECT DESCRIPTION / REQUEST

This is a requested rezoning to remove a condition of approval from Ordinance #2639 and Site Plan Modification to allow for the construction of a drive-thru for an existing multi-tenant building. The requested modification is to allow restaurant uses on pad building 6 by removing a previous condition of approval from Ord. No. 2639, condition 10, "Pad building #6 shall not be used for restaurant usage." The site is located west of Power Road and north of McKellips Road within the Red Mountain Plaza commercial center.

NEIGHBORHOOD PARTICIPATION:

The applicant has completed a Citizen Participation Process, which included a mailed letter to property owners within 1,000-feet of the site, as well as HOAs within one-half mile and registered neighborhoods within one mile inviting them to a neighborhood meeting. At the time that this report was written staff had not been contacted by any residents or property owners in the area. The applicant will be providing an updated Citizen Participation Report prior to the July 17, 2018 Study Session. An update will be provided by staff at that Planning and Zoning Board Study Session.

STAFF ANALYSIS

MESA 2040 GENERAL PLAN:

Staff has reviewed the proposal and found that it is consistent with the criteria for review as outlined in Chapter 15 (pg. 15-1) of the Mesa 2040 General Plan and has determined that the proposed use is in conformance with the General Plan.

The Mesa 2040 General Plan Character area designation is Neighborhood: Suburban. The primary focus of the neighborhoods character type is to provide safe places for people to live where they can feel secure and enjoy their surrounding community. The proposed project is consistent with the General Plan by providing a drive-thru facility to serve the immediate neighborhood and surrounding community.

ZONING:

The property is currently zoned LC. The proposed drive-thru and restaurant are permitted uses within the LC District. The previous zoning case (Z91-035) has a condition of approval that "Pad building #6 shall not be used for restaurant usage". This condition of approval was carried over from the original zoning case for the center (Z86-089). The original condition of approval was put in place to further discourage traffic on Delmon. Three adjacent property owners had concerns with the original project (Z86-089); the access on Delmon Drive, the increased traffic to the neighborhood and the preference for single-residence homes. The residential to the west along Delmon Drive was existing prior to the development of the center. Both approved site plans (Z86-089 & Z91-035) show access from the center to Delmon Drive. Similar situations have been supported in the past in locations such as this where there is a large commercial center on an arterial corner with multiple points of access. Restaurant usage has occurred on pad 6 for many years without complaint from surrounding neighbors. Removal of this condition of approval will allow continued restaurant usage on pad 6. Staff is supportive of this request.

SITE PLAN - MZO Section 11-69-5:

The proposal is for a drive-thru addition to an existing multi-tenant building. The drive-thru will wrap around the west and south side of the existing building. The drive-thru meets the minimum required stacking distances as well as the required foundation base set forth in the review criteria of MZO Section

11-31-18 of the Zoning Ordinance for drive-thru facilities. Additional landscaping is proposed to assist in screening the drive-thru from adjacent residential development to the west. The outdoor seating area at the southeast corner of the building will be removed as part of this project. Access to the drive-thru will be from the north side of the property.

CONCLUSION:

The proposed project complies with the General Plan and meets the review criteria for Site Plan Review from MZO, Chapter 69 Section 11-69-5, for a drive-thru facility. Staff recommends approval with the following conditions:

CONDITIONS OF APPROVAL:

1. Compliance with the basic development as described in the project narrative, the site plan, landscape plan, and preliminary elevations.
2. Compliance with all requirements of Ordinance #2639 (Z91-035), with the removal of stipulation #10: Pad building #6 shall not be used for restaurant usage.
3. Compliance with all City development codes and regulations.
4. Compliance with all requirements of Design Review approval.