



## Planning and Zoning Board

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### *Staff Report*

**CASE NUMBER:** ZON18-00580  
**LOCATION/ADDRESS:** Within the 5100 block of East McKellips Road (south side)  
**GENERAL VICINITY:** Located west of Higley Road on the south side of McKellips Road  
**REQUEST:** Site Plan Review  
**PURPOSE:** This request will allow for the development of a restaurant with a drive-thru.  
**COUNCIL DISTRICT:** District 5  
**OWNER:** Montanile Properties-McKellips LLC  
**APPLICANT:** Yash Chaudhry, Arcore Group Inc.  
**STAFF PLANNER:** Ryan McCann, Planner I

#### **SITE DATA**

**PARCEL NO.:** 141-35-016G  
**PARCEL SIZE:** 1± acres  
**EXISTING ZONING:** LI  
**GENERAL PLAN CHARACTER:** Employment  
**CURRENT LAND USE:** Vacant

#### **SITE CONTEXT**

**NORTH:** (Across McKellips Road) Vacant, zoned RS-43  
**EAST:** Existing commercial, zoned LI  
**SOUTH:** Existing industrial, zoned LI  
**WEST:** Existing commercial, zoned LI

#### **HISTORY/RELATED CASES**

**August 1979:** Annexed to City (Ord. No. 1250)  
**March 18, 1982** Rezone from AG to M-1 (Z82-009)  
**May 4, 1985:** Conceptual approval of a mixed use development master plan. The site conceptually approved 'M-1' for an industrial park (Z85-049).  
**November 3, 1986:** Approval of hard zoning. This site approved 'M-1' for an industrial park (Z86-104).

**STAFF RECOMMENDATION:** Approval with conditions

### **PROJECT DESCRIPTION / REQUEST**

This is a request for Site Plan Review to allow the development of a restaurant with a drive-thru. The site will include a proposed 319 square foot restaurant building with a drive-thru. The site is located west of Higley Road on the south side of McKellips Road.

### **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 ½ mile and registered neighborhoods within one mile. The applicant held two neighborhood meetings, on October 3<sup>rd</sup> and October 5<sup>th</sup> at Venezia's Pizza, which is located within 100 feet of the site. According to information provided by the applicant, there were no neighbors present. At the time that this report was written staff had not been contacted by any residents or property owners in the area.

### **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 Employment. Within the industrial character type typical uses include supporting retail and office uses. The proposed use will provide an additional buffer to the residential zoning across McKellips Road. The existing LI zoning is appropriate in an Employment District, and a restaurant with a drive-thru is a use by right in the LI district.

#### **ZONING:**

The proposed restaurant with a drive-thru is a permitted use within the LI District. The site is surrounded by LI zoning to the south, east and west, with RS-43 zoning to the north, across McKellips Road.

#### **SITE PLAN - MZO Section 11-69-5:**

The proposal is for a new restaurant with a drive-thru. The proposal will include two drive-thrus that will wrap around the east and west sides of the proposed building. The business model for the proposed user does not use a speaker-box for ordering, customers place their orders at the pick-up window. The drive-thru on the east side of the building 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. The drive-thru on the west meets the foundation base requirements, however does not meet the stacking distance required. The applicant is requesting consideration of a 20-foot deviation to that distance for that one lane, in accordance with MZO Section 11-31-18.E, which states:

*"Unless otherwise approved by site plan review, provide at least 100-foot long stacking distance between pick-up window and order-placing speaker, with at least 40-foot long stacking distance between order-placing speaker and entry to the drive-thru lane. Distance measured at centerline of drive-thru lane."*

Staff's primary concern regarding the west drive-thru not meeting the 140-foot stacking distance between the drive-thru entry and the pick-up window is that at busy times the queuing for the drive-thru may backup into the north drive aisle, which is very close to the entrance off of McKellips Road. The

applicant feels the reduced stacking distance is justified based on the fact that they have two drive-thrus, which will reduce the demand by spreading the traffic into two lanes. Staff would agree, except that the drive-thru entrances are located opposite of one another and a customer would not be able to easily determine which lane to utilize based on the number of cars ahead of them. Additionally, the entrance to the shorter lane is along McKellips Road, which will likely be the first lane a customer sees. This concern could be alleviated with a stipulation restricting a speaker box for the west drive-thru lane which can cause additional backup. The applicant is not proposing a speaker box at this time and staff has created a condition of approval to restrict the ability to add a speaker box in this location in the future (see condition #5).

In addition, the applicant is proposing to exceed the required parking by more than 125%. Per MZO section 11-32-3.C.5, this requires approval of an Administrative Use Permit (see condition #4). Seven (7) parking spaces are required per the ordinance and the applicant is providing twenty three (23) parking spaces. The excess parking is proposed to alleviate parking demand issues on the site from the adjacent existing restaurant to the west. Staff is supportive of the requested increased parking.

**CONCLUSION:**

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

**CONDITIONS OF APPROVAL:**

1. Compliance with the basic development as shown on the site plan, landscape plan, and preliminary elevations, except as modified below.
2. Compliance with all City development codes and regulations.
3. Compliance with all requirements of Design Review.
4. Obtain approval of an Administrative Use Permit to exceed the maximum number of allowed parking spaces by more than 125% or reduce the number of parking spaces to comply with MZO section 11-32-3.C.
5. A speaker box is only permitted along the west drive-thru lane if the queuing distance between the drive-thru entry and the pick-up window complies with MZO section 11-31-18.