



PLANNING DIVISION
STAFF REPORT

Planning and Zoning Board

May 13, 2020

CASE No.: ZON20-00086	PROJECT NAME: Burger King
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Owner's Name:	Pine Haven Investments, LLC
Applicant's Name:	Randolph Carter, Sketch Architecture Company
Location of Request:	Within the 4400 block of East Broadway Road (south side) and within the 400 block of South Greenfield Road (east side). Located on the southeast corner of Broadway Road and Greenfield Road.
Request:	Site Plan Review. This request will allow for the development of a restaurant with a drive-thru.
Existing Zoning District:	Limited Commercial (LC)
Council District:	2
Site Size:	1 ± acres
Proposed Use(s):	Restaurant with Drive-Thru
Existing Use(s):	Commercial
Hearing Date(s):	May 13, 2020 / 4:00 p.m.
Staff Planner:	Kellie Rorex
Staff Recommendation:	APPROVAL with Conditions

HISTORY

On May 19, 1973, the City Council annexed approximately 4,120 ± acres, including the subject site, into the City of Mesa with a comparable zoning designation of Limited Commercial (LC) (Ord. #812).

PROJECT DESCRIPTION

Background:

The subject request is to allow the development of a 3,430± square foot (SF) restaurant with double drive thru lanes on a 1± acre parcel. The site is located at the southeast corner of Broadway Road and Greenfield Road. Currently, there is an existing building on the site that will be demolished. The

existing parking and landscaping will also be removed and redeveloped to accommodate the proposed use. From the submitted site plan, the drive-thru lanes will begin on the south side of the building and wrap around to the pick-up window located on the east side of the building.

General Plan Character Area Designation and Goals:

Per the City of Mesa 2040 General Plan, the site is designated as a Neighborhood character type with a Suburban sub-type. Per chapter 7 of the Plan, the primary focus of the Neighborhood Character Area is to provide safe places for people to live where they can feel secure and enjoy their surrounding community. Commercial areas along the border of a neighborhood are considered part of this character type. Per the General Plan, non-residential areas within neighborhoods should be designed and located to bring people together to not disrupt the fabric and functioning of the neighborhood as a place where people live. Neighborhoods are also designed to provide opportunities for people to gain a sense of place and feel connected to the larger community.

Chapter 4 of the Mesa 2040 General Plan includes key elements of building strong neighborhoods. One of these key elements is connectivity and walkability to and from the site. The General Plan lists several ways pedestrian connectivity and walkability can be improved in neighborhoods, one of which is providing trees and shade along streets and pedestrian walkways. The proposed restaurant with a drive thru conforms to the goals of the General Plan Character Area designation. The restaurant use will contribute to the character area by providing a service for both nearby neighbors and office employees to eat without having to drive out of the neighborhood. The installation of two (2) new pedestrian paths, one from Greenfield Road and one from Broadway Road, leading to the proposed restaurant will advance the goals of the General Plan and contribute to a safer and more comfortable environment for pedestrians.

Zoning District Designations:

The subject property is zoned Limited Commercial (LC). Per section 11-6-2 of the Mesa Zoning Ordinance (MZO), the proposed restaurant with a drive thru is a permitted use in the LC zoning district.

Site Plan and General Site Development Standards:

The site is currently developed; however, the existing building, landscape, and parking area will be removed to clear the site for the proposed 3,430 square foot drive-thru restaurant. The submitted site plan shows access to the site will be from both Greenfield Road and Broadway Road. The site plan also shows a third entry to the site from a cross access drive with the neighboring office complex to the east. According to the information shown on the site plan, the proposed building will be located at the southeast corner of the lot. The site plan also shows construction of a double drive through on the south side of the building that will wrap around the eastern side of building with a pick-up window also on the eastern section.

Per section 11-32-3 of the MZO, the total number of parking spaces required for the use is 32 spaces. The site plan shows 32 spaces to be provided, which conforms to the required number of parking spaces. Per the site plan, the parking area will be located to the west and north of the proposed building. Additionally, there will be bike racks provided on the site and located near the

building. The site plan also shows construction of two pedestrian walkways on the site; specifically, one from Greenfield Road to the front entrance of the building and the other from Broadway Road. The site also shows the location of the required refuse enclosure. This enclosure will be located along the northern property boundary and will be screened with landscaping. There is also an existing bus shelter on the northern section that will further screen the trash enclosure from public view.

Restaurants with a drive-thru in the LC district are allowed but must comply with the additional standards established in Section 11-31-18 of the MZO. Per these standards the site must meet specific queuing and drive-thru lane separation distances, as well as provide architectural integration of the pick-up window with the restaurant. The proposed site plan complies with these standards.

Overall, the proposed site plan conforms to the review criteria for Site Plan Review outlined in Section 11-69-5 of the MZO as well as the standards outlined in MZO Section 11-31-18 for Drive-thru Facilities.

Design Review:

On April 14, 2020, the Design Review Board reviewed the proposed elevations and landscape plan for the development and recommended minor revisions, such as making changes to the proposed landscape pallet to provide more hearty and long term plant types. The applicant is working with staff to incorporate the suggested changes by the Design Review Board.

Surrounding Zoning Designations and Existing Use Activity:

Northwest (Across Broadway Road and Greenfield Road) LC Existing Convenience Store with Fuel Canopy	North (Across Broadway Road) RM-4 Existing Residential RV Subdivision	Northeast (Across Broadway Road) RM-4 Existing Residential RV Subdivision
West (Across Greenfield Road) LC Existing Bank	Subject Property LC Existing Commercial to be removed for the proposed development	East LC Existing Offices
Southwest LC Existing Offices	South RM-2 PAD Existing Residential	Southeast RM-2 PAD Existing Residential

Compatibility with Surrounding Land Uses:

The subject property is located at an arterial intersection. There are existing commercial uses across Greenfield Road to the west and existing office uses to the east. Across Broadway to the north, there is an existing residential Recreational Vehicle (RV) subdivision. There is also an existing residential neighborhood located to the south of the site. From the proposed site plan and discussions with the applicant, improvement on the site will include installation of additional landscaping on the southern perimeter of the site to provide a buffer to the adjacent residential homes to the south of the site. Overall, the proposed use is allowed in the

LC zoning district and additional landscaping and site design will ensure the proposed use is compatible with the surrounding area and uses.

Neighborhood Participation Plan and Public Comments

As part of the completed Citizen Participation Process, the applicant mailed notice letters to property owners within 1,000-feet of the site, Homeowner Associations (HOAs) within ½ mile of the site, and registered neighborhoods within one (1) mile of the site. The applicant will be providing an updated Citizen Participation Report to staff prior to the May 13, 2020 Study Session. Staff will provide the Board with any new information during the scheduled Study Session.

As of writing this staff report, the Planning Department has had significant neighborhood opposition to the project. However, due to the COVID-19 suggestions by the CDC for the public to practice social distancing, the applicant did not hold a neighborhood public meeting. Instead, the applicant mailed letters and responded to concerns over phone and email. The surrounding neighbors have also created a petition response to oppose the project and submitted those responses in opposition to the Planning department (see Exhibit 4.1). The following are the summary of the main concerns expressed by the neighborhood:

- Increase in traffic volume and noise at the intersection of Broadway and Greenfield Road.
- Pedestrian safety at the entrances on Greenfield Road and Broadway Road from the increase in traffic to and from the site. Also, safety concerns that a stopped bus would block visibility of pedestrians walking across the northern access drive for cars turning right into the site from Broadway.
- Circulation on site and the existing shared access drive with the property to the east. Specifically, congestion from people turning right into the site from Broadway Road and people entering from the office complex to the east.
- Homelessness and crime due to the use. Neighbors believe the use will bring in homelessness and crime into the area.
- Air pollution and trash generated from the proposed use.
- Home values impacted by the proposed use.

Per Section 11-6-2 of the MZO, the proposed restaurant with drive-thru use is an allowed use in the LC district. The proposed request is for a site plan to authorize design of the site. As shown on the site plan, the request is to use existing access already on the site. The site plan also shows installation of new pedestrian walkways to improve pedestrian access to the site. There will also be installation of a new sign to direct vehicular traffic from entering the driveway from the wrong side. Overall, the proposed design of the site conforms to the City's development standards, including the city's design guidelines to provide quality development on the site.

Staff Recommendations:

The subject request is consistent with the General Plan and meets the review criteria for Site Plan Review outlined in Section 11-69-5 of the MZO. The request also meets the criteria for a

Drive Thru Facility outlined in Section 11-31-18 and, therefore, staff recommends approval with the following conditions:

Conditions of Approval for ZON20-00086:

1. Compliance with final site plan submitted.
2. Compliance with all requirements of Design Review.
3. Compliance with all City development codes and regulations.

Exhibits:

Exhibit 1-Staff Report

Exhibit 2-Vicinity Map

Exhibit 3- Application Information

- 3.1 Project Narrative
- 3.2 Site Plan
- 3.3 Landscape Plan
- 3.4 Elevations

Exhibit 4- Citizen Participation Report

4.1 Petition of Opposition