



PLANNING DIVISION  
STAFF REPORT

Planning and Zoning Board

November 13, 2024

CASE No.: ZON24-00745

PROJECT NAME: Black Rock Coffee Bar

Owner's Name:	Red Mountain Asset Fund I, LLC
Applicant's Name:	Catherine Atchley, Atwell LLC
Location of Request:	1050 South Country Club Drive, approximately 850 feet north of the northwest corner of West Southern Avenue and South Country Club Drive.
Parcel No(s):	134-17-022G
Request:	Major Site Plan Modification to allow for a Limited Service Restaurant with drive-thru facility.
Existing Zoning District:	Limited Commercial (LC) District
Council District:	4
Site Size:	0.7± acres
Proposed Use(s):	Limited service restaurant and drive-thru facility
Existing Use(s):	Vacant
Hearing Date(s):	November 13, 2024 / 4:00 p.m.
Staff Planner:	Tulili Tuiteleleapaga-Howard, Planner I
Staff Recommendation:	APPROVAL with Conditions

**HISTORY**

On **August 17, 1970**, the City Council annexed approximately 675± acres, including the project site, into the City of Mesa (Ordinance No. 675).

On **January 6, 1975**, the City Council approved a site plan for the development of phase I, approximately 10± acre, of a group commercial center which included the project site (Ordinance No. 910, Case No. Z74-083).

On **March 20, 1978**, the City Council approved a site plan modification for the overall group commercial center (Case No. SPM78-001).

On **April 11, 2006**, the Zoning Administrator approved a Substantial Conformance Incentive Permit to allow for the redevelopment of a restaurant with a drive-thru on the project site (Case No. ZA06-037).

On **February 28, 2022**, the City Council approved a Site Plan for the redevelopment of a restaurant with an associated drive-thru on the project site (Case No. ZON21-01090; Resolution No. 11798).

## **PROJECT DESCRIPTION**

### **Background:**

The applicant is requesting a Major Site Plan Modification to allow for the development of a Limited-Service Restaurant with a drive-thru facility. The subject site is a 0.7± acre pad site located within a group commercial center west of Country Club Drive and north of Southern Avenue.

In 2022, site plan approval was granted by the City Council for the redevelopment of a restaurant with an associated drive-thru following the demolition of a previously standing Sizzlers Restaurant that burned down in 2020. An Eegee's restaurant and drive-thru was approved in its place, and since then, a new tenant has requested a major modification to the originally approved site plan (ZON21-01090). Per Section 11-69-7 of the Mesa Zoning Ordinance (MZO), a change in total building footprint greater than 10% is considered a major modification and requires review by the Planning and Zoning Board and approval from City Council.

### **General Plan Character Area Designation and Goals:**

The Mesa 2040 General Plan Character area designation on the property is Mixed Use Activity with a Community Sub-Type along a Transit Corridor. Per Chapter 7 of the General Plan, the primary focus of the Mixed Use Activity District character area designation is a largescale (typically over 25 acres) community and regional activity area that usually has a 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. The primary focus of Transit Corridors applies to development of the corridors between stations and stops and will be less intense, but still evolve into a more urban pattern with buildings brought close to the front property lines and parking behind or beside buildings. Restaurants are a primary land use in both Mixed Use Activity -Community subtype and Transit Corridors.

The proposed development for a limited service restaurant and drive-thru facility conform with the intent of the General Plan and fits in with the surrounding uses.

### **Zoning District Designations:**

The subject property is zoned Limited Commercial (LC). The purpose of the LC zoning district is to provide areas for indoor retail, entertainment and service-oriented businesses that serve the surrounding residential trade area. Per Section 11-6-2 of the City of Mesa Zoning Ordinance (MZO), a restaurant with a drive-thru is an allowed use in the LC zoning district.

**Surrounding Zoning Designations and Existing Use Activity:**

<b>Northwest</b> LC Retail	<b>North</b> LC Restaurant with drive-thru	<b>Northeast</b> (Across Country Club Drive) GC Auto Dealership
<b>West</b> LC Retail	<b>Subject Property</b> LC Commercial	<b>East</b> (Across Country Club Drive) GC Commercial
<b>Southwest</b> LC Retail	<b>South</b> LC Restaurant with drive-thru	<b>Southeast</b> (Across Country Club Drive) GC Auto Dealership

**Compatibility with Surrounding Land Uses:**

The properties to the north, west, and south of the subject site are part of the larger group commercial development while the properties to the east across Country Club Drive are a mix of commercial and auto uses. The proposed restaurant with a drive-thru use will be compatible with the surrounding area.

**Site Plan and General Site Development Standards:**

The proposed site plan shows the development of a 620 square foot restaurant with a 1,200 square foot outdoor eating area, and a drive-thru on a 0.7± acre lot. According to the information shown on the site plan, the restaurant will be located in the general vicinity of the former building. Access to the site will be provided from Country Club Drive via a shared access and cross-access circulation within the existing group commercial center. The proposed drive-thru will start on the west side of the building and curve around the south side of the building.

Per Section 11-32-3 of the MZO, the total number of parking spaces required for the use is 12 spaces. The site plan shows 28 parking spaces located along the north and east sides of the building. Per Section 11-32-3-C.5 of the MZO, the number of parking spaces provided by any development shall not exceed 125%. An Administrative Use Permit is required to provide more surface parking than the maximum standard. The site plan also shows pedestrian connectivity from the site to Country Club Drive.

This request is consistent with the development standards for Drive-Thru Facilities set forth in Section 11-31-18 of the MZO and the review criteria for Site Plan Review outlined in Section 11-69-5 of the MZO.

**Board of Adjustment:**

There are several nonconforming conditions on the site pertaining to setbacks, landscape yards, and parking area design. In order to redevelop the site without having to bring the entire site into full conformance, the applicant requested approval of a Substantial Conformance Improvement Permit (SCIP). The City’s Board of Adjustment will review the requested SCIP at their November 6, 2024 hearing.

**Design Review:**

The City’s Design Review Board will review the proposed elevations and landscape plan on November 12, 2024. Staff will work with the applicant to incorporate any recommendations from the Board.

**Neighborhood Participation Plan and Public Comments:**

The applicant completed a Citizen Participation Process, which included mailing letters to property owners within 500 feet of the site, as well as HOAs within ½ mile, and registered neighborhoods within one mile of the site, inviting them to provide comments on the proposed project.

As of the writing of this report, neither the applicant nor staff has received any comments/concerns from surrounding property owners. Staff will provide the Board with any new information during the scheduled Study Session on November 13, 2024.

**Staff Recommendations:**

Based on the application received and preceding analysis, staff finds that the requested Major Site Plan Modification is consistent with the Mesa 2040 General Plan and meets the review criteria for Site Plan Review outlined in Section 11-69-5 of the MZO.

Staff recommends approval with the following **Conditions of Approval:**

1. Compliance with the final site plan submitted.
2. Compliance with all requirements of Design Review case DRB24-00746.
3. Approval of a Substantial Conformance Improvement Permit and compliance with all requirements of Board of Adjustment case BOA24-00747.
4. Prior to application for any building permit, apply for and receive approval for an Administrative Use Permit to allow the number of parking spaces to exceed 125% of the maximum required parking spaces or reduce the parking to comply with the Zoning Ordinance.
5. Compliance with all City development codes and regulations.

**Exhibits:**

- Exhibit 1 – Staff Report
- Exhibit 2 – Vicinity Map
- Exhibit 3 – Project Narrative
- Exhibit 4 – Site Plan
- Exhibit 5 – Landscape Plan
- Exhibit 6 – Grading and Drainage Plan
- Exhibit 7 – Elevations
- Exhibit 8 – Citizen Participation Plan
- Exhibit 9 – Citizen Participation Report