

# ZON21-00278 Power Road Food Truck Development

# Request

- 6.13± acres
- Rezone from Office Commercial (OC) and Residential (RS-35) to Neighborhood Commercial (NC-PAD)

# Purpose

 Allow for a development that includes food trucks



# Background

# History of Approvals

## July 9, 2007

• City Council rezoned the property from RS-35 to Office Commercial (OC) to allow development of office buildings on the property

#### **December 16, 2015**

- Applicant requested to rezone the property from OC to Infill District-1 (ID-1) to allow self-storage facility
  - Planning and Zoning Board tabled the request to a future hearing date
  - No further action was taken

# July 18, 2018

- Applicant requested to rezone the property from OC to ID-1 to allow selfstorage facility
  - Planning and Zoning Board tabled the request to a future hearing date
  - No further action was taken

# **Background Information**

### May-2019

- Staff discussed with Applicant's representative food truck (i.e., food concessions and vending) uses on the property
- Staff informed representative that food trucks fall under "Limited Restaurant uses"

#### December 10, 2019

Representative submitted a site plan to DSD for a building permit

## May 24, 2019

Representative emailed staff a site plan for a park

# Background Information Cont.

#### December 2020

Staff was informed about a planned food truck event on the property

#### December 8, 2020

- Staff met with applicants and their representative on-site
- Discussed use of the property
- Observed most of the items shown on the site plan had not been constructed
- Applicant informed staff they would work with staff to follow all city requirements

#### December 2020 - October 2021

Continuous complaints from neighboring property owners of unapproved use

# Background Information Cont.

#### May 11, 2021

DSD requested ZA interpretation

#### May 24, 2021

• Representative for owner of 6822 E Halifax Drive requested ZA interpretation

#### June 16, 2021

ZA issued formal interpretation

#### July 1, 2021

• Appellant's attorney appealed the ZA interpretation

#### October 13, 2021

 Board of Adjustment upheld the ZA interpretation that use of the property primarily for food trucks does not conform to the City's definition of Public Park and Recreation Facilities

# Background Information - Rezoning

#### March 3, 2021

Representative submitted building permits for construction of the perimeter wall

### May 30, 2021

 Applicant submitted application to rezone property from OC and RS-35 to NC to allow food trucks on the property

#### October 27, 2021

 The P&Z reviewed the rezoning request and recommended approval with a vote of 4-3

# Background Information - Follow Up Meetings after P&Z

#### December 6, 2021

 Staff met with neighbors to discuss the City's adopted current requirements for food trucks and requirements to allow development of such uses on the property

#### **December 14, 2021**

• Staff met with neighbors to discuss their recommended mitigation measures to incorporate in the DA

Staff is continuing to respond to residents' inquiries of the status of the project, and the development agreement which is being negotiated with the property owner.

# Zoning Request & Development Agreement

# Zoning (Proposed)

Neighborhood Commercial with a Planned Area Development Overlay (NC)

- Locally oriented retail and services
- Commercial uses such as:
  - Retail stores
  - Restaurants including limited-service restaurants
  - Gas stations
  - Convenience stores





# General Plan

Neighborhood - Suburban

- Goals:
  - Provide safe places for people people to live
  - Enjoy their surrounding community
- Uses
  - Primarily single residence
  - Allow non-residential uses along arterial frontages
  - Include schools, parks, places of worship and local servicing businesses

# Landscape Plan



**KEYNOTES** 

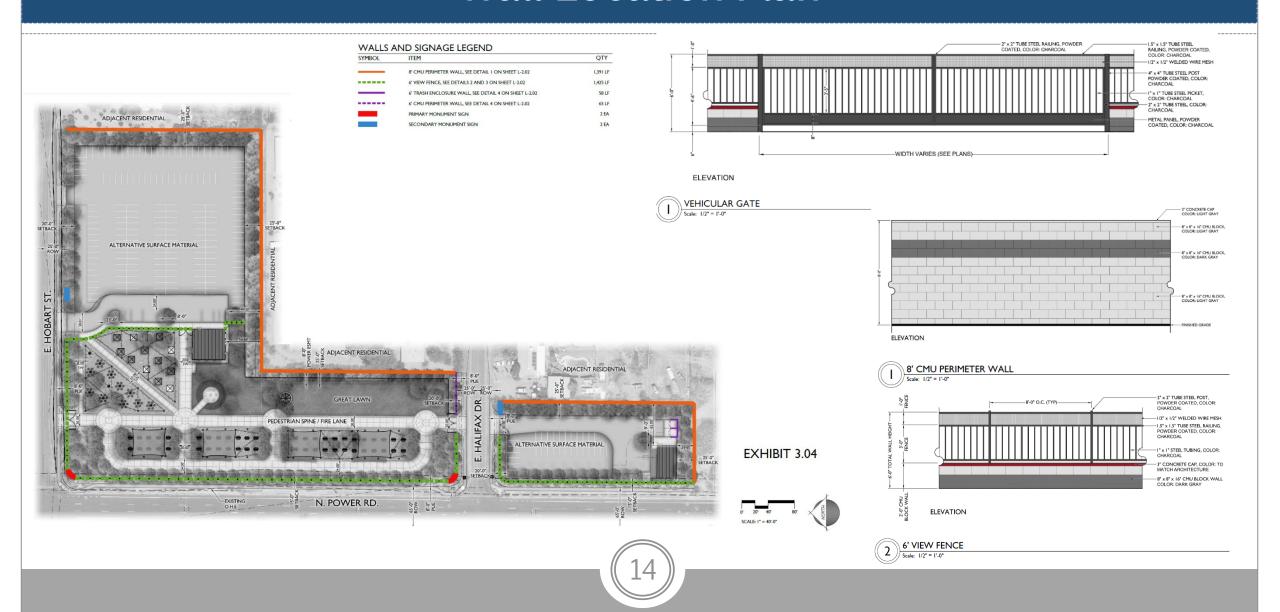
PEDESTRIAN CONNECTION

			SYMBOL	SCIENTIFIC NAME	COMMON NAME	SIZE	_
POWER ROAD (915 L.F.) TREE AND 6 SHRUBS PER 25 L.F.	REQUIRED 37 TREES	PROVIDED 37 TREES	TREES				_
OF STREET FRONTAGE	220 SHRUBS	220 SHRUBS		Acacia snuers	Mulga	24° Box	
Per SRP tree trimming and powerlines within 25' of powerline.	guideline, no tr	ree is allowed	osed Grants	Acada salicina Caesaloina cacalaco	Willow Acacia Cascalate	24° Box	
HOBART STREET (468 L.F.)	REQUIRED	PROVIDED	arold & Miles	Mondel Pine	Pinus eldarica		
TREE AND 6 SHRUBS PER 25 L.F.	19 TREES	19 TREES	THE AM	Plondel Pine	Pinus eldarica	24" Box	
OF STREET FRONTAGE	113 SHRUBS	113 SHRUBS	A 40	Parkinsonia x 'Desert Museum'	Desert Museum Palo Verde	24" Box	
IALIFAX DRIVE (254 L.F.)	REQUIRED	PROVIDED	-	Pistacia chinensis 'Red Push'	'Red Push' Chinese Pistache	36" Box	
	II TREES	11 TREES	- 3	Pistacia lentiscus	Mastic	24" Box	
OF STREET FRONTAGE	61 SHRUBS	61 SHRUBS		Prosopis hybrid 'Phoenix'	Thornless Mesquite	24° Box	
ROPERTY PERIMETER (1.396 L.F.)	REQUIRED	PROVIDED	A. W.	Ulmus parvifolia	Chinese Evergreen Elm	36" Box	
NON DECIDUOUS TREES AND 20		56 TREES	-10-	NE CONTRACTOR OF THE CONTRACTO	Chaste Tree	36" Box	
HRUBS PER 100 L.F. OF ADJACENT ROPERTY LINE		278 SHRUBS	-	Vitex agrus-castus	Chaste Free	36 BOX	
OUNDATION BASE (355 L.F.)	REQUIRED	PROVIDED	SHRUBS/A	ACCENTS	COMMON NAME	SIZE	
TREE PER 50 L.F. OF EXTERIOR	7 TREES	7 TREES	Agave americana		Century Plant	5 Gal	
JILDING WALL	, IIILLO	TITLES	Agave desmettians		Smooth Agave	5 Gal	
% OF FOUNDATION BASE	I TREES	4 TREES	Caesalpinia cacalaco 'Smoothies'		Smooth Cascalote	5 Gal	
REES TO BE 36" BOX SIZE TREES			Cae	salpinia pulcherrima	Red Bird of Paradise	5 Gal	
REE SIZE (177 TOTAL)	REQUIRED	PROVIDED	Dasylirion quadrangularum		Mexican Grass Tree	5 Gal	
5" BOX (25% MIN.)	45 TREES	55 TREES	Hesperaloe parviflora "Brakelights"		Brakelights Red Yucca	5 Gal	
4" BOX (50% MIN.)	132 TREES	122 TREES	Justi	icia spicigera	Mexican Honeysuckle	5 Gal	
			Leur	cophyllum candidum 'Thunder Cloud'	Thunder Cloud Sage	5 Gal	
			Leur	cophyllum langmaniae 'Rio Bravo'	Rio Bravo Sage	5 Gal	
			Muh	lenbergia capillaris 'Regal Mist'	'Regal Mist' Muhly	5 Gal	
			Port	tulacaria afra minima	Dwarf Bephant Food	5 Gal	
			Ruel	Ilia peninsularis	Desert Ruellia	5 Gal	
			Russ	selia equisetiformus	Coral Fountain	5 Gal	
			Simo	mondsia chinensis 'Vista'	Compact Jojoba	5 Gal	
			Teci	oma x 'Orange Jubilee'	Orange Jubilee	5 Gal	
			Teci	oma stans 'Gold Star'	Yellow Bells	5 Gal	
			GROUND	COVERS	COMMON NAME	SIZE	
			Eren	mophila prostrata 'Outback Sunrise'	'Outback Sunrise'	I Gal	
			Lane	ana x "Dallas Red"	Dallas Red Lantana	1 Gal	
			Lane	ana x "New Gold"	New Gold Lantana	I Gal	
N. Britani Phrased							
440		A STATE OF THE PARTY OF THE PAR	VINE		COMMON NAME	SIZE	
	16		VINE	gzinvillea species	COMMON NAME Bougainvillea Vine	SIZE 5 Gal	
ADJACENT RESIDENTIAL		1	VINE	Z-rational decisions			
ADJACENT RESIDENTIAL 영합		13	VINE	Z-rational decisions			35.

#### **EXHIBIT 3.03**



# Wall Location Plan



# Development Agreement

#### **Status**

- Ongoing discussions are being had with the applicant regarding the terms of the proposed Development Agreement
- Action will be taken at the February 7<sup>th</sup> City Council meeting
- The proposed Development Agreement will be available for public review prior to the meeting

#### **Purpose**

Mitigate impacts on the surrounding area

### **Proposed Key Topics**

 Hours of Operation, Traffic Management and Parking, Noise Mitigation, Lighting, Prohibited Uses, Required Improvements and Construction Timing, Good Neighbor Policy

# Development Agreement - Proposed Key Topics

#### **Hours of Operation**

Establish hours for activity on the property

# Traffic Management and Parking

- Traffic management plan for Hobart Street and Halifax Avenue
- Parking lots
  - Location of employee/vendor parking
  - Turning movement from parking lots
- On-site attendants
- Signage

#### **Noise Mitigation**

- Sound system location
- Sound amplification devices

# Lighting

Locations and height of fixtures

### Prohibited Uses, Activities, and Events

• E.g., Concerts, Carnivals, Vehicle Shows, etc.

# Development Agreement - Proposed Key Topics

# Required Improvements & Construction Timing

- Required improvements (E.g., perimeter wall, electrical)
- Time frame for construction:
  - Perimeter Wall
  - Other On-site Improvements
  - Off-site improvements

### **Good Neighbor Policy**

- Topics may include:
  - Contact Information
  - Hours of Operation
  - Noise
  - Food truck location
  - Parking
  - Traffic
  - Lighting location

# Summary

# **Findings**

#### Complies with:

- 2040 Mesa General Plan
- Criteria in Chapter 22 for PAD
- Criteria in Chapter 69 for Site Plan Review

# Planning & Zoning Board Recommendation

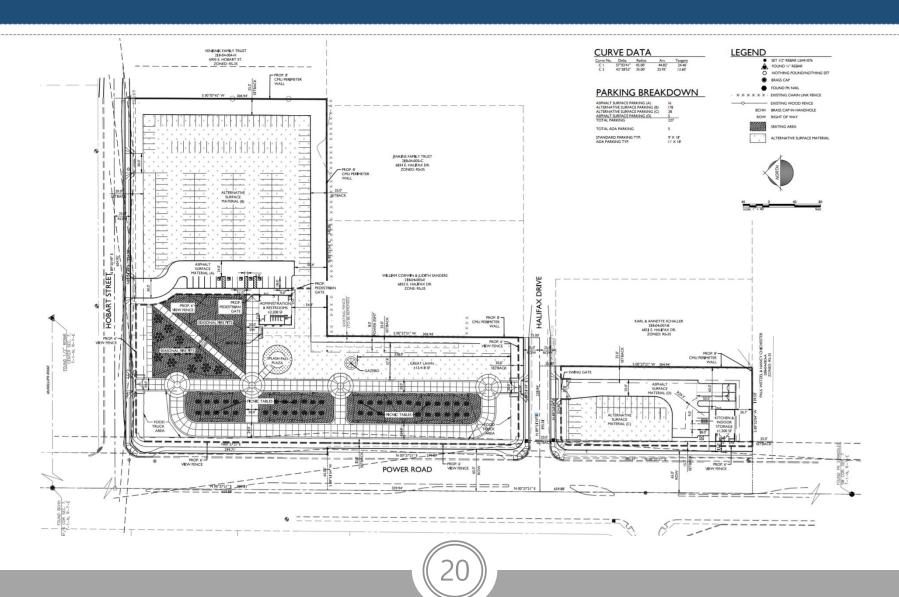
Approval with Conditions (4-3)

# Staff Recommendation

Approval with Conditions



# Site Plan



# PAD Request

Development Standard	Required NC	Proposed NC-PAD	
On-site parking, loading and circulation	Required parking spaces shall be permanently marked	No marking of parking spaces on alternative surface	
Interior parking lot landscaping	One parking lot landscape island for each 8 parking spaces	No landscape islands for parking on alternative surface	
Maximum fence height within the exterior boundary	3.5-feet	6-foot maximum within setback along Power Road	

# Citizen Participation

- Mailed required notifications
- Neighborhood Meeting
  - April 20, 2021, on subject site
    - Approximately 50 attendees
- Concerns:
  - Land use, fencing, lighting, noise, traffic, parking
- Supermajority vote requirement



# Design Review

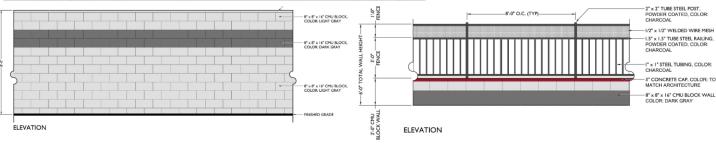
 Requires Design Review approval

















# Original Site Plan - May 24, 2019

