

OVERVIEW

The Applicant held a pre-application with the City of Peoria on February 15, 2023, for the Conditional Use Permit.

Identification numbers include:

- PA23-0008
- CU23-06

Related Case No.

- SP23-11

PROJECT LOCATION AND SURROUNDING LAND USES

The proposed project is in an existing commercial center parking lot at the northwest corner of 83rd Avenue and Cactus Road within the City of Peoria, Arizona. The parcel number is 200-79-967. The parcel is 0.72 acres and is zoned as C-2 – Intermediate Commercial District. The properties adjacent to the parcel are zoned C-2 and those across Cactus Road include R1-6.

ID	Land Use	General Plan	Zoning
Subject Parcel	Commercial Retail	Commercial	C-2
North	Commercial Retail	Commercial	C-2
South	Single Family Residential	Master Planned Area	R1-6
East	Commercial Retail	Commercial	C-2
West	Commercial Retail	Commercial	C-2

PROJECT DESCRIPTION

This project is known as SWIG Peoria and is to be located within an existing commercial area. The proposed drive-through restaurant will be located on the vacant parcel on the northwest corner of 83rd Avenue & Cactus Road. Pedestrian access is invited from 83rd Avenue and Cactus Road, along an existing concrete sidewalk.

The drive through provides a canopy located at the pickup. This drive through canopy is referenced in the building elevations accompanied with the Conditional Use Permit submittal.

The exterior lighting includes a combination of pole mounted parking lights which are existing within the commercial center. The existing lighting provides general and decorative illumination to the site and facility to ensure adequate level of illumination for personal safety.

The proposed hours of operation are as follows:

- Monday-Thursday 8am-9pm
- Friday 8am-10pm, Saturday 9am-10pm, Closed Sunday

PROJECT ACCESS

This project will have a main access from the existing shared driveway entrance off Cactus Road. A secondary existing access is north of the intersection of 83rd Avenue and Cactus Road.

EXISTING AND PROPOSED ZONING

This property is currently zoned C-2, Intermediate Commercial, which allows for the proposed restaurant use.

DESCRIPTION OF REQUEST

SWIG Peoria is planning an innovative drinks restaurant with a proposed drive through. The development will feature a single 665 SF building with an associated drive-through queue with two lanes, as depicted in the provided site plan.

The proposed drive through facility is less than 200-feet from a residential district zoning line, which warrants a Use Permit application with the City of Peoria, despite Restaurants being a permitted use under C-2.

The proposed CUP will conform with the City of Peoria Zoning Ordinance as outlined in Section 21-321 and as demonstrated below:

- 1. Whether the use will be materially detrimental to the health, safety, or general welfare of persons residing or working in the vicinity of the property, to the neighborhood, or to the public welfare; or if the use will unreasonably interfere with the use and enjoyment of nearby properties.**

The use will not cause any adverse impact on the adjacent properties in the area. No damage or additional nuisance arising from noise, smoke, order, dust, vibration, or illumination will occur from this use. No detrimental impact to the surrounding areas will occur from unusual traffic that the area isn't designed for. The proposed design of a two-lane queue will limit the number of vehicles blocking the drive aisle within the commercial center, mitigating any adverse impacts to surrounding commercial uses. A 6' CMU wall runs along the abutting single family residential properties to the south, further creating a buffer between the two uses. The proposed use is less intensive than a restaurant and provides no dedicated indoor or outdoor seating. Given the separation of the proposed restaurant and the residential zoning district to the south by Cactus Road, any noise created by SWIG Peoria will be unheard or negligible by surrounding property owners.

This proposed development is located within the vicinity of larger and more highly trafficked commercial developments, where the ambient condition includes high pedestrian activity with vehicle traffic as would be expected where employment and entertainment are located. The proposed development will better serve the neighboring subdivisions with an innovative drinks option, furthering the commercial diversity of the area. SWIG Peoria is therefore requesting a use permit to provide a unique retail beverage experience.

- 2. Whether the use complies with all applicable City Codes, standards, and guidelines governing such use AND whether the use is consistent with the goals, policies, and intent of the General Plan and any adopted Specific Plan applicable to the site where the proposed use is located.**

Per Section 21-321 and Paragraph 21-321.E of the City of Peoria Zoning Ordinance, the use will follow all provisions and laws of the City of Peoria. Given the C-2 zoning of the parcel and General Plan land use designation, the introduction of SWIG Peoria will not disturb existing operations within existing commercial center or neighboring property owners and is fitting to the existing commercial character.