

<u>Chairman</u>	<u>Vice-Chairman</u>	<u>Secretary</u>	<u>Member</u>	<u>Member</u>	<u>Member</u>	<u>Member</u>	<u>Alternate Member</u>
Leigh Strickman	Jeff Nelson	Shawn Hutchinson	Jay Otlewski	Bill Louis	Nancy Golden	Bryan Patterson	Mitchell Bolnick

Planning and Zoning Commission Meeting Notice & Agenda

Thursday, November 17, 2016
City Council Chamber
8401 West Monroe Street
Peoria, AZ 85345



Regular Meeting 6:30 PM

Convene
Roll Call
Opening Statement
Final Call to Submit Speaker Request Forms

Consent Agenda

CONSENT AGENDA: All items listed on the Consent Agenda are considered to be routine or have been previously reviewed by the Commission, and will be enacted by one motion. There will be no separate discussion of these items unless a Commission member so requests; in which event the item will be removed from the General Order of Business, and considered in its normal sequence on the Agenda.

Consent

1 C Disposition of Absence

Discussion and possible action to approve the absence of Commissioner Nancy Golden and Alternate Member Mitchell Bolnick from the Planning and Zoning Commission Meeting held on October 20, 2016.

2 C Minutes

Discussion and possible action to approve the minutes of the Planning and Zoning Commission Meeting held on October 20, 2016.

3 C CU16-0014: Peoria Mini Storage

Discussion and possible action to consider a request for a Conditional Use Permit

(CUP) to allow an air-conditioned, self-storage building within an existing self-storage and outdoor RV storage property. The site is located north of the northwest corner of 95th Avenue and Peoria Avenue.

4 C **CU16-0021: Mr. Shine Car Wash**

Discussion and possible action to consider a request for a Conditional Use Permit to construct a new car wash on 2.80 acres located north of the northwest corner of Happy Valley Road and Lake Pleasant Parkway.

5 C **CU16-0025: Panera Bread**

Discussion and possible action to consider a request for a Conditional Use Permit (CUP) to modify the existing CUP for outdoor dining. The site is located north of the northwest corner of Lake Pleasant Parkway and Happy Valley Parkway.

Regular Agenda

New Business

6 R **Sign Code Modernization (STUDY SESSION)**

Staff presentation and possible discussion regarding a City initiated comprehensive amendment to Article 14-34 ("Signs") of the Zoning Ordinance. No action will be taken at this time.

7 R **CU16-0026: Dutch Bros. Coffee**

Discussion and possible action to consider a request for a Conditional Use Permit to construct a new drive-through coffee shop and a covered patio area. The site is located north of the northeast corner of 83rd Avenue and Thunderbird Road.

Staff Report

Open Public Hearing

Public Comment

Close Public Hearing

Commission Action: Discussion and possible action on CU16-0026.

Call To The Public (Non-Agenda Items)

Your comments pertaining to the Planning and Zoning Commission business are welcome. However, if you wish to address the Planning and Zoning Commission, please complete a Speaker Request Form and return it to the clerk before the call to order for this meeting. Boards and Commissions are not authorized by state law to discuss or take action on any issue raised by public comment until a later meeting.

Reports from Staff

Reports from Planning and Zoning Commission

Adjournment

NOTE: Documentation (if any) for items listed on the Agenda is available for public inspection, a minimum of 24 hours prior to the Board/Commission Meeting, at any time during regular business hours in the Office of the City Clerk, 8401 W. Monroe Street, Room 150, Peoria, AZ 85345.

***Accommodations for Individuals with Disabilities.** Alternative format materials, sign language interpretation and assistive listening devices are available upon 72 hours advance notice through the Office of the City Clerk, 8401 West Monroe Street, Peoria, Arizona 85345 - Phone: (623) 773-7340 or FAX (623) 773-7304. To the extent possible, additional reasonable accommodations will be made available within the time constraints of the request. The City has a TDD line where accommodations may be requested at: (623) 773-7221.*

Public Notice

In addition to the Board/Commission members noted above, one or more members of the Peoria City Council or various other Boards and Commissions may be present to observe this meeting as noticed on this agenda.

Planning and zoning commission meetings can be viewed live on Channel 11 (Cox Cable) and are available for viewing on demand at <https://www.peoriaaz.gov/NewSecondary.aspx?id=2187>.



PLANNING AND ZONING COMMISSION REPORT

Meeting November 17, 2016

Date:

Agenda Item: 1C

Case Name: Disposition of Absence

Case

Number(s):

General Application Information

Recommendations:

Discussion and possible action to approve the absence of Commissioner Nancy Golden and Alternate Member Mitchell Bolnick from the Planning and Zoning Commission Meeting held on October 20, 2016.



PLANNING AND ZONING COMMISSION REPORT

Meeting November 17, 2016

Date:

Agenda Item: 2C

Case Name: Minutes

Case

Number(s):

General Application Information

Recommendations:

Discussion and possible action to approve the minutes of the Planning and Zoning Commission Meeting held on October 20, 2016.

ATTACHMENTS:

Description

PZ draft minutes 10-20-16

**PLANNING AND ZONING COMMISSION MINUTES
CITY OF PEORIA, ARIZONA
COUNCIL CHAMBER
OCTOBER 20, 2016**

A Meeting of the Planning and Zoning Commission of the City of Peoria, Arizona, convened at 8401 W. Monroe Street, Peoria, AZ in open and public session at 6:30 p.m.

Members Present: Chair Leigh Strickman, Vice-Chair Jeff Nelson, Secretary Shawn Hutchinson, Commission Members Bill Louis, Jay Otlewski and Bryan Patterson

Members Absent: Commissioner Nancy Golden and Alternate Member Mitchell Bolnick

Others Present: Chris Jacques – Planning Director, Cynthia Odom – Assistant City Attorney, Adam Pruett - Planning Manager, Melissa Sigmund – Principal Planner, Sean Allen – Senior Planner, Cody Gleason – Planner, Randy Proch – Planner and Della Ernest – Executive Assistant

Opening Statement: The Opening Statement was read by Chair Strickman.

Call for speaker request forms.

Audience: 11

Note: The order in which items appear in the minutes is not necessarily the order in which they were discussed in the meeting.

CONSENT AGENDA

All items listed with a “C” are considered to be routine by the Planning and Zoning Commission, and were enacted by one motion.

1C Disposition of Absence

Discussion and possible action to approve the absence of Chair Leigh Strickman from the Planning and Zoning Commission special meeting held on September 29, 2016.

2C Minutes

Discussion and possible action to approve the minutes of the Planning and Zoning Commission special meeting held on September 29, 2016.

3C CU16-0008: Joe's Auto

Discussion and possible action to consider a request for a Conditional Use Permit (CUP) to allow an automobile diagnostic and service establishment within

an existing commercial pad building. The site is located south of the southwest corner of 91st Avenue and Peoria Avenue.

4C **CU16-0023:**

Discussion and possible action to consider a request for a Conditional Use Permit (CUP) to allow a tire sales, repair, and mounting facility at an existing automotive repair business. The site is located north of the northwest corner of 96th Avenue and Peoria Avenue.

COMMISSION ACTION: Secretary Hutchinson moved to approve the Consent Agenda. The motion was seconded by Commissioner Otlewski and upon vote, passed unanimously.

REGULAR AGENDA

5R **Francis and Sons Car Wash (Amendment)**

A public hearing was held to consider a request for a Conditional Use Permit to modify an existing full and self-service car wash through the addition of free-standing vacuum stations and a second pay station. The site is located at the northwest corner of 79th Avenue and Thunderbird.

Staff report was presented by Mr. Randy Proch, Planner

PUBLIC COMMENTS:

Mr. John Reddell; the applicant is in agreement with staff's recommendation

COMMISSION ACTION: Commissioner Patterson moved to approve item 5R. The motion was seconded by Commissioner Louis and upon vote, passed unanimously.

6R **Z16-0002: Townley Park Rezoning**

A public hearing was held to consider a city request to rezone 10.1 gross acres from General Agricultural (AG) to the Townley Park Planned Area Development (PAD), to allow for the creation of a gated single-family subdivision, consisting of 40 lots and open space amenities. The subject property is generally located on the southwest corner of 89th and Olive Avenues.

Staff report was presented by Mr. Sean Allen, Senior Planner

PUBLIC COMMENTS:

Ms. Carolyn Oberholtzer; on behalf of Garret Walker Homes, stated in addition to submitting this PAD, a preliminary plat has also been submitted and is in review.

COMMISSION COMMENTS:

Vice-Chair Nelson asked staff for clarification on the issue with connecting to the city's sewer lines. Vice-Chair Nelson asked who the target demographic of the proposed development would be.

Mr. Allen stated that because they cannot connect to the north through Olive due to a water line conflict, the only option is to go east to connect.

Ms. Oberholtzer stated the product has very different floor plans and elevations that appeal to a wide range of people. The proposed development will be gated and presents a different buyer profile that may be more discerning about the private amenities.

Commissioner Louis asked if there was any significance to Lot 1 being circled on the site plan.

Mr. Allen stated as he understands, there is no significance other than to mark a starting point for lot numbering of the plat.

Commissioner Patterson asked if staff looked at the need for a right hand turn lane, eastbound on Olive Avenue.

Mr. Allen stated a turn lane was looked at and staff determined it was not necessary.

COMMISSION ACTION: Commissioner Nelson moved to approve item 6R. The motion was seconded by Commissioner Louis and upon vote, passed unanimously.

REPORT FROM STAFF:

Mr. Pruetz notified the Commission of the next meeting of the Planning & Zoning Commission on November 17th. There is no meeting on November 3rd due to a lack of cases.

Mr. Chris Jacques informed the Commission of Ms. Cynthia Odom's retirement and this is her last meeting with the Commission. Mr. Jacques thanked Ms. Odom for her assistance throughout her time with the city and wished her well.

REPORTS FROM THE PLANNING AND ZONING COMMISSION:

None

ADJOURNMENT: There being no further business to come before the Planning and Zoning Commission, the meeting adjourned at 7:01 p.m.

Leigh Strickman, Chair

Submitted by Della Ernest

Date

Date



PLANNING AND ZONING COMMISSION REPORT

Meeting November 17, 2016

Date:

Agenda Item: 3C

Case Name: CU16-0014: Peoria Mini Storage

Case CU16-0014
Number(s):

General Application Information

Proposal:

Obtain a Conditional Use Permit to allow a new air-conditioned, self-storage building within an existing self-storage and outdoor RV storage property.

Location:

10700 N. 95th Avenue

Project Acreage:

4.83 acres

Applicant:

Edgar Felix

Project Description

Obtain a Conditional Use Permit to allow a new air-conditioned, self-storage building within an existing self-storage and outdoor RV storage property.

Recommendations:

Approve CU16-0014 subject to the stipulations outlined in the staff report.

ATTACHMENTS:

Description

Staff Report

Exhibit A -Vicinity Map

Exhibit B - Zoning Map

Exhibit C -Project Narrative

Exhibit D - Site Plan

BACKGROUND

Context

Peoria Mini Storage is proposing to add an additional 12,300 square foot self-storage building within an existing 4.83 acre self-storage and outdoor storage site located at 10700 N. 95th Avenue, Peoria, AZ 85345. (Exhibit A)

General Plan

The subject property is designated Business Park / Industrial (BPI) on the General Plan Land Use Map. The Business Park / Industrial land use designation denotes areas where major employment centers and uses may take place. Business Park/Industrial areas generally consist of uses such as professional offices, research and development, wholesale and storage warehouses, utility centers, the manufacturing, processing, repairing and packaging of goods and ancillary eating and retail establishments.

Zoning

The site is zoned General Commercial (C-4). The C-4 district is intended to facilitate a wide range of retail, office, and service establishments. (Exhibit B)

Adjacent Uses and Zoning

Table 1 summarizes the existing land use, General Plan designation and Zoning for the surrounding areas.

Table 1 – Existing Land Use, General Plan, and Current Zoning

	EXISTING LAND USE	GENERAL PLAN	ABUTTING ZONING
Subject Property	Peoria Mini Storage	Business Park / Industrial	General Commercial (C-4)
North	4 Paws Rescue	Business Park / Industrial	General Commercial (C-4)
South	Commercial businesses	Business Park / Industrial	General Commercial (C-4),
East	Peoria Unified School District Bus Depot	Business Park / Industrial	General Commercial (C-4), and Light Industrial (I-1)
West	AZ Tire Shop	Business Park / Industrial, then Water	General Commercial (C-4)

Other Related Policies and Project History

The subject site was annexed into Peoria in 1965 and was constructed in the early 1980's. The site has continued to exist as an indoor self-storage, and outdoor RV storage parking lot since development. The proposed building addition will be internal to the site, without alteration to any existing structures. The street right-of-way landscaping will also be brought into conformance with current requirements.

APPLICANT'S PROPOSAL

Goal/Purpose of Request

The approximate 4.83 acre site is located north of the northwest corner of 95th Avenue and Peoria Avenue. The applicant is requesting to add an additional air-conditioned, self-storage building within an existing self-storage and outdoor storage site.

Peoria Mini Storage allows 24 hour site access daily. The affiliated office is open Monday through Friday from 9:30 a.m. to 6:00 p.m., and Saturday from 9:00 a.m. to 5:30 p.m. The entirety of the business occurs within the existing site. The proposed building will be internalized within an existing site and is not expected to negatively impact surrounding uses.

Development Information

- | | |
|------------------|-------------------------|
| • Existing Use: | Self-storage |
| • Proposed Use | Additional self-storage |
| • Building Size: | 12,308 square feet |

DISCUSSION AND ANALYSIS

Applicability

The subject property is zoned General Commercial (C-4). The C-4 zoning district allows a self-storage use through the issuance of a Conditional Use Permit, subject to limitations. The existing facility was constructed prior to the requirement for a Conditional Use Permit (CUP) and was therefore legally non-conforming (grandfathered). Hence, the addition of a new self-storage building requires the issuance of a Conditional Use Permit for the overall facility. If granted, this would remove the legal non-conforming status of the use.

Article 14-9-5-K of the Zoning Ordinance provides the following limitations on mini-storages, warehouses, indoor and/or screened. Staff responses are in *italics*.

- a. For the purposes of this section, an outdoor RV, Boat and Trailer Storage use shall be visibly screened from a public street by an architecturally integrated wall or structure consisting of a minimum height of ten (10) feet, or as otherwise approved by the Planning and Zoning Commission. Additional screening from elevated roadways may be required, such as canopies, berming, or other design solutions.

The site outdoor storage portion of the lot is located in the rear of the lot. The current screening measures will continue to exist as-is, without modification.

- b. Doors of the storage areas shall not front on any public street.

The site does not contain any storage units that front onto the public street (95th Avenue).

- c. Only storage shall be permitted. No sale of goods, materials or other tangible or intangible property from the facility or any part thereof shall be permitted. No activities conducted on the premises, whether related to the stored items or otherwise. The sale of insurance by the operator on goods stored therein or the sale by the operator of items used in connection with the storage of goods at the site shall not be prohibited.

No sales are being conducted at the site.

- d. No hazardous or flammable materials, as defined in the Peoria City Building Code, shall be stored in such facility.

The facility is required to comply with all 2012 International Codes regarding proper storage materials.

- e. The City may exempt any structure from side and rear yard setbacks, except in circumstances where the site devoted to such use abuts a residential use or residentially-zoned vacant property. In such cases, the setback for the site boundary abutting the residential district shall be no less than thirty (30) feet.

This requirement will not apply for this proposed additional building.

- f. All direct vehicular access shall be from an abutting arterial street.

The new building will be located within an existing storage facility site. All vehicular access is from 95th Avenue which provides access to Peoria Avenue..

- g. The locations of the driveways, wall, landscaping, and buildings shall be so arranged as to minimize traffic disruptions.

The existing driveways and buildings will continue to exist in their current form. The landscaping will be increased along the 95th Avenue street frontage, and a new chamfer will be placed at the corner of 95th and 96th Avenues for increased vehicular safety.

- h. A wall with a minimum height of six (6) feet and a landscaping buffer in accordance with Section 14-35-4.A.3, or as approved by the Planning and Zoning Commission, shall be constructed along the site boundary devoted to such use where abutting a residential use or residentially-zoned vacant property.

There are no residentially-zoned properties surrounding the site.

- i. All vehicle storage shall be limited to hard surfaced areas.

All areas of vehicular storage are paved with asphalt.

- j. Lighting shall be directed toward the site and shall not cause undesirable glare to nearby residential properties.

There are no residentially-zoned properties surrounding the site and all lighting is shielded.

Section 14-39-12 of the Zoning Ordinance outlines the applicable criteria for evaluating Conditional Use Permits. In general, the purpose of a CUP is to mitigate any identified negative impacts on the surrounding neighborhood that may result from a specific use, and provide controls to ensure maximum compatibility between nearby land uses.

Compatibility With Surrounding Land Uses

The surrounding Suntown Center has other industrial related businesses that fit well with this proposal. The business has been operating as a self-storage facility for decades and this additional building will be fully contained within their site and operating perimeter. Staff does not anticipate any negative impacts that would affect adjoining or nearby uses as a result of this request.

If any issues arise regarding the operation of the business, Section 14-39-12.1 of the Zoning Ordinance provides the City with continuing jurisdiction over all Conditional Use Permits. This means that a permit may be revoked, modified, or suspended should any of the following occur:

- a. The permit was obtained by fraud or misrepresentation;
- b. The use authorized by the CUP has been exercised in violation of the conditions of approval.
- c. A change in circumstances where the following has occurred:
 - 1. Impacts from the approved CUP to neighboring properties; and
 - 2. Changes in aesthetic or environmental impacts such as noise, odors, or pollution.
- d. The use authorized by the CUP is operated in a manner that constitutes a nuisance to neighboring property owners, adjacent neighborhoods, or the City; or is exercised in a manner that is detrimental to the public health, welfare or safety.

COMMUNITY INVOLVEMENT

Outreach Requirements

The application was properly noticed pursuant to Section 14-39-6 of the Peoria Zoning Ordinance, which includes notification to all property owners within 600 feet of the site

and registered HOA's within one (1) mile, posting a sign on the site, and placing an ad in the Peoria Times at least 15 days prior to the Public Hearing.

Support / Opposition

At the time of this writing, no responses in support or opposition have been received.

Proposition 207 Waiver

The voters of Arizona approved Proposition 207, which among other things requires municipalities to compensate property owners for actions which have the effect of diminishing the value of property. The City Attorney's Office has drafted an agreement which waives the applicant's rights to future Proposition 207 claims against the City. Accordingly, the applicant has furnished a signed and notarized Proposition 207 Waiver.

STAFF RECOMMENDATION

Based on the following findings:

1. The request is consistent with the City of Peoria Zoning Ordinance and compatible with the uses in the surrounding area;
2. The use, in conjunction with the conditions of approval, will operate in a manner that will not negatively impact the adjoining uses; and,
3. The applicant/owner has submitted a signed and notarized Proposition 207 waiver, which will be recorded with the conditions outlined below.

Staff recommends that the Planning and Zoning Commission take the following action:

Approve the applicant's request for a Conditional Use Permit under Case CU16-0014, subject to the following conditions:

1. The development shall substantially conform to the Project Narrative (Exhibit C) and Floor Plan (Exhibit D), as contained in the staff report to the Planning and Zoning Commission dated November 17, 2016.
2. Any further expansion of the use, or material modification of the existing site shall require an amendment to the Conditional Use Permit.

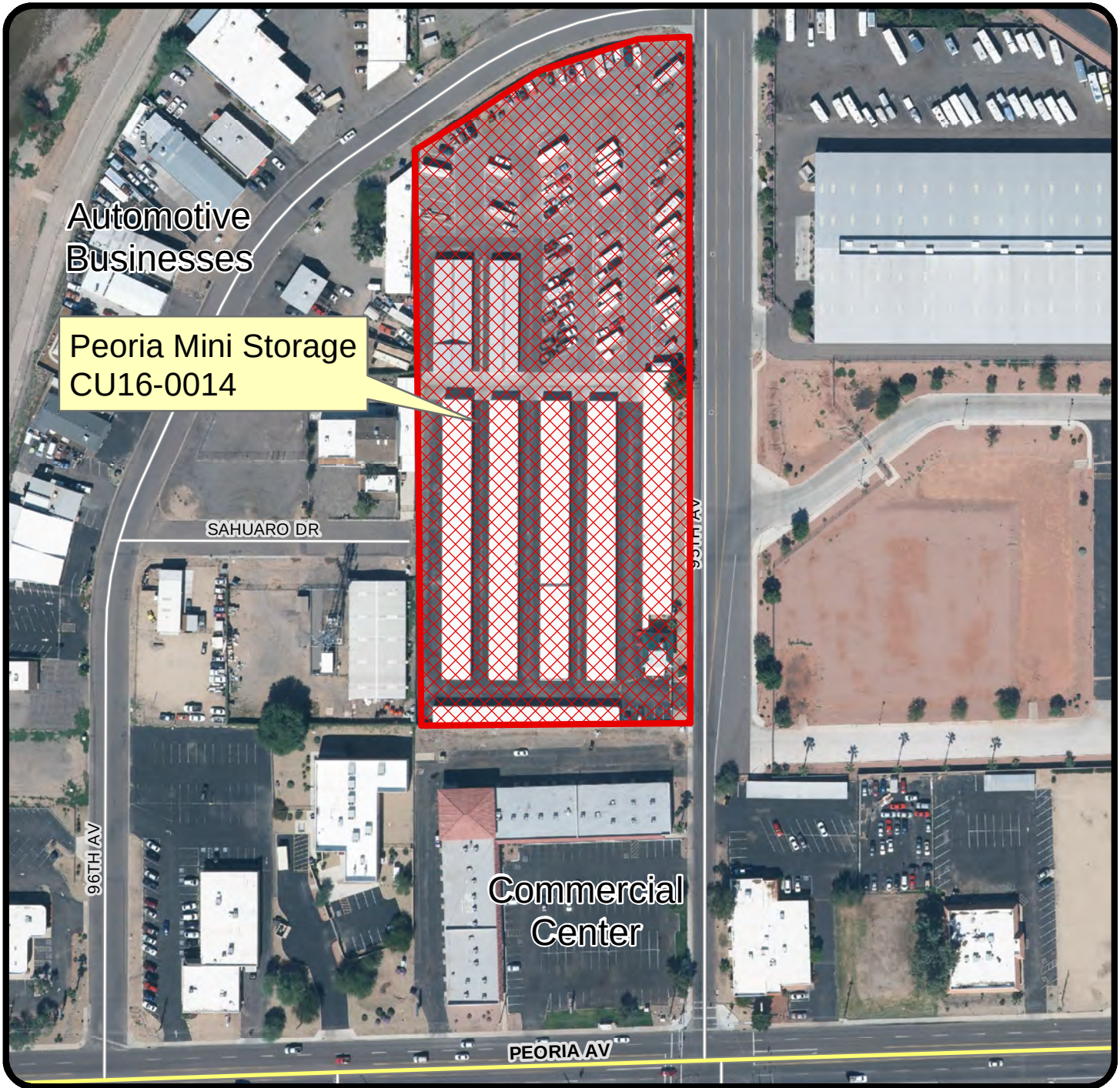
REPORT PREPARED BY

Randy Proch
Planner
623-773-5164
randy.proch@peoriaaz.gov

ATTACHMENTS:

Exhibit A	Vicinity Map
Exhibit B	Zoning Map
Exhibit C	Project Narrative
Exhibit D	Site Plan

CU16-0014 Vicinity Map



CU16-0014 Peoria Mini Storage

Applicant: Edgar Felix

Request: The applicant is requesting a Conditional Use Permit for a new one story self-storage facility within an existing self-storage and outdoor storage lot.

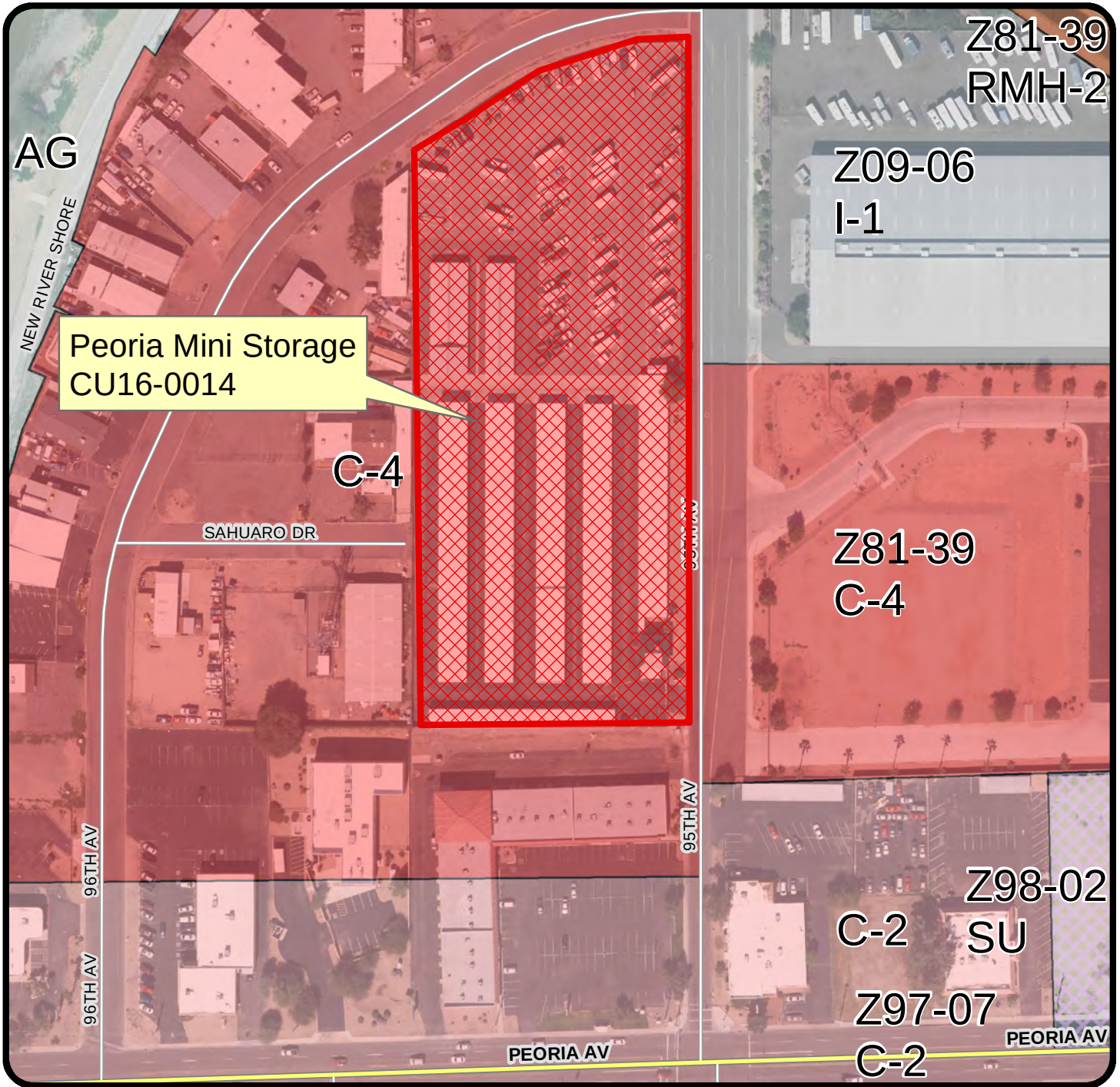
Location: North of the northwest corner of 95th Avenue and Peoria Avenue.

Exhibit A



Not to Scale

CU16-0014 Zoning Map



CU16-0014 Peoria Mini Storage

Applicant: Edgar Felix

Request: The applicant is requesting a Conditional Use Permit for a new one story self-storage facility within an existing self-storage and outdoor storage lot.

Location: North of the northwest corner of 95th Avenue and Peoria Avenue.

Exhibit B



Not to Scale

September 27, 2016

Project: Peoria Mini-Storage

NWC 95th Ave. and Peoria Ave.
Peoria, Arizona
RCAA Project No. 16013.00



Overview

On the behalf of the property owner, Susan Wagner (Peoria Mini Storage, L.L.L.P.), RCAA Architects, Inc. has prepared this submittal in order to request the consideration of a Conditional Use Permit for a new planned building in an existing mini storage center site. The parcel size is 5.6 gross acres, 4.6 net acres. This site is located on the NWC of 95th Avenue and Peoria Avenue at the north end of the property. The property is currently zoned C-4 General Commercial and is generally bounded by 96th Avenue to the north, 95th Avenue to the east, C-4 (general commercial) to the west and C-2 (intermediate commercial) to the south.

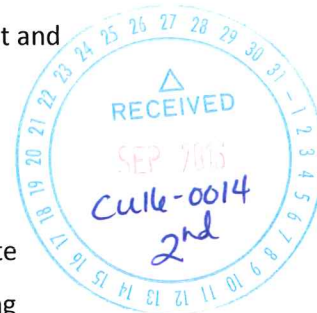
Project Narrative

This project consists of a new climate controlled building and associated site improvements. The site is located on approximately 4.6 net acres within the existing Peoria Mini Storage center located on the NWC of 95th Avenue and Peoria Avenue. The building will be a single story building approximately 12,300 S.F.

The storage gate will operate 24 hours and the office will operate Monday through Friday from 9:30am to 6:00pm, Saturday from 9:00am to 5:30pm. The proposed addition will not cause any increase in noise, light spillover or traffic. The proposed addition is an internal building and will not cause any negative impacts to the surrounding area.

Shapes, colors, textures and materials selected for the proposed building will be both consistent and aesthetically compatible with the existing architecture and landscape design. All color palettes and textures will be complimentary of the architectural theme of the existing mini storage site.

Landscape design shall be developed to have a consistent look. The perimeter of the site shall incorporate the use of flowering desert shrubs, drought tolerant trees



Arizona Office

2233 East Thomas Road
Phoenix, AZ 85016
Office: (602) 955-3900
rkaa.com

California Office

150 Paularino Avenue
Suite D-170
Costa Mesa, CA 92626
Office: (949) 954-8785

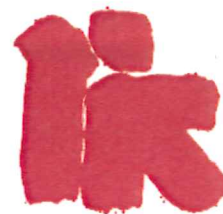
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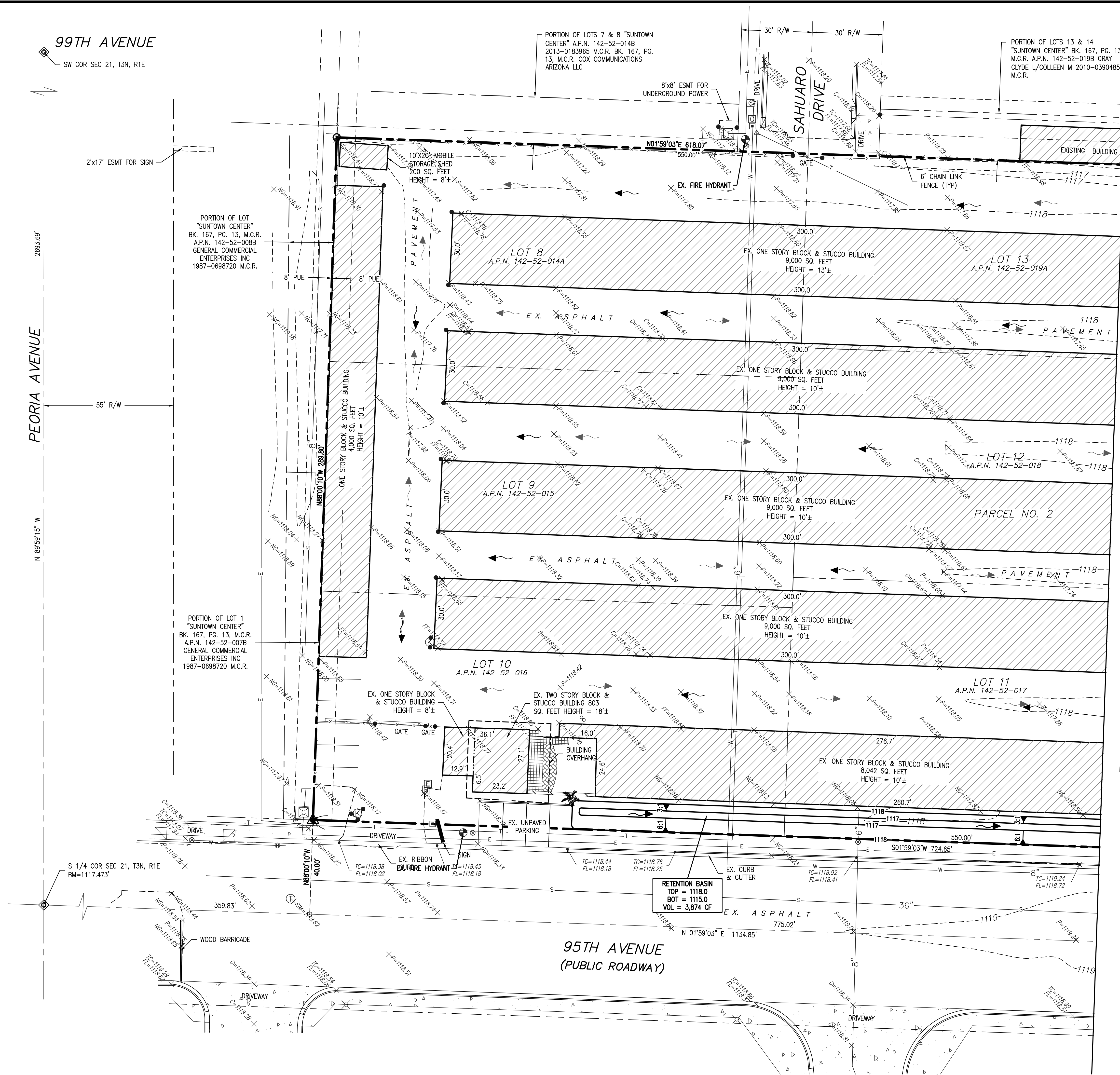
Arizona
Arkansas
California
Colorado
Connecticut
Florida
Georgia
Idaho
Illinois
Indiana
Kansas
Kentucky
Louisiana
Maryland
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Mississippi
Missouri
Montana
Nebraska
Nevada
New Hampshire
New Jersey
New Mexico
New York
North Carolina
North Dakota
Ohio
Oklahoma
Oregon
Pennsylvania
South Carolina
South Dakota
Tennessee
Texas
Utah
Virginia
Washington
West Virginia
Wisconsin
Wyoming

Principals:

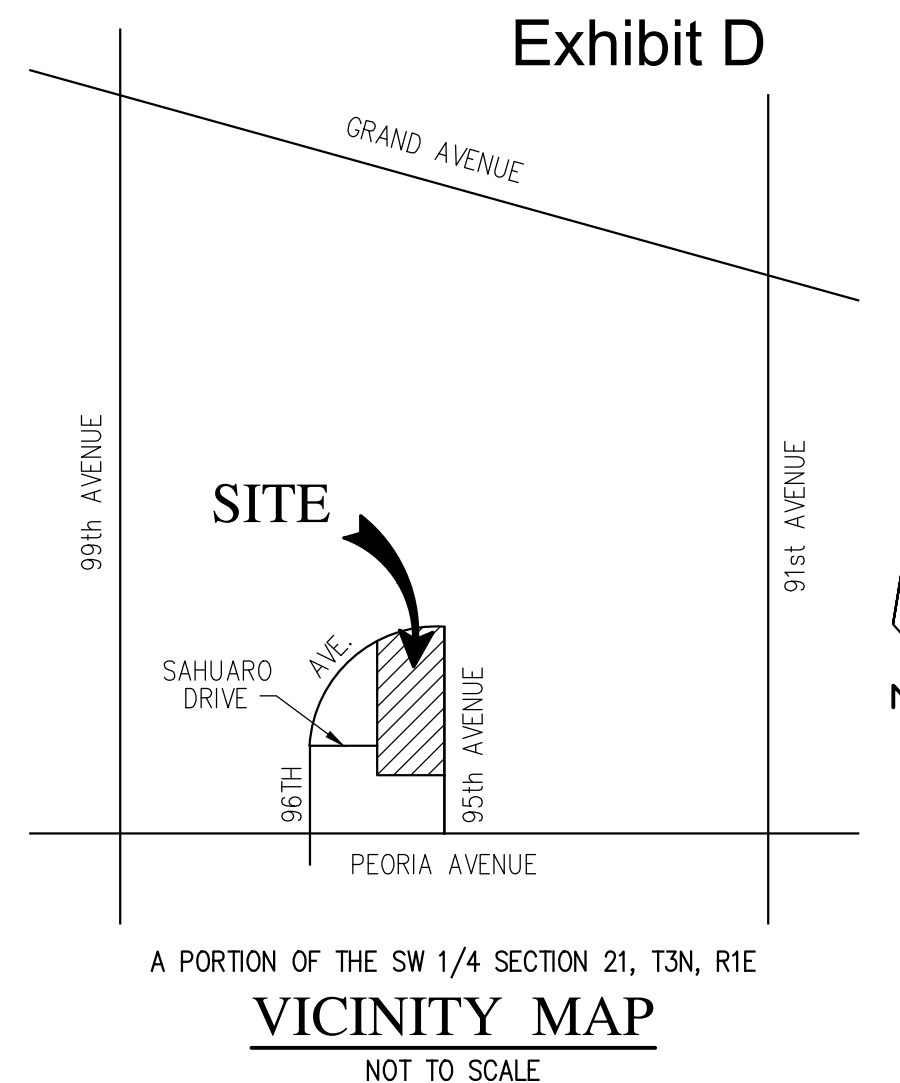
Robert W. Kubicek, AIA
Jorge A. Calderon, Assoc. AIA
Kathleen D. Rieger, VP
Steve A. Nosal, VP
Neil A. Feaser, VP
Edgar Felix

and groundcovers that will provide a sense of identity and be compatible with the environmental conditions of the area.





MATCH LINE - SEE SHEET 2



OWNER/DEVELOPER:

SUSAN S. WAGNER
1854 SEAWAY AVE.
DEL MAR, CA 92014
PHONE: (858) 534-8338

BENCHMARK:

4" MARICOPA COUNTY ENGINEERING DEPARTMENT BRASS CAP IN HANDHOLE 0.6' DOWN, MARKING THE SOUTH QUARTER CORNER OF SECTION 21, MARICOPA COUNTY GDACS POINT NUMBER 47025-1, HAVING AN ELEVATION OF 1117.473, NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).

FLOOD ZONE:

ACCORDING TO THE NATIONAL FLOOD INSURANCE PROGRAM, FLOOD INSURANCE RATE MAP NUMBER 04013C1685L, DATED OCTOBER 16, 2013, THE SUBJECT PROPERTY IS LOCATED IN ZONE "X", DEFINED AS AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD.

RETENTION CALCULATIONS

RETENTION VOLUME IS ONLY REQUIRED FOR THE INCREASED IMPERVIOUS AREA BEING ADDED.

INCREASED IMPERVIOUS AREA = 20,258 SF (0.47 AC.)

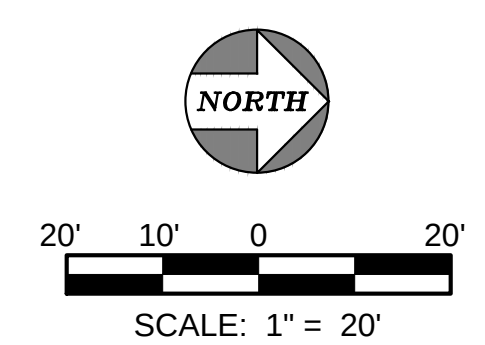
100-YR 2HR RAINFALL DEPTH = 2.33 (NOAA ATLAS 14 POINT PRECIPITATION FREQUENCY ESTIMATES)

RUNOFF COEFFICIENT (C) = 0.95 (REFERENCE; FLOOD CONTROL DISTRICT OF MARICOPA COUNTY)

VOLUME OF RUNOFF CALCULATION = (2.33/12)(20,258 SF)(0.95)

REQUIRED BASIN VOLUME
3,737 CF

PROVIDED BASIN VOLUME
3,874 CF



NOTICE: THESE PLANS ARE
PRELIMINARY
NOT FOR CONSTRUCTION
OR RECORDING

ARIZ. BD. OF TECH. REGISTRATION R4-30-304
THIS NOTE TO BE REMOVED AT THE TIME OF
MUNICIPAL AGENCY APPROVAL



REVISIONS		DATE
NO.	DESCRIPTION	

PRELIMINARY GRADING & DRAINAGE PLAN

PEORIA MINI STORAGE
PEORIA, ARIZONA 85345

SUBMITTALS:	

MATCH LINE - SEE SHEET 1

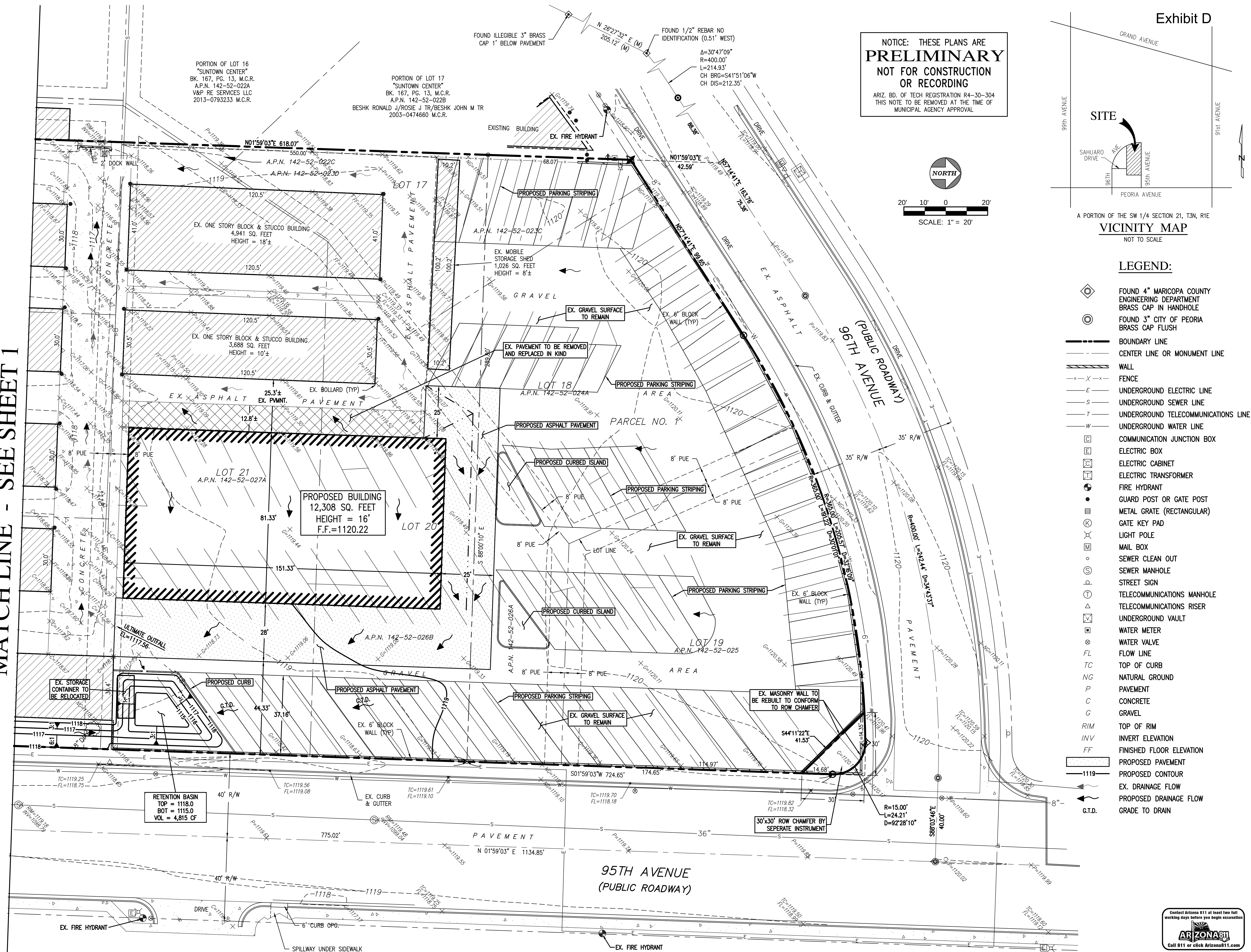


Exhibit D

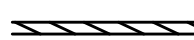
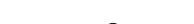
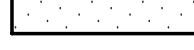
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A PORTION OF THE SW 1/4 SECTION 21, T3N, R1E

VICINITY MAP

NOT TO SCALE

LEGEND:

- | | |
|---|---|
|  | FOUND 4" MARICOPA COUNTY
ENGINEERING DEPARTMENT
BRASS CAP IN HANDHOLE |
|  | FOUND 3" CITY OF PEORIA
BRASS CAP FLUSH |
|  | BOUNDARY LINE |
|  | CENTER LINE OR MONUMENT LINE |
|  | WALL |
|  | FENCE |
|  | UNDERGROUND ELECTRIC LINE |
|  | UNDERGROUND SEWER LINE |
|  | UNDERGROUND TELECOMMUNICATIONS LINE |
|  | UNDERGROUND WATER LINE |
|  | COMMUNICATION JUNCTION BOX |
|  | ELECTRIC BOX |
|  | ELECTRIC CABINET |
|  | ELECTRIC TRANSFORMER |
|  | FIRE HYDRANT |
|  | GUARD POST OR GATE POST |
|  | METAL GRATE (RECTANGULAR) |
|  | GATE KEY PAD |
|  | LIGHT POLE |
|  | MAIL BOX |
|  | SEWER CLEAN OUT |
|  | SEWER MANHOLE |
|  | STREET SIGN |
|  | TELECOMMUNICATIONS MANHOLE |
|  | TELECOMMUNICATIONS RISER |
|  | UNDERGROUND VAULT |
|  | WATER METER |
|  | WATER VALVE |
|  | FLOW LINE |
|  | TOP OF CURB |
|  | NATURAL GROUND |
|  | PAVEMENT |
|  | CONCRETE |
|  | GRAVEL |
|  | TOP OF RIM |
|  | INVERT ELEVATION |
|  | FINISHED FLOOR ELEVATION |
|  | PROPOSED PAVEMENT |
|  | PROPOSED CONTOUR |
|  | EX. DRAINAGE FLOW |
|  | PROPOSED DRAINAGE FLOW |
|  | GRADE TO DRAIN |

REVISIONS		
NO.	DESCRIPTION	DATE

PRELIMINARY GRADING & DRAINAGE PLAN

PEORIA MINI STORAGE
PEORIA, ARIZONA 85345

SUBMITTALS:





PLANNING AND ZONING COMMISSION REPORT

Meeting November 17, 2016

Date:

Agenda Item: 4C

Case Name: CU16-0021: Mr. Shine Car Wash

Case CU16-0021
Number(s):

General Application Information

Proposal:

Obtain a Conditional Use Permit to allow the construction of a new car wash.

Location:

North of the northwest corner of Happy Valley Road and Lake Pleasant Parkway, parcel #201-17-031.

Project Acreage:

2.80

Applicant:

Brian Gleason/Cawley Architects

Project Description

New construction for a car wash facility, consisting of two new buildings, one for washing/drying, and the second for detailing, including thirty (30) shaded parking spaces for vacuuming.

Key Items For Consideration:

Key findings:

1. The request is consistent with the City of Peoria Zoning Ordinance and compatible with the uses in the surrounding area;
2. The City has not received any written opposition or support; and
3. Staff has found the request to be in compliance with Article 14-39-12 pertaining to Conditional Use Permit review; and
4. The use, in conjunction with the conditions of approval, will operate in a manner that will not negatively impact the adjoining uses. There are no foreseeable impacts to the health, safety, and general welfare of the public; and

5. The applicant/owner has submitted a signed and notarized Proposition 207 waiver, which will be recorded with the conditions outlined below.

Recommendations:

Approve the applicant's request for a Conditional Use Permit, under case CU16-0021, subject to the conditions contained in the staff report.

ATTACHMENTS:

Description

P&Z Staff Report

Exhibit A - Vicinity Map

Exhibit B - Current Zoning Map

Exhibit C - Narrative

Exhibit D - Development Plans

Exhibit E - Proposed Elevations

BACKGROUND

Context

The Mr. Shine Car Wash is a proposal for new construction on an undeveloped parcel in the Lake Pleasant Towne Center, located north of the northwest corner of Happy Valley Road and Lake Pleasant Parkway (Exhibit A).

General Plan

The subject property is designated *Community Commercial* on the General Plan Land Use Map. This designation denotes areas where commercial development that is more intense than that of neighborhood commercial may take place in the form of large-scale retail buildings and shopping centers having less than 50,000 square feet aggregate of indoor commercial shopping space. Community Commercial areas rely on larger trade areas and typically have a wider variety of goods and services...

Zoning

The site is located within the *Lake Pleasant Towne Center Planned Area Development (PAD)*, which was adopted by the City Council in 2003 (Exhibit B). This *PAD* commercial district and its allowed uses are based on the Intermediate Commercial (C-2) zoning, found in Article 14-9 of the Zoning Ordinance.

Adjacent Uses and Zoning

Table 1 summarizes the existing land use, General Plan designation and Zoning for the surrounding areas.

Table 1 – Existing Land Use, General Plan, and Current Zoning

	EXISTING LAND USE	GENERAL PLAN	ZONING
Subject Property	Mr. Shine Car Wash	Community Commercial	Lake Pleasant Towne Center Planned Area Development (PAD)
North	Commercial (children's learning center/day care)	Community Commercial	Lake Pleasant Towne Center Planned Area Development (PAD)
South	Commercial (Vacant space)	Community Commercial	Lake Pleasant Towne Center Planned Area Development (PAD)
East	Undeveloped (State Land)	Community Commercial	Lake Pleasant Towne Center Planned Area Development (PAD)
West	Commercial (Home Depot)	Community Commercial	Lake Pleasant Towne Center Planned Area Development (PAD)

Other Related Policies and Project History

The applicant has also received review comments and supporting feedback from *Vestar Development Group*, owner and governing body over the property.

APPLICANT'S PROPOSAL

Goal/Purpose of Request

The goal is to obtain Conditional Use Permit (CUP) approval, as required by the the Lake Pleasant Towne Center PAD and the Zoning Ordinance, to operate a new car wash and detail facility.

The construction & improvements would comprise two new car wash and detail buildings, a covered pay station, and covered parking bays for vacuuming. Other site elements that are unique to the development of this parcel include a continued trail connection and an internal vehicular roundabout at the entry to the site. A breakdown of the site details is as follows:

Development Information

- | | |
|--------------------|---------------------------------|
| • Parcel size | 2.80 acres |
| • Main access | From private drive to the south |
| • Wash building: | 4,774 s.f. (west building) |
| • Detail building: | 5,226 s.f. (east building) |
| • Landscaping | 33% of site |

The proposed site layout is designed have customers enter the main entry off the private drive on the southern portion of the site. Vehicles will queue entirely onsite and will stack at designated pay station at the north end of the property. They will continue through the car wash tunnel on the west side of the property, then enter the vacuuming and detailing services near the center of the site. Traffic will exit the site using the same roundabout that was used to enter the site at the southern end of the site. (Exhibit D)

This proposal limits building height to 24 feet and have been designed to have decorative stone, smooth faced CMU, steel, and EIFS exterior accents. In addition to the building design, the proposal meets the City's Design Standards for commercial development. The following site enhancements are also being proposed:

- Unique entry design, including pavers and a central feature;
- Movable traffic guiding spheres
- Artificial turf
- 30 shaded parking/vacuum stalls
- Continuation of existing trail

The applicant has obtained feedback and made changes desired by owner and shall fit into the design and character of the established commercial district.

DISCUSSION AND ANALYSIS

Applicability

The proposal is compliant with the *Lake Pleasant Towne Center Planned Area Development (PAD)*, with a C-2 commercial base zoning, which may permit a car wash use through the issuance of a Conditional Use Permit. The development proposal must meet all Site Plan review requirements, prior to the issuance of a building permit.

Section 14-39-12 of the Zoning Ordinance outlines the applicable criteria for evaluating Conditional Use Permits. In general, the purpose of a CUP is to mitigate any identified negative impacts on the surrounding neighborhood that may result from a specific use and provide controls to ensure maximum compatibility between nearby land uses. The applicant has provided responses to the Zoning Ordinance criteria in the attached Narrative (Exhibit C), and as outlined below:

The Department shall review applications for Conditional Use Permits and make a recommendation for approval or denial to the Planning and Zoning Commission based on the following criteria;

Whether the use is designated as a permitted Conditional Use within the zoning district in which the property is located.

The zoning district under which this falls is currently PAD / C-2 commercial. This use is a permitted use, subject to the requirements put forth with a conditional use permit.

Whether the use meets the local and development standards provisions, as applicable for the Conditional Use Permit, for the zoning district in which the property is located.

This development is located within the established PAD / C-2 commercial zone, Lake Pleasant Towne Center located at the intersection of Lake Pleasant Parkway and Happy Valley Road. This project has 2 free standing buildings within a larger established commercial / PAD commercial district.

This project meets the development standards for this conditional use permit. The proposed wash tunnel building on the site is approximately 153' in length; the approximate area is 4,757 SF. The proposed detail building on the site is approximately 137' in length; the approximate area is 5,266 SF. We anticipate the maximum amount of area proposed for this use shall not exceed the property boundaries.

All vehicular access is provided from arterial streets, additionally access is provided via 'shared private drive' access with the other uses in the center.

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.

This development is consistent with the City of Peoria General Plan and the Specific Plan for the center. As mentioned above the existing site is vacant. Additionally, directly to our north (not part of the PAD) is an existing Children's Learning Center site. Also, the center has other retail and restaurant uses. This car wash will serve the existing center and the immediate neighborhoods.

Whether the use is consistent with documentation and recommendations provided by the review city departments.

The proposed development will be consistent with the recommendations provided by the reviewing City Departments; evidenced by pre-app PA16 -0047 A Site Plan Amendment case is also being concurrently reviewed in conjunction with this application.

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 unreasonable interfere with the use and enjoyment of nearby properties. Consideration shall include, but not be limited to the following factors:

- a. *Damage or nuisance arising from noise, smoke, odor, dust, vibration, or illumination;*
 - *The use will operate in a manner consistent with other approved C-2 zoned approved uses. This project will not create or introduce damage or nuisance arising from any of these items listed above.*
- b. *Impact on surrounding areas resulting from an unusual volume or character of traffic;*
 - *Careful efforts have been provided in the design and orientation of this development to not create an impact on surrounding areas. No unusual volume or character of traffic will be created by this use.*
- c. *Ingress and egress to the property and proposed structures;*
 - *Ingress and egress to the property and the proposed structure utilize the existing development access points to the site. The proposed structures are accessed via existing shared driveways and site circulation already on site.*
- d. *Pedestrian and vehicular circulation with particular reference to fire protection;*
 - *The proposed pad buildings are located within a larger commercial center providing pedestrian and vehicle circulation within these predefined routes. No disruption is caused due to the development while maintaining fire protection as well.*
- e. *Parking and loading;*
 - *This project provides adequate parking and loading per Ordinance requirements as depicted in the Site Plan application.*

f. Impact on public services, including schools, utilities and recreation.

- The development will not have a negative effect on public services as its operation and function is consistent with the overall commercial center while providing an additional service to local residents and the public.*

The applicant is in compliance with Article 14-39-12 and staff concurs that there are no foreseeable negative impacts, or concerns that would be considered materially detrimental to the health, safety or general welfare of the public or persons working in the vicinity.

Compatibility With Surrounding Land Uses

The surrounding uses are predominantly retail commercial with the exception of the children's learning center/day care to the north. The land use designation and zoning adopted for this property and the commercial center in general allow for a mix of commercial uses that include car washes.

One reason this site is suitable for a car wash is that access to the parcel is somewhat removed from the other commercial buildings and parking areas. Access to the site is off the private center drive, which is in close proximity to Lake Pleasant Parkway. Customers may enter and exist the car wash site without impacting other existing parking or circulation. This proposal is anticipated to increase overall activity within the center and therefore increase the potential for new patrons for existing businesses in the area.

If any issues arise regarding the operation of the business, Section 14-39-12.I of the Zoning Ordinance provides the Planning Manager with continuing jurisdiction over all Conditional Use Permits and may recommend that a permit be revoked, modified, or suspended should any of the following occur:

- 1. The permit was obtained by fraud or misrepresentation;*
- 2. The use authorized by the CUP has been exercised in violation of the conditions of approval.*
- 3. A change in circumstances where the following has occurred:*
 - a. Impacts from the approved CUP to neighboring properties; and*
 - b. Changes in aesthetic or environmental impacts such as noise, odors, or pollution.*
- 4. The use authorized by the CUP is operated in a manner that constitutes a nuisance to neighboring property owners, adjacent neighborhoods, or the City; or is exercised in a manner that is detrimental to the public health, welfare or safety.*

COMMUNITY INVOLVEMENT

Outreach Requirements

The application was properly noticed pursuant to Section 14-39-6 of the Peoria Zoning Ordinance, which includes notification to all property owners within 600 feet of the site

and registered HOA's within one (1) mile, posting a sign on the site, and placing an ad in the Peoria Times at least 15 days prior to the Public Hearing.

Support / Opposition

No opposition or support was communicated to the City.

Proposition 207 Waiver

The applicant has furnished a signed and notarized Proposition 207 Waiver.

STAFF RECOMMENDATION

City staff recommends the P&Z Commission approve the proposed CUP, based on the following findings:

1. The request is consistent with the City of Peoria Zoning Ordinance and compatible with the uses in the surrounding area; and
2. No concern or opposition has been submitted to the City; and
3. Staff has found the request to be in compliance with Article 14-39-12 pertaining to Conditional Use Permit review; and
4. The use, in conjunction with the conditions of approval, will operate in a manner that will not negatively impact the adjoining uses. There are no foreseeable impacts to the health, safety, and general welfare of the public; and
5. The applicant/owner has submitted a signed and notarized Proposition 207 waiver, which will be recorded with the conditions outlined below.

Staff recommends that the Planning and Zoning Commission take the following action:

Approve the applicant's request for a Conditional Use Permit under Case CU16-0021, subject to the following conditions:

1. The development shall substantially conform to the Project Narrative (Exhibit C) and Site/Landscape Plans (Exhibit D), as contained in the staff report to the Planning and Zoning Commission dated November 17, 2016.
2. Any expansion of the use or modification of the site shall require an amendment to the Conditional Use Permit.

REPORT PREPARED BY

Sean Allen
Senior Planner
623-773-7337

sean.allen@peoriaaz.gov

ATTACHMENTS:

Exhibit A	Vicinity Map
Exhibit B	Zoning Map
Exhibit C	Project Narrative (C1 – C4)
Exhibit D	Development Proposal (D1 – D3)
Exhibit E	Proposed Elevations (E1 – E4)

Vicinity Map



CU16-0021 - Mr. Shine Car Wash

Applicant: Brian Gleason

Request: For Conditional Use Permit approval to operate a new car wash facility, comprised of two new buildings and thirty (30) shaded parking spaces for vacuuming, on a 2.80 acre undeveloped pad in the Lake Pleasant Towne Center commercial zoning district.

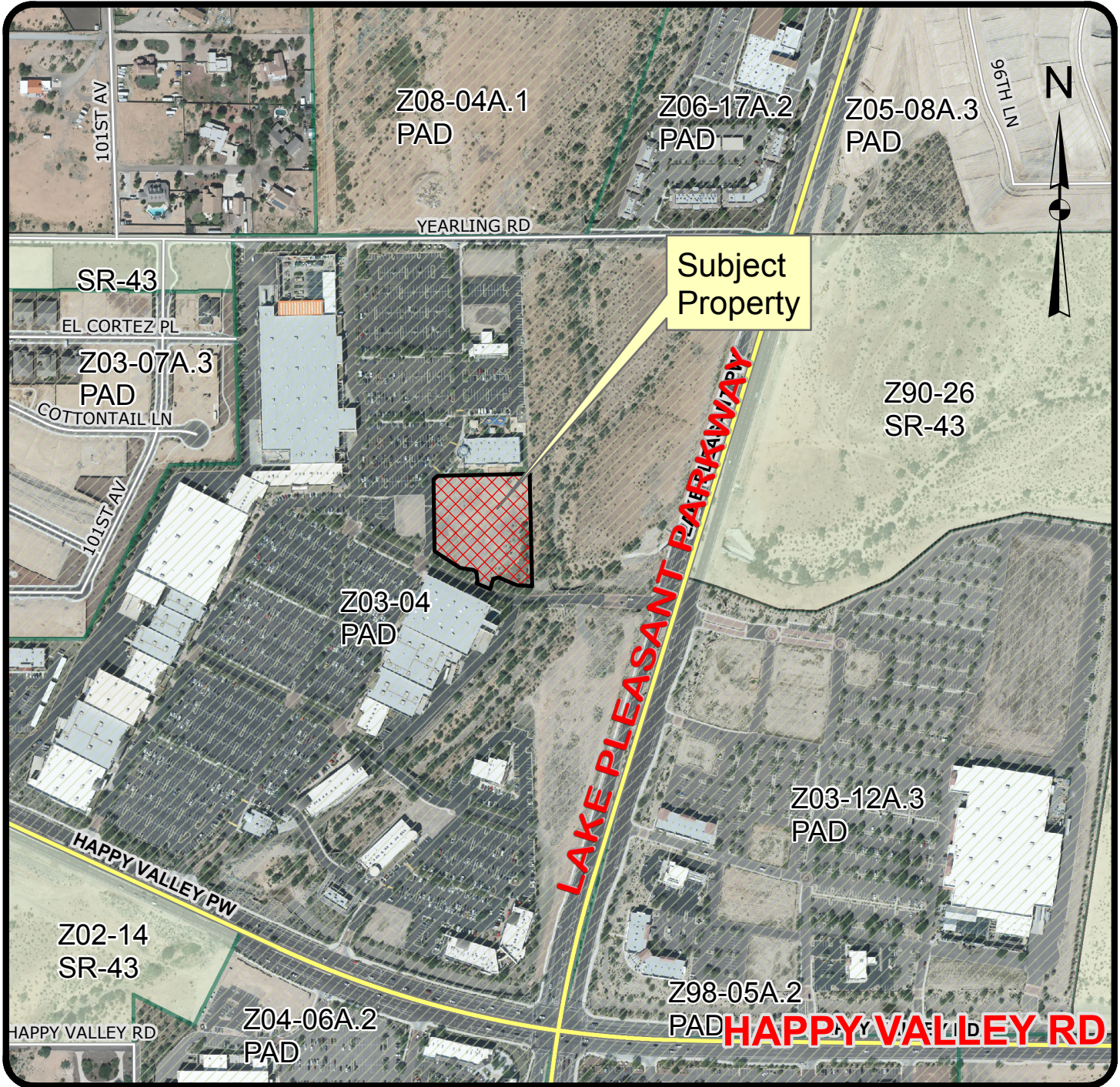
Location: North of the northwest corner of Happy Valley Road and Lake Pleasant Parkway.

Exhibit A



Not to Scale

Current Zoning Map



CU16-0021 - Mr. Shine Car Wash

Applicant: Brian Gleason

Request: For Conditional Use Permit approval to operate a new car wash facility, comprised of two new buildings and thirty (30) shaded parking spaces for vacuuming, on a 2.80 acre undeveloped pad in the Lake Pleasant Towne Center commercial zoning district.

Location: North of the northwest corner of Happy Valley Road and Lake Pleasant Parkway (parcel # 201-17-031).

Exhibit B



Not to Scale

Mr. Shine Car Wash

October 10, 2016

Conditional Use Permit- Project Narrative Revised

Applicant's Request

This request is for a Type –III, Conditional Use Permit to allow for a car wash tenant in a new retail development on parcel #201-17-031 in the existing PAD, Lake Pleasant Towne Center.

Context and Zoning

The site's location is on the SWC of Happy Valley Road and Lake Pleasant Parkway in the established Lake Pleasant Towne Center. The projects' assigned City of Peoria Case numbers are: SP16-0030 & CU16-0021 . The existing complex of buildings is currently zoned PAD / Commercial. Immediately to the north of our project is an existing Children's Learning Center while the majority of the existing commercial center is to our south and west. This building is located on the site of a vacant lot. The parcel listed below as #201-17-031 is the land to be developed.



Project Description

The current building for Mr. Shine concept replaces the previous approved Danny's Wash and Convenient store and gas concept. The site is 122,128 SF (2.80 acres) that was part of the original Lake Pleasant Towne Center Master Plan. The overall buildings' square footages equal 9,983 SF. The Mr. Shine concept car wash will include two buildings. The first building is for washing/drying. The second building is for detailing. The site has 30 outdoor shaded parking spaces/vacuum bays.

The existing site improvements are limited to the area enclosed by the property lines. Existing perimeter landscaping to remain. New site improvements include 2 single story buildings, colored concrete hard-scape, and 28 covered vacuum bays will be added for a total number of stalls at 33 spaces. Included in the total number of stalls is 1 accessible stall which is directly adjacent to the proposed wash tunnel.

Exterior Elevations

The new building elevations will be complimentary with other buildings in the Center and will be reviewed during the Site Plan approval process through the City concurrently with the use permit submittal. The buildings materials shall be CMU block with block accents. The majority of the north elevation (front) will be EIFS over framing over CMU block as well as a natural stone tower over framing and CMU block wall. Other accent materials include: natural stone and precast concrete. The majority of the back of the building will be EIFS over framing accents and CMU block wall. The building heights and masses are varied providing emphasis and individuality for each user while maintaining a cohesive whole.

Conditional Use Permits- Section 14-39-12

E. Review. The Department shall review applications for Conditional Use Permits and make a recommendation for approval or denial to the Planning and Zoning Commission based on the following criteria;

1. *Whether the use is designated as a permitted Conditional Use within the zoning district in which the property is located.*

The zoning district under which this falls is currently PAD / C-2 commercial. This use is a permitted use, subject to the requirements put forth with a conditional use permit.

2. *Whether the use meets the local and development standards provisions, as applicable for the Conditional Use Permit, for the zoning district in which the property is located.*

This development is located within the established PAD / C-2 commercial zone, Lake Pleasant Towne Center located at the intersection of Lake Pleasant Parkway and Happy Valley Road. This project has 2 free standing buildings within a larger established commercial / PAD commercial district.

This project meets the development provisions for this conditional use permit. The proposed wash tunnel building on the site is approximately 153' in length; the approximate area is 4,757 SF. The proposed detail building on the site is approximately 137' in length; the approximate area is 5,266 SF. We anticipate the maximum amount of area proposed for this use shall not exceed the property boundaries.

All vehicular access is provided from arterial streets, additionally access is provided via 'shared private drive' access with the other uses in the center.

3. *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.

This development is consistent with the City of Peoria General Plan and the Specific Plan for the center. As mentioned above the existing site is vacant. Additionally, directly to our north (not part of our PAD) is an existing Children's Learning Center site. Also, the center has other retail and restaurant uses. This car wash will serve the existing center and the immediate neighborhoods.

4. *Whether the use is consistent with documentation and recommendations provided by the review city departments.*

The proposed development will be consistent with the recommendations provided by the reviewing City Departments; evidenced by pre-app PA16 -0047 A Site Plan Amendment case is also being concurrently reviewed in conjunction with this application.

5. *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 unreasonable interfere with the use and enjoyment of nearby properties. Consideration shall include, but not be limited to the following factors:*

- a. *Damage or nuisance arising from noise, smoke, odor, dust, vibration, or illumination;*

The use will operate in a manner consistent with other approved C-2 zoned approved uses similar to restaurant establishments. This project will not create or introduce damage or nuisance arising from any of these items listed above.

- b. *Impact on surrounding areas resulting from an unusual volume or character of traffic;*

Careful efforts have been provided in the design and orientation of this development to not create an impact on surrounding areas. No unusual volume or character of traffic will be created by this use.

- c. *Ingress and egress to the property and proposed structures;*

Ingress and egress to the property and the proposed structure utilize the existing development access points to the site. The proposed structures are accessed via existing shared driveways And site circulation already on site.

- d. *Pedestrian and vehicular circulation with particular reference to fire protection;*

The proposed pad buildings are located within a larger commercial center providing pedestrian and vehicle circulation within these predefined routes. No disruption is caused due to the development while maintaining fire protection as well.

- e. *Parking and loading;*

This project provides adequate parking and loading per Ordinance requirements as depicted in the Site Plan application.

- f. *Impact on public services, including schools, utilities and recreation.*

The development will not have a negative effect on public services as its operation and function is consistent within the overall commercial center while providing an additional service to local residents and the public.

The Architectural design is a complimentary architectural style and will be a vibrant and successful addition to the Center as a whole.

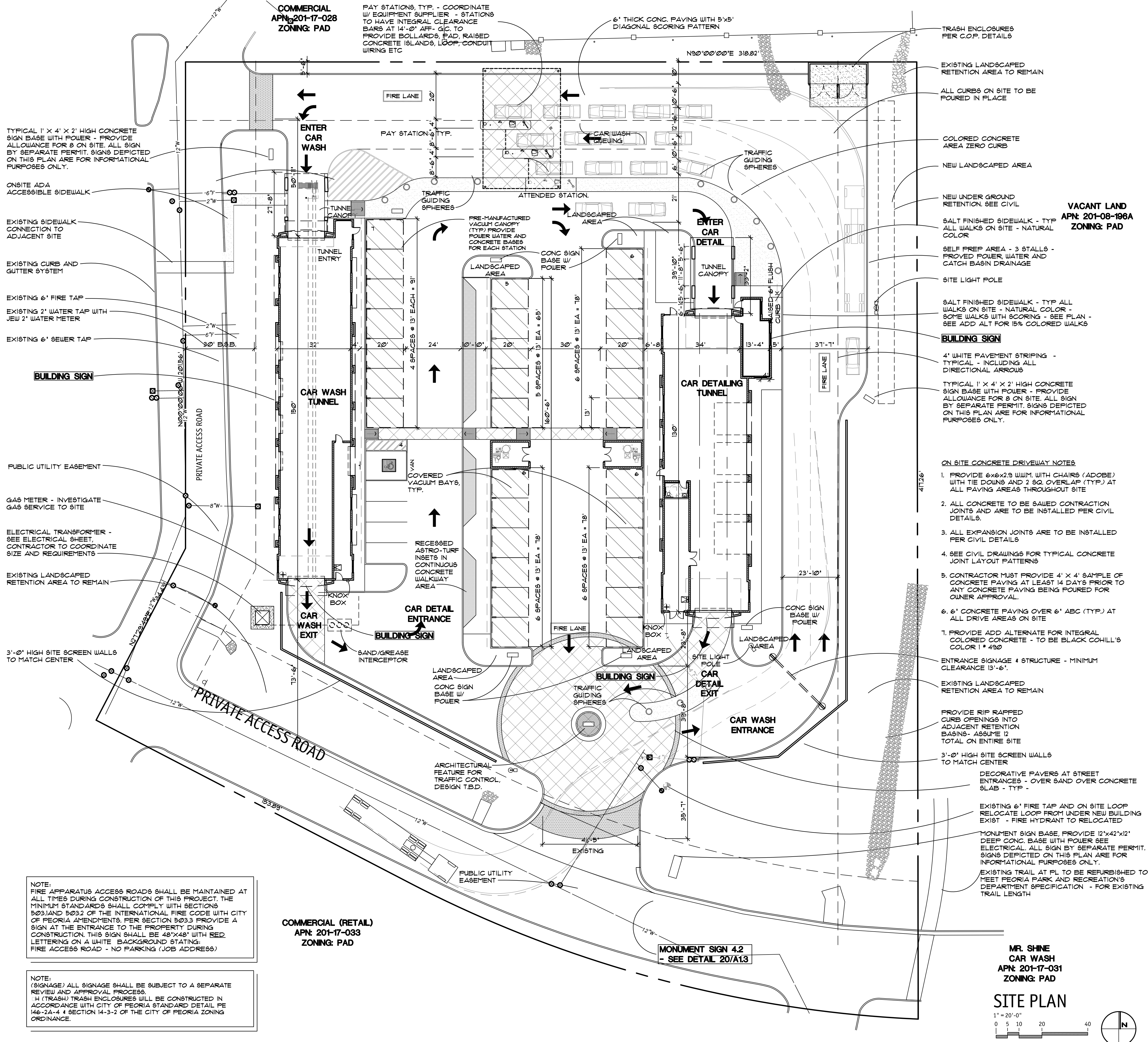
7. *The Planning Manager shall not approve or recommend approval of any Conditional Use Permit unless the Department has received a Waiver of Proposition 207 from the Owner(s) of the*

property that is the subject of the Conditional Use Permit or has determined that the absence of such a Waiver of Proposition 207 is consistent with the City's General Plan and Zoning goals and regulations.

The Waiver of Proposition 207 has been completed and is submitted for the case file of this project.

In advance, we appreciate your consideration of this project. Sincerely,

Sherman Cawley
Cawley Architects, Inc.



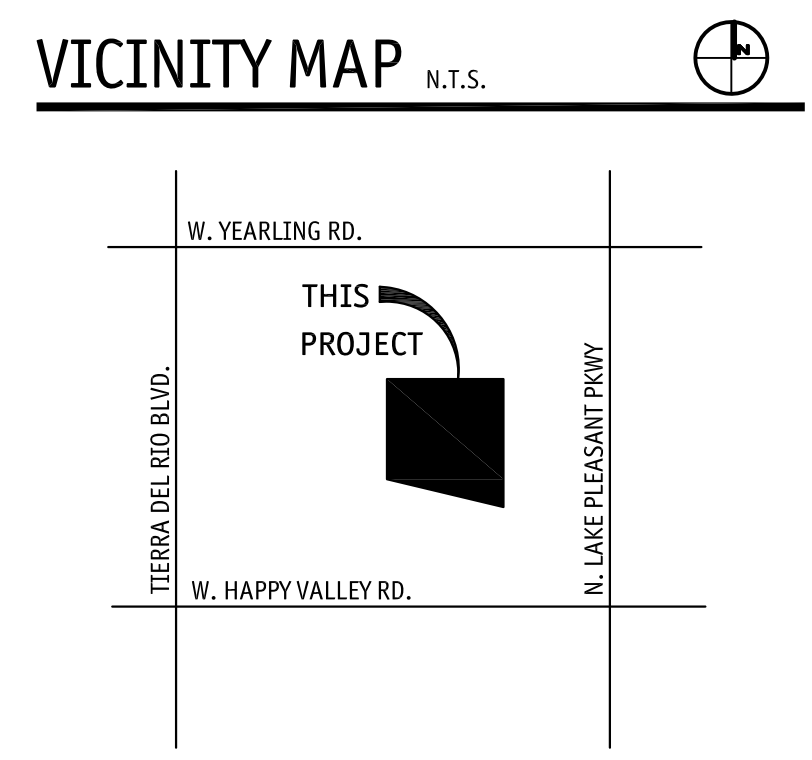
SITE DATA	
PROJECT:	MR. SHINE CAR WASH
ADDRESS:	25500 NORTH LAKE PLEASANT PARKWAY PEORIA, ARIZONA
SCOPE:	A NEW COMMERCIAL BUILDING
LEGAL DESCRIPTION:	SEE CIVIL
ASSESSOR PARCEL #:	201-17-031
ZONING:	PAD (C-2)
SITE AREA:	+/- 122,128 S.F. (+/- 2.80 ACRES)
BUILDING AREA:	WASH BUILDING: 4,774 S.F. DETAIL BUILDING: 5,226 S.F. TOTAL (BOTH BLDGS): 10,000 S.F.
CANOPY AREA:	WASH BUILDING CANOPIES: 580 S.F. DETAIL BUILDING CANOPIES: 580 S.F.
STORIES:	SINGLE STORY
LOT COVERAGE:	8.5 %
LANDSCAPE AREA:	NEW = 33,370 SF - EXISTING TO REMAIN = 20,000 SF
LANDSCAPE COVERAGE:	44 %
OCCUPANCY:	B - BUSINESS
CONSTRUCTION TYPE:	V-B W/ A.F.E.S.
ALLOWABLE AREA:	36,000 S.F. (SINGLE STORY)
BUILDING HEIGHT:	24'-0"
PARKING REQUIRED	1/300 FOR OFFICE - 4 MINIMUM
PARKING PROVIDED	5

- ADD ALTERNATES
1. PROVIDE ADD ALT FOR 15% COLORED CONCRETE ON ALL ON SITE SIDEWALKS - TYP 5'-0" WIDE

2. PROVIDE ADD ALTERNATE FOR INTEGRAL COLOR TO BE ADDED TO ALL ON SITE DRIVE CONCRETE - BLACK - COHILL'S COLOR 1#430 -

3. PROVIDE ADD ALTERNATE FOR ALL ON SITE DRIVEWAYS TO BE PAVERS - OVER SAND OVER SLAB

LEGEND	
	PROPERTY LINE
	EASEMENT / SETBACK LINE
	CAR OVERHANG, MEASURED FROM FACE OF CURB AS DIMENSIONED ON SITE PLAN
	6" CURB
	SITE WALL
	SALT FINISH CONCRETE SIDEWALK
	PAINT STRIPING ON PAVEMENT
	NEW FIRE HYDRANT
	EXISTING FIRE HYDRANT
	FIRE DEPARTMENT CONNECTION
	ACCESSIBLE ROUT / PATH OF TRAVEL
	FIRE RISER

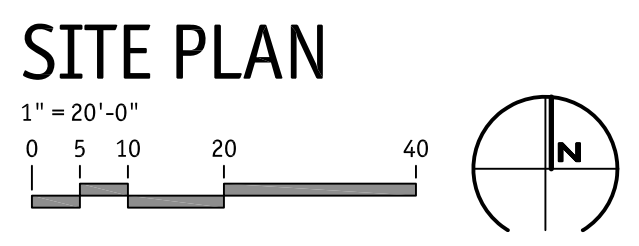


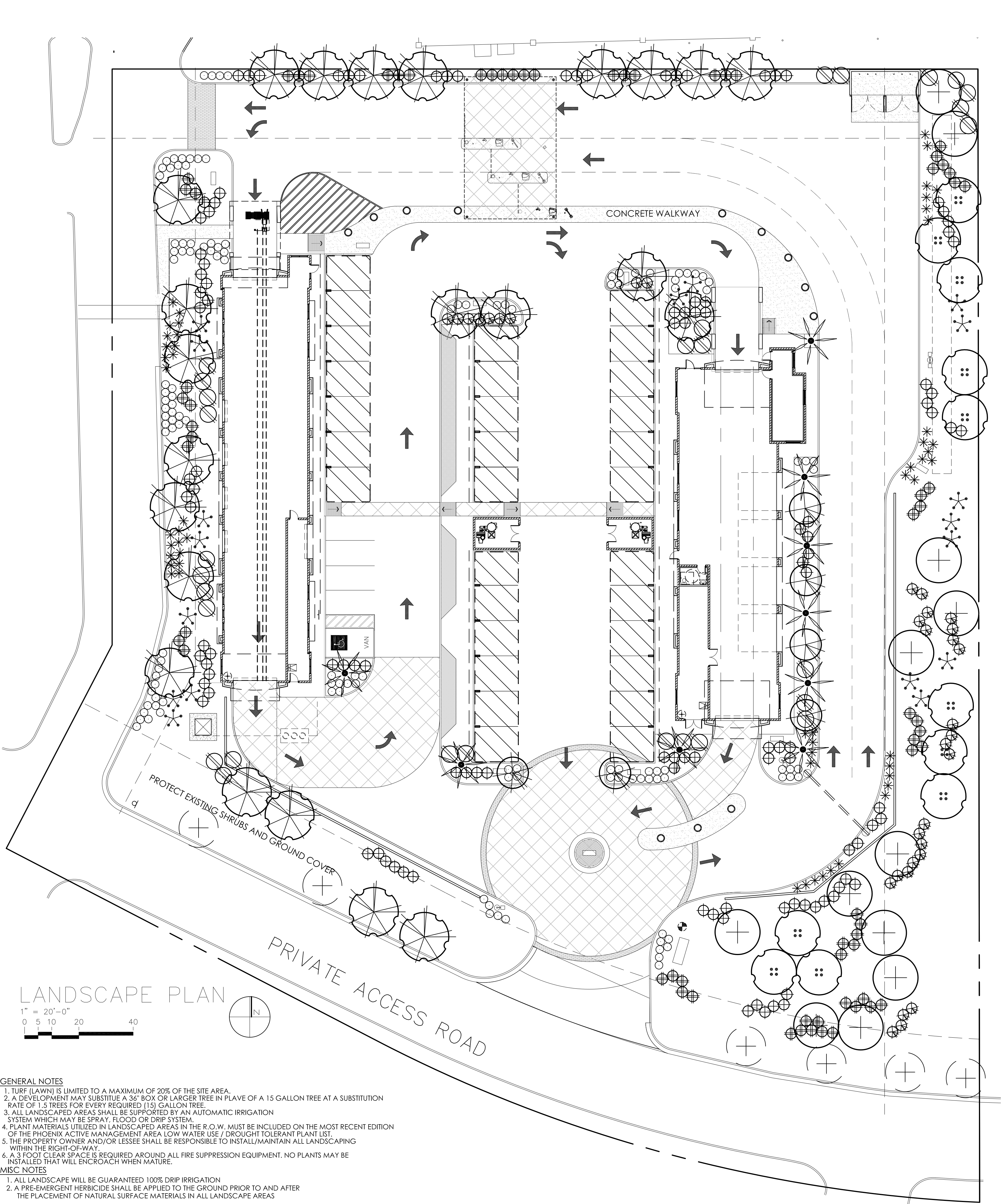
NOTE:
FIRE APPARATUS ACCESS ROADS SHALL BE MAINTAINED AT ALL TIMES DURING CONSTRUCTION OF THIS PROJECT. THE MINIMUM STANDARDS SHALL COMPLY WITH SECTIONS 503.1 AND 503.2 OF THE INTERNATIONAL FIRE CODE WITH CITY OF PEORIA AMENDMENTS. PER SECTION 503.3 PROVIDE A SIGN AT THE ENTRANCE TO THE PROPERTY DURING CONSTRUCTION. THIS SIGN SHALL BE 48"x48" WITH RED LETTERING ON A WHITE BACKGROUND STATING: FIRE ACCESS ROAD - NO PARKING (JOB ADDRESS)

NOTE:
(SIGNAGE) ALL SIGNAGE SHALL BE SUBJECT TO A SEPARATE REVIEW AND APPROVAL PROCESS.
(H (TRASH) TRASH ENCLOSURES WILL BE CONSTRUCTED IN ACCORDANCE WITH CITY OF PEORIA STANDARD DETAIL PE 146-2A-4 & SECTION 14-3-2 OF THE CITY OF PEORIA ZONING ORDINANCE.

COMMERCIAL (RETAIL)
APN: 201-17-033
ZONING: PAD

MR. SHINE
CAR WASH
APN: 201-17-031
ZONING: PAD





- PHOENIX DACTYLIFERA
DATE PALM (9)
25' T.F. MATCHING, STRAIGHT, PERFECT
- CERCIDIUM HYBRID
DESERT MUSEUM PALO VERDE
24" BOX (MATCHING) (23)
- CERCIDIUM FLORIDUM
BLUE PALO VERDE
24" BOX (12)
- OLNEYA TESOTA
IRONWOOD
24" BOX 2" CALIPER (11)
- SOPHORA SECUNDIFLORA
TEXAS MOUNTAIN LAUREL
24" BOX (6)
- EXISTING TREE
PROTECT FROM
CONSTRUCTION (6)
- CAESALPINIA MEXICANA
MEXICAN BIRD OF PARADISE
5 GALLON (18)
- HESPERALOE PARVIFLORA
RED YUCCA
5 GALLON (116)
- DASYLIRION WHEELERII
DESERT SPOON
5 GALLON (70)
- LEUCOPHYLLUM FRUTESCENS
'GREEN CLOUD'
5 GALLON (34)
- TECOMA 'ORANGE JUBILEE'
ORANGE JUBILEE
5 GALLON (29)
- ALOE 'BLUE ELF'
BLUE ELF ALOE
5 GALLON (55)
- LANTANA MONTEVIDENSIS
'GOLD MOUND'
1 GALLON (128)
- 3/4" SCREENED (MATCH EXISTING)
DECOMPOSED GRANITE
2" DEPTH IN ALL LANDSCAPE AREAS

SITE PLAN PLANTING DATA

LANDSCAPE AREAS
A. ON-SITE LANDSCAPE AREA [14-35-4.A.1]
1. OVERALL ON-SITE
COMMERCIAL/OTHER NON-RESIDENTIAL: 20% OF NET SITE AREA **

B. STREET FRONTAGE BUFFER [14-35-4.A.2]
1. COMMERCIAL/MULTI-FAMILY: 15' WIDE STRIP (ON-SITE) ALONG STREET FRONTAGE

PLANT QUANTITIES
ON-SITE LANDSCAPE AREAS [14-35-4.A.1.d]
D. TREES: 1 PER 400 SQ. FT. OF REQ. LANDSCAPING (SEE A.1)
E. SHRUBS: 5 PER 400 SQ. FT. OF REQ. LANDSCAPING (SEE A.1)

STREET FRONTAGE BUFFER PLANTINGS [14-35-4.A.2]
H. TREES: 1 PER 25 LIN FEET OF STREET FRONTAGE
I. SHRUBS: 5 PER 25 LIN FEET OF STREET FRONTAGE

TOTALS
TOTAL LANDSCAPE AREAS (A+B+C)
TOTAL TREES (D+F+H+J)
TOTAL 24" BOX TREES (50% OF TOTAL REQUIRED TREES)
TOTAL SHRUBS (E+G+I+K)

GENERAL NOTES

1. TURF (LAWN) IS LIMITED TO A MAXIMUM OF 20% OF THE SITE AREA.
2. A DEVELOPMENT MAY SUBSTITUTE A 36" BOX OR LARGER TREE IN PLAVE OF A 15 GALLON TREE AT A SUBSTITUTION RATE OF 1.5 TREES FOR EVERY REQUIRED (15) GALLON TREE.
3. ALL LANDSCAPED AREAS SHALL BE SUPPORTED BY AN AUTOMATIC IRRIGATION SYSTEM WHICH MAY BE SPRAY, FLOOD OR DRIP SYSTEM.
4. PLANT MATERIALS UTILIZED IN LANDSCAPED AREAS IN THE R.O.W. MUST BE INCLUDED ON THE MOST RECENT EDITION OF THE PHOENIX ACTIVE MANAGEMENT AREA LOW WATER USE / DROUGHT TOLERANT PLANT LIST.
5. THE PROPERTY OWNER AND/OR LESSEE SHALL BE RESPONSIBLE TO INSTALL/MAINTAIN ALL LANDSCAPING WITHIN THE RIGHT-OF-WAY.
6. A 3 FOOT CLEAR SPACE IS REQUIRED AROUND ALL FIRE SUPPRESSION EQUIPMENT. NO PLANTS MAY BE INSTALLED THAT WILL ENCROACH WHEN MATURE.

MISC NOTES

1. ALL LANDSCAPE WILL BE GUARANTEED 100% DRIP IRRIGATION
2. A PRE-EMERGENT HERBICIDE SHALL BE APPLIED TO THE GROUND PRIOR TO AND AFTER THE PLACEMENT OF NATURAL SURFACE MATERIALS IN ALL LANDSCAPE AREAS

MAINTENANCE NOTE:
THIS ENTIRE SITE INCLUDING THE R.O.W WILL BE MAINTAINED BY THIS PROPERTY OWNER.

SITE PLAN PLANTING DATA

LANDSCAPE AREAS

A. ON-SITE LANDSCAPE AREA [14-35-4.A.1]

1. OVERALL ON-SITE

COMMERCIAL/OTHER NON-RESIDENTIAL: 20% OF NET SITE AREA **

B. STREET FRONTAGE BUFFER [14-35-4.A.2]

1. COMMERCIAL/MULTI-FAMILY: 15' WIDE STRIP (ON-SITE) ALONG STREET FRONTAGE

PLANT QUANTITIES

ON-SITE LANDSCAPE AREAS [14-35-4.A.1.a]

D. TREES: 1 PER 400 SQ. FT. OF REQ. LANDSCAPING (SEE A.1)

E. SHRUBS: 5 PER 400 SQ. FT. OF REQ. LANDSCAPING (SEE A.1)

STREET FRONTAGE BUFFER PLANTINGS [14-35-4.A.2]

H. TREES: 1 PER 25 LIN FEET OF STREET FRONTAGE

I. SHRUBS: 5 PER 25 LIN FEET OF STREET FRONTAGE

TOTALS

TOTAL LANDSCAPE AREAS (A+B+C)

TOTAL TREES (D+F+H+J)

TOTAL 24" BOX TREES (50% OF TOTAL REQUIRED TREES)

TOTAL SHRUBS (E+G+I+K)

REQUIRED

24,412 SQ. FT.

PROVIDED

40,200 SQ. FT.

N/A SQ. FT.

N/A SQ. FT.

61 TREES
305 SHRUBS

61 TREES (6-EXIST. 55-NEW)
317 SHRUBS

N/A TREES
N/A SHRUBS

N/A TREES (PRIVATE STREET)
N/A SHRUBS

REQUIRED

24,412 SQ. FT.

61 TREES

31 TREES

305 SHRUBS

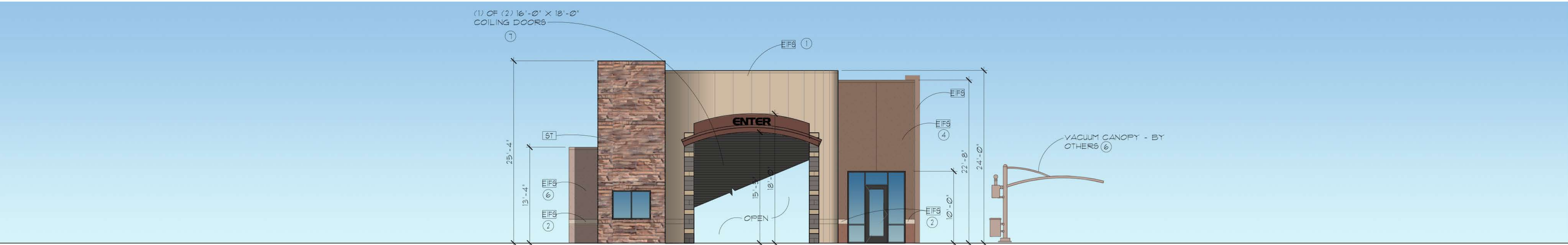
PROVIDED

40,200 SQ. FT.

61 TREES

61 TREES

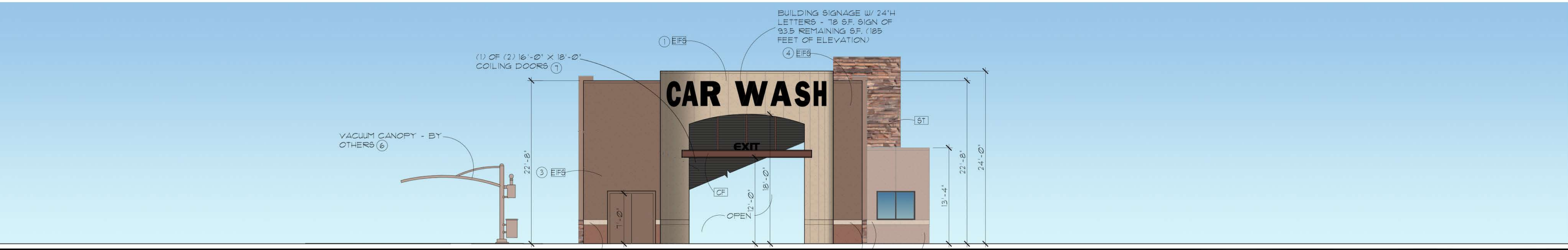
317 SHRUBS



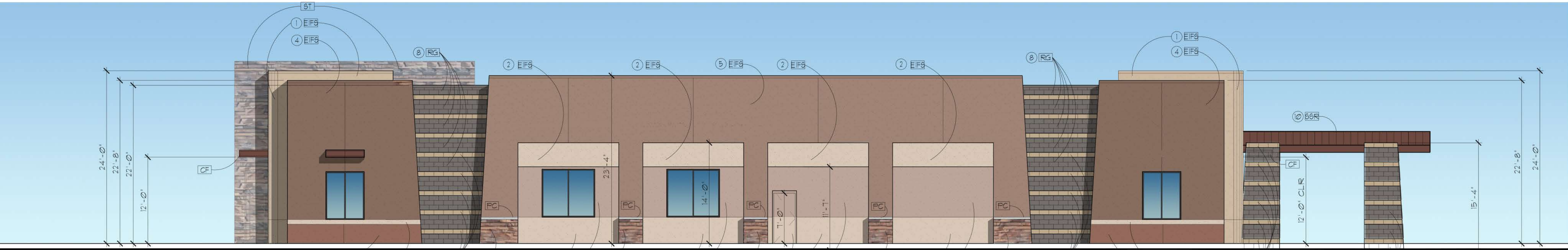
NORTH ELEVATION



EAST ELEVATION



SOUTH ELEVATION



WEST ELEVATION

1. SEE STRUCTURAL FOR LINTEL INFORMATION.
 2. SEE DOOR SCHEDULE FOR DOOR HEIGHTS.
 3. SEE STRUCTURAL FOR CONTROL JOINTS.
- MATERIAL SAMPLE APPROVAL**
1. PRIOR TO ORDERING, G.C. TO PROVIDE INDIVIDUAL SAMPLES OF ALL BUILDING COLORS AND MATERIALS FOR REVIEW AND APPROVAL BY THE ARCHITECT AND OWNER. (i.e. PAINTED CMU, ETC.)
 2. ALL INDIVIDUAL SAMPLES TO BE PRESENTED AT ONE TIME, ONSITE IN SIZES OF NO LESS THAN 12" X 12".

MATERIAL KEY

MATERIAL	DESCRIPTION
EIFS	EXTERIOR INSULATED FINISH SYSTEM (SMOOTH)
RG	SMOOTH FACE REGULAR STRUCK 8 X 8 X 16 CMU
CF	CANOPY FRAME = 12" STEEL CHANNEL, PAINTED
TR	12" STEEL TRELLIS
ST	DECORATIVE STONE
SSR	STANDING SEAM ROOF - VERTICAL SEAM, 12" COVERAGE - THICKNESS - 0.0236 INCH (22 GA), 1 3/4" RIB HEIGHT, FINISH - PVDF BRANDYWINE (P8) OVER SELF ADHERING UNDERLAYMENT BY METAL SALES
PC	PRECAST CONCRETE CAP

STOREFRONT / GLAZING KEY

MATERIAL	COLOR
FRAMES	DARK BRONZE ANODIZED ALUMINUM
GLAZING	1" INSULATED BLUE REFLECTIVE

INSULATED GLAZING SYSTEM SPECIFICATION

OLDCASTLE - 1" INSULATED GLAZING SYSTEM
U-FACTOR: 0.29
SOLAR HEAT GAIN COEFFICIENT (SHGC) : 0.18
OUTBOARD: 1/4" PPG SOLARCOOL BLUE (SRF #2)
AIRSPACE: 1/2" (AIR FILL)
INBOARD: 1/4" PPG SOLARBAN 60 ON CLEAR (SRF #3)

1. '9' AT WINDOW LOCATIONS INDICATES SPANDREL PANELS.
2. SEE WINDOW TYPES FOR LOCATIONS OF TEMPERED GLASS.

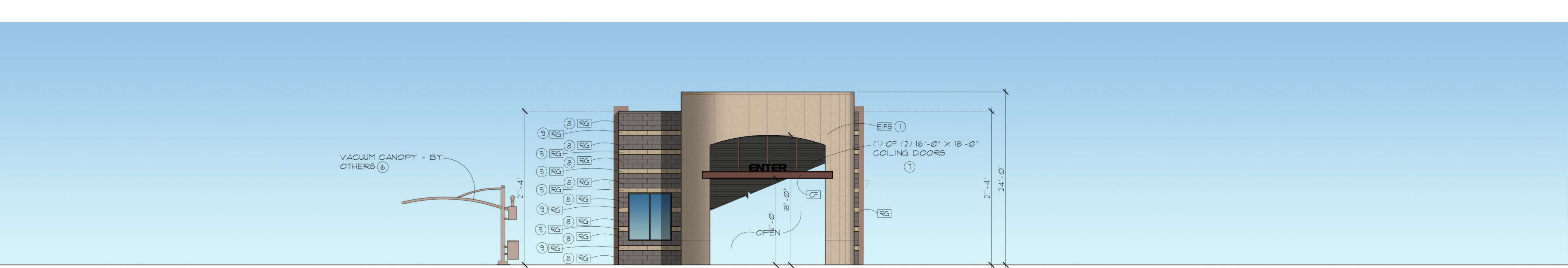
COLOR KEY

KEY	MANUF. - DUNN EDWARDS COLOR NAME:
1	'RUSTIC TAUPE' DE6123
2	'DRY CREEK' DE6122
3	'BADLANDS SUNSET' DE6014
4	'WANDERING ROAD' DE6016
5	'WOOD LAKE' DE6015
6	'FRONTIER LAND' DE6014
7	BRONZE ANODIZED
8	PLUM
9	HARVEST BROWN
10	CRESTED BUTTE 5VLN83986P

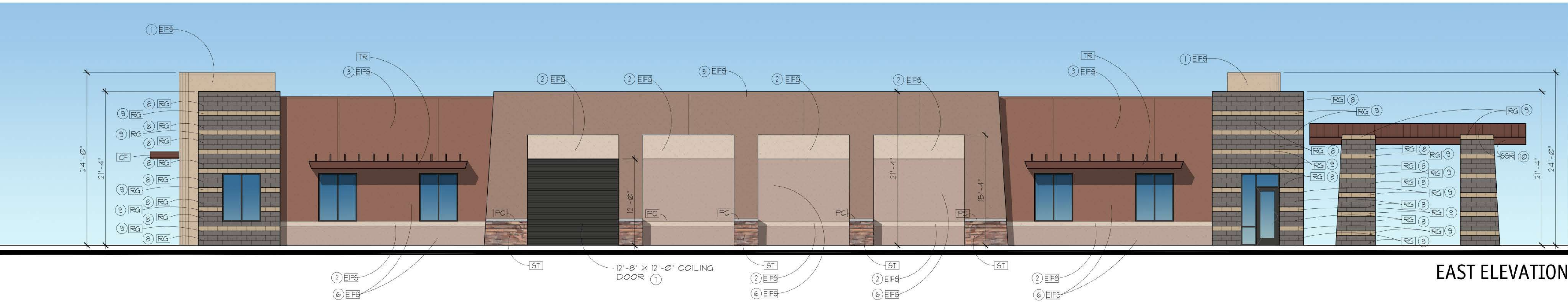
MATERIAL	KEY
EXT. RAILING	1
BOLLARDS	1
8229ES	1
TRANSFORMER	1

1. SEALANTS FOR PROJECTS TO MATCH ADJACENT MATERIAL COLORS - NO WHITE OR OFF WHITE COLORS.
2. PAINTER TO PROVIDE TWO COATS SEALER TO ALL EXPOSED NATURAL BLOCK, PRECAST CONCRETE, UNPAINTED CONCRETE AND OTHER MATERIALS AS REQUIRED TO PROVIDE A WEATHER SEALED PROJECT.
3. G.C. IS RESPONSIBLE FOR SUBMITTING ALL PRE-MANUFACTURED MATERIALS AND COLORS TO ARCHITECT FOR REVIEW AND APPROVAL.
4. G.C. TO OBTAIN APPROVAL FROM UTILITY COMPANY BEFORE PAINTING TRANSFORMER.

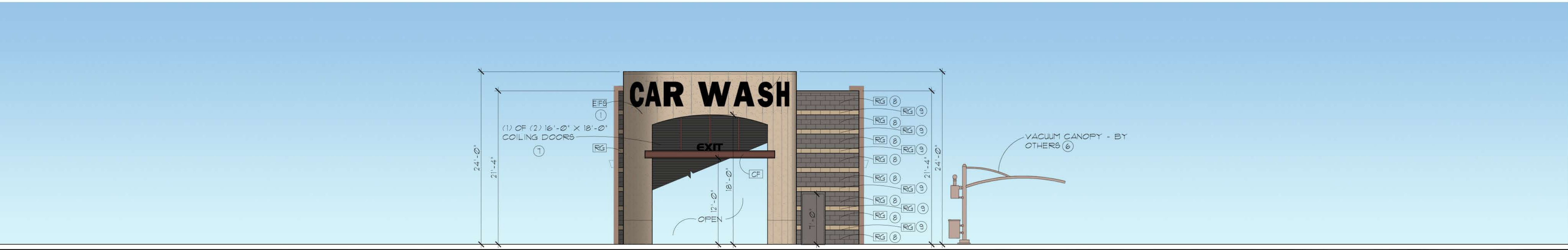
**Exhibit E-1
DETAIL TUNNEL
SIGNAGE PACKAGE
EXTERIOR ELEVATIONS**



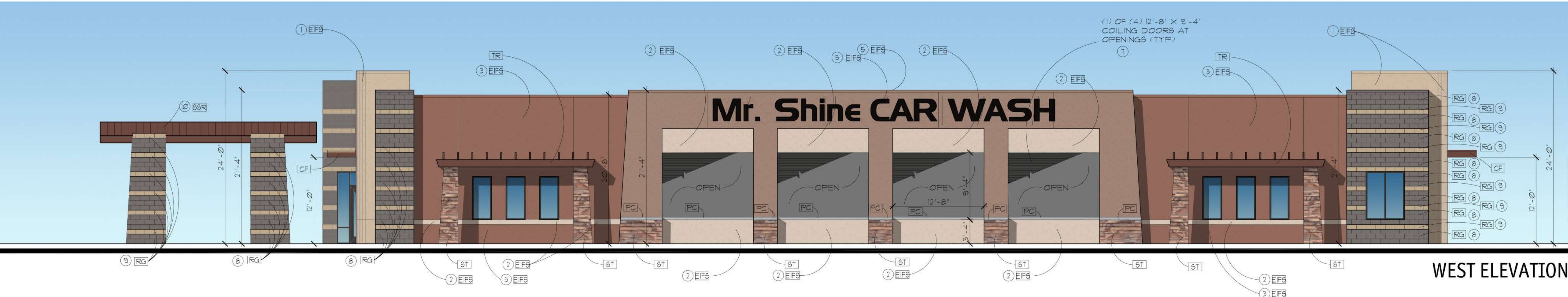
NORTH ELEVATION



EAST ELEVATION



SOUTH ELEVATION



WEST ELEVATION

1. SEE STRUCTURAL FOR LINTEL INFORMATION.
 2. SEE DOOR SCHEDULE FOR DOOR HEIGHTS.
 3. SEE STRUCTURAL FOR CONTROL JOINTS.
- MATERIAL SAMPLE APPROVAL**
1. PRIOR TO ORDERING, G.C. TO PROVIDE INDIVIDUAL SAMPLES OF ALL BUILDING COLORS AND MATERIALS FOR REVIEW AND APPROVAL BY THE ARCHITECT AND OWNER. (1s. PAINTED CMU, ETC.)
 2. ALL INDIVIDUAL SAMPLES TO BE PRESENTED AT ONE TIME, ONSITE IN SIZES OF NO LESS THAN 12" X 12".

MATERIAL KEY	
MATERIAL	DESCRIPTION
EIFS	EXTERIOR INSULATED FINISH SYSTEM (SMOOTH)
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TR	12" STEEL TRELLIS
ST	DECORATIVE STONE
BSR	STANDING SEAM ROOF - VERTICAL SEAM, 12" COVERAGE, THICKNESS - 0.0296 INCH (22 GA), 1 3/4" RIB HEIGHT. FINISH - PVDF 'BRANDYWINE' (F8). OVER SELF ADHERING UNDERLAYMENT BY METAL SALES
PC	PRECAST CONCRETE CAP

STOREFRONT / GLAZING KEY	
MATERIAL	COLOR
FRAMES	DARK BRONZE ANODIZED ALUMINUM
GLAZING	1" INSULATED BLUE REFLECTIVE

- INSULATED GLAZING SYSTEM SPECIFICATION**
- OLDCASTLE - 1" INSULATED GLAZING SYSTEM
U-FACTOR: 0.29
SOLAR HEAT GAIN COEFFICIENT (SHGC): 0.18
OUTBOARD: 1/4" PPG SOLARCOOL BLUE (SRF #2)
AIRSPACE: 1/2" (AIR FILL)
INBOARD: 1/4" PPG SOLARBAN 60 ON CLEAR (SRF #3)
1. 'S' AT WINDOW LOCATIONS INDICATES SPANDREL PANELS.
 2. SEE WINDOW TYPES FOR LOCATIONS OF TEMPERED GLASS.

COLOR KEY	
KEY	MANUF. - DUNN EDWARDS COLOR NAME:
1	'RUSTIC TAUPE' DE6129
2	'DRY CREEK' DE6122
3	'BADLANDS SUNSET' DE6074
4	'WANDERING ROAD' DE6076
5	'WOOD LAKE' DE6075
6	'FRONTIER LAND' DE6074
7	BRONZE ANODIZED
8	PLUM
9	HARVEST BROWN
10	CRESTED BUTTE 5VLN83926P

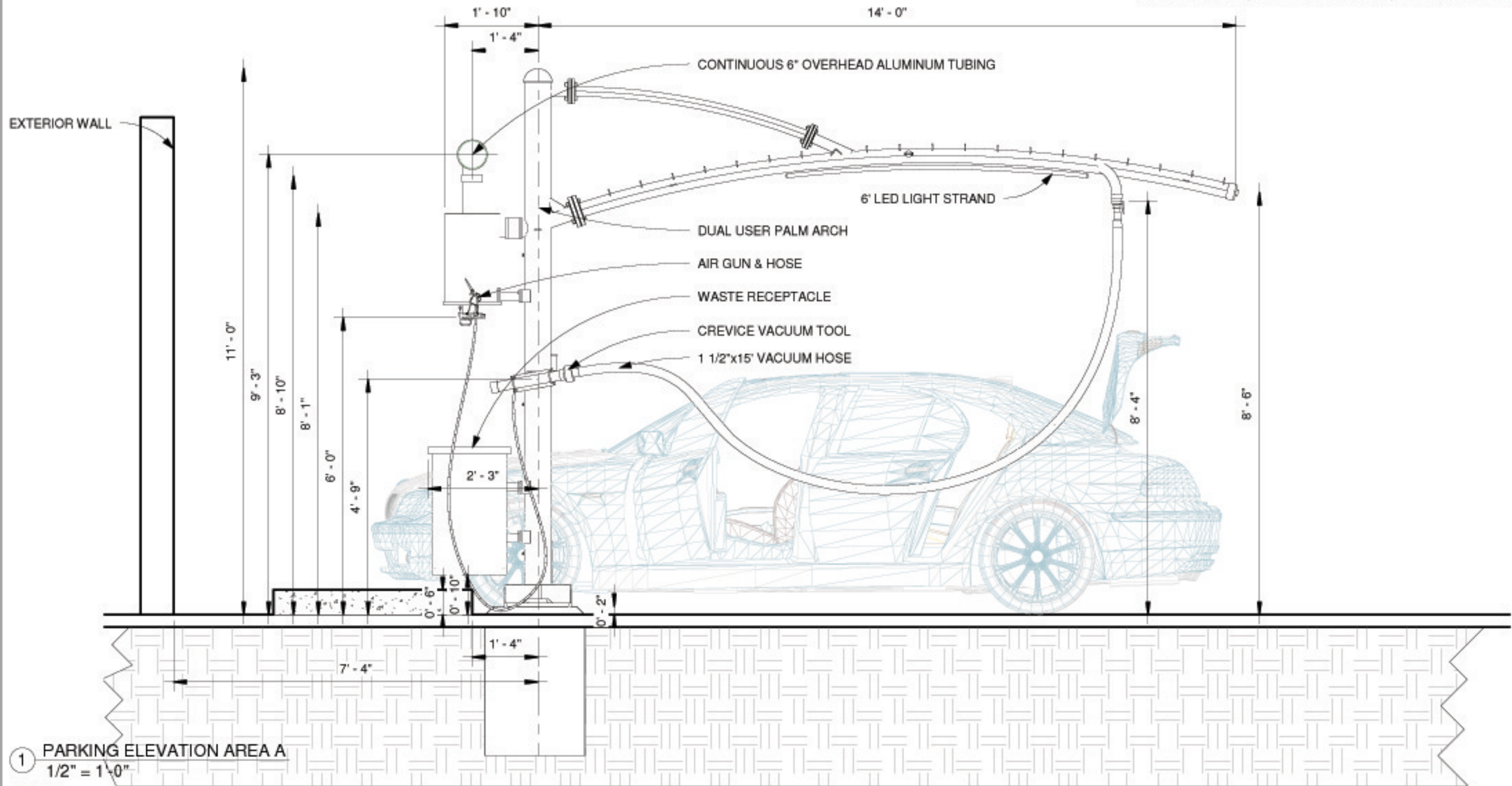
- | MATERIAL | KEY |
|--------------|-----|
| EXT. RAILING | 1 |
| BOLLARDS | 1 |
| GATES | 1 |
| TRANSFORMER | 1 |
1. SEALANTS FOR PROJECTS TO MATCH ADJACENT MATERIAL COLORS - NO WHITE OR OFF WHITE COLORS.
 2. PAINTER TO PROVIDE TWO COATS SEALER TO ALL EXPOSED NATURAL BLOCK, PRECAST CONCRETE, UNPAINTED CONCRETE AND OTHER MATERIALS AS REQUIRED TO PROVIDE A WEATHER SEALED PROJECT.
 3. G.C. IS RESPONSIBLE FOR SUBMITTING ALL PRE-MANUFACTURED MATERIALS AND COLORS TO ARCHITECT FOR REVIEW AND APPROVAL.
 4. G.C. TO OBTAIN APPROVAL FROM UTILITY COMPANY BEFORE PAINTING TRANSFORMER.

Exhibit E-2 WASH TUNNEL EXTERIOR ELEVATIONS

1/8" = 1'-0"

**** FIELD VERIFY ALL DIMENSIONS ****

NOTE: IF VACUUM EQUIPMENT IS ENCLOSED WITH ROOF/CEILING, REFER TO VENTILATION REQUIREMENTS UNDER EQUIPMENT WARRANTY INFORMATION



1 PARKING ELEVATION AREA A
1/2" = 1'-0"

NOTES

THESE DRAWINGS ARE THE PROPERTY OF VACUTECH, IT IS A PRELIMINARY DRAWING AND IS NOT TO BE USED FOR CONSTRUCTION OR INSTALLATION WITHOUT THE WRITTEN CONSENT OF VACUTECH. NO OTHER PERSON, AGENCY, DEALER, AFFILIATED WITH OR NOT AFFILIATED WITH VACUTECH IS AUTHORIZED TO PROVIDE WRITTEN CONSENT.

MATERIAL KEY

<u>MATERIAL</u>	<u>DESCRIPTION</u>
EIFS	EXTERIOR INSULATED FINISH SYSTEM (SMOOTH)
RG	SMOOTH FACE REGULAR STRUCK 8 X 8 X 16 CMU
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PC	PRECAST CONCRETE CAP



PLANNING AND ZONING COMMISSION REPORT

Meeting November 17, 2016

Date:

Agenda Item: 5C

Case Name: CU16-0025: Panera Bread

Case CU16-0025
Number(s):

General Application Information

Proposal:

Obtain a Conditional Use Permit to allow a modification to an existing outdoor dining area in conjunction with an existing restaurant use.

Location:

North of the northwest corner of Lake Pleasant Parkway and Happy Valley Parkway.

Project Acreage:

Expand existing 898 square foot outdoor dining patio with an additional 1,063 square feet.

Applicant:

Patrick Johnson

Project Description

Obtain a Conditional Use Permit (CUP) to allow a modification to the existing outdoor dining area in conjunction with the existing restaurant use.

Key Items For Consideration:

Based on the following findings, City staff is recommending approval:

- The request is consistent with the City of Peoria Zoning Ordinance and compatible with the uses in the surrounding area;
- The proposal meets the Conditional Use Permit standards and complies with the use limitations for an outdoor dining area.
- The use, in conjunction with the conditions of approval, will operate in a manner that will not negatively impact the adjoining uses; and, the applicant/owner has submitted a signed and notarized Proposition 207 waiver, which will be recorded with the conditions outlined in the

staff report.

Recommendations:

Approve the applicant's request for a Conditional Use Permit under Case CU16-0025 subject to the conditions outlined in the staff report.

ATTACHMENTS:

Description

Staff Report

Exhibit A - Vicinity Map

Exhibit B - Zoning Map

Exhibit C - Project Narrative

Exhibit D - Site Plan

Exhibit E - Planter Box Photo

BACKGROUND

Context

The subject property is located at 9818 W. Happy Valley Road, Peoria, AZ 85383. (Exhibit A)

General Plan

The subject property is designated Community Commercial on the General Plan Land Use Map. The Community Commercial Land Use designation denotes areas where commercial development is more intense than that of neighborhood commercial areas and may take place in the form of shopping centers that serve a market radius of generally 3-5 miles.

Zoning

The site is zoned Lake Pleasant Towne Center Planned Area Development (PAD). This PAD provides a tailored list of uses such as restaurant, retail, and service uses consistent with a commercial center anchored by large-format retail. (Exhibit B)

Adjacent Uses and Zoning

Table 1 summarizes the existing land use, General Plan designation and zoning for the surrounding areas.

Table 1 – Existing Land Use, General Plan, and Current Zoning

	EXISTING LAND USE	GENERAL PLAN	ZONING
Subject Property	Commercial Shopping Center	Community Commercial	Planned Area Development (PAD) – Lake Pleasant Towne Center Z03-04A.5
North	Commercial Shopping Center	Community Commercial	Planned Area Development (PAD) – Lake Pleasant Towne Center Z03-04A.5
South	Commercial Shopping Center	Community Commercial	Planned Area Development (PAD) – Lake Pleasant Towne Center Z03-04A.5
East	Vacant Land	Community Commercial	Planned Area Development (PAD) – Lake Pleasant Towne Center Z03-04A.5
West	Commercial Shopping Center	Community Commercial	Planned Area Development (PAD) – Lake Pleasant Towne Center Z03-04A.5

Other Related Policies and Project History

The subject property received site plan approval on August 13, 2005, allowing the development of the overall shopping center including the subject restaurant use. On

December 6, 2007, a Conditional Use Permit (CUP) was received for outdoor dining on the subject site. The restaurant chain is going through a rebranding effort, and due to the desired modifications to the outdoor dining area, the applicant must obtain a new Conditional Use Permit for the proposed outdoor dining.

APPLICANT'S PROPOSAL

Goal/Purpose of Request

The applicant is requesting the approval of a Conditional Use Permit to operate an outdoor dining area in conjunction with the existing restaurant use. The outdoor dining area would function in the same manner as the current outdoor dining area for the restaurant. The purpose of the request is to modify the boundaries of the outdoor dining area. This modification to the outdoor dining is to allow for the development of a drive through component of the subject restaurant and provide appropriate layout and spacing for both the outdoor dining area and the drive through component.

Development Information

- | | |
|------------------|---|
| • Existing Use: | Existing restaurant with outdoor dining |
| • Proposed Use | Restaurant with outdoor dining |
| • Property Size: | 4,733 sq ft – restaurant interior suite |
| | 898 sq ft – existing outdoor dining |
| | 1,063 sq ft – proposed outdoor dining |

DISCUSSION AND ANALYSIS

Applicability

The subject property is zoned Lake Pleasant Towne Center Planned Area Development (PAD). The PAD allows outdoor dining through a Conditional Use Permit, subject to limitations.

Article 14-9-5-K of the Zoning Ordinance provides the following limitations on outdoor dining in the C-2 District. Staff responses are in *italics*.

- Such areas shall be located immediately adjacent to the restaurant or establishment to which it is an accessory use.

The patio is located directly adjacent to the north façade of the building.

- The use shall not interfere with pedestrian access, fire lanes, driveways, or traffic visibility at driveways or street intersections.

The proposed outdoor dining area will contain planter boxes along the boundary of the outdoor dining area and the adjacent drive aisle to aid in the prevention of pedestrian and vehicular interaction.

- Such areas shall not exceed 25% of the gross floor area (GFA) of the establishment. The Planning and Zoning Commission may waive this requirement if it is found that sufficient mitigating measures are provided to eliminate potential adverse impacts on adjacent properties.

The overall size of the patio is 1,063 square feet (approximately 22.5% of the GFA), which is under the maximum of 25% prescribed by section 14-9-5.B.3.c. The overall GFA of the restaurant use is 4,733 square feet.

- Through the Conditional Use Permit (CUP) process, the conditions considered for imposition by the Planning and Zoning Commission may include, but is not limited to, a restriction on operating hours, additional screening, re-location of the outdoor dining and seating area, noise and visual mitigation and other measures appropriate to the relevant circumstances.

The patio is located on the north side of the building which will be bounded by the restaurant to the east and south, the drive through aisle to the north and the parking lot to the west. The outdoor dining area will operate in conjunction with the hours of operation for the restaurant use. Considering its location within the larger commercial shopping center there are no anticipated noise or visual mitigation steps necessary.

Compatibility With Surrounding Land Uses

Section 14-39-12 of the Zoning Ordinance outlines the applicable criteria for evaluating Conditional Use Permits. In general, the purpose of a CUP is to mitigate any identified negative impacts on the surrounding neighborhood that may result from a specific use, and provide controls to ensure maximum compatibility between nearby land uses.

The proposed location of the outdoor dining is an extension of an existing restaurant use. The patio is already in use through a prior conditional use permit, but will receive modifications in order to accommodate the spacing for the drive through component of the restaurant. Staff does not anticipate any negative impacts that would affect adjoining or nearby uses as a result of this request.

If any issues arise regarding the operation of the business, Section 14-39-12.I of the Zoning Ordinance provides the Planning Manager with continuing jurisdiction over all Conditional Use Permits, meaning the Planning Manager may recommend to the Planning and Zoning Commission that a permit may be revoked, modified or suspended should any of the following occur:

- a. The permit was obtained by fraud or misrepresentation;

- b. The use authorized by the CUP has been exercised in violation of the conditions of approval.
- c. A change in circumstances where the following has occurred:
 - 1. Impacts from the approved CUP to neighboring properties; and
 - 2. Changes in aesthetic or environmental impacts such as noise, odors, or pollution.
- d. The use authorized by the CUP is operated in a manner that constitutes a nuisance to neighboring property owners, adjacent neighborhoods, or the City; or is exercised in a manner that is detrimental to the public health, welfare or safety.

COMMUNITY INVOLVEMENT

Outreach Requirements

The application was properly noticed pursuant to Section 14-39-6 of the Peoria Zoning Ordinance, which includes notification to all property owners within 600 feet of the site and registered HOA's within one (1) mile, posting a sign on the site, and placing an ad in the Peoria Times at least 15 days prior to the Public Hearing.

Support / Opposition

At the time of this writing, no responses in support or opposition have been received.

Proposition 207 Waiver

The voters of Arizona approved Proposition 207, which among other things requires municipalities to compensate property owners for actions which have the effect of diminishing the value of property. The City Attorney's Office has drafted an agreement which waives the applicant's rights to future Proposition 207 claims against the City. Accordingly, the applicant has furnished a signed and notarized Proposition 207 Waiver.

STAFF RECOMMENDATION

Based on the following findings:

1. The request is consistent with the City of Peoria Zoning Ordinance and compatible with the uses in the surrounding area;
2. The use, in conjunction with the conditions of approval, will operate in a manner that will not negatively impact the adjoining uses; and,
3. The applicant/owner has submitted a signed and notarized a Proposition 207 waiver, which will be recorded with the conditions outlined below.

Staff recommends that the Planning and Zoning Commission take the following action:

Approve the applicant's request for a Conditional Use Permit under Case CU16-0025, subject to the following conditions:

1. The development shall substantially conform to the Project Narrative (Exhibit C) and Site Plan (Exhibit D), as contained in the staff report to the Planning and Zoning Commission dated November 17, 2016.
2. Areas where there is no planter box between the outdoor dining area and the drive through aisle shall contain a pedestrian level railing to prevent pedestrian access across the drive through aisle.
3. Any expansion of the use, patio, or material modification of the site shall require an amendment to the Site Plan (Site Plan Amendment) and Conditional Use Permit.

REPORT PREPARED BY

Cody Gleason
Planner
623-773-7645
Cody.Gleason@peoriaaz.gov

ATTACHMENTS:

Exhibit A	Vicinity Map
Exhibit B	Zoning Map
Exhibit C	Project Narrative
Exhibit D	Site Plan
Exhibit E	Planter Box Photo

Vicinity Map



CU16-0025 Panera Bread

Applicant: LK Architecture Inc.

Request: A Conditional Use Permit to allow a 1,063 square foot outdoor dining area in conjunction with the existing restaurant use.

Location: North of the northwest corner of Lake Pleasant Parkway and Happy Valley Parkway.

Exhibit A



Not to Scale

Zoning Map



CU16-0025 Panera Bread

Applicant: LK Architecture Inc.

Request: A Conditional Use Permit to allow a 1,063 square foot outdoor dining area in conjunction with the existing restaurant use.

Location: North of the northwest corner of Lake Pleasant Parkway and Happy Valley Parkway.

Exhibit B



Not to Scale

September 19, 2016

Planning and Community Development Department
9875 North 85th Avenue
Peoria, AZ 85345

Re: PANERA BREAD #610030 ADDITION AND REMODEL
9940 W. HAPPY VALLEY ROAD
PEORIA, AZ

Subject: SITE PLAN AMENDMENT SUBMITTAL

PROJECT NARRATIVE

Panera Bread LLC of St. Louis recently purchased the concept Paradise Bakery Cafe. Panera Bread is transitioning all of the existing Paradise Bakery Cafes to Panera Bread. The existing suite currently exists as a Paradise Bakery Café, this remodel and addition will bring this location into compliance with the Panera Bread brand

The scope of work for this project includes:

- Interior dining finish and furniture upgrades
- Exterior patio furniture upgrades
- Exterior paint and signage upgrades
- Kitchen layout updates to better serve the customer
- Addition to the building to incorporate a drive-thru operation
- Addition of a drive thru lane (per City of Peoria requirements), to include menu and preview board as well as directional signage for the site.

The proposal is compatible with the surrounding retail stores. The project will be built as one phase with construction targeted to begin in August.

Sincerely,

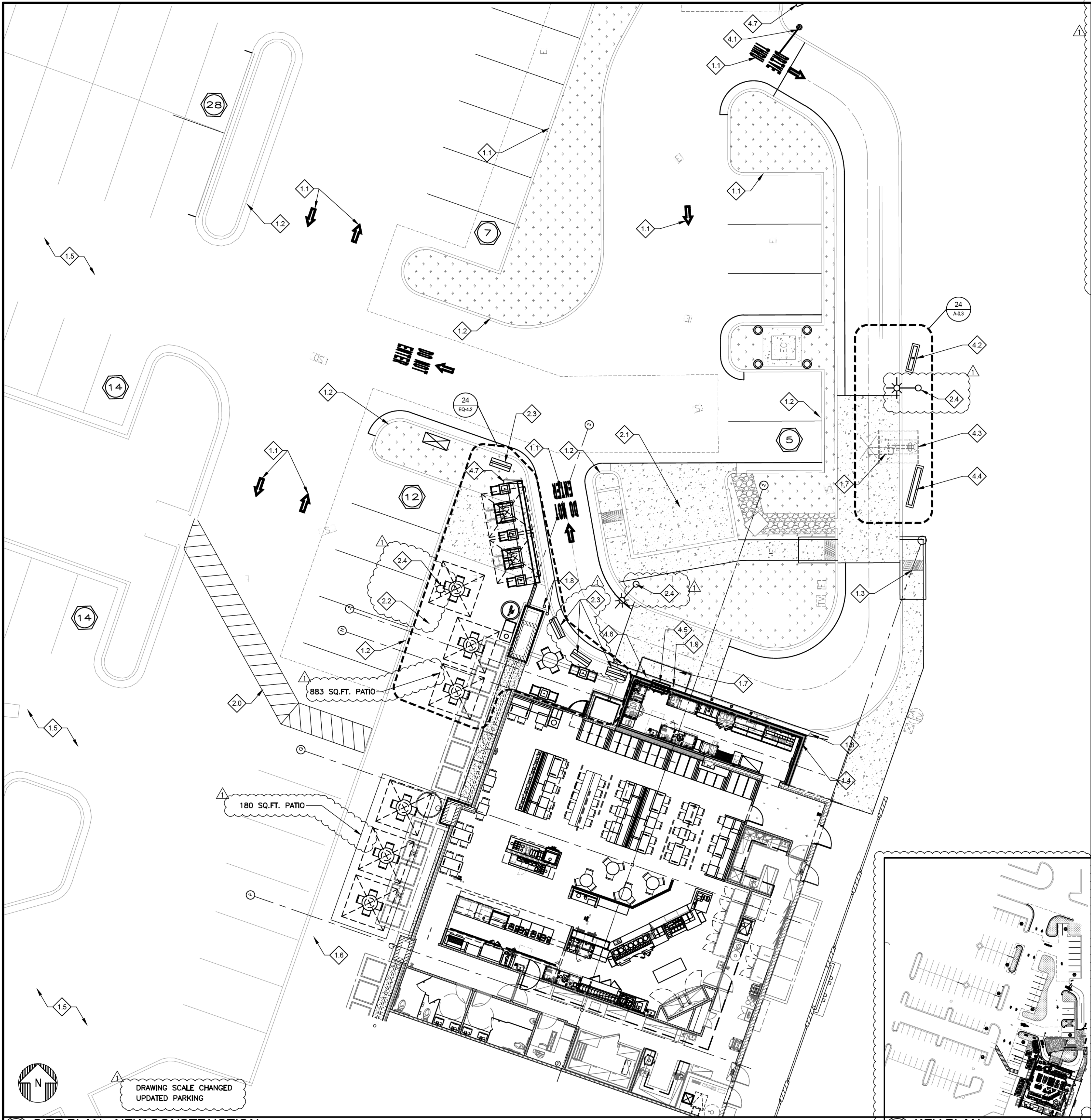
ADM Group, Inc.

Jenifer Weskalnies
Director of Architecture
JEW:jew

cc: Project File 5987-103



o. 480.285.3800
f. 480.285.3801
www.admgroupinc.com



24 SITE PLAN - NEW CONSTRUCTION
SCALE: 1"=10'

12 KEY PLAN
SCALE: N.T.S.

PARKING CALCULATIONS:	
REQUIRED PARKING:	
RESTAURANT - 1 STALL PER 50 SQ FT = 2489/50=50 STALLS	
KITCHEN - 1 STALL PER 200 SQ FT = 2244/200=12 STALLS	
PATIO - 1 STALL PER 100 SQ FT = 1063/100=11 STALLS	
72 STALLS REQUIRED	
EXISTING PARKING AGREEMENT:	
GROSS SITE AREA - 657,126 SQ.FT.	
NET SITE AREA - 411,356 SQ.FT.	
BUILDING AREA - 62,605 SQ.FT.	
PARKING PROVIDED - 425 SPACES	
ADA PARKING REQUIRED - 10 SPACES	
ADA PARKING PROVIDED - 14 SPACES	
STALLS REMOVED - 45	
STALLS ADDED - 25	
NET LOSS - 20	
TOTAL PARKING PROVIDED: 405	

PATIO:	
1063 SQ.FT.	
RELOCATED LIGHT FIXTURE: 3	

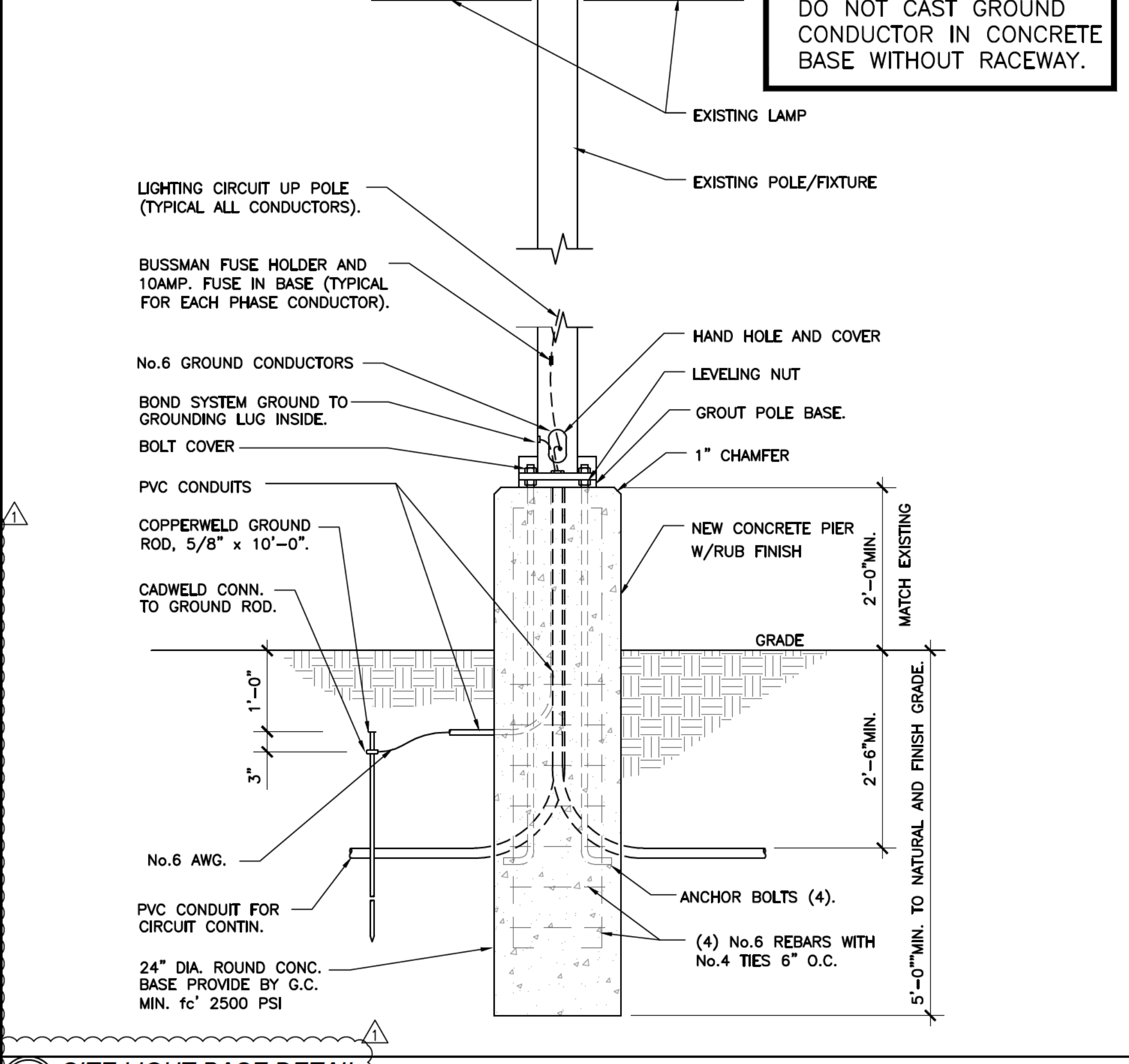
KEYED NOTES:	
GENERAL:	INDICATED BY SYMBOL
1.1 NEW DIRECTIONAL PAVEMENT MARKINGS, SEE CIVIL	
1.2 NEW CONCRETE CURB, SEE CIVIL	
1.3 RAMP TO DRIVE THRU, SEE CIVIL	
1.4 NEW ROOF DRAIN, SEE CIVIL	
1.5 EXISTING PARKING LOT TO REMAIN, NO WORK	
1.6 EXISTING CONCRETE SIDEWALK	
1.7 GENERAL CONTRACTOR SHALL INSTALL LOOP DETECTORS IN CONCRETE. REF CIVIL FOR CONCRETE. SEE DETAIL 9 AND 10/A-0.3 FOR LOOP DETECTOR INSTALLATION.	
1.8 NEW 6" BOLLARD. REFER TO DETAIL 19/A-0.2.	
1.9 NEW 4" BOLLARD, REFER TO DETAIL 23/A-0.2.	
2.0 ACCESSIBLE PATH OF TRAVEL.	

GENERAL NOTES:	
A. ALL WORK SHALL COMPLY WITH THE REGULATIONS AND ORDINANCES OF CITY OF PEORIA, STATE OF ARIZONA AND MARICOPA COUNTY BUILDING REGULATIONS AND ANY OTHER APPLICABLE CODES.	
B. THE GENERAL CONTRACTOR SHALL NOTIFY THE OWNER/ARCHITECT OF ANY INTERRUPTIONS IN UTILITY SERVICES.	
C. THE GENERAL CONTRACTOR SHALL CONTACT LOCAL UTILITIES TO VERIFY ALL SIZES, LOCATIONS, AND CONNECTION POINTS FOR ALL UTILITIES AFFECTED.	
D. ANY CONNECTIONS, DISCONNECTIONS, AND INSTALLATIONS TO LOCAL UTILITIES SHALL BE MADE IN ACCORDANCE WITH APPLICABLE CODES.	
E. EXTERIOR BUILDING SIGN FURNISHED & INSTALLED BY OWNER VENDOR. GENERAL CONTRACTOR TO PROVIDE POWER.	
F. GENERAL CONTRACTOR TO VERIFY EXISTING SITE CONDITIONS PRIOR TO BID. ALSO PROVIDE CONTINUOUS CURB CUTS AND SMOOTH PAVEMENT & CURB TRANSITIONS BETWEEN NEW AND EXISTING CONDITIONS AS REQUIRED FOR SITE WORK AS INDICATED.	
G. GENERAL CONTRACTOR SHALL PROVIDE AND INSTALL ELECTRICAL CONDUIT AND STRUCTURAL FOOTINGS FOR ALL NEW SITE DRIVE-THRU SIGNS (TYPICAL).	
H. SEE CIVIL SHEETS FOR ALL SITE DEMOLITION.	

2.1 NEW TRASH ENCLOSURE. REF SHEET A-0.4.	
2.2 OUTDOOR DINING PATIO	
2.3 DECORATIVE PLANTER BARRIER	
2.4 RELOCATED PARKING LIGHT. REF DETAIL 8/A-0.1	
DRIVE-THRU:	
4.1 DRIVE-THRU CLEARANCE BAR, PROVIDED AND INSTALLED BY OWNER SIGN VENDOR, REFER TO DETAIL 8/A-0.2.	
4.2 PREVIEW BOARD PROVIDED AND INSTALLED BY OWNER SIGN VENDOR, REFER TO DETAIL 10/A-0.2.	
4.3 SPEAKER AND CANOPY PROVIDED AND INSTALLED BY OWNER SIGN VENDOR, REFER TO DETAIL 4/A-0.2.	
4.4 MENU BOARD PROVIDED AND INSTALLED BY OWNER SIGN VENDOR. REFER TO DETAIL 22/A-0.2.	
4.5 DRIVE-THRU SERVICE WINDOW. SEE WALL SECTION SHEET A-6.2	
4.6 "YOUR TOTAL IS" SIGN AND DISPLAY. PROVIDED EQUIPMENT SUPPLIER AND INSTALLED BY GC.	
4.7 "DRIVE-THRU" REFLECTIVE SIGN, PROVIDED AND INSTALLED BY PANERA BREAD SIGN VENDOR, REFER TO DETAIL 20/A-0.2.	

NOTE: LEVELING NUTS SHALL BE USED. POLE BEARING PLATE SHALL NOT BE SHIMMED AGAINST PIER CONCRETE.

NOTE: DO NOT CAST GROUND CONDUCTOR IN CONCRETE BASE WITHOUT RACEWAY.



8 SITE LIGHT BASE DETAIL
SCALE: 3/4"=1'-0"

BAKERY CAFE:
#610030
PROTOTYPE UPDATE: 2015-01

ARCHITECT:
LK ARCHITECTURE, INC.
345 RIVERVIEW WICHITA, KS 67203
Phone: (316) 268-0205
Copyright © 2016

PANERA BREAD #610030
9918 W. Happy Valley Rd
Suite 200
Peoria, AZ 85383

PERMIT/
BID SET

REVISION
REVISION #1 10/21/16

ISSUE DATE: 09.16.16
PROJECT NUMBER: 15751
DRAWN BY:
DM: LK Architecture Inc.
CPM: Mike Brunetto

SHEET NO:
A-0.1
SITE PLAN
NEW CONSTRUCTION
FILE: 610030_A-0.1.dwg

Exhibit D



Exhibit E



PLANNING AND ZONING COMMISSION REPORT

Meeting November 17, 2016

Date:

Agenda Item: 6R

Case Name: Sign Code Modernization (STUDY SESSION)

Case TA16-0001
Number(s):

General Application Information

Proposal:

Receive input from the Commission on components of the new Sign Ordinance under development.

Location:

N/A

Project Acreage:

N/A

Applicant:

City of Peoria

Project Description

Staff presentation and possible discussion regarding a City initiated comprehensive amendment to Article 14-34, Signs of the Zoning Ordinance. No action will be taken at this time.

Recommendations:

This item is intended for presentation and discussion only. There is no action required at this time.

ATTACHMENTS:

Description

Staff Report

BACKGROUND

Context

In collaboration with the relevant City departments, the Planning Division has undertaken a year-long project to modernize Article 14-34, “Signs” of the Zoning Ordinance, otherwise known as the Sign Code.

An initial introduction to this project was provided to the Planning and Zoning Commission at the March 3, 2016 meeting. As indicated at that meeting, the Sign Code has not been comprehensively updated since 1989 when it was approved by the Mayor and City Council by Ordinance 89-07. The City of Peoria has since tripled in population in the intervening 25+ years and legal and industry best practices related to signage have changed as well.

In addition to the need for typical revisions to refresh and update the Sign Code, the 2015 Supreme Court decision in *Reed v. Town of Gilbert* has dictated the need for cities across the country, including Peoria, to promptly reassess their sign regulations. Key to the *Reed v. Town of Gilbert* decision was the concept that signage regulations could not be *content-based*. In essence, this means that the code cannot regulate signs based on the signs’ messages or images – what the sign “says”.

Process

Given its extensive nature, the Sign Code Modernization project has been an iterative process including internal research and regional benchmarking, as well as stakeholder outreach and involvement through in-person meeting and other communication to gather input and feedback. Staff has completed an internal review of the draft code with vetting from various departments.

Project timeline:

Winter 2016

- Initial staff research and development

Spring 2016

- City Council Study Session (3/1/2016)
- Planning and Zoning Commission Study Session (3/4/2016)
- Stakeholder Meeting

Summer 2016

- Internal Draft Code initiated and revised

Fall 2016

- **Planning & Zoning Commission Study Session (11/17/2016) ←CURRENT**
- 2nd Stakeholder Meeting (12/1/2016)
- City Council Study Session (Tentatively 12/5/16)

Winter 2016/Early 2017

- Planning and Zoning Commission Hearing
- City Council Hearing

DISCUSSION AND ANALYSIS

Key Concepts

There are several overarching concepts at the basis of this code modernization effort:

1. Remove content-based regulations in order to comply with the Supreme Court decision in *Reed v Town of Gilbert*.
2. Increase the ease-of-use of the new Code for all users, including the general public, signage professionals, and staff.
3. Provide regulations that achieve the stated purposes of the code, thereby facilitating communication through signage while creating a functional and aesthetically appealing environment.

In numerous instances the existing sign code uses the message on the sign to determine the classification of a particular sign. For example, a sign used to advertise the availability of real property is currently classified as a “Sale, Lease, or Rent Sign” and a “Directional Sign” is a sign that provides directional information to assist vehicular or pedestrian traffic flow.

The proposed draft instead categorizes signs based on the physical characteristics of the sign instead of the message, and also considers characteristics of the site/property on which the sign is located.

In order to create a document that is user-friendly a number of approaches have been employed:

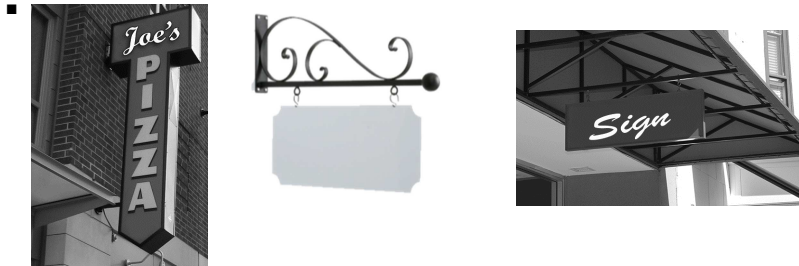
- The overall amount of text has been reduced. The existing document is 48 pages long while the proposed draft is approximately 22 pages in length. The text that remains has been reformatted and reorganized to make it easier to find frequently used information.
- A number of new tables and images have been added to illustrate the principles and objects being described.
- For quick reference, the table of permanent sign types has clearly identified tags indicating whether a sign permit is required for each sign type.
- The number of sign types has been significantly reduced and the remaining types have been restructured.
 - The number of sign types has been reduced from 33 to 15 permanent and 4 major classes of temporary signs.
 - Signs have been classified and organized by characteristics such as placement and orientation (e.g. free-standing, projecting from a building wall, in a window, etc.) and site attributes (e.g. sites with drive-through uses).

Notable Changes

In addition to removing content-based restrictions and increasing ease-of use, a number of changes have been proposed to generally enhance Peoria's signage environment, including providing a greater variety of signage options and in some cases greater sign height and area, to various user groups for both residential and non-residential uses. These include the following:

For Non-Residential Uses:

- Projecting Signs, which can enhance the pedestrian streetscape, would be permitted (they are not currently allowed).
 - Examples:



- Free-standing Monument Signs have been broken into three categories, Primary Monuments, Minor Monuments, and Internal Monuments, creating a hierarchy of signs. This will allow all developed non-residential properties to have some form of free-standing sign, while providing those sites that are larger and have more street frontage additional signs and signs that are taller and larger. This recognizes the visibility needs of larger developments that often contain a greater number of businesses, and often have buildings both at the street frontage (e.g. pad lots) as well as additional buildings (e.g. in-line suites) that would benefit from visible freestanding signage along the street.

Examples:

Primary Monument



Minor Monument



Internal Monument



- Non-residential uses will be permitted up to 33% more sign area for Building Wall Signs.

- Creative designs such as signage mounted on the edge of an attached canopy (such as at an entryway) will be permitted and the business can choose the mix of building, projecting, and canopy signs that works best for their individual circumstances.



Residential Uses:

- Multi-Family developments will have the option to use Free-standing Monument Signs in lieu of the currently allowed Perimeter Wall Signs.



Temporary Signs:

- Sign Walkers will no longer require a permit.
- There will be opportunities for temporary signs to be placed on developed and undeveloped properties, residential and non-residential properties, and on properties during specific circumstances such as while a property is listed for sale or lease, or during an approved Temporary Use.

Conclusions

- The draft code produced in the Sign Code Modernization Project will result in a Sign Code that complies with the *Reed v Town of Gilbert* Supreme Court Decision.
- The Sign Code will also be a more user-friendly document for all those who reference it, ranging from residents, to business owners, to sign industry professionals.
- The draft code will also promote enhancements to the built environment, by allowing sign types and designs that support a high quality aesthetic while effectively conveying a variety of messages to the public.

STAFF RECOMMENDATION

Next Steps

As noted, this is an informational item only and no action will be taken by the Commission at this time. Planning Staff will be available to answer any questions that the Commission may have and discuss future public meeting dates.

It is anticipated that this item will be brought back to the Commission for formal consideration and recommendation in early 2017.

REPORT PREPARED BY

Melissa Sigmund, AICP, LEED Green Associate
Principal Planner
623-773-7603
Melissa.sigmund@peoriaaz.gov



PLANNING AND ZONING COMMISSION REPORT

Meeting November 17, 2016

Date:

Agenda Item: 7R

Case Name: CU16-0026: Dutch Bros. Coffee

Case CU16-0026
Number(s):

General Application Information

Proposal:

A request for a Conditional Use Permit (CUP) to construct a new drive-through coffee shop and a covered patio area.

Location:

The site is located north of the northeast corner of 83rd Avenue and Thunderbird Road.

Project Acreage:

1.38 Acres

Applicant:

Bill Piazza of Piazza Restaurant Consulting

Project Description

Construct a new drive-through coffee shop and a covered patio area on an undeveloped commercial pad within the Griffith Commerce Center.

Recommendations:

Approve CU16-0026 subject to the conditions outlined in the staff report.

ATTACHMENTS:

Description

Staff Report

Exhibit A - Vicinity Map

Exhibit B - Zoning Map

Exhibit C - Project Narrative

Exhibit D - Site Plan

BACKGROUND

Context

The subject property is located north of the northeast corner of 83rd Avenue and Thunderbird Road. The site is located within the original subdivision known as the “Griffith Commerce Center”. (Exhibit A)

General Plan

The subject property is designated on the General Plan Land Use Plan as Low Density Residential. At the time the property was rezoned from the Maricopa County zoning district to the equivalent City of Peoria zoning district, there was a provision in the existing General Plan that did not require an amendment when a property was being rezoned from one existing commercial zoning district to another commercial district.

Zoning

The site is within the Arrowhead Commerce Center Planned Area Development (PAD), which was subsequently renamed “Arrowhead Mixed Use Center” as part of case Z02-31A.4. This PAD provides a tailored list of uses such as mix of retail, commercial, restaurant, and residential uses. (Exhibit C)

Adjacent Uses and Zoning

Tables 1 summarize the existing land use, general plan and zoning designations for the surrounding areas.

Table 1 – Existing Land Use, General Plan, and Current Zoning.

Direction	Existing Land Use	General Plan	Zoning
North	Commercial Shopping Center then multi-family residential and offices.	Low Density Residential (2-5 du/ac, target 3 du/ac)	Arrowhead Commerce Center PAD (Case Z02-31A.4), then Multi-Family Residential (RM-1) and Office Commercial (O-1)
South	Commercial Shopping Center	Low Density Residential (2-5 du/ac, target 3 du/ac)	Arrowhead Commerce Center PAD (Case Z02-31A.4)
East	Vacant Land	Low Density Residential (2-5 du/ac, target 3 du/ac)	Multi-family Residential (RM-1), and Intermediate Commercial (C-2)
West	Commercial Shopping Center	Low Density Residential (2-5 du/ac, target 3 du/ac)	Arrowhead Commerce Center PAD (Case Z02-31A.4)

Other Related Policies and Project History

The subject property is located within the Arrowhead Mixed Use Center PAD in the former Griffith Commerce Center. The property is located adjacent to other restaurant uses and a future multifamily complex, which is described in more detail below.

The center was rezoned to Planned Area Development (PAD) in 2002 to allow a greater mix of commercial, retail and office uses. The original concept included a major tenant, shops and four retail pad sites. The PAD was subsequently amended numerous times in succeeding years to modify permitted uses and development standards.

The last major amendment to the PAD and an accompanying minor General Plan Amendment were approved by City Council earlier in 2016. That approval resulted in the commercial and retail uses being retained on the built parcels within the center and on the subject site. At the same time, it permitted a multi-family residential project to be located on vacant parcels to the northeast of the subject site.

APPLICANT'S PROPOSAL

Goal/Purpose of Request

The applicant is requesting a Conditional Use Permit (CUP) to allow for an 846 square feet drive-through Dutch Bros. coffee shop, which includes a 1,037 square feet outdoor dining patio area. The CUP is necessary given the proximity of the site to multi-family residential uses.

This proposed coffee shop is intended to complement the existing drive-through coffee shop located to the south of Thunderbird Road and west of 83rd Avenue, in the Sprouts shopping center. At this location, there are two drive-through lanes curve in a U-shape from the west to east through the lot where the cars will exit facing west on the north side of the proposed building.

The proposed drive-through is intended to be 24 hours. Drive-through lane service will be accomplished in person via an "order runner" along the drive-through lane who is taking the order on an iPod, rather than a menu board with a "squawk box", which are typically louder.

The general improvements to the outdoor patio area will consist of movable tables and chairs located to the south of the building under the covered patio. Walk up service on the patio is proposed as follows:

- Sunday to Thursday: 5:00 AM to 11:00 PM; and
- Friday and Saturday: 5:00 AM to Midnight.

There will be recorded music played which will be turned off at closing time and cones set up to block off the patio entry points. Music levels will be restricted to a decibel level where it cannot be heard no more than forty feet away from the building. Additionally, Dutch Bros staff will perform parking lot checks (sweeping up debris, etc) at each shift change at 5:00 AM, 11:00 AM and 5:00 PM in order to keep the property presentable.

DISCUSSION AND ANALYSIS

Applicability

Section 14-39-12 of the Zoning Ordinance outlines the applicable criteria for evaluating Conditional Use Permits (CUP). In general, the purpose of a CUP is to mitigate any identified negative impacts on the surrounding neighborhood that may result from a specific use, and provide controls to ensure maximum compatibility between nearby land uses.

Special Limitations

Section 14-9-5-B.3 of the Zoning Ordinance provides the following limitations for Outdoor Dining and Seating Areas. Staff responses are in italics.

- Such areas shall be located immediately adjacent to the restaurant or establishment to which it is an accessory use.

The proposed outdoor dining patio will be located immediately adjacent to the coffee shop.

- The use shall not interfere with pedestrian access, fire lanes, driveways or traffic visibility at driveways or street intersections.

The proposed use will comply with the above conditions.

- Such areas shall not exceed 25% of the gross floor area (GFA) of the establishment. The Planning and Zoning Commission may waive this requirement if it is found that sufficient mitigating measures are provided to eliminate potential adverse impacts on adjacent properties.

The gross floor area of the building is 846 square feet, and the patio space would amount to approximately 123% of the building area. Consequently, the proposed patio exceeds the provision; however, this requirement was intended to minimize the scale of outdoor seating and patio areas associated with bars, taverns, and late-night entertainment uses. Due to the diminutive scale of the principal use, even modestly sized, an outdoor area would exceed the limitation.

The outdoor patio will be operated in accordance with the proposed business hours, it doesn't impact pedestrian walk areas, and it is comparable in size to adjacent existing outdoor restaurant patios. Additionally, the patio is located over 400 feet away from the edge of the subject property to the nearest existing multifamily residential complex, and is over 300 feet away from the building to the proposed residences within the future multifamily area within the center. For these reasons, staff recommends that the Planning and Zoning Commission grant the size

waiver for the outdoor patio/dining area.

- Through the Conditional Use Permit (CUP) process, the conditions considered for imposition by the Planning and Zoning Commission may include, but are not limited to, a restriction on operating hours, additional screening, re-location of the outdoor dining and seating area, noise and visual mitigation and other measures appropriate to the relevant circumstances.

Compatibility With Surrounding Land Uses

Section 14-39-12 of the Zoning Ordinance outlines the applicable criteria for evaluating Conditional Use Permits. In general, the purpose of a CUP is to mitigate any identified negative impacts on the surrounding neighborhood that may result from a specific use, and provide controls to ensure maximum compatibility between nearby land uses.

In staff's judgment, the proposed use is an appropriate use. The outdoor dining area and drive-through coffee shop is consistent with surrounding land uses and the context of the area in question. A number of restaurants, including several with drive-through lanes are located in this vicinity and have outdoor dining patios. Additionally, the proposed hours of operation are consistent with other restaurants located in commercial centers.

Staff believes there will not be any impact to the nearest residential uses, which is a future multi-family residential complex located more than 300 feet to the northeast of the patio. Furthermore, the outdoor patio for Culver's is 110 feet away, and the proposed music levels from Dutch Bros. should not impact their patrons.

If any issues arise regarding the operation of the business, Section 14-39-12.I provides the Planning Manager with continuing jurisdiction over all Conditional Use Permits. This means that the Planning Manager may recommend to the Planning and Zoning Commission that a permit may be revoked, modified or suspended should any of the following occur:

- a. The permit was obtained by fraud or misrepresentation;
- b. The use authorized by the CUP has been exercised in violation of the conditions of approval;
- c. A change in circumstances where the following has occurred:
 1. Impacts from the approved CUP to neighboring properties; and
 2. Changes in aesthetic or environmental impacts such as noise, odors or pollution.
- d. The use authorized by the CUP is operated in a manner that constitutes a nuisance to neighboring property owners, adjacent neighborhoods, or the City; or is exercised in a manner that is detrimental to the public health, welfare or safety.

COMMUNITY INVOLVEMENT

Outreach Requirements

The application was properly noticed pursuant to Section 14-39-6 of the Peoria Zoning Ordinance, which includes notification to all property owners within 600 feet of the site and registered HOA's within 1 mile, posting a sign on the site, and placing an ad in the Peoria Times; all done at least 15 days prior to the Public Hearing.

Support / Opposition

At the time of this writing, Staff has not received any support or opposition to the proposal.

Proposition 207 Waiver

The voters of Arizona approved Proposition 207, which among other things requires municipalities to compensate property owners for actions which have the effect of diminishing the value of property. The City Attorney's Office has drafted an agreement which waives the applicant's rights to future Proposition 207 claims against the City. Accordingly, the applicant has furnished a signed and notarized Proposition 207 Waiver.

STAFF RECOMMENDATION

Based on the following findings:

1. The request is consistent with the City of Peoria Zoning Ordinance and compatible with the uses in the surrounding area;
2. The use, in conjunction with the conditions of approval, will operate in a manner that will not negatively impact the adjoining uses; and,
3. The applicant/owner has submitted a signed and notarized a Proposition 207 waiver, which will be recorded with the conditions outlined below.

Staff recommends that the Planning and Zoning Commission take the following action:

Approve the applicant's request for a Conditional Use Permit under Case CU16-0026, subject to the following conditions:

1. The use shall substantially conform to the project narrative and conceptual site plan dated October 10, 2016 as contained in the staff report to the Planning and Zoning Commission.
2. Any expansion of the use, patio, or material modification of the site shall require an amendment to the Conditional Use Permit and Site Plan (Site Plan Amendment).

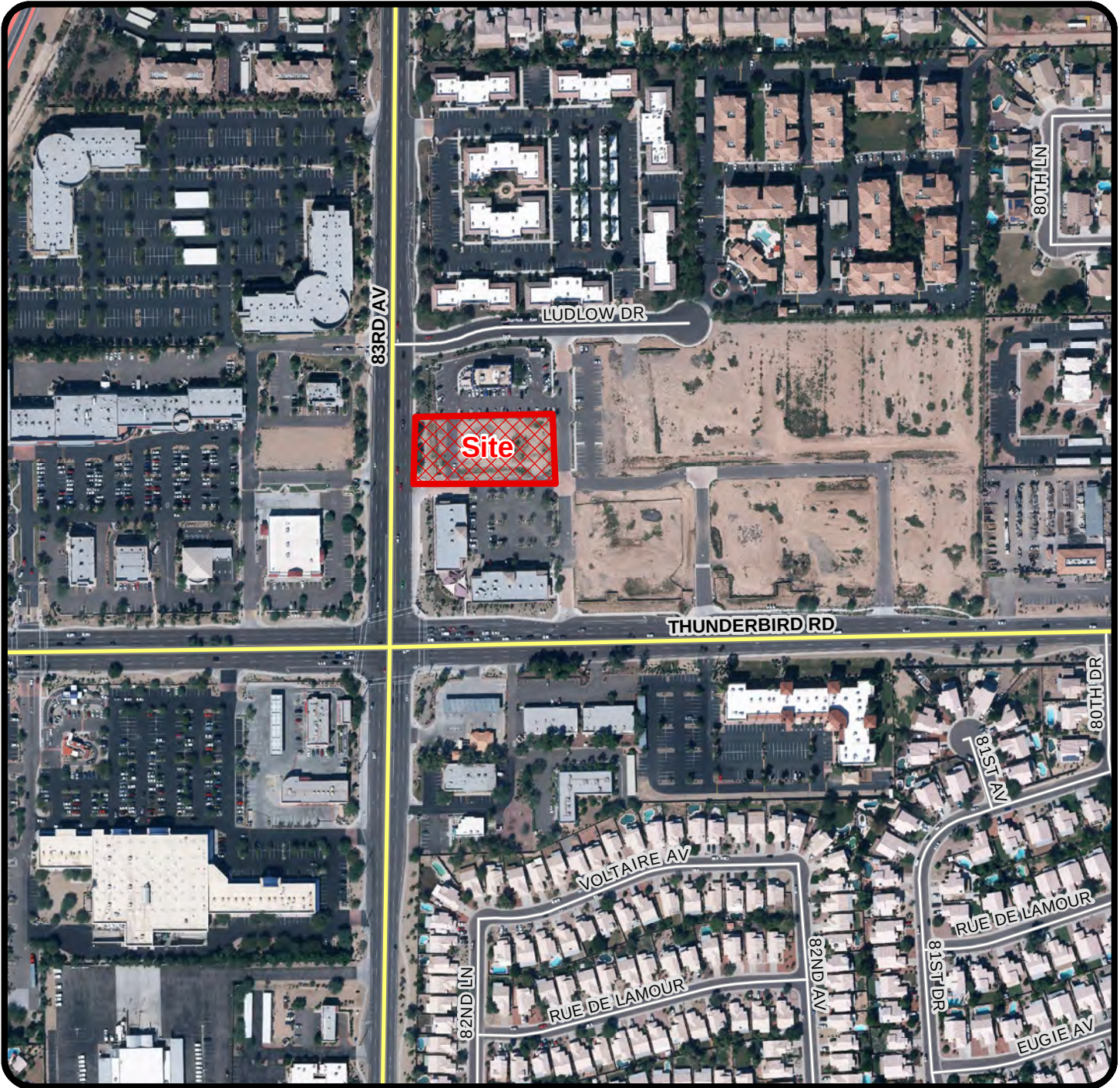
REPORT PREPARED BY

Lorie Dever
Senior Planner
632-773-5168
Lorie.Dever@peoriaaz.gov

ATTACHMENTS:

Exhibit A: Vicinity Map
Exhibit B: Zoning Map
Exhibit C: Project Narrative
Exhibit D: Site Plan

CU16-0026 Vicinity Map



CU16-0026 Dutch Bros. Coffee

Applicant: Bill Piazza

Request: Applicant is requesting a Conditional Use Permit to construct a new drive-thru coffee shop and a covered patio area.

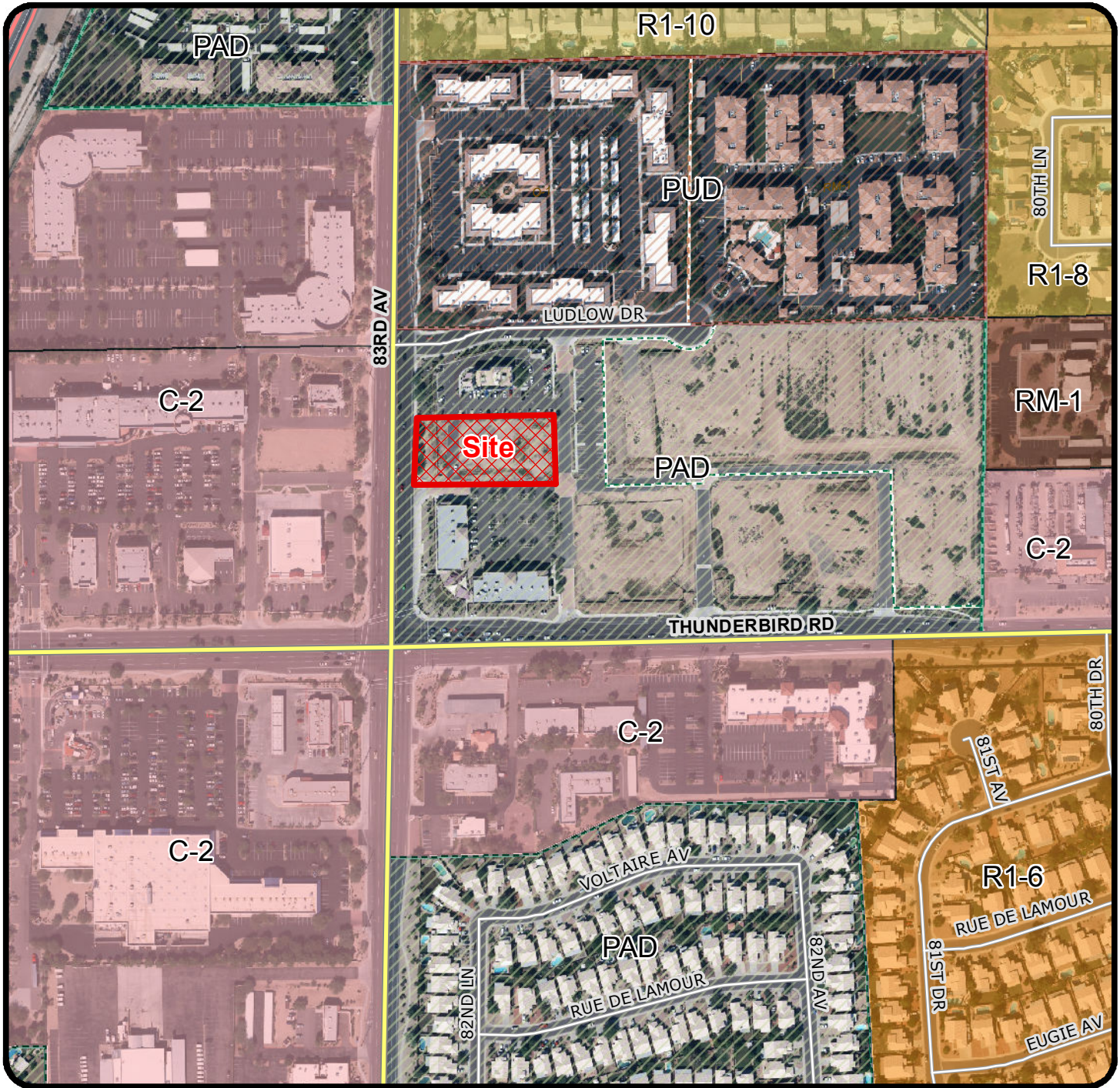
Location: North of the northeast corner of 83rd Avenue and Thunderbird Road.

Exhibit A



Not to Scale

CU16-0023 Zoning Map



CU16-0026 Dutch Bros. Coffee

Applicant: Bill Piazza

Request: Applicant is requesting a Conditional Use Permit to construct a new drive-thru coffee shop and a covered patio area.

Location: North of the northeast corner of 83rd Avenue and Thunderbird Road.

Exhibit B



Not to Scale



STEWART + REINDERSMA ARCHITECTURE, PLLC.

Dutch Bros. Coffee Drive-Thru Restaurant

Project Narrative

Date: November 1, 2016

Prepared For: City of Peoria
Planning and Community Development Department
9875 North 85th Ave.
Peoria, AZ 85345

Location: Dutch Bros. Coffee
Griffith Commerce Center AMD – Lot 2
W. Thunderbird Rd. & N. 83rd Ave.
Peoria, AZ 85226
APN: 200-63-567

Project Description/Scope of Work:

Dutch Bros. Coffee is a new building in lot #2 (APN: 200-63-567) in the existing Griffith Commerce Retail Shopping Center located at 13875 N. 83rd Ave, Peoria, AZ 85381.

1. **Existing Commercial Center:** The existing Griffith Commerce Center is directly south of this plat of land which has already been constructed and is fully occupied and operational. To the north of the proposed site exists a fully operational Culver's restaurant and drive-thru. The proposed site will provide additional parking to the center and will include a dual drive-thru lane.
2. **Proposed Site Improvements:** The building that we are proposing consists of coffee service of approximately 814 S.F. and patio totaling approximately 1,037 S.F. Canopies will be provided over the drive-thru lane and patio area. There will be two drive-thru lanes curving in a U-shape from the west to east through the lot where drive-thru cars will exit facing west. The lot faces an east-west direction and will consist of new parking spaces, drive aisles running north/south and landscape to complement the existing Griffith Commerce Center.
3. **Proposed Building Architecture:** The Dutch Bros. Coffee prototype building has a very small footprint with a pitched gable roof. The prototypical building colors are cool gray and deep blue with the exterior finishes consisting of stucco and corrugated siding. The gable roof will be standing seam metal colored "Regal" blue. For the section of the building with a flat roof, the parapet will completely screen the roof top mechanical equipment.
4. **Operations:** The hours of operation for the Dutch Bros will be 24 hours for drive through service. Walk up service on the patio will be available from 5:00 AM to 11:00 PM Sunday to Thursday and 5:00 AM to Midnight on Friday and Saturday. The music throughout the store is in several zones so the speakers to the patio will be turned off at closing time and cones set up to block off the patio entry points. Dutch Bros is sensitive to the fact that there are Apartments being proposed to the east of the site. The drive through lane service is accomplished in person via an "order runner" along the drive through lane who is taking the order on an iPod (rather than a menu board with a "squawk box" which are historically very loud). Also the outdoor speaker levels will

keep the music down to levels that can be heard no more than forty feet away from the building. In order to keep the property presentable at all times, Dutch Bros policy is to perform parking lot checks (sweeping up debris, cigarettes, wrappers, and used cups) at each shift change at 5:00 AM, 11:00 AM and 5:00 PM.

Should you have any questions regarding this project please feel free to contact us.

Sincerely,

Stewart + Reindersma Architecture, pllc



Sake Reindersma, AIA

Sr. Partner

fire note

FIRE APPARATUS ACCESS ROADS SHALL BE MAINTAINED AT ALL TIMES DURING CONSTRUCTION OF THIS PROJECT. THE MINIMUM STANDARDS SHALL COMPLY WITH SECTIONS 503.1 AND 503.2 OF THE INTERNATIONAL FIRE CODE WITH CITY OF PEORIA AMENDMENTS

keyed notes

- 1

PROPERTY LINE
- 2

NEW CONCRETE CURB
- 3

EXIST. CONCRETE CURB TO REMAIN
- 4

NEW LANDSCAPE AREA
- 5

EXIST. CONC. DRIVE
- 6

6' H NEW TRASH ENCLOSURE
- 7

NEW CONCRETE WALK
- 8

NEW ACCESSIBLE PATH
- 9

NEW ACCESSIBLE RAMP
- 10

NEW H/C PARKING
- 11

EXISTING PARKING TO REMAIN
- 12

EXISTING SCREEN WALL TO REMAIN.
- 13

NEW PARKING
- 14

CASHIER'S BOOTH (PHASE 2)
- 15

EX. OUTFLOW RIP RAP TO REMAIN
- 16

EXIST. TRASH ENCLOSURE TO REMAIN
- 17

LINE OF CANOPY OVERHEAD
- 18

LOW LANDSCAPE PLANTER
- 19

COUNTERTOP
- 20

EXISTING TRANSFORMER TO REMAIN
- 21

UNDERGROUND RETENTION. RE: CIVIL
- 22

NOT USED
- 23

METAL SHADE CANOPY (PHASE 2)
- 24

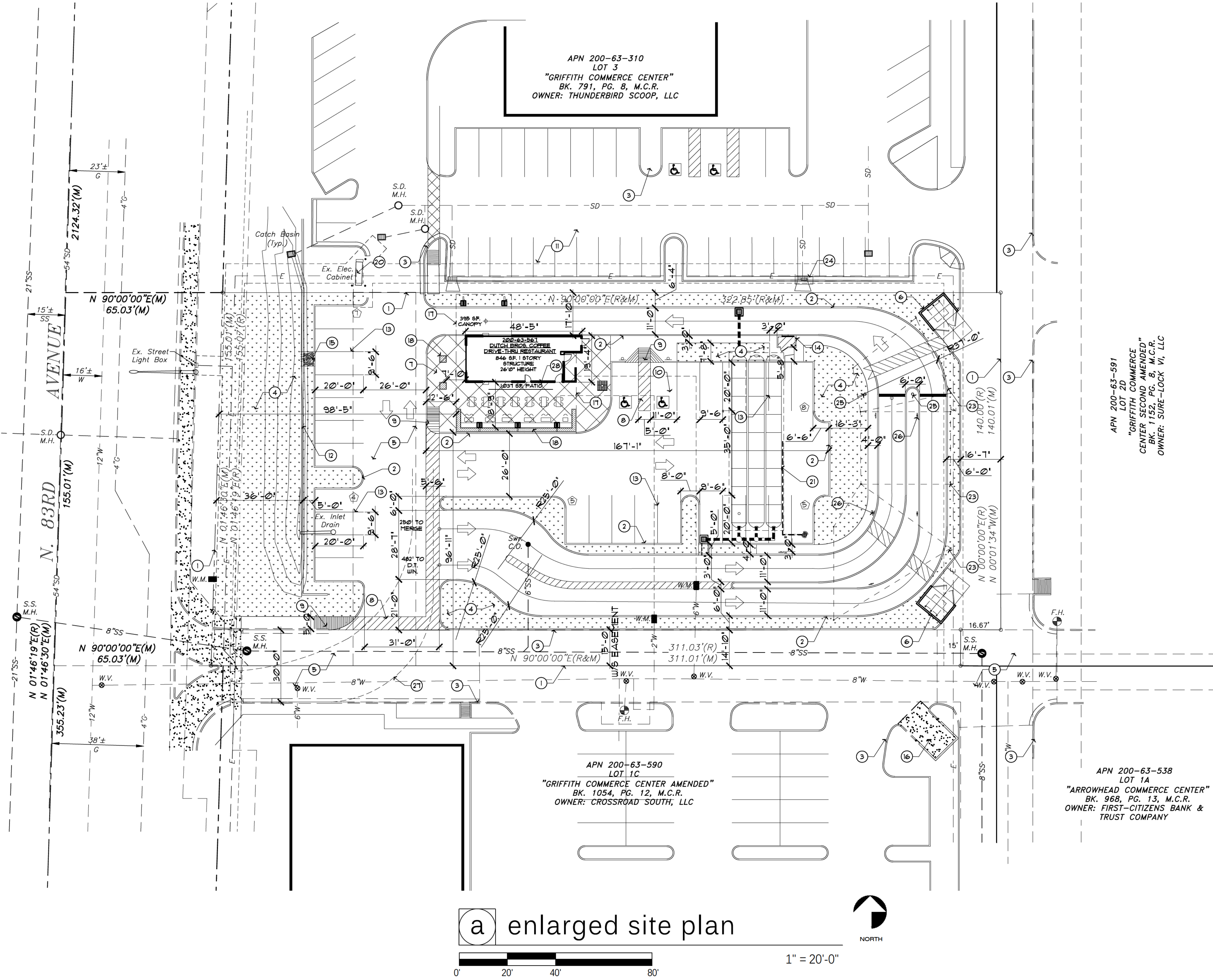
EX. DRAIN INLET TO REMAIN
- 25

RED/GREEN TRAFFIC LIGHT
- 26

MENU BOARD
- 27

WB50 TURNING RADIUS
- 28

FDC



site data

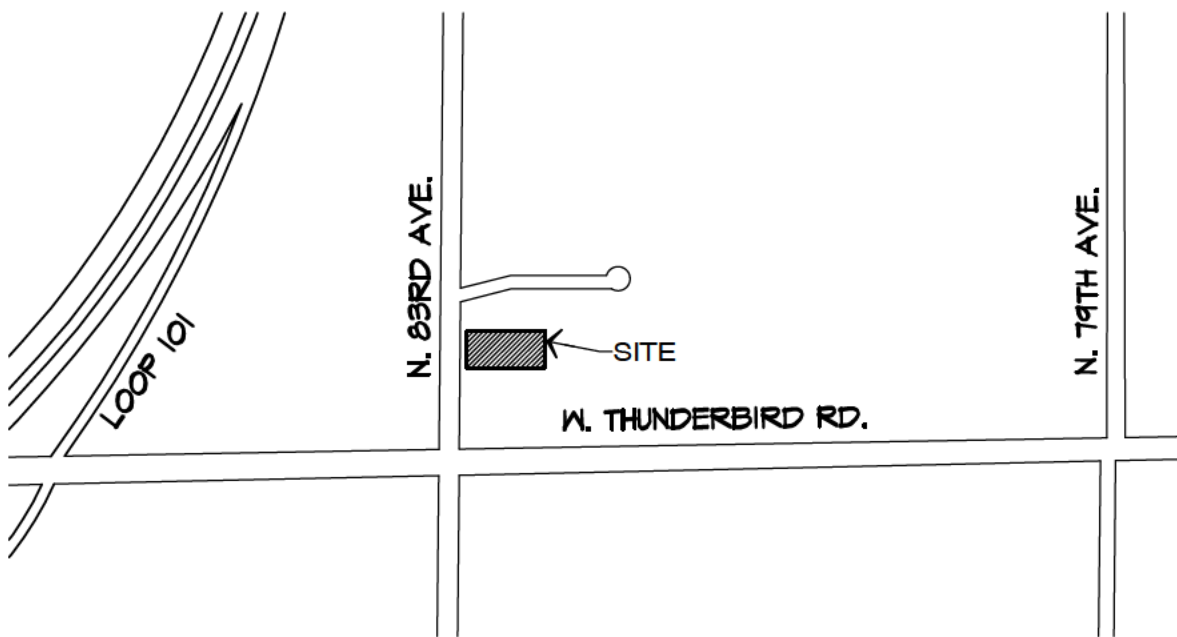
PROJECT INFORMATION:	
TENANT:	DUTCH BROS. COFFEE
ADDRESS:	GRIFFITH COMMERCE CENTER N. 83RD AVE. & W. THUNDERBIRD RD. PEORIA, AZ 85226
OWNER:	CALEB BERKEY WEST SIDE DEV. LLC 21208 N. 55TH AVE GLENDALE, AZ 85308
SCOPE:	DRIVE-THRU COFFEE FACILITY
PROJECT DESCRIPTION:	846 SQ. FT. DRIVE-THRU AND WALK-UP COFFEE SERVICE WITH COVERED PATIO AREA AND CANOPY
SITE AREA (NET):	50,150 SQ. FT. (1.151 ACRES)
(APPROXIMATE) GROSS:	60,226 SQ. FT. (1.383 ACRES)
PROPOSED USE:	RETAIL
ZONING:	FAD
LOT:	2
TUN/SECT./RANGE:	11 3N 1E
ALLOWABLE BUILDING AREA:	CONSTRUCTION TYPE VB NON-SPRINKLERED OCCUPANCY GROUP: B, BUSINESS = A-2, LESS THAN 50 OCC. BASIC ALLOWABLE AREA: 9000 SQ. FT. IBC 2012, SECTION 501
BUILDING AREA:	TOTAL BUILDING AREA: 846 SF. COVERED PATIO AREA: 1,031 SF. DRIVE-THRU CANOPY: 395 SF.
TOTAL BUILDING AREA: 2,278 SF.	

SITE AREA (NET):	50,150 SF.
LOT COVERAGE:	4.5%
LEGAL DESCRIPTION:	
LOT 2 GRIFFITH COMMERCE: A PORTION OF THE CENTRAL QUARTER OF SECTION 11, TOWNSHIP 3 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.	
APN: 200-63-567	
PARKING REQUIRED: CITY OF PEORIA:	
REQUIRED:	1/200 PREP = 846/200 S.F. = 5 SPACES 1/100 OUTDOOR SEATING = 11 SPACES TOTAL REQUIRED: 16 SPACES PROVIDED: 24 SPACES INCLUDES 2 ACCESSIBLE
CODE SUMMARY & ADOPTING ORDINANCES:	
ALL CONSTRUCTION SHALL COMPLY WITH THE CITY OF PEORIA LOCAL ORDINANCES AND CODES.	
OCCUPANT LOAD (TABLE 1004.1.2)	
OCCUPANCY - B, LESS THAN 50	
BUSINESS AREA: 846 SF/100 = 9 OCC	
NO INSIDE DINING	
EXIT REQUIREMENTS:	
NUMBER OF EXITS REQUIRED:	1
NUMBER OF EXITS PROVIDED:	1
EXIT WIDTH REQ'D: (36" MIN.) = (5 x 0.2)	
EXIT WIDTH PROVIDED: 36"	

intent

STATEMENT OF INTENT:
THE PROJECT IS A NEW DRIVE-THRU COFFEE SHOP ALONG WITH A COVERED PATIO AREA. ALL DRINK AND FOOD ITEMS ARE ORDERED AND PAID FOR AT THE WINDOW. ALL FOOD ITEMS COME PREPACKAGED FOR SALE. FOOD PREPARATION IS NOT PERFORMED IN THE STORE.

vicinity map



360

STEWART + REINDERSMA
ARCHITECTURE, PLLC

5450 e high street, suite 200
phoenix, arizona 85054
p: 480.515.5123
www.sra360.com

applicant/contact:
plaza restaurant consulting
4428 e. mountain sage dr.
phoenix, az 85044
contact bill canter
c: (480) 818-9736

DUTCH BROS. Coffee

N 83RD AVE & W. THUNDERBIRD RD.
PEORIA, AZ 85226

project:

This drawing is an instrument of service and the property of Stewart + Reindersma Architecture, PLLC, and shall remain their property. The use of this drawing shall be restricted to the original site for which it is prepared and publication thereof is expressly limited to such use.

date: 10/10/16
issued for: SITE REVIEW
job no.: 16-043
sheet title: SITE PLAN

sheet no.:

as.1