Requesting Department:

Development Services



TO: PLANNING AND ZONING COMMISSION

FROM: BRETT BURNINGHAM, PLANNING ADMINISTRATOR; SOFIA MASTIKHINA, PLANNER

RE: Public Hearing and Possible Action on "Del Taco Restaurant Conditional Use Permit (Case P18-0025) and Site Plan (Case P18-0024)", a request by Othoniel Bejarano (Food Service Concepts, Inc.) for a Conditional Use Permit and Site Plan for a new Del Taco drive-thru restaurant on Pad J within Queen Creek Marketplace. The project site is located west of the southwest corner of Ellsworth Road and Rittenhouse Road.

DATE: June 13, 2018

STAFF RECOMMENDATION

Staff recommends approval of "Del Taco Site Plan (Case P18-0024) and Conditional Use Permit (Case P18-0025)", subject to the Conditions of Approval outlined in this report.

PROPOSED MOTION

Move to recommend approval of "Del Taco Site Plan (Case P18-0024) and Conditional Use Permit (Case P18-0025)", subject to the Conditions of Approval outlined in this report.

RELEVANT COUNCIL GOAL



SUMMARY

The applicant's request is for the approval of a Conditional Use Permit and Site Plan applications for a new Del Taco drive-thru restaurant, located west of the southwest corner of Ellsworth Road and Rittenhouse Road on Pad J within the Queen Creek Marketplace commercial center.

HISTORY

April 19, 2006:

Town Council approves Ordinance 348-06 RZ05-018 for the Queen Creek Marketplace commercial center.

DISCUSSION

The applicant is requesting approval of a Conditional Use Permit and Site Plan for the construction of a new 2,493 square foot Del Taco restaurant with a drive-thru on a previously improved 0.83 acre parcel within the Queen Creek Marketplace commercial development. The site is located at the north end of the development along Rittenhouse Road, just to the northeast of the existing Harkins Theaters.

Del Taco at Queen Creek Marketplace Project Information				
Project Name	Del Taco Restaurant			
Site Location	20485 E Rittenhouse Road West of the southwest corner of Ellsworth Road and Rittenhouse Road			
Current Zoning	C-2/PAD			
General Plan Designation	Commercial			
Proposed Building Height	25 feet			
Surrounding Zoning Designations:				
North	R1-43 (undeveloped land)			
South	TC (Town Center) (Queen Creek Marketplace)			
East	TC (Town Center) (Queen Creek Marketplace)			
West	TC (Town Center) (Queen Creek Marketplace)			
Gross Acreage	0.83 acres			
Parking Spaces Proposed	26 (24 Required)			

ANALYSIS

Conditional Use Permit Review:

The subject property is zoned PAD/C-2 (General Commercial). The proposed restaurant and drive-thru is considered as an "In-Vehicle Service Facility" according to Article 6.5 of the Town Zoning Ordinance. All "In-Vehicle Service Facilities" are subject to a Conditional Use Permit review procedure.

Conditional Uses are those land uses that may be desirable in a community, but may by their nature, require special site and design considerations in order to insure that they are compatible with adjacent uses and community standards. The Planning Commission and ultimately the Town Council are charged with determining whether or not a proposed location is suitable for such uses. The purpose of the Conditional Use Permit is to have an additional tool to maintain development standards.

Conditional Use review in the Zoning Ordinance sets forth the following approval criteria for evaluating a proposed Conditional Use (as outlined in Article 3.5 of the Zoning Ordinance) Below is the criteria along with a response from the applicant:

1. The proposed Conditional Use shall be in compliance with all regulations of the applicable zoning district, the provisions of Article 5 of this Ordinance, and any applicable performance standards as set forth in Article 6 of this Ordinance.

<u>Applicant Response</u>: All uses of the Del Taco, including those conditional, will be in compliance with all regulations of the assigned zoning district including those stated in articles 4, 5, and 6 of the ordinance.

2. The proposed Conditional Use shall conform to the character of the neighborhood, within the same zoning district, in which it is located. In making such a determination, consideration shall be given to the location, type and height of buildings or structures and the type and extent of landscaping and screening on the site.

<u>Applicant Response</u>: Vestar, the shopping center developer, will be providing Del Taco with a pad ready site with adequate utilities, including those for fire protection, stubbed and ready for extension to the building, and adequate drainage.

3. Adequate utilities, access roads, drainage, fire protection, and other necessary facilities shall be provided.

<u>Applicant Response</u>: The site is provided with utilities, access, drainage and fire protection.

4. Adequate measures shall be taken to provide ingress and egress so designed as to minimize traffic hazards and to minimize traffic congestion on the public roads.

<u>Applicant Response</u>: The site has been designed to provide convenient access/egress to patrons walking or driving to this establishment.

5. The proposed use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke or gas.

<u>Applicant Response</u>: Operations when open will not cause any nuisances to the surrounding community, including vibration, odor, noise, dust, smoke, or gas.

6. The proposed use shall not be injurious to the use and enjoyment of the property in the immediate vicinity for the purposes already permitted nor substantially diminish or impair the property values within the neighborhood.

<u>Applicant Response</u>: The use will not impair or diminish surrounding property uses, nor will it reduce property values in the neighborhood.

7. The establishment of the proposed use shall not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district.

<u>Applicant Response</u>: The look and character of the Del Taco will be that of the neighborhood and shopping center it will be located in. The building exterior will be composed of stucco finish combined with stone and window awnings as an accent. Sufficient parking for the Del Taco is provided on site. Del Taco's building will be around the same size as some of the other similar restaurants in the area.

8. The establishment, maintenance, or operation of the proposed use shall not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare.

<u>Applicant Response</u>: The establishment operation, and maintenance of the restaurant will not be detrimental or hazardous to the safety, welfare, comfort, or impede on the morals of the general public.

9. The public interest and welfare supporting the proposed conditional use shall be sufficient to outweigh the individual interests which are adversely affected by the establishment of the proposed use.

<u>Applicant Response</u>: The Del Taco will be an asset to the shopping center and community, possibly raising property values as it is known to be reputable establishment.

The proposed uses appear to meet the above-listed approval criteria for evaluating a proposed conditional use, as outlined in Article 3.5 of the Zoning Ordinance.

In-Vehicle ("drive-through") service facilities, including are also subject to the following Performance Standards (as outlined in Article 6.5 of the Zoning Ordinance). Below is the criteria along with a response from the applicant:

1. Pedestrian walkways should not intersect the drive-through drive aisles, but where they do, they shall have clear visibility, and they must be emphasized by enriched paving, such as products to similar to boomanite, stone, etc.

<u>Applicant Response</u>: Del Taco does have pedestrian walk way that crosses the drive thru. There will be signage in place to warn both drivers and pedestrians of each other where they cross. Accent paving will also be provided.

2. Drive-through aisles shall have a minimum twelve foot (12') width on curves and a minimum eleven foot (11') width on straight sections.

Applicant Response: Drive thru aisles are called out to be 11' wide, and 12' wide at the turn.

3. All service areas, rest rooms, and ground mounted and roof mounted mechanical equipment shall be screened from view.

Applicant Response: All roof top mechanical equipment and other related items will be screened from view. See exterior elevations.

4. Drive-through lanes for all restaurants shall provide at least 160 total feet of stacking distance (80 feet of stacking distance between pick-up windows and order-placing speakers, and at least 80 feet of stacking distance between orderplacing speakers and the entry to the drive-through lane). Distances shall be measured along the centerline of the drive-through lane.

Applicant Response: There is a minimum distance of 80' shown from drive thru pick up window to order menu, and minimum 80' from order menu to drive thru entrance.

5. Landscaping shall screen drive through or drive-in aisles from the public right-ofway and shall be used to minimize the visual impact or reader board signs and directional signs.

Applicant Response: See landscape plan for drive thru screening.

The building shall be the main element of the overall site plan and parking shall 6. be oriented on the side or rear of the site.

Applicant Response: The main entrance to the building is located where most convenient to patrons coming from the parking lot. There is a tower over the entrance for easy identification. Location of the main entry is not in a hazardous location to patrons.

7. Menu boards shall be a maximum of twenty-four (24) square feet, with a maximum height of five (5) feet, and shall not be placed adjacent to the public street.

Applicant Response: Menu board size has been relayed to the company providing the boards. Menu board is screened with additional landscaping to keep it from view from Rittenhouse Road.

8. Drive-through uses within an integrated shopping center shall have an architectural style consistent with the theme established in the center. The architecture of any drive-through use must provide compatibility with surrounding uses in form, materials, colors, scale, etc. Structure plans shall have variation in depth and angle to create a variety and interest in its basic form and silhouette.

<u>Applicant Response</u>: The drive thru is shown to have a canopy at the pick-up window with architectural features matching that of the Queen Creek Marketplace center.

9. Articulation of structure surface shall be encouraged through the use of opening and recesses, which create texture and shadow patterns. Structure entrances shall be well articulated and project a formal entrance through variation of architectural plane, pavement surface treatment and landscaping plaza. No drive-through aisles shall exit directly onto a public right-of-way.

<u>Applicant Response</u>: Elevations were revised to show more articulation with the center. Drive thru does not exit onto a right of way.

Additionally, the proposed uses appear to meet the above-listed Performance Standards, as outlined in Article 6.5 of the Zoning Ordinance.

General Plan Review: The General Plan Designation for this project is the Commercial Land Use designation. The proposed project is in compliance with the General Plan.

Zoning Review: The zoning designation of the property is C-2 (General Commercial District)/PAD. The applicant is proposing no change to the zoning. The proposed restaurant with a drive through is permitted in the C-2 zoning district with the approval of a Conditional Use Permit.

Engineering Review: The project has been reviewed by the Engineering and Traffic Engineering Divisions.

Site Plan Review: The Site Plan meets the Zoning Ordinance requirements for site planning and design. The Site Plan provides adequate parking. The site also provides existing driveways for sufficient points of ingress and egress for vehicular traffic. Patrons will able to access the site via existing driveways on Ellsworth Road and Rittenhouse Road. Once entering the site, patrons will be able to use the pick up window or park in the designated spaces and enter the restaurant.

Building Elevation Review: The proposed building elevations are in compliance with the Zoning Ordinance and Design Standards and are consistent with the approved design guidelines for Queen Creek Marketplace. The building elevations include stucco, corrugated metal awnings, stone veneer, glass and standing seam metal roofing.

Landscape / Open Space / Fence Plan Review: The proposed landscaping and open space meets the standards set forth in the Zoning Ordinance and in the Queen Creek Marketplace Design Guidelines. The applicant is proposing 41 percent open space

which is above the 15 percent minimum requirement according to the Zoning Ordinance.

PUBLIC COMMENTS

A Neighborhood Meeting was held on April 25, 2018 at the Queen Creek Community Chambers. No members of the public were in attendance. In addition, Staff did not receive any public comment on the proposed development.

CONDITIONS OF APPROVAL

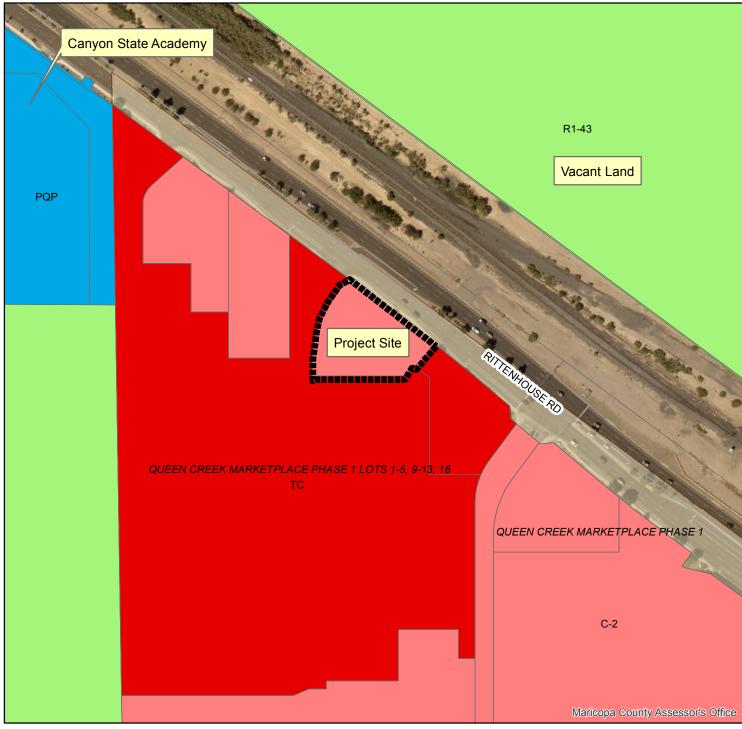
- 1. This project shall be developed in accordance with the plans attached to this case and all the provisions of the Zoning Ordinance applicable to this case.
- 2. Monument signage and building signage will be reviewed and approved under a separate permit.
- 3. Mechanical equipment, electrical meter and service components, and similar utility devices whether ground level, wall mounted, or roof mounted, shall be screened from view.
- 4. The construction limits shown on site plan extends to existing retention area north of the building. Identify the improvements in the retention area or adjust limits of construction accordingly during construction plan submittal.
- 5. During construction plan submittal a statement shall be included on the grading and drainage plan which states that the project is in compliance with the Queen Creek Marketplace master drainage report.

ATTACHMENTS

- 1. Aerial Photo Exhibit
- 2. General Plan Exhibit
- 3. Zoning Map Exhibit
- 4. Site Plan Exhibit
- 5. Landscape Plan Exhibit
- 6. Building Elevations Exhibit
- 7. Project Narrative

Project Name: Del Taco at Queen Creek Marketplace Case Numbers: P18-0024 and P18-0025

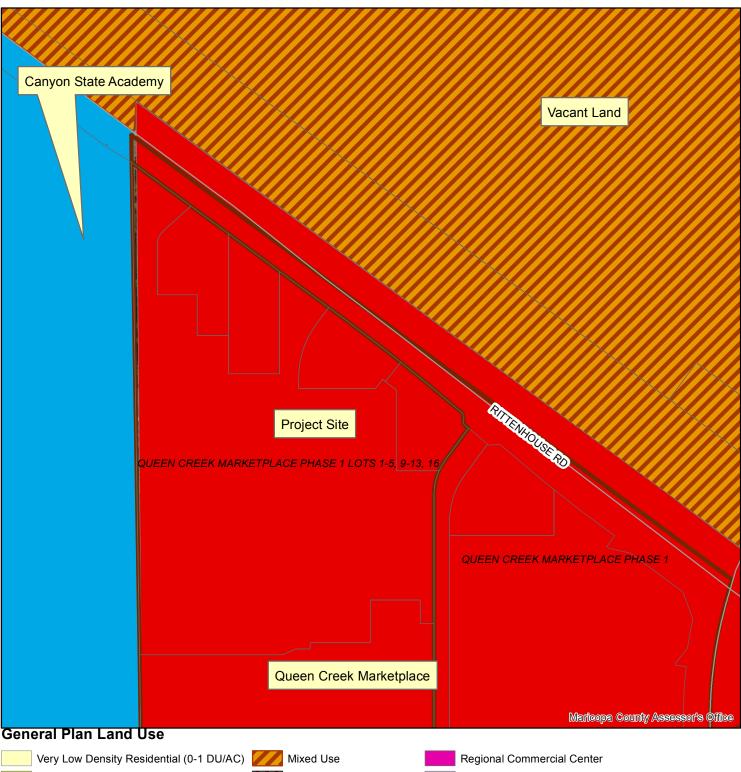
Hearing Date: June 13, 2018 (Planning Commission)

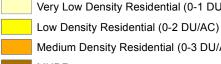


Zoning Districts C-1, Commercial RC, Recreation/Conservation R1-7, Residential R1-18, Residential C-2, Commercial PCD, Planned Community Development R1-8, Residential R1-35, Residential TC, Commercial MDR, Multi-Family R1-9, Residential R1-43, Residential EMP A, Heavy Industrial R1-4, Residential R1-10, Residential R1-54, Residential EMP B, Light Industrial R1-5, Residential R1-12, Residential R1-190, Residential PQP, Public/Quasi-Public Aerials2018 R1-6, Residential R1-15, Residential

Project Name: Del Taco at Queen Creek Marketplace Case Numbers: P18-0024 and P18-0025 Hearing Date: June 13, 2018 (Planning Commission)



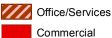




Medium Density Residential (0-3 DU/AC) MHDR

Multi-Family

Master Planned Community (0-1.8 DU/AC)



Town Center Mixed Use

Community Commercial

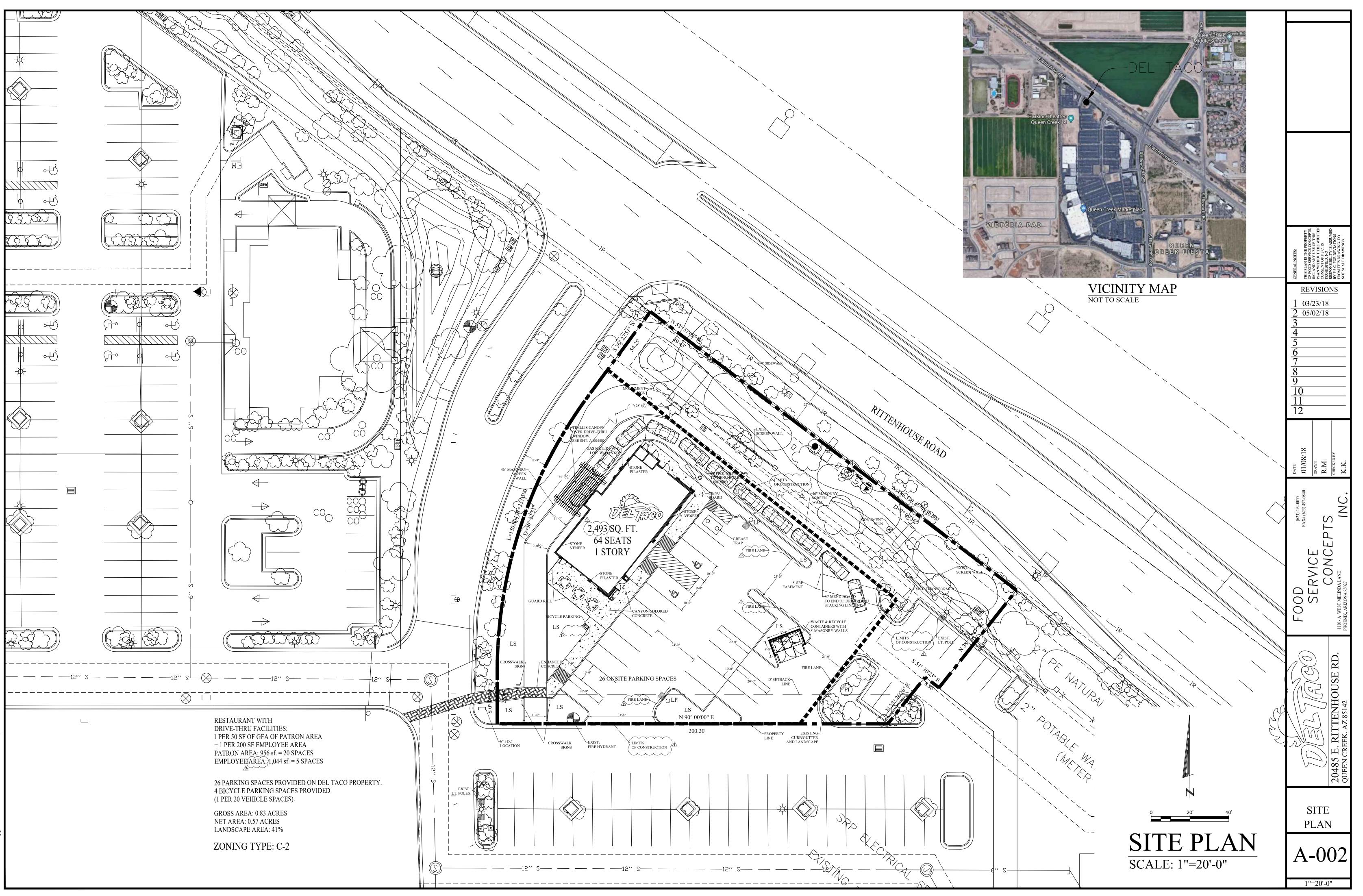
Neighborhood Commercial

Employment Type A Employment Type B Agritainment Public/Quasi-Public

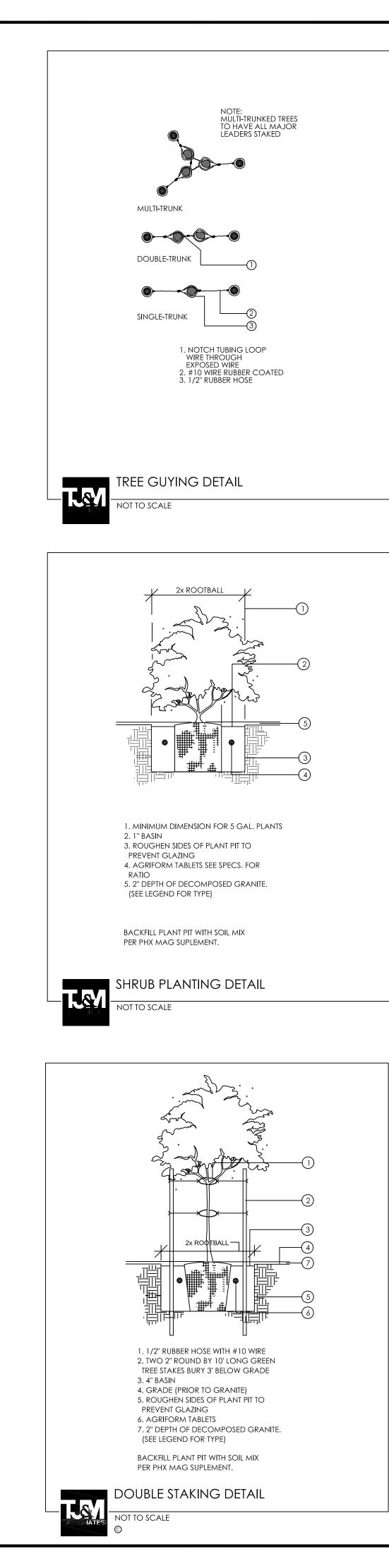
Open Space Aerials2018

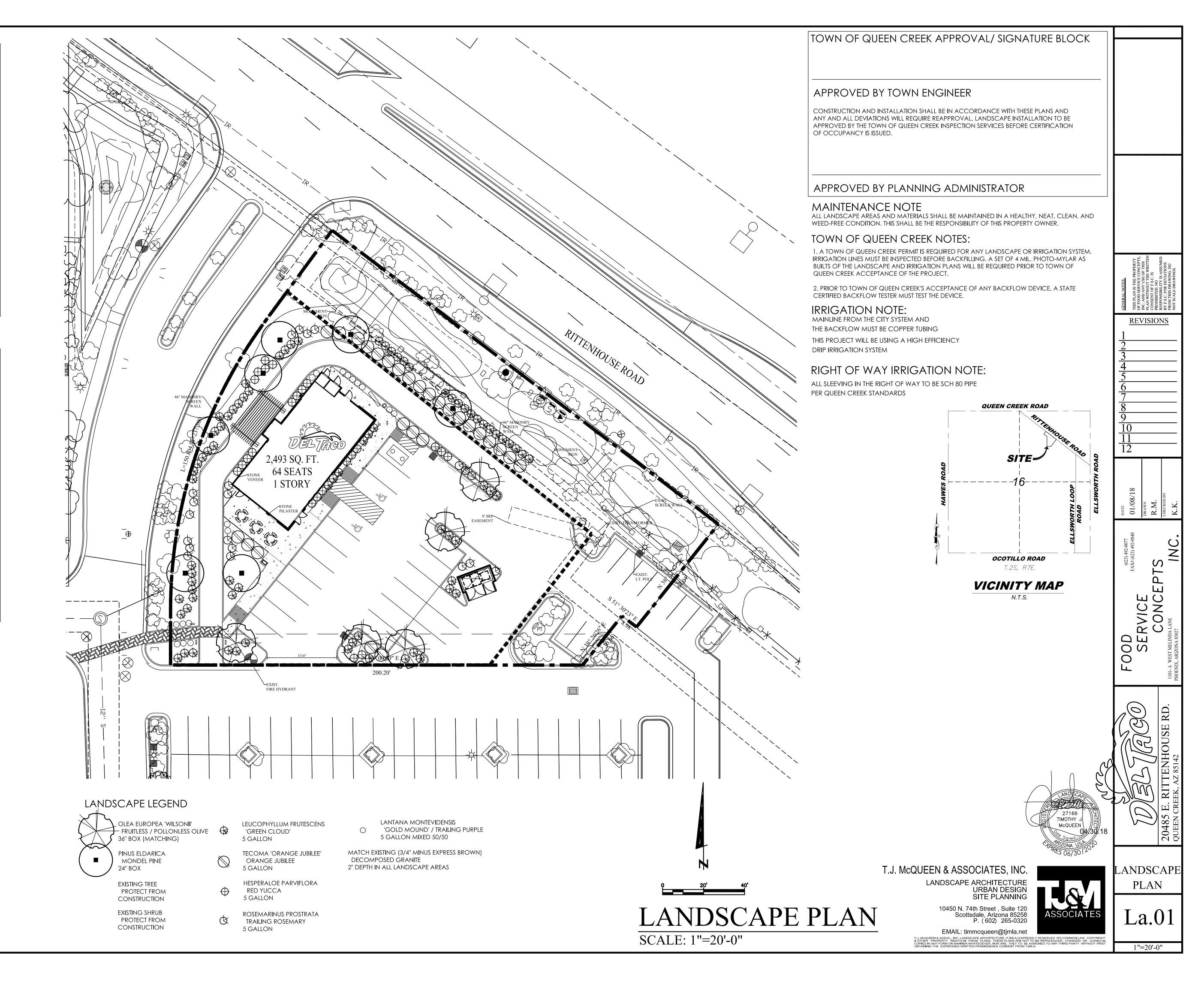
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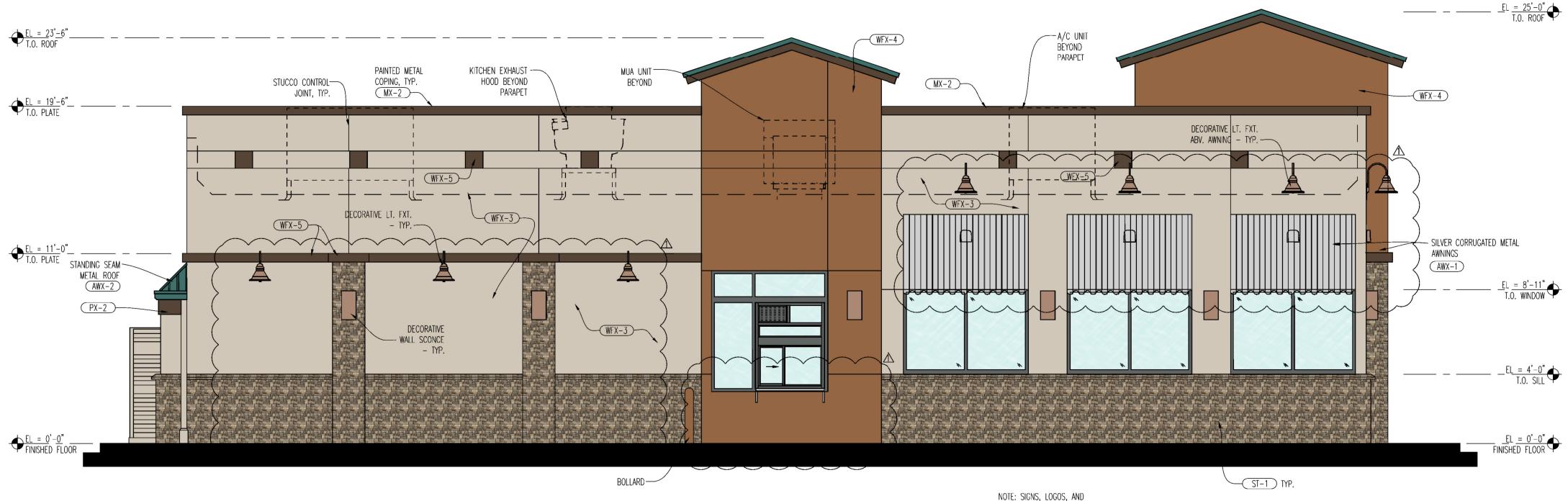




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NOTE: SIGNS, LOGOS, AND CANOPIES BY SIGN VENDOR, SEPARATE PERMIT.

SCALE: 1/4"= 1'-0"

- <u>EL = 8'-11"</u> T.O. WINDOW
- $-\frac{EL = 4'-0''}{T.0. SILL} \bigoplus$

- $L = \frac{25' 0''}{T.0. ROOF}$
- $4 = \frac{12' 10''}{1.0. \text{ ROOF}}$
- FINISH DESCRIPTION MISC MX-1 NOT USED MX-2 MANUFACTURER: PRODUCT/FINISH: METAL FLASHING / TRIM COLOR: TO MATCH PX-2 NOTES: PX PAINT & STAIN PX-1 NOT USED PX-2 MANUFACTURER: SHERWIN WILLIAMS PRODUCT/FINISH: SW #7041 - GLOSS COLOR: VAN DYKE BRÖWN CONTACT: JOHN GASTON, 214.553.3940 PX-3 MANUFACTURER: SHERWIN WILLIAMS PRODUCT/FINISH: SW #7036 - SATIN COLOR: ACCESSIBLE BEIGE CONTACT: JOHN GASTON, 214.553.3940 PX-4 MANUFACTURER: SHERWIN WILLIAMS PRODUCT/FINISH: SW #0045 - SATIN COLOR: ANTIQUARIAN BROWN CONTACT: JOHN GASTON, 214.553.3940 WFX WALL FINISHES WFX-1 NOT USED WFX-2 NOT USED WFX-3 MANUFACTURER: PRODUCT/FINISH: STUCCO W/ HEAVY SAND FLOAT FINISH COLOR: PAINTED PX-3 NOTES: MANUFACTURER: PRODUCT/FINISH: STUCCO W/ MONTEREY FINISH COLOR: PAINTED PX-4 WFX-4 WFX-5 MANUFACTURER: PRODUCT/FINISH: STUCCO W/ HEAVY SAND FLOAT FINISH COLR: PAINTED PX-2 NOTES: AWNINGS AWX MANUFACTURER: METAL SALES, CORRUGATED METAL AWNING PRODUCT/FINISH: SNAP LOC24 COLOR: SILVER GALVENIZED CONTACT: MARK EAKER, 702–277–7579 AWX-1 AWX-2 MANUFACTURER: METAL SALES, STANDING SEAM METAL ROOF PRODUCT/FINISH: SNAP LOC24 COLOR: EVERGLADE CONTACT: MARK EAKER, 702-277-7579 FINISH LEGEND

GENERAL NOTES

INDICATED.

A601.

WALL.

1. REFER TO ARCHITECTURAL FLOOR PLAN FOR ADDITIONAL DIMENSIONS.

2. ALL HEIGHT REFERENCES ARE TAKEN FROM DATUM-TOP OF SLAB FOR AREA

REFER TO WINDOW SCHEDULE FOR WINDOW FINISHES AND WINDOW TYPES, SHEET

SEE SHEET A004 FOR DRIVE-THRU CANOPY, DUMPSTER ENCLOSURE, AND SCREEN)

4. REFER TO DOOR SCHEDULE FOR DOOR FINISHES AND DOOR TYPES, SHEET A601.

5. BUILDING SIGNAGE UNDER SEPARATE PERMIT AND SUBMITTAL.

LIGHTING FIXTURES PER ELECTRICAL LIGHTING SCHEDULE.

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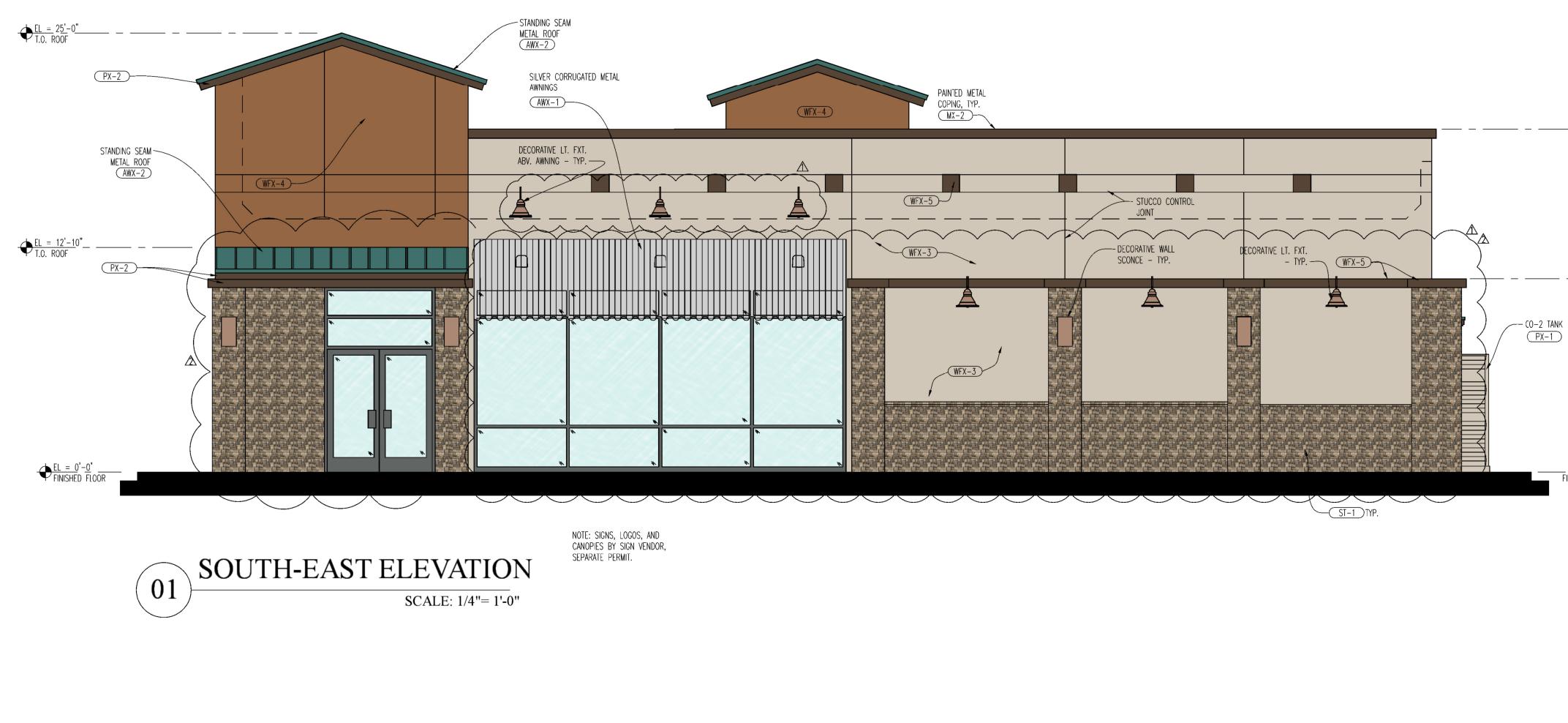
EXT. MATERIAL/FINISH SCHEDULE

6. ALL SIGNS AND LOGOS BY SIGN VENDOR.

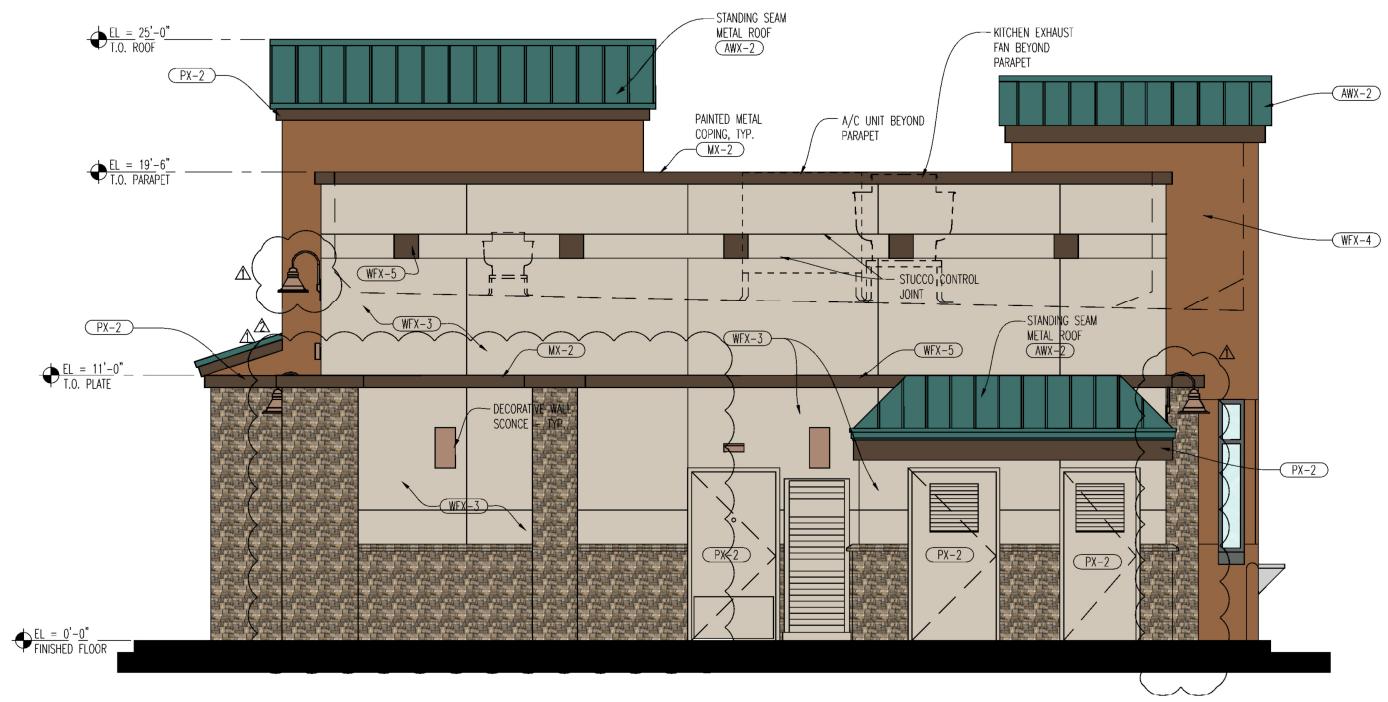
- ST-1 WALL FINISH, REFER TO FINISH SCHEDULE. STONE VENEER, REFER TO FINISH SCHEDULE.
- THIS PLAN IS THE PROPERTY OF FOOD SERVICE CONCEPT INC. AND ANY USE OF THIS PLAN WITHOUT THE WRITTI CONSENT OF F.S.C. IS PROHIBITED. NO RESPONSIBILITY IS ASSUME BY F.S.C. FOR DEVLATIONS BY F.S.C. FOR DEVLATIONS FROM THIS DRAWINGS. **REVISIONS** 03/23/18 2 05/02/18 10 <u>1</u>2 date 02/14/18 drawn R.M. checked by K.K. \bigcirc TS IN((62 X# 0_ RVICE CONCI FOOD SEI ROAD 0 (U) RI EXTERIOR **ELEVATION** A-201B

1/4"=1'-0"

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EL = 25'-0"
T.0. ROOF(PX-2)-





- 1. REFER TO ARCHITECTURAL FLOOR PLAN FOR ADDITIONAL DIMENSIONS.
- 2. ALL HEIGHT REFERENCES ARE TAKEN FROM DATUM-TOP OF SLAB FOR AREA INDICATED,
- 3. REFER TO WINDOW SCHEDULE FOR WINDOW FINISHES AND WINDOW TYPES, SHEET A601.
- 4. REFER TO DOOR SCHEDULE FOR DOOR FINISHES AND DOOR TYPES, SHEET A601.
- 5. BUILDING SIGNAGE UNDER SEPARATE PERMIT AND SUBMITTAL.
- 6. ALL SIGNS AND LOGOS BY SIGN VENDOR.

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J.	SEE SHEET	A004 FOR	DRIVE-THRU	CANOPY,	DUMPSTER	ENCLOSURE,	AND S	CREE
	WALL.							

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 $\frac{EL}{FINISHED FLOOR} \Phi$

EXT.	MATERIAL/FINISH SCHEDULE					
FINISH	DESCRIPTION					
MX	MISC					
MX-1	NOT USED					
MX-2	MANUFACTURER:					
WA-Z	PRODUCT/FINISH: METAL FLASHING / TRIM COLOR: TO MATCH PX-2					
	NOTES:					
PX	PAINT & STAIN					
PX-1	NOT USED					
PX-2	MANUFACTURER: SHERWIN WILLIAMS PRODUCT/FINISH: SW #7041 – GLOSS COLOR: VAN DYKE BROWN CONTACT: JOHN GASTON, 214.553.3940					
РХ-3	MANUFACTURER: SHERWIN WILLIAMS PRODUCT/FINISH: SW #7036 – SATIN COLOR: ACCESSIBLE BEIGE CONTACT: JOHN GASTON, 214.553.3940					
РХ-4	MANUFACTURER: SHERWIN WILLIAMS PRODUCT/FINISH: SW #0045 – SATIN COLOR: ANTIQUARIAN BROWN CONTACT: JOHN GASTON, 214.553.3940					
WFX	WALL FINISHES					
WFX-1	NOT USED					
WFX-2	NOT USED					
WFX-3	MANUFACTURER: PRODUCT/FINISH: STUCCO W/ HEAVY SAND FLOAT FINISH COLOR: PAINTED PX-3					
WFX-4	NOTES: MANUFACTURER: PRODUCT/FINISH: STUCCO W/ MONTEREY FINISH COLOR: PAINTED PX-4					
	NOTES:					
WFX-5	MANUFACTURER: PRODUCT/FINISH: STUCCO W/ HEAVY SAND FLOAT FINISH COLR: PAINTED PX-2					
11107	NOTES:					
AWX	AWNINGS					
AWX-1	MANUFACTURER: METAL SALES, CORRUGATED METAL AWNING PRODUCT/FINISH: SNAP LOC24 COLOR: SILVER GALVENIZED CONTACT: MARK EAKER, 702–277–7579					
AWX-2	2 MANUFACTURER: METAL SALES, STANDING SEAM METAL ROOF PRODUCT/FINISH: SNAP LOC24 COLOR: EVERGLADE CONTACT: MARK EAKER, 702–277–7579					
FINISH LEGEND						
(ST-1)						
	WALL FINISH, REFER TO FINISH SCHEDULE.					
	STONE VENEER, REFER TO FINISH SCHEDULE.					

