



# Conditional Use Permit

REPORT TO THE PLANNING AND ZONING COMMISSION

1	<b>Case:</b>	<b>FS16-304</b>
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3	<b>Project Name:</b>	Salad and Go
4		
5	<b>Council District:</b>	5 - PALM
6		
7	<b>Meeting Date:</b>	<b>October 20, 2016</b>
8		
9	<b>Planner:</b>	Sergio Angulo
10		
11		
12	<b>Owner:</b>	Litchfield Bell/Grand, LLC
13		
14	<b>Applicant:</b>	Jeff Kamtz with Brissette Architects Inc.
15		
16	<b>Request:</b>	Conditional Use Permit for a Salad and Go Drive-Thru/Walk-up Restaurant
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19	<b>Site Location:</b>	Generally north of Bell Road and east Litchfield Road
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21	<b>Site Size:</b>	32,249 sq. ft. (0.74 acres approx.)
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23	<b>General Plan Conformance:</b>	The proposal is consistent with the Surprise General Plan 2035 as proposed under case FS16-304
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25		
26	<b>Support/Opposition:</b>	None known
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28	<b>Staff Recommendation:</b>	Staff recommends the Commission move to <b>approve</b> case FS16-304, subject to stipulations 'A' and 'B'.
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30 **Surrounding Land Zoning:**



31 **History:**

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33 **June 20, 1984:** The subject parcel was annexed into the City of Surprise.

34

35 **October 26, 1995:** The West Point Towne Center PAD was approved by the Mayor and City Council.

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37 **April 28, 2016:** Staff met with the applicant to discuss the project during a regularly scheduled  
38 Concept Review meeting under CR16-176.

39

40 **July 11, 2016:** The applicant filed a request for a Conditional Use Permit approval for a Salad and Go  
41 Drive-Thru/Walk-Up Restaurant.

42

43 **August 15, 2016:** The applicant held a Citizen Review Meeting for the property which was  
44 advertised. No one from the public attended.

45 **Project Description:**

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47 Jeff Kamtz with Brissette Architects Inc. on behalf of Salad and Go, requests approval of a  
48 Conditional Use Permit to allow for a new drive-thru/walk-up restaurant for a Salad and Go in  
49 Parcel 20-L within the Surprise Village of the West Point Towne Center PAD located north of Bell  
50 Road and east of Litchfield Road.

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52 As noted above, the West Point Towne Center PAD was approved under Title 17 and references the  
53 C-2 uses listed under Title 17 as permitted uses. "Convenience food restaurants" are listed as a  
54 Conditional Use in C-2, but requires an analysis of any proposed Conditional Use to be based on  
55 certain criteria. Section 17.36.050 of Title 17 states:

56  
57 *"No conditional use permit shall be given for a use that is not listed in this title as a conditional use*  
58 *or is not deemed by the commission as equivalent to a listed conditional use in the particular district*  
59 *in which it is proposed to be located. The commission shall consider the effect of the proposed use*  
60 *upon the health, safety and general welfare of occupants of surrounding land, existing and*  
61 *anticipated traffic conditions including parking facilities on adjacent streets and land, and the effect*  
62 *of the proposed use on the General Plan. The commission may grant the application by motion,*  
63 *imposing such conditions and safeguards as it deems necessary, or it may deny the application."*

64  
65 This Conditional Use Permit application has been reviewed against the requirements for  
66 convenience food restaurants under section 17.28.080.C.3. Staff finds that this Conditional Use  
67 Permit application conforms to the requirements set under this section of Title 17.

68  
69 The site is to be accessed through an existing shared driveway south of the property; this driveway  
70 has direct access to and from Litchfield Road to the east. Ingress and egress to the site is proposed  
71 to align with the driveway directly to the south and an exit-only lane is proposed on the south west  
72 of the subject property. The applicant is also providing future shared access to the property to the  
73 north along the west.

74  
75 The drive-thru lane starts close to the south of the property and continues to the north of the  
76 building where the pick-up window location is being proposed.

77  
78 The site proposes good pedestrian connectivity internally, to the existing sidewalk along Litchfield  
79 Road, and to future development to the north. For the safety of pedestrians, the applicant is  
80 proposing stop signs wherever a pedestrian pathway crosses the drive-thru lane.

81  
82 The site proposes thirteen (13) parking spaces which exceeds the minimum requirements of the  
83 PAD. Two (2) of the subject spaces will be handicap-accessible. The parking spaces that face  
84 Litchfield Road will be screened by an existing screening wall. The refuse bin is proposed to be  
85 located on the south east side of the property and will be screened with a block wall and will be  
86 painted to match the colors of the building.

87  
88 The proposed building is a 667 sq. ft. drive-thru facility with no indoor seating. The applicant is  
89 proposing a walk-up window on the south side of the building where customers will be able to  
90 order and a 700 sq. ft. of shaded outdoor seating area the customers that prefer to eat on-site. The  
91 drive-thru window is proposed to be located on the north side and to help shade that window the  
92 applicant is proposing a shade canopy that extends over the drive-thru lane.

93  
94 The proposed landscape meets the requirements of the West Point Towne Center PAD. On-site the  
95 applicant is proposing shrubs and trees along the northern property line to help screen the vehicles  
96 on the drive-thru lane. A landscaped retention basin is proposed on the east part of the property.  
97 The existing landscape along Litchfield Road will remain as is.

98  
99 The proposed building and colors are similar to other Salad and Go facilities in the valley. The  
100 proposed colors include white and gray with orange and an “apple green” as accent colors.

101  
102 The applicant also included a lighting photometric study with the application which meets the  
103 lighting requirements of the SUDC.

104 This Conditional Use Permit application is in conjunction with a related Final Plat to split Parcel 20-L  
105 into two (2) parcels, which is being processed under the same case number. The Mayor and City  
106 Council will take action on the Final Plat on October 18, 2016.

107  
108 **Summary:**

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110 Staff believes by accepting and incorporating stipulations ‘A’ and ‘B’ the proposed Conditional Use  
111 Permit and Site Plan will meet the requirements of the West Point Towne Center PAD, SUDC, and  
112 the General Plan while helping to meet the Economic Development vision from the Mayor and City  
113 Council Strategic Plan.

114  
115 **Findings:**

- 116  
117
  - The proposed Conditional Use Permit and Site Plan are consistent with the Surprise General
  - 118 Plan 2035.
  - The proposed Conditional Use Permit and Site Plan will meet the provisions of the West
  - 119 Point Towne Center PAD and the SUDC as applicable once all stipulations are met.

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121  
122 **Recommendation:**

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124 Based on the findings noted above, staff then recommends the Commission move to **approve** case  
125 FS15-304, subject to stipulations ‘A’ and ‘B’ as outlined below:

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127 A. The monument signage shown on all plan drawings is not included in the  
128 consideration and action of this Conditional Use Permit. All signage is subject to the  
129 Master Sign Program for Surprise Village Marketplace under Case CUP04-426.

130 B. The site plan prepared by Brissette Architecture date received 9/6/2016 will be  
131 revised and submitted to include the following modifications:

132 1. Show the sewer line from the building to the existing sewer line.  
133

134 However, should the Commission wish to recommend **denial** of the request, the Commission  
135 should make its own findings and base its decision on those alternative findings.  
136

137 **Attachments:**

- 138
- 139 01 Vicinity Map
- 140 02 Site Plan
- 141 03 Landscape Plan
- 142 04 Elevations
- 143 05 Luke AFB Comments
- 144 06 MWD Comments
- 145 07 ADOT Comments