<table>
<thead>
<tr>
<th>CASE:</th>
<th>Z15-003</th>
</tr>
</thead>
<tbody>
<tr>
<td>PROJECT:</td>
<td>SALAD &amp; GO - POWER/BROADWAY</td>
</tr>
<tr>
<td>ADDRESS:</td>
<td>245 S POWER RD - DISTRICT 5</td>
</tr>
<tr>
<td>REQUEST:</td>
<td>SITE PLAN REVIEW. THIS REQUEST WILL ALLOW FOR THE DEVELOPMENT OF A RESTAURANT WITH A DRIVE-THRU.</td>
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</tbody>
</table>
Planning and Zoning Board

Case Information

CASE NUMBER: Z15-003 (PLN2014-00587)
LOCATION: Southern portion of 245 South Power Road
GENERAL VICINITY: Located south of Main Street on the east side of Power Road
REQUEST: Site Plan Review in the LC zoning district.
PURPOSE: This request will allow for the development of a restaurant with a drive-thru.
COUNCIL DISTRICT: District 5
OWNER: Kathryn Ann Kulesh
APPLICANT: Sake H. Reindersma, SRA 360
STAFF PLANNER: Kaelee Wilson

SITE DATA

PARCEL NO.: 218-21-004A
PARCEL SIZE: 35,842 SF; .82 acre
EXISTING ZONING: Limited Commercial (LC)
GENERAL PLAN DESIGNATION: Specialty District/ Mixed Use Activity
CURRENT LAND USE: Vacant
PROPOSED LAND USE: Drive-thru restaurant
PARKING REQUIRED: 9 spaces
PARKING PROVIDED: 11 spaces
BUILDING SQUARE FOOTAGE (GFA): 1,369 square feet

SITE CONTEXT

NORTH: Existing carwash- zoned LC
EAST: Medical office– zoned OC-PAD
SOUTH: Medical center – zoned OC- PAD
WEST: (Across Power Road) Banner Baywood Hospital– zoned NC-BIZ

ZONING HISTORY

December 16, 1974: Annexed into City (Ord. #907) and subsequently zoned LC
March 22, 1979: Conceptual site plan approval for professional offices as part of a larger master plan for a mobile home park.
May 16, 1998 Approved retail site plan as part of the carwash approval- DR98-048
December 10, 2013: A Special Use Permit was granted for a communication tower.

STAFF RECOMMENDATION: Approval with conditions
P&Z BOARD RECOMMENDATION: ☐ Approval with conditions. ☐ Denial
PROPOSITION 207 WAIVER SIGNED: ☒ Yes ☐ No
PROJECT DESCRIPTION

This request is for site plan review to allow the development of a 685 square-foot (plus a covered patio and drive thru for a total of 1,369 square feet under roof) drive-thru restaurant called Salad and Go. Salad and Go’s business model is to provide fresh food in a fast food setting. The majority of their sales happen via drive-thru but they also have a walk-up window with outdoor seating for customers. The restaurant does not provide any indoor seating but the 224 square-foot outdoor seating area will be covered.

The site is located just to the east of Banner Baywood Hospital on Power and Baywood Roads. The building will have access off Power Road but also has cross access with the carwash to the north and the Kidney Center to the south.

The proposed building elevations have been reviewed by the Design Review Board at their December 9, 2014 ‘Work Session’. Staff continues to work with the applicant for revised elevations that reflect the Design Review Board’s comments.

RESTAURANT PROPOSAL:

<table>
<thead>
<tr>
<th>Building</th>
<th>Parking</th>
<th>Miscellaneous</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building: 685 s.f.</td>
<td>Required for restaurants:</td>
<td>Building Setbacks:</td>
</tr>
<tr>
<td>Outdoor seating:</td>
<td>1/100 for indoor area</td>
<td>Power Road: 15’ req.; 15’ prov.</td>
</tr>
<tr>
<td>224 s.f.</td>
<td>1/200 for outdoor seating</td>
<td>East: 15’ req.; 13’-1” prov.</td>
</tr>
<tr>
<td></td>
<td>Required: 9</td>
<td>South: 0’ req. (Group COI); 27’ prov.</td>
</tr>
<tr>
<td></td>
<td>Provided: 11</td>
<td>North: 0’ req. (Group COI); 0’ prov.</td>
</tr>
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</table>

CITIZEN PARTICIPATION

The applicant has notified all surrounding property owners within 500-feet of the subject site and registered neighborhoods within 1,000-feet. The applicant submitted a Citizen Participation Report and indicated that they had not received any comments or concerns from any neighbors. Staff has not received any contact from residents.

CONFORMANCE WITH THE MESA 2040 GENERAL PLAN

The goal of Mesa 2040 General Plan is to establish and maintain neighborhoods and to build a sense of place in neighborhoods and in commercial/employment areas of activity. Rather than focusing on individual land uses, the Plan focuses on the “character of development in different areas.” Character types combine concepts of land use with building form and intensity to describe the type of area being created through the development that occurs.

Criteria for review of development

State statutes require that all adopted zoning and rezoning ordinances be consistent with the adopted General Plan. Determining consistency with the General Plan requires a review of the proposal against the character area requirements and the other goals and policies of the Plan and any adopted sub-area plans. The following criteria have been developed for use during the review process to determine whether or not the proposed development is achieving the vision and goals established in this Plan and thus meeting the statute requirements. Since the request
is for site plan review for an allowable use within the zoning district, minimal review criteria from the General Plan are applicable.

Is the proposed development consistent with furthering the intent and direction contained in the General Plan?
The General Plan focuses on creating land development patterns that emphasize the character of place and focusing on those principles that build neighborhoods, stabilize the job base, and improve the sense of place.

The proposed use of this property is consistent with the guiding principles of the General Plan.
The Plan also describes 5 key elements to be considered with development to help move the City toward the goal of becoming a more complete, recognizable City. The five elements include:

1. High Quality Development
2. Changing Demographics
3. Public Health
4. Urban Design and Place-Making
5. Desert Environment

The proposed development will assist the City in promoting the five key elements by doing the following:

1.) High Quality Development - Staff will continue to work with the applicant and the Design Review Board to ensure high quality development that is consistent with the surrounding area.

2.) Changing Demographics - Not applicable.

3.) Public Health - The development will assist in furthering the Public Health goal by being developed in a way that promotes walkability. The applicant has addressed this element by adding a pedestrian connection from Power Road. Staff has added a condition of approval to ensure the wall will be modified and the area will be landscaped in a manner that will be inviting to pedestrians. Employees from the surrounding medical office uses and Banner Baywood Hospital will be able to walk to the restaurant.

4.) Urban Design and Place Making - The development will aide Urban Design and Place-Making by developing a vacant by-passed parcel in a high activity area. The applicant has given great consideration into designing a site plan that furthers the betterment of the built environment.

5.) Desert Environment - The applicant has taken the Desert Environment element into consideration by creating a sizable covered patio, walk-up and drive-thru areas around the building. The large overhangs will provide additional shading for the building in the harsh summer months.

2. Is the proposed development consistent with adopted sub-area or neighborhood plans?
The proposed restaurant doesn’t fall within an adopted sub-area or neighborhood plan.

3. Is the proposed development consistent with the standards and guidelines established for the applicable character type(s)?
Figure 7-1 of the Mesa 2040 General Plan shows this area on the cusp of Mixed-Use Activity and Specialty District. The site is located across Power Road from Banner Baywood Hospital. Staff believes the use and development form is consistent with the Mixed Use Activity District. The goal within this district is to create strong and viable centers for commercial activity. The applicant is developing the last vacant parcel within a well-established commercial center. The development of the proposed restaurant will bring additional customers into this area; thus strengthening the viability of the overall center and surrounding businesses.

The proposed development and development form is appropriate in both the Mixed Use Activity and Specialty District

The proposed development is within a Transit Corridor Overlay. The intent of this overlay is to provide development that promotes walkability and enhances the streetscape. The ideal development in the Transit Corridor would have the building placed as close as possible to the street to encourage pedestrian activity.

The site is a bypassed parcel with site constraints that include cross access easements and an existing cell tower. The applicant has met the intent of the overlay by providing pedestrian connection from Power Road and a large outdoor patio that faces Power Road. The additional landscaping and replacement of dead or missing landscaping along Power Road will enhance the pedestrian experience.

4. Will the proposed development serve to strengthen the character of the area by:

• Providing appropriate infill development;
  This request will facilitate infill development on a site that has been vacant for many years.

• Removing development that is deteriorated and/or does not contribute to the quality of the surrounding area;
  The request will allow for the development of a site that has been bypassed.

• Adding to the mix of uses to further enhance the intended character of the area;
  The proposed restaurant is a typical use found in both the Specialty District-Medical Campus and Mixed Use Activity District- Community Commercial. The proposed restaurant will enhance the area by developing the site to current code standards with landscaping that exceeds code minimums.

• Improving the streetscape and connectivity within the area;
  Staff will continue to work with the applicant to ensure a substantial pedestrian connection from Power Road with added landscaping that will enhance the streetscape.

• Improving safety within the area;
  Development consistent with current development standards and codes will increase safety in the area.

• Adding to the sense of place;
  The restaurant will have a substantial outdoor seating area and will have a great amount of landscaping. Both of those items should enhance the sense of place.

• Meeting or exceeding the development quality of the surrounding area?
The building has been to the Design Review Board twice to ensure the development meets or exceeds the quality of the surrounding buildings. The quality of this building will enhance a section of Power Road where most buildings were developed in the 1990’s with the exception of the Kidney Center to the south which was just built with current development standards.

STAFF ANALYSIS:

The property poses some unique development challenges with an existing cell tower located on the eastern portion of the site with a twelve-foot easement that runs through the property and cross access easements with the properties to the north and south. The applicant is proposing to landscape the area around the cell tower; however, a portion of the area will need to remain gravel for vehicular access to the tower. At the time this staff report was written, Verizon has yet to review the site plan. Since the cell tower is existing, staff would like to verify that Verizon still has adequate access to maintain and repair the tower. Staff has added a condition that requires the applicant to submit an acknowledgement letter from Verizon with the building permit submittal to ensure Verizon reviews the site plan.

Staff is concerned about the lack of visibility into the dead space created between the refuse enclosure and the cell tower enclosure. Since there is a six-foot CMU wall to the south, the only visibility into this area is from the carwash property to the north. The Crime Prevention Division of the Police Department has reviewed the design against Crime Prevention through Environmental Design (CPTED) design guidelines. The Crime Prevention Division is concerned about the space being utilized as a hiding space for transients and suggested a condition be added that a light with a five foot candle brightness be placed at an appropriate height to light both sides of the refuse enclosure.

The applicant is also working with adjacent property owners for a copy of the recorded cross–access agreements for the properties to the north and south. To ensure there are active cross access agreements, staff has added a condition that requires copies of the recorded cross access agreements to be submitted with the building permit application.

The subject parcel was split off from the parcel to the north sometime after 1998. The lot split was not formally reviewed by the Planning Division; thus, the City does not recognize the parcel as a legal lot. Staff has added a condition of approval that a formal lot split be processed and approved prior to the submittal of the building permit. Based on there not being an approved lot split, this parcel is still addressed with the address of the larger lot- 245 S. Power Road. When the lot split is approved, an address will be assigned.

CONCLUSIONS:

Staff’s main concerns are rooted in the lack of architectural detailing of the building which are being handled through the Design Review process. The overall site plan is well designed and provides safe vehicular circulation with great pedestrian connectivity from Power Road. The quality of the site will be drastically improved by the substantial amount of landscaping the applicant is proposing. Overall, staff believes the development will be an asset to the community by providing development on a site that has been underutilized. Staff is recommending approval with the following conditions:
CONDITIONS OF APPROVAL:
1. Compliance with the basic development as described in the project narrative and as shown on the site plan submitted.
2. Compliance with all Design Review requirements
3. Compliance with all requirements of the Development and Sustainability, Engineering, Transportation, and Solid Waste Departments.
4. Compliance with all City development codes and regulations.
5. Provide the City of Mesa with a copy of a recorded Cross Access Agreement with the property owners to the north and south with the building permit submittal.
6. The applicant shall provide (with the building permit submittal) an acknowledgment letter from Verizon stating they have reviewed the site plan.
7. Any dead or missing landscaping along Power Road shall be replaced in accordance with Table 11-33-3-A-4.
8. A light with a five foot-candle brightness shall be placed at the refuse enclosure at an appropriate height to light the space between the refuse enclosure and the cell tower enclosure.
9. The applicant shall submit and be granted a land split by the Planning Director prior to submitting for a building permit.
10. The applicant shall provide exhibits to be approved by staff prior to submitting for a building permit depicting how the screen wall adjacent to Power Road will be modified to accommodate the pedestrian connection.
1. west elevation

2. south elevation

3. north elevation

4. east elevation
October 28, 2014

RE: Salad and Go - Narrative
245 S. Power Rd.
Mesa, AZ 85207
SRA Project No.: 14-042

Salad and Go is a Gourmet Salad Drive-thru with a mission to make drive-thru fast food better and healthier. Our vision is one day on every corner of America where there is a traditional drive-thru fast food restaurant there will be a better and healthier drive-thru fast food restaurant. We are committing our first 40 stores to the State of Arizona and have plans for 6 Salad and Go locations in Mesa, with our first at Power and Broadway. We have no interior seating and we focus exclusively in providing the best drive-thru experience with better and healthier food while offering the same price, convenience and speed as traditional drive-thru fast food. Our menu consists of 10 made to order entree salads that can be converted into a wrap, super food smoothies, and a kids menu that parents and kids love.

Sincerely,

Sake Reindersma Architecture, pllc.

Sake Reindersma, AIA
President & CEO
Citizen Participation Plan for Salad & Go, New Drive-thru Restaurant at 245 Power Road

Date: November 3, 2014

Purpose: The purpose of this Citizen Participation Plan is to inform citizens, property owners, neighbor associations, agencies, schools and businesses In the vicinity of the site of an application for the Salad & Go drive-thru restaurant. This site is located at 245 S. Power Rd, and is an application for the site modification and new building construction for a 685 sq. ft. new building with a drive thru canopy 461 sq. ft & outdoor waiting and seating canopy 884 sq. ft., of which only 256 sq. ft. Is for dining. This plan will ensure that those affected by this application will have an adequate opportunity to learn about and comment on the proposal.

Contact:
Tony Christofelis
907 E. Carla Vista Drive,
Gilbert, Arizona 85295
Cell: (480) 332-8709;
E-mail: tony@andgoconcepts.com

Pre-application Meeting: The pre-application meeting with City of Mesa planning staff was held on August 25, 2014. Staff reviewed the application and recommended that adjacent residents, Mesa School District and nearby registered neighborhoods be contacted.

Action Plan: In order to provide effective citizen participation in conjunction with their application, the following actions will be taken to provide opportunities to understand and address any real or perceived impacts their development that members of the community may have.

1. A contact list will be develop for citizens and agencies in this area including:
   - All registered neighborhood associations within one mile of the project.
   - Homeowners Associations within one half mile of the project.
   - Interested neighbors – focused on 1,000 feet from site, but may include more
   - Mesa Public School District #4, in writing, with copies to Skyline High School, Fremont Jr. High and Madison Elementary School, who may be affected by this application.

2. All persons listed on the contact list will receive a letter describing the project, project schedule, site plan and invitation to a series of two neighborhood meetings to be held at Village Inn at 6813 E. Main Street, Mesa, AZ 85207.
   - The first meeting will be an introduction to the project, and opportunity to ask questions and state concerns. A sign-in list will be used and comment forms provided. Copies of the sign-in list and any comments will be given to the City of Mesa Planner assigned to this project.
   - The second meeting will be held two weeks later and will include responses to questions and concerns of the first meeting. A sign-in list and comment cards will be copied to the City of Mesa Planner.

3. Neighborhood Associations, Homeowners Associations and Neighbors within 1,000 feet of the site will be called by telephone to inform them personally of the project and receive comments.

4. Presentations will be made to groups of citizens or neighborhood associations upon request.

5. The site of the requested application will be posted at a conspicuous location intended to attract public attention to the notice, using a poster or sign consistent with adopted City standards. The posting will display dates, times and places of the required public hearing.

[All materials such as sign-in lists, comments, and petitions received are copied to the City of Mesa]

Schedule:
Pre-application meeting – August 25, 2014
Planning Zoning Application Submittal – November 3, 2014
First neighborhood meeting – November 11, 2014

Second neighborhood meeting – November 25, 2014
Posting of Site – On or before December 4, 2014 (2-weeks before the Public Hearing)
Submittal of Citizen Participation Report and Notification materials – December 8, 2014
Planning and Zoning Board Hearing – January 13, 2014
Citizen Participation Report For Salad & Go, New Drive-thru Restaurant at 245 Power Road
Case # PS14-057

Date of Report: January 13, 2014

Overview: This report provides results of the implementation of the Citizen Participation Plan for Salad & Go drive-thru restaurant. This site is located at 245 S. Power Rd, and is an application for the site modification and new building construction for a 685 sq. ft. new building with a drive thru canopy 461 sq. ft & outdoor waiting and seating canopy 884 sq. ft, of which only 256 sq. ft. is for dining. This report provides evidence that citizens, neighbors, public agencies and interested persons have had adequate opportunity to learn about and comment on the proposed plans and actions addressed in the application. Comments, sign-in lists, petitions, letters, summary sheets, and other materials are attached.

Contact:
Tony Christofelis
907 E. Carla Vista Drive.
Gilbert, Arizona 85295
Cell: (480) 332-8709;
E-mail: tony@andgoconcepts.com

Neighborhood Meetings: The following are dates and locations of all meetings where citizens were invited to discuss the applicant’s proposal [no citizen attendance or comments were generated].
1. 11/1/14 – Village Inn at 6813 E. Main Street, Mesa, AZ 85207 - 7 P.M. to 8 P.M. – 0 citizens in attendance
2. 11/25/14 – Village Inn at 6813 E. Main Street, Mesa, AZ 85207 - 7 P.M. to 8 P.M. – 0 School Representative, 0 citizens in attendance

Correspondence and Telephone Calls:
1. 1st letters mailed to contact list, including homes, apartments, HOAs, schools and Neighborhood Associations on 11/26/14.
2. 2nd letters mailed to contact list on December 10, 2014.
3. Project published in the newspaper on December 12, 2014.
4. Meeting notice mailed to contact list on December 22, 2014.
5. 1st City Design Review Workshop December 9, 2014 (No citizens attended)
6. 2nd - City Design Review meeting January 13, 2015.
7. Planning Commission meeting to be held on January 21, 2015

Posting of Public Hearing:
The case site was posted on January 7, 2015, and an affidavit of posting was submitted to the City of Mesa.

Results:
There are 32 persons on the contact list, for a radius of 500’ to the property, as of the date of this Citizen Participation Report (the contact list was submitted with the application)

1. Summary of concerns, issues and problems:
   • No comments were generated.

2. How concerns issues and problems were addressed:
   • No concerns or comments were generated.