



## Village Planning Committee Meeting Summary

### Z-5-24-1

<b>Date of VPC Meeting</b>	March 20, 2024
<b>Request From</b>	C-O
<b>Request To</b>	C-2
<b>Proposal</b>	Restaurant with drive-through
<b>Location</b>	Northeast corner of 43rd Avenue and Thunderbird Road
<b>VPC Recommendation</b>	Approval, per staff recommendation
<b>VPC Vote</b>	11-1-1

#### **VPC DISCUSSION:**

##### **Staff Presentation:**

**Chase Hales**, staff, presented an overview of the rezoning request. Mr. Hales explained the location of the site, the requested zoning designation, the surrounding land uses, and the General Plan Land Use Map designation. Mr. Hales displayed the current conditions of the site, the proposed conceptual site plan, and the proposed conceptual elevations. Mr. Hales concluded the presentation by providing the staff findings, the recommendation, and summarizing the proposed stipulations.

##### **Applicant Presentation:**

**Wendy Riddell**, representing the applicant with Berry Riddell, LLC, provided an overview of the proposed request. Ms. Riddell explained that like many banks, the subject property had a deed restriction that preventing other banks from utilizing the site, and the proposal to rezone would enable more uses on the site, as C-O was limited in its commercial entitlements. Ms. Riddell displayed the proposed conceptual site plan and elevations and explained that the proposed use was a restaurant with drive-through, but noted the drive-through would need to be permitted through the use permit process. Ms. Riddell summarized the numerous changes to the site plan and noted the landscape buffers along Thunderbird Road and 43rd Avenue. Ms. Riddell stated that a neighborhood meeting was held where three people attended. Ms. Riddell stated that the applicant had done bilingual outreach and that there had been 88 people in support of the project, and showed a map of where the supporters were located in the neighborhood.

##### **Questions from the Committee:**

**Committee Member Gore** asked if the drive-through was double-lane. **Ms. Riddell** stated that although the striping in the drive-through lane on the site plan made it appear to be a double lane, it was only one lane.

**Committee Member Gore** stated concern regarding the drive-through as a large number of customers could fill up the lane and prevent people from entering the parking lot, pushing traffic out onto 43rd Avenue. **Ms. Riddell** stated that the queueing distance was sufficient for the user and that the intended tenant, Farmer Boys, focuses on indoor dining, unlike some quick-service restaurants.

**Committee Member Gore** reiterated concern that there could be issues in the future, just like similar businesses in the area. **Ms. Riddell** stated that it was not anticipated to be an issue in the future.

**Committee Member Jaramillo** asked if there had been any engagement with his block watch. **Ms. Riddell** stated that there had not been but was interested in having it happen.

**Committee Member Gore** observed that the garbage facilities were located in the northeast corner near the residential uses adjacent to the site. **Ms. Riddell** stated that the tenant would most likely prefer to have the garbage near the restaurant, but often the maneuvering of garbage trucks determined the location.

**Committee Member Gore** asked why there were no detached sidewalks on the conceptual site plan, as the stipulations recommended by staff required them. **Ms. Riddell** agreed that the site plan did not perfectly reflect what was to be built, and that edits would need to be made in a future iteration.

**Councilmember Gore** asked if there would be misters. **Ms. Riddell** stated that there may or may not be.

**Committee Member Gore** asked if there would be amplified music. **Ms. Riddell** stated that there may or may not be but that would need to be approved through the use permit process.

**Committee Member O'Hara** stated that he liked the project and wanted to see the site be activated.

**Committee Member Alauria** stated that there had been issues with illicit activities and was a good opportunity to activate a dead site.

**Committee Member Larson** shared concern with a right-hand turn into the site, given its close proximity to the intersection and thought that traffic slowing could cause a hazard for those coming through the intersection not anticipating a decrease in traffic speed. **Ms. Riddell** stated that there was no stipulation requiring general conformance

to the conceptual site plan that was presented and that there could be future changes to avoid issues similar to Mr. Larson's concern.

**Councilmember Gore** asked how the proposal created a "connected oasis" as outlined in the General Plan. **Ms. Riddell** stated that the proposal had pedestrian connections to the surrounding residential neighborhood and would create detached sidewalks along 43rd Avenue and Thunderbird Road, all of which would be shaded.

**Public Comments:**

None.

**Applicant Response:**

None.

**Committee Discussion:**

**Committee Member Larson** stated that he shared the same concern with Mr. Gore regarding the traffic with the drive-through. Mr. Larson stated he recognized that the Committee was not approving a specific user but encouraged to evaluate the design to mitigate impacts.

**Committee Member Gore** stated that he appreciated the improvement for the neighborhood but felt that the proposal was not ready to move to the Planning Commission given his concerns with traffic. **Committee Member Mike Krentz** stated that the question of approval of the rezoning was not specific to the proposed site plan. Mr. Krentz explained that the site plan would be refined as the site plan was evaluated during the plan review process.

**Committee Member Gore** stated that he recognized that it was not in the purview of the committee to analyze the details of the proposal but wanted the committee to take advantage of the opportunity to influence the proposal.

**Committee Member Pamperin** stated that he agreed with Mr. Gore and saw the potential of another restaurant in the future going on the site and creating a traffic issue.

**Chase Hales**, staff, reminded the committee that the drive-through would require a use permit, which was not in the purview of the current discussion.

**Committee Member Gore** stated that he had sat in hearings for use permits and was concerned that there was not enough scrutiny when it came to evaluating drive-throughs. Mr. Gore reiterated that he would like to review the request with a more critical eye.

**Motion:**

**Committee Member O'Hara** motioned to recommend approval of Z-5-24-1, per staff recommendation. **Committee Member Whitney** seconded the motion.

**Vote:**

**11-1-1**, Motion to recommend approval of Z-5-24-1, per the staff recommendation passed with Committee Members Alauria, Barraza, Jaramillo, Krentz, Larson, McBride, O'Hara, Sommacompagna, Veidmark, Whitney, and Vice Chair Matthews in support, Committee Member Gore in opposition, and Committee Member Pamperin abstaining.

**Staff comments regarding VPC Recommendation:**

None.