



City of Apache Junction

Development Services Department



PLANNING AND ZONING COMMISSION PUBLIC HEARING STAFF REPORT

DATE: July 23, 2019

CASE NUMBER: PZ-4-19, "Dutch Bros. Coffee"

OWNERS: Cole Valley Partners - Apache Junction Holding LLC.

APPLICANT: Ryan Ramey, Cole Valley Partners

REQUEST: Proposed rezoning of approximately 4.14 acres from B-2/PD (Old West Commercial/Planned Development) to a new B-2/PD (Old West Commercial/Planned Development) to facilitate a Dutch Bros. Coffee shop and future commercial development.

LOCATION: The property is located near the northeast corner of Apache Trail and Thunderbird Drive.

**GENERAL PLAN/
ZONING DESIGNATION:** Downtown Mixed-Use; currently zoned B-2/PD (Old West Commercial/Planned Development).

SURROUNDING USES:

North: Residential Land, zoned RS-20M

South: Commercial Property, zoned B-2;

East: Commercial Property (Private Pawn), zoned B-2;

West: Commercial Property (Thunderbird Plaza), zoned B-2

BACKGROUND

The property has historically been known as the Cobbs Restaurant and shopping center. For many years the restaurant and businesses operated until approximately a year ago.

Most recently Cole Valley Partners has bought the subject properties and expressed interest in developing a Dutch Bros. Coffee shop along with other potential businesses.

PROPOSALS

PZ-4-19 is a proposed rezoning of 4.14 acres from B-2/PD (Old West Commercial/Planned Development) to a new B-2/PD (Old West Commercial/Planned Development). The PD rezoning proposes a Dutch Bros. Coffee shop on approximately 1.03 acres of the total 4.14 acres (please see aerial exhibit). The remaining acreage is proposed to be vacant and later developed according to the PD conditions. Direct access to the Dutch Bros. Coffee shop is proposed along Apache Trail and Thunderbird Drive.

PLANNING STAFF ANALYSIS

Relationship to General Plan:

The subject site is designated by the city's General Plan as "Downtown Mixed-Use". The proposal is consistent with the Downtown Mixed-Use designation.

Zoning/Site Context:

The 4.14 acres is a privately-owned piece of land surrounded by residential land to the North and commercial property to the South, East and West.

Planned Development Zoning:

The applicant is not asking for any deviations from the Zoning Ordinance, however, Staff is requesting a Planned Development be put in place in order to exclude a palette of uses for the center.

Infrastructure Improvements:

The applicant will need to ensure all necessary services are available on the site. Discussions with sewer and water, SRP, Century Link, Southwest Gas and cable communication providers are already under way.

Half street along with onsite improvements will be completed by the applicant/developer at the time of construction. Improvements include Apache Trail and Thunderbird Drive adjacent to the Dutch Bros. site. The remainder of the improvements along Thunderbird Drive, Roosevelt Street and Rennick Drive will be completed at the time of construction of subsequent projects at this site.

Public Input:

Neighborhood meeting notification letters were sent from the applicant to all property owners within a 300-foot radius for a total of 25 letters. On May 22, 2019 a neighborhood meeting took place and a total of 3 people attended the meeting. All three attendants were in support of the proposed request.

The city has also sent out public hearing notices noting the time, place and proposed request.

Staff has not received any comments regarding the rezoning/PD request.

FINDINGS OF FACT

As required by the Apache Junction Zoning Ordinance, a Planned Development request may be approved by the City Council after consideration has been given to three different criteria. The criteria is outlined in the text below:

1. That a better design cannot be achieved by applying the strict provisions of the underlying zoning district.

Response: Staff has recommended the Planned Development requirement in order to exclude undesirable future users.

2. That strict adherence to the provisions of the zoning ordinance is not required in order to ensure the health, safety and welfare of the inhabitants of the proposed development.

Response: Staff has recommended the Planned Development requirement in order to exclude undesirable future users.

3. That strict adherence to the ordinance is not required to ensure that property values of adjacent properties will not be reduced.

Response: Staff has recommended the Planned Development requirement in order to exclude undesirable future users.

PLANNING DIVISION RECOMMENDATION

Staff respectfully recommends to the Commission that they include the following conditions of approval as part of a favorable recommendation to the City Council. As always, Commissioners may recommend changes or additional conditions which they feel will improve the development plan.

RECOMMENDED MOTION FOR PLANNED DEVELOPMENT REZONING

I move that the Planning and Zoning Commission recommend to the Apache Junction City Council the (APPROVAL) of planned development rezoning case PZ-4-19, a request by Cole Valley Partners to rezone 4.14 acres for a Dutch Bros. Coffee shop and future commercial development, represented by Ryan Ramey of Cole Valley Partners, located at the northeast corner of Apache Trail and Thunderbird Drive, from B-2/PD (Old West Commercial/Planned Development) to a new B-2/PD (Old West Commercial/Planned Development), subject to the following conditions of approval:

- 1) The project shall be developed in accordance with the plans attached and associated to this case and all the provisions of the Zoning Ordinance applicable to this case.
- 2) All buildings on the 4.14 acre site will be demolished and removed with the first phase of construction (Dutch Bros. Coffee).
- 3) Offsite half-street improvements include but are not necessarily limited to' dedication of adjacent rights-of-way, extension of pavement and the provision of sidewalk, curb, gutter, streetlights, underground utilities, fire hydrants and landscaping and shall be required as part of

this planned development project, and subject to review and approval by the City Engineer.

- 4) Landscape, screening and irrigation improvements, shall be provided in compliance with the city's landscape and screening requirements contained in Apache Junction City Code, Volume II, Land Development Code, Chapter 1, Zoning Ordinance, Article 1-8, Landscape Regulations. All required trees shall be 24" box and all required shrubs shall be 5-gallon in size.
- 5) All applicable permits shall be applied for and plans shall be designed to current City codes prior to any lot grading or construction on the lots. Inclusively, all applicable development fees shall be paid at the time of permit issuance.
- 6) All mechanical equipment shall be screened and not be seen from any street on any of the four sides.
- 7) Future development shall be generally consistent in architecture, materials and colors with the Dutch Bros. Coffee development.
- 8) The uses allowed to locate shall be limited to the use normally allowed in the B-2 zoning district, except that the following uses shall not be permitted therein:
 - a. Car, boat, recreational vehicle, motorcycle (etc.)dealerships or repair;
 - b. Pawn shops;
 - c. Storage and warehouse facilities;
 - d. Check cashing establishments;
 - e. Rescue missions, soup kitchens or homeless shelters;
 - f. Outdoor display of merchandise;
 - g. Taxicab stand, shuttle service or terminals;
 - h. Mortuaries or crematories;
 - i. Lodge, fraternal or civic assemblies;
 - j. Auto/vehicle parts or accessory sales of any kind;
 - k. RV Parks and/or campgrounds;
 - l. Beer, wine and liquor sales;
 - m. Used merchandise or second hand stores;
 - n. Medical Marijuana Facilities;
 - o. Swap meets and farmers markets;
 - p. Blood banks;
 - q. Tattoo services;

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- r. And other uses similar to those listed above determined by the Zoning Administrator to be incompatible with the use of the overall property; and which determination may be appealed to the Board of Adjustment by any aggrieved individual.

Sidney Urias

Prepared by Sidney Urias
Planner

Attachments:

- Exhibit #1 - PZ-4-19 Application
- Exhibit #2 - Project Narrative
- Exhibit #3 - Aerial Exhibit
- Exhibit #4 - Site Plan Exhibit
- Exhibit #5 - Preliminary Landscape Plan
- Exhibit #6 - Elevations and Floor Plans