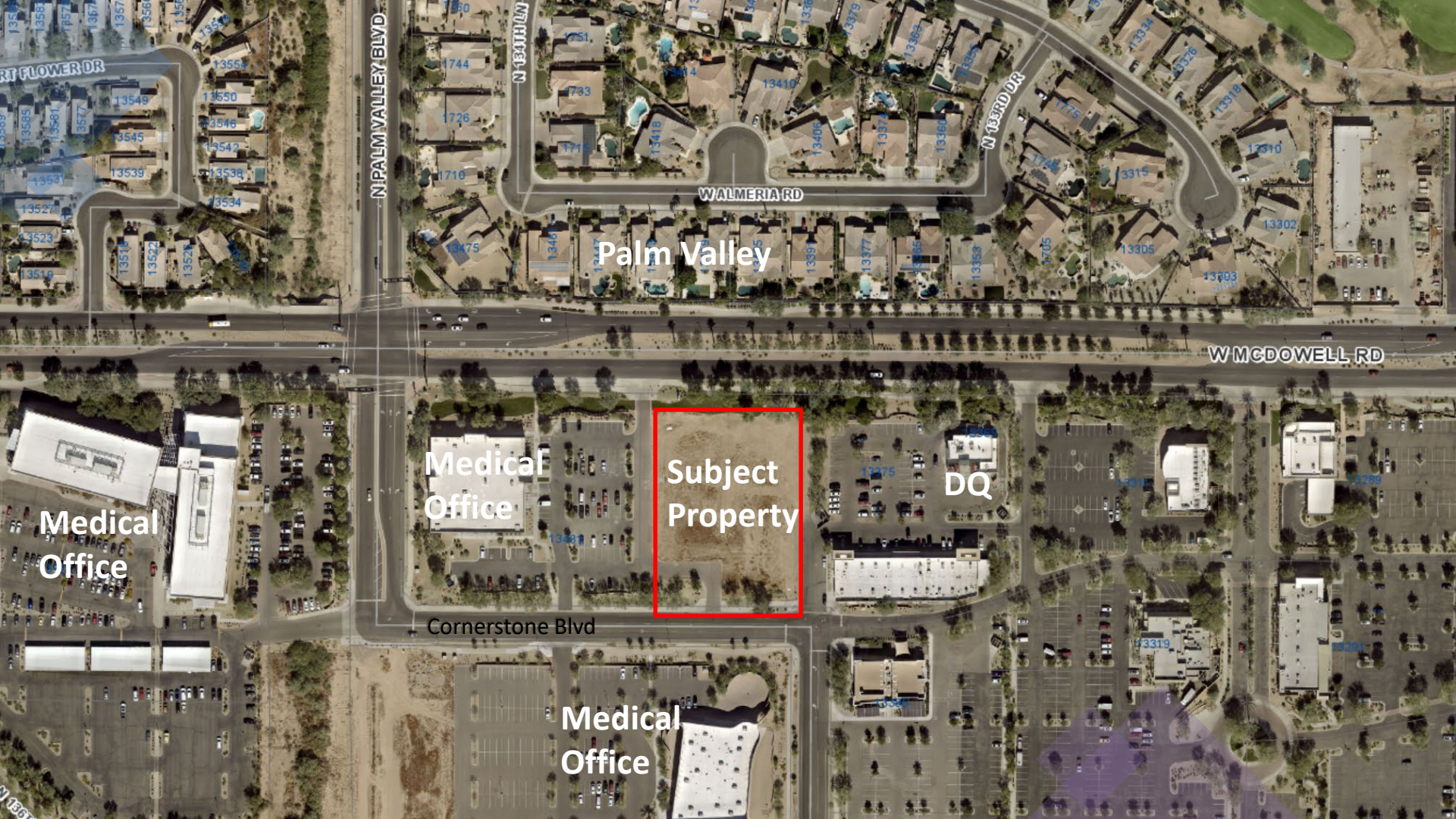




Use Permit Jamba & McAlister's Deli

**City Council
October 25, 2021**



Palm Valley

Subject
Property

DQ

Medical
Office

Cornerstone Blvd

Medical
Office

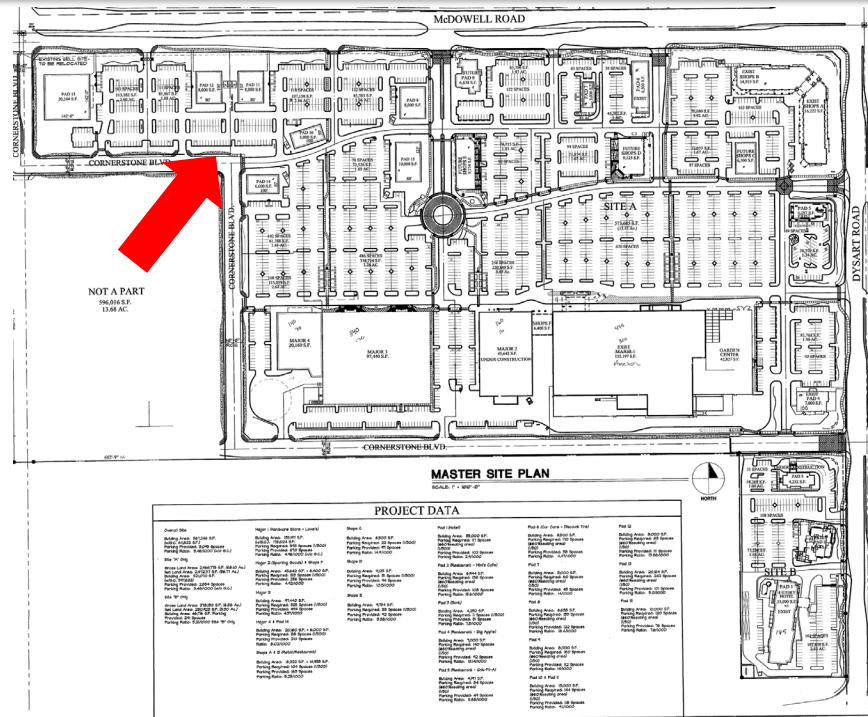
Medical
Office

W MCDOWELL RD

WALMERIA RD

N PALM VALLEY BLVD

- Palm Valley PAD Phase I – 1989 & 2001
- General Commercial Uses
- Palm Valley Cornerstone
- Master site plan – 2004

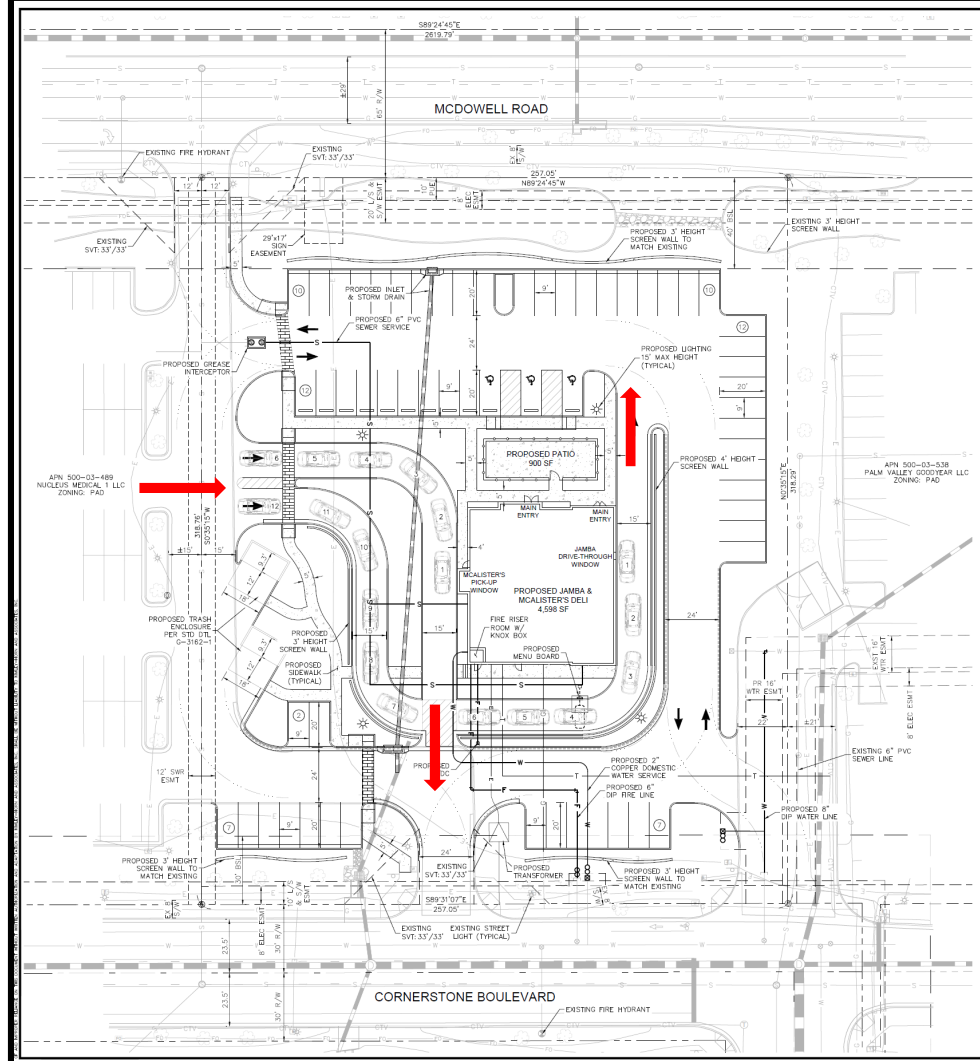


Jamba & McAlister's Deli Use Permit



REQUEST

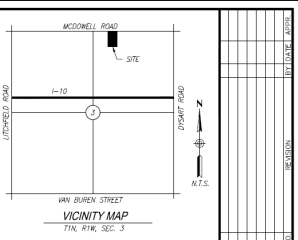
- Use Permit for convenience use (drive-through restaurant)
- 1.9-acre parcel within existing commercial center
- Surrounding site improvements completed
- 4,598 SF Building
- Two users – two drive thrus
- Indoor dining & outdoor patio



DEVELOPER
CAPITAL GROWTH BUCHALTER
361 SUMMIT BOULEVARD, SUITE 110
BIRMINGHAM, ALABAMA 35243
TEL. NO. (205) 263-4598
CONTACT: KIRK FARRELLY, PE
E-MAIL: KFARRELLY@GOWINSPE.COM

PROPERTY OWNER
APEX-PAIM VALLEY LLC
7114 E STEVEN DRIVE, SUITE 400
SCOTTSDALE, ARIZONA 85251
TEL. NO. (602) 553-4129
CONTACT: MATTHEW A LYONS, PLIC
E-MAIL: MLYONS@APEXANDPAC.COM

CIVIL ENGINEER
KIMLEY-HORN AND ASSOCIATES, INC.
774 E. 19TH STREET, SUITE 300
PHOENIX, ARIZONA 85002
TEL. NO. (602) 944-5000
CONTACT: CHARLES WURL, PE
E-MAIL: CWURL@KIMLEY-HORN.COM



SITE PLAN NOTES

- IMPROVEMENTS MADE WITHIN A CITY RIGHT-OF-WAY, TRACT, OR EASEMENT THAT WILL BE MAINTAINED IN THE FUTURE BY THE CITY OF GOODYEAR SHALL BE CLEARLY IDENTIFIED ON THE APPROVED PLANS AND ARE SUBJECT TO THE FOLLOWING REQUIREMENTS: IMPROVEMENTS MAY INCLUDE BUT ARE NOT LIMITED TO STREET SURFACES, CURB, GUTTER, SIDEWALKS, RAMP, DRIVEWAYS, TURN BAYS, BUS BAYS, STREET LIGHTING, SIGNALS, AND STOPPING LANDSCAPE RESPONSIBILITIES ARE IDENTIFIED UNDER SEPARATE NOTE.
- THE DEVELOPER SHALL MAINTAIN AND WARRANTY ALL IMPROVEMENTS FOR A PERIOD OF TWO YEARS BEGINNING IMMEDIATELY AFTER THE CITY ISSUES THE NOTIFICATION OF APPROVAL FOR THE PROJECT.
- DURING THE MAINTENANCE AND WARRANTY PERIOD, THE DEVELOPER SHALL BE RESPONSIBLE FOR MAINTAINING ADEQUATE PROTECTION OF ALL IMPROVEMENTS. ANY DAMAGED IMPROVEMENTS SHALL BE IMMEDIATELY REPAIRED OR REPLACED AT THE DEVELOPER'S EXPENSE.
- MAINTENANCE SHALL INCLUDE BUT IS NOT LIMITED TO STREET SWEEPING, APPLICATION OF SEALANT IN ALL PAVEMENT CRACKS AND JOINTS, AND APPLICATION OF SEALANT OVER ALL ASPHALT PAVEMENTS.
- AT THE TERMINATION OF THE MAINTENANCE AND WARRANTY PERIOD, ALL IMPROVEMENTS SHALL BE UNDAUNAGED AND SHALL MEET CITY STANDARDS.
- IF ALL IMPROVEMENTS ARE NOT ACCEPTABLE AT THE END OF THE TWO-YEAR PERIOD, THE MAINTENANCE AND WARRANTY PERIOD SHALL CONTINUE UNTIL THE IMPROVEMENTS MEET CITY APPROVAL.
- LANDSCAPED AREAS THAT WILL BE MAINTAINED IN THE FUTURE BY THE CITY OF GOODYEAR SHALL BE CLEARLY IDENTIFIED ON THE APPROVED PLANS AND ARE SUBJECT TO THE FOLLOWING REQUIREMENTS: THESE AREAS MAY INCLUDE DETENTION BASINS, PARKS, RIGHTS-OF-WAY, AND STREET CENTER MEDIAN LANDSCAPING.
- THE DEVELOPER SHALL MAINTAIN AND WARRANTY ALL LANDSCAPE IMPROVEMENTS, INCLUDING PLANTED AREAS AND IRRIGATION SYSTEMS, FOR A PERIOD OF TWO YEARS BEGINNING IMMEDIATELY AFTER THE CITY ISSUES THE NOTIFICATION OF APPROVAL FOR THE PROJECT.
- DURING THE MAINTENANCE AND WARRANTY PERIOD, THE DEVELOPER SHALL BE RESPONSIBLE FOR MAINTAINING ADEQUATE PROTECTION TO ALL AREAS. ANY DAMAGED PLANTING AND/OR IRRIGATION SYSTEMS SHALL BE IMMEDIATELY REPAIRED OR REPLACED AT THE DEVELOPER'S EXPENSE.
- OPERATIONS OF WATERING, WEEDING, REMOVAL OF DEAD PLANT MATERIAL, MULCHING, FERTILIZING, SPRAYING, INSECT AND PEST CONTROL, RE-SEEDING, AND ALL OTHER MEASURES NECESSARY TO ENSURE NORMAL HEALTHY GROWTH.
- WHEN THE TURF HAS ESTABLISHED SUFFICIENT ROOT STRUCTURE AND HAS OBTAINED AN APPROXIMATE HEIGHT OF 3 INCHES, MOWING SHALL BEGIN IMMEDIATELY TO ACHIEVE A TURF HEIGHT OF 2 INCHES. THE TURF SHALL BE MOWED THEREAFTER TO SAFELY MAINTAIN THE 2-INCH HEIGHT.
- AT THE TERMINATION OF THE MAINTENANCE AND WARRANTY PERIOD, ALL TURF AREAS SHALL BE LUSH, HEALTHY, UNDAUNAGED, AND FREE OF WEEDS. ALL AREAS SHALL BE COMPLETELY VOID OF DAMAGED TURF LARGER THAN 3 INCHES BY 3 INCHES.
- IF ALL PLANTINGS ARE NOT ACCEPTABLE AT THE END OF THE TWO-YEAR PERIOD, THE MAINTENANCE AND WARRANTY PERIOD SHALL CONTINUE UNTIL THE LANDSCAPING MEETS CITY APPROVAL.

LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN GOODYEAR IN THE COUNTY OF MARICOPA, STATE OF ARIZONA, AND IS DESCRIBED AS FOLLOWS:
LOT 16, FINAL PLAT OF PALM VALLEY CORPSTONE, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, AND BEING IN BOOK 785, PAGE 16, IN THE OFFICIAL RECORDS OF MARICOPA COUNTY RECORDER IN RECORDING NO. 2000-148006.

NOTES

- TRASH PICKUP IS LIMITED TO THE HOURS OF 8AM TO 5PM PER ORDINANCE 01-759, STIPULATION 27.

PROJECT DESCRIPTION

CONSTRUCTION OF A NEW 4,598 SQUARE FOOT RESTAURANT BUILDING WITH DUAL DRIVE-THROUGH & PICK-UP LANE.

SITE DATA

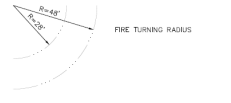
PROPOSED USE: RESTAURANT & DRIVE-THROUGH
EXISTING ZONING: PD
EXISTING ADJACENT ZONING: PD
NORTH: PAD
EAST: PAD
WEST: PAD
APN: 500-03-489
PARCEL AREA: 1.88 ACRES, 81,877 SQUARE FEET
BUILDING AREA: 4,598 SQUARE FEET
MAX BUILDING HEIGHT: 30 FEET
PROPOSED BUILDING HEIGHT: 22'-8"
PARCEL COVERAGE: 4,598/(81,877) = 5.62%
CONSTRUCTION TYPE: V-B SPINKERLEDED

PARKING REQUIREMENTS

REQUIRED:
1 PER 50 SF INDOOR SEATING (1,691 SF = 34)
1 PER 150 SF OUTDOOR AREA (2,807 SF = 20)
1 PER 150 SF PATIO (900 SF = 6)
TOTAL REQUIRED: 60 (37 REGULAR, 3 HANDICAP)
TOTAL PROVIDED: 60 (37 REGULAR, 3 HANDICAP)

LEGEND

- PROPERTY LINE
- RIGHT OF WAY LINE
- STREET CENTERLINE
- PROPOSED LANDSCAPE/IRRIGATION SETBACK
- EASEMENT LINE
- RED PAINTED CURB
- FIRE LANE NO PARKING
- PARKING SPACE INDICATOR



BENCHMARK

THE BENCHMARK IS A 3 IN COG BORN BRASS CAP IN HAND HOLE AT THE INTERSECTION OF LITCHFIELD ROAD & MCDOWELL ROAD, NORTH 1/4 CORNER SECTION 3, T1N, R1E.
ELEVATION = 992.72 (NAVD 83)
THE BENCHMARK IS A 3 IN MCDOTT BORN BRASS CAP IN HAND HOLE AT THE INTERSECTION OF MCDOWELL ROAD & DRYAD ROAD, NORTH 1/4 CORNER SECTION 3, T1N, R1E.
ELEVATION = 998.03 (NAVD 83)

BASIS OF BEARING

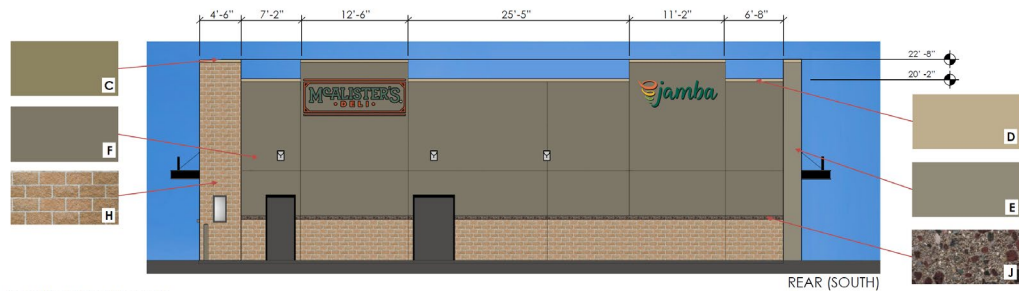
PER CORRESPONDENCE, THE BASIS OF BEARING DETERMINED BY GPS OBSERVATIONS ARE FOUND MONUMENTS AT THE INTERSECTION OF PALM VALLEY ROAD & MCDOWELL ROAD AND DRYAD ROAD & MCDOWELL ROAD.
SAID LINE HAS A BEARING OF S89°24'55"E

WATER & SANITARY SEWER SERVICE PROVIDER

LIBERTY UTILITIES
12725 N INDIAN SCHOOL ROAD, SUITE 0-101
AVONDALE, AZ 85392

Kimley»Horn
JAMBA & MCALISTER'S DELI
TOWNSHIP 1 NORTH, RANGE 1 WEST, SECTION 3
PRELIMINARY SITE PLAN
GOODYEAR, ARIZONA

61722
01/20/2024
MUL
PROJECT NO.
201334000
DRAWING NAME
SP
1 OF 1



EXTERIOR ELEVATIONS

idstudio

JAMBA/ McALISTER'S
Goodyear, AZ



Jamba & McAlister's Deli Use Permit



USE PERMIT EVALUATION CRITERIA

1. Use will not be materially detrimental
2. Use is reasonably compatible with uses in surrounding area
 - Property & surrounding center intended for commercial uses
 - Proposed use will be like other uses permitted in commercial area
 - Separation from residential includes 130' ROW & 40' landscape setback
 - Stipulations addressing trash pickup, lighting and noise



Jamba & McAlister's Deli Use Permit



CONVENIENCE USE EVALUATION CRITERIA

Adequacy of parcel size

- Sufficient for proposed use
- Queuing to occur onsite

Hours of operation

- 7 am – 9 pm M-T, 7 am – 10 pm F-S, 8 am – 9 pm S
- No recommended restriction on hours

Required traffic mitigation

- Off-site improvements complete

Other concerns

- Use permit only – no other concerns

Jamba & McAlister's Deli Use Permit



PUBLIC PARTICIPATION

- Neighborhood meeting – August 24, 2021
- No public attendees or opposition
- Use Permit requires review through public hearing process
- Recommendation from Commission & approval from Council
- Notice provided for public hearings:
 - Property posted
 - Legal advertisement
 - Mailing to surrounding property owners & stakeholders
- Website: Current Development Applications
- PZC – October 13
- No public inquires on project
- No opposition to project to date

Jamba & McAlister's Deli Use Permit



RECOMMENDATION

- Proposal complies with all evaluation criteria
- Staff & PZC recommend approval
- Nine stipulations in staff report