

**CITY OF GOODYEAR
COUNCIL ACTION REPORT**

**SUBJECT: Use Permit for Brushfire Tacos
and Dutch Bros. Coffee**

STAFF PRESENTER: Alex Lestinsky,
Planner II

CASE NUMBER: 19-300-00001

OTHER PRESENTER: Bill Cantieri, Piazza
Restaurant Construction

PROPOSED ACTION:

1. Conduct a public hearing to consider a use permit to amend the approved drive-through lane configuration for Dutch Bros. and Brushfire Tacos at 580 N. Estrella Parkway.
 - a. Open the Public Hearing
 - b. Staff Presentation
 - c. Applicant Presentation
 - d. Receive Public Comment
 - e. Close the Public Hearing
2. Approve a use permit to increase the number of drive-through lanes at the Dutch Bros. and at the Brushfire Tacos at the southwest corner of Estrella Parkway and Fillmore Street, subject to the following stipulations:
 1. Approval of the use permit does not constitute approval of a site plan. All future development will be subject to site plan amendment review and approval by city staff, at which time all elements of site development will be reviewed, including, but not limited to, architecture, landscaping, grading and drainage, lighting, infrastructure, parking, access and circulation;
 2. The development of the Dutch Bros. Coffee and Brushfire Tacos drive-through lanes shall be in conformance with the development plan, dated February 20, 2019.
 3. The approval is conditioned upon the City approving an amendment to the existing site plan for the development at the southwest corner of Estrella Parkway and Fillmore Street that incorporates the changes being approved herein. If the site plan amendment contemplated herein is not approved within three months of the date of this approval, the approval of the use permit granted herein shall be void and no additional drive-through lane at the Dutch Bros. and no additional drive-through lane at the Brushfire Tacos shall be constructed.

BACKGROUND AND PREVIOUS ACTIONS:

The property is currently zoned General Commercial (C-2) within the Canyon Trails Planned Area Development. On June 26, 2017, City Council approved a Use Permit to approve two drive-through restaurants on the proposed property. The Dutch Bros. Coffee drive-through was built in conformance with the use permit documents and included two drive-through entry lanes. Brushfire Tacos and Tapas received site plan approval with the configuration that was also designed in conformance with the Use Permit documents, as stipulated. Brushfire Tacos and Tapas is not yet built. The Planning and Zoning Commission recommended approval of the Use Permit (5-0) on March 13, 2019.

STAFF ANALYSIS:

The applicant is requesting a use permit to amend the two separate drive-through lanes on one parcel at the southwest corner of Estrella Parkway and Fillmore Street. The original use permit approval allowed for development of the restaurants in general conformance with the master site plan included in the use permit submittal package. Dutch Bros. included two drive-through lanes and the Brushfire site included one drive-through lane. This request adds a drive-through lane to each restaurant, which results in a total of three lanes at Dutch Bros. and two lanes at Brushfire, providing for more vehicle queuing. If this Use Permit is approved, a site plan amendment will need to be reviewed and approved prior to construction. If not approved, the existing site plan approvals which include two lanes for Dutch Bros. and one lane for Brushfire, will be maintained.

Notice for the public hearings before the Planning and Zoning Commission and City Council included a postcard mailed to the owners of property within 500 feet of the subject property; a legal notice published in the Arizona Republic; and a notice of public hearing sign posted on the property. To date, staff has not received any public inquiries on this request.

Fire Department:

Emergency response times are as follows:

Nearest Goodyear Fire Station	Shortest path		Longest path		2nd nearest Fire Station	Shortest path		Longest path	
	Mins	Miles	Mins	Miles		Mins	Miles	Mins	Miles
#184/181	5.29	2.14	5.45	2.23	Station #185	6.30	2.65	6.38	2.69

FISCAL ANALYSIS:

Although a fiscal impact analysis has not been conducted on this Use Permit request, all new development will have an ongoing fiscal impact on the city. The development is responsible for construction of all infrastructure necessary to serve the site and will generate one-time revenue for the city through payment of permit fees, construction sales tax and development impact fees. Longer term fiscal impacts include increased demands for municipal services, the costs of which may or may not be offset by increased property values/tax levies, city sales tax, state shared revenues and the increased demand for commercial and retail development. The proposed Use Permit will not have any direct fiscal impact on the city's budget.

RECOMMENDATION:

Staff finds that the use permit request is compatible with the existing land uses within the area and will not be a detriment to surrounding properties or persons. The drive-through restaurants are proposed on a parcel zoned for commercial use, adjacent to other commercially zoned parcels. The Planning and Zoning Commission recommended approval of the Use Permit (5-0) on March 13, 2019.

ATTACHMENTS:

1. Aerial Photo
2. Project Narrative
3. Master Site Plan