



## Memorandum

**Date:** July 8, 2015  
**To:** Mayor and City Council  
**Through:** Karolyn Kent, Assistant City Manger  
**From:** Christine Zielonka, Development and Sustainability Director  
John D. Wesley, AICP, Planning Director  
**Subject:** Appeal of Planning and Zoning Board denial of a proposed site plan for a convenience store with fueling station at 809 N. Dobson, Case Z15-012

At the regular Planning and Zoning (P&Z) Board meeting of May 20, the Board reviewed and received comments on a request for a site plan and a Special Use Permit to allow the construction of a convenience store with a fueling station on the property at 809 N. Dobson Road. The zoning ordinance gives the P&Z Board the authority to take final action on these items. Based on the information provided by staff and the comments made during the meeting by the applicant and citizens, the Board voted 6-0 to deny the site plan. The P&Z Board continued the Special Use Permit to their July meeting, pending the appeal to City Council regarding the site plan.

As provided for in the zoning ordinance, the applicant has appealed the P&Z Board decision on the site plan to the City Council. A copy of the staff report, P&Z Board minutes, site plan, citizen opposition letter, and the applicant's appeal request are attached.

The location for the proposed use is at the southeast corner of Dobson Road and Mesa Riverview Drive, directly opposite the new Riverview Park. Staff believes this is a good location for a convenience store to serve the visitors in the area. A fueling station is a little more problematic due to traffic circulation, but could work if designed appropriately for this location. We also strongly believe that the design and functioning of whatever development occurs on this site must continue to add to the overall quality of development in the area, provide an attractive street view, and facilitate the pedestrian movement across Dobson Road. From the beginning, staff has expressed concerns for the ability for a convenience store with fueling station to be able to meet the design constraints of this location.

The site plan presented is a very typical design with the gas pumps located along Dobson Road with the convenience store behind them facing Dobson. The primary access points to the fueling station are from driveways just east of Dobson on both Mesa Riverview Drive (shown as Mesa Auto Drive on the applicant's site plan) and the internal drive-aisle to the south. Through the design process, the applicant has added improved pedestrian amenities along Mesa Riverview Drive, but they still do not change the fundamental traffic and appearance issues. They have also added a "pork chop" in the driveway that accesses Mesa Riverview Drive to try and limit the access to right-in and right-out. The applicant has repeatedly expressed their opinion, based on their experience with this industry, that their proposed site plan is the only way for this type of business to be successful; no other orientations or locations for the building and fueling station would be successful. They have also pointed out that they believe this proposed site plan is needed to meet Crime Prevention Through Environmental Design (CPTED) requirements. They were unwilling to consider any other site plan options at the Planning and Zoning Board.

As staff has reviewed this proposal, we have expressed concerns about two major issues. One is the visual appearance along this section of Dobson Road where the City has just completed major renovations and development with Riverview Park and Sloan Stadium. This area is a major draw for local residents as well as visitors from across the Valley and even the country during Spring Training. Development on this site needs to take advantage of these improvements and compliment this area with a higher quality and unique standard of development. A typical convenience store with fueling station along the street does not meet this design objective.

More significantly, staff has a concern for the driveway locations entering the site being so close to Dobson Road. There was a conscious decision made with the property on the north side of Mesa Riverview Drive to not have an intersecting driveway for access to the bank. This allows for a more attractive entry into the overall development as well as improved traffic safety in close proximity to the Dobson and Mesa Riverview intersection. Now that the Park and stadium have been constructed and there is increased pedestrian activity at this intersection, particularly on game days, this becomes an even stronger concern. Staff reviewed the proposed plan with Mesa Police Department staff. They agreed they did not like the proposed design with the driveways so close to the intersections with Dobson Road and recommended the site be redesigned to remove these conflicts.

Planning staff and the Police Department staff both would prefer a design that rotates the building and fueling station 90 degrees, placing the fueling canopy perpendicular to Dobson along the south side of the property. This would allow the building to be placed closer to the intersection and the active driveways to be moved further east. We understand this would require a significant re-design of the building to enhance the customer entrance from the west and to provide an attractive rear elevation along Mesa Riverview Drive. We also understand that it is not the typical design, but we

have seen a convenience store do a unique design at Dobson and Broadway, placing the fueling canopy to the west of the building, and we believe the redesign would allow the fueling canopy to still be very visible.

**Options:**

- A. Affirm P&Z's denial of the applicant's site plan.
- B. Approve applicant's site plan. This would approve the site plan submitted by the applicant that accompanies this memorandum. If Council chooses this option, staff would recommend the approval include the following conditions of approval:

**CONDITIONS OF APPROVAL:**

1. Compliance with the project narrative and site plan, except as modified below.
2. Compliance with all City development codes and regulations (Development and Sustainability, Engineering, Transportation, Solid Waste and Facilities, etc.).
3. **Compliance with Design Review approval DR15-13 for architectural and landscaping design.**
4. **Planning and Zoning Board approval of a Special Use Permit for the carwash and fueling facility and compliance with any conditions of that approval.**
5. **Submit revised site plan to Planning prior to submitting construction documents for building permit to include the following modifications:**
  - a) **Provide upgraded surface materials such as pavers or stamped concrete in all pedestrian areas that cross a drive aisle.**
  - b) **Reduce parking to no more than 17 spaces.**
  - c) **Except where needed to accommodate fuel trucks, reduce driveway widths to be proportionate to vehicular circulation pattern, typically 24 feet.**
  - d) **Engineering Department approval of the extended pedestrian refuge area at the southeast corner of the intersection of Dobson Road and Mesa Riverview Drive.**
6. **Provide covered walkways along the front of the store designed as part of the building architecture.**
7. **Provide alternative to pipe bollards such as concrete bollards or design elements integrated with the fuel pump and column design.**
8. **Mechanical equipment needs to be screened 100% by building parapets, not separate rooftop elements.**

- C. Approve a modified site plan. The Council discussion may result in modifications to the applicant's proposed site plan that the Council would support. If Council chooses this option, staff would recommend the approval include the following conditions of approval:

**CONDITIONS OF APPROVAL:**

1. Compliance with the project narrative and site plan, except as modified below.
2. Compliance with all City development codes and regulations (Development and Sustainability, Engineering, Transportation, Solid Waste and Facilities, etc.).
3. **Compliance with Design Review approval DR15-13 for architectural and landscaping design.**
4. **Planning and Zoning Board approval of a Special Use Permit for the carwash and fueling facility and compliance with any conditions of that approval.**
5. **Submit revised site plan to Planning prior to submitting construction documents for building permit consistent with the site plan approved by Council.**

- D. Remand the case back to P&Z for consideration based on Council's direction.