



PLANNING DIVISION
STAFF REPORT

Planning and Zoning Board

September 11, 2019

CASE No.: **ZON19-00440**

PROJECT NAME: **Lot 5 at Greenfield Gateway**

Owner's Name:	HH-Greenfield Gateway LLC
Applicant's Name:	RKAA Architects
Location of Request:	1728 South Greenfield Road. Located south of the US-60 Superstition Freeway and west of Greenfield Road.
Parcel No(s):	140-67-088
Request:	Rezone from Light Industrial (LI) with a Council Use Permit (CUP) to Limited Commercial (LC) with a Council Use Permit for a pawn shop; and Site Plan Review. This request will allow a pawn shop within an existing group commercial center.
Council District:	2
Site Size:	7.2± acres
Proposed Use(s):	Pawn shop and commercial
Existing Use(s):	Commercial
Hearing Date(s):	September 11, 2019 / 4:00 p.m.
Staff Planner:	Lisa Davis, AICP
Staff Recommendation:	APPROVAL with Conditions
Planning and Zoning Board Recommendation:	
Proposition 207 Waiver Signed:	Yes

HISTORY

On **September 8, 1987** the City Council approved rezoning of the property from Agriculture (AG) to Light Industrial (LI) to allow for the development of an auto mall (Case #: Z87-054).

On **November 3, 2003** the City Council approved a Council Use Permit on the property to allow single retail users exceeding 10,000 square feet or group commercial development to exceed an aggregate of 50,000 square feet in the LI zoning district. The City Council also approved an associated site plan for a group commercial center with 377,404 square feet of retail space on

the property. The proposed site is in the northeast portion of the commercial center (Case #: Z03-047).

On **October 4, 2004** the City Council approved a Site Plan Modification (Case #: Z04-067). The approved site plan modified the configuration of the large format retail building (Walmart), the inline retail suites and the commercial pads on the west side of the previously approved group commercial center. The subject site is in the northeast portion of the overall commercial center.

PROJECT DESCRIPTION

Background:

The subject request is to rezone approximately 7.2 acres of an existing 45-acre group commercial center. The applicant is also requesting approval of a Council Use Permit to allow a 3,900 square feet pawn shop within the existing group commercial center. The site plan shows two existing commercial buildings on the existing lot consisting of a 35,000 square foot (SF) fitness building and a 16,900 SF retail building in the proposed section of the property to be rezoned. These buildings were constructed in the mid-2000's and are adjacent to a large format retail building, defined in the Ordinance as over 25,000 SF retail store (Wal-Mart) that was constructed at the same time.

General Plan Character Area Designation and Goals:

The Mesa 2040 General Plan Character area designation on the property is Mixed-Use Activity District (MUAD). Per Chapter 7 of the General Plan, the primary focus of the Mixed-Use Activity Districts is the development of large scale (typically over 25 acres) community and regional activity areas that usually have a significant retail commercial component including shopping areas such as malls, power centers, or lifestyle centers that are designed and developed to attract customers from a large radius. The goal of the district is to help create strong and viable centers of commercial activity that attract people to unique shopping and entertainment experiences.

The site is also within the Superstition Springs Economic Activity Area and the Superstition Freeway East District. This area is expected to see growth in the healthcare and retail industry along the freeway. The existing retail center conforms to the goals of the General Plan character designation and is consistent with the adjacent uses.

Staff reviewed the request and determined it is consistent with the criteria for review outlined in Chapter 15 (pg. 15-1&2) of the Mesa 2040 General Plan.

Zoning District Designations:

The subject site is currently zoned Light Industrial (LI) with a Council Use Permit (CUP). Per Table 11-7-2 of the Mesa Zoning Ordinance (MZO), a pawn shop is not a permitted use in the LI zoning district. The applicant is requesting to rezone the property to the Limited Commercial (LC) zoning district to allow for the consideration of a CUP for a pawn shop. Per Table 11-6-2 of the MZO, a pawn shop is allowed through the approval of a Conditional Use Permit in the LC district.

Council Use Permit (CUP) – MZO Article 7, Chapter 70:

Section 11-70-6 of the MZO outlines specific review criteria for evaluating the request for a CUP. Section 11-31-21 of the MZO includes specific criteria for the consideration of a pawn

shop. The criteria include consistency with the General Plan, that the site is in conformance with current City development standards, and a plan of operation and good neighbor policy are submitted as part of the application for the CUP.

Per Section 11-70 of the MZO, approval of a Council Use Permit can only be granted if the approving body determines that the proposed development has met the CUP requirements outlined in Section 11-70-6 of the Zoning Ordinance. The applicant has submitted all of the required information for the consideration of a pawn shop as required by Section 11-31-21 of the MZO. The proposed pawn shop meets the separation requirement of 1,200 feet to the closest pawn shop or school. The applicant has provided a copy of the pawn broker license, a plan of operation and good neighbor policy. In addition, the site plan submitted complies with development standards for the LC zoning district. The pawn shop retail use is consistent with the Mixed-Use Activity district character area designation and the site plan conforms with all current City development standards for the LC zoning district. Based on the information provided by the applicant, the use is not injurious or detrimental to adjacent surrounding properties and has adequate public services.

Site Plan and General Site Development Standards:

The site is directly south of the US-60 Superstition Freeway. Section 11-69-5 of the Mesa Zoning Ordinance outlines the review criteria for approval of a site plan. The subject request conforms with the review criteria. The site is integrated into the existing large commercial center with shared parking and circulation with the retail uses to the south and west. The 7.2± acre site currently has two fully constructed buildings, a fitness building and a retail building. The proposed pawn shop will be located at the west end of the retail building with the existing fitness building directly to the west. The two buildings are separated by a landscape area. All setbacks, parking, circulation areas are existing and conforms with the current MZO requirements. Although the existing landscape areas and landscape setbacks meet current ordinance requirements there is dead and missing landscape material that needs to be replaced. The applicant submitted a landscape plan showing new landscape material that meets requirements of Section 11-33 of the MZO.

Surrounding Zoning Designations and Existing Use Activity:

Northwest US-60 Superstition Freeway	North US-60 Superstition Freeway	Northeast US-60 Superstition Freeway
West LI Vacant	Subject Property LI-CUP Existing commercial	East LI-CUP Existing commercial
Southwest LI-CUP Existing commercial	South LI-CUP Existing commercial	Southeast LI-CUP Existing commercial

Compatibility with Surrounding Land Uses:

A majority of the properties and buildings surrounding the site are all part of the existing commercial retail center. The buildings, parking and landscape areas are all existing. The proposed commercial uses will not be out of character with the surrounding area and uses.

Neighborhood Participation Plan and Public Comments:

As part of the application, the applicant has completed a Citizen Participation Process that includes mailed letters to property owners within 1,000-feet of the site, as well as HOAs within ½ mile and registered neighborhoods within 1 mile of the site. The applicant also held a neighborhood meeting on Wednesday, August 21, 2019 at the site. Staff attended the meeting. Representatives from two of the established uses in the commercial center “Sportsmen’s Warehouse” and “Kachina Glass” both expressing concern for the pawn shop use. The applicant provided a Citizen Participation Report with a letter from Perfect Pawn dated August 23, 2019. The letter includes discussion between the pawn shop owner and the retail representatives at the neighborhood meeting. He believes that he put the representatives concerns at ease with explanation of his business philosophy. Pictures of the existing pawn shop in Queen Creek are included in the report. As of writing this report, staff has not received any other comments/concerns from surrounding property owners other than those expressed at the neighborhood meeting.

Staff Recommendations:

The subject request is consistent with the General Plan, meets the review criteria for a Council Use Permit and development standards outlined in Section 11-31-21 of the MZO for Pawn Shops. The proposed site plan also conforms to the review criteria for a site plan outlined in Section 11-69-5 of the MZO; therefore, staff recommends approval with the following conditions:

Conditions of Approval:

1. Compliance with the final site plan submitted.
2. Compliance with all City development codes and regulations.
3. Compliance with the plan of operation and good neighbor policy on page 5 of Exhibit A - ZON19-00440 dated August 5, 2019.