



PLANNING DIVISION
STAFF REPORT

Board of Adjustment

September 4, 2024

CASE No.: BOA24-00722	CASE NAME: Mesa Cars & Coffee
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Owner’s Name:	Whitestone Village Square at Dana Park LLC.
Applicant’s Name:	Matt Jackson
Location of Request:	Within the 3400 to 3600 blocks of East Baseline Road (north side), and within the 1600 to 1900 blocks of South Val Vista Drive (west side). Located north of Baseline Road and west of Val Vista Drive.
Parcel Nos:	140-65-222A
Nature of Request:	Requesting a Special Use Permit (SUP) to allow more than four special events to be conducted on the same premises during the calendar year
Zone District:	Limited Commercial District, with a Planned Area Development, and Bonus Intensity Zone overlays (LC-PAD-BIZ).
Council District:	2
Site size:	22.7± acres
Existing use:	Retail/Commercial shopping center
Staff Planner:	Tye Hodson
Staff Recommendation:	APPROVAL with Conditions

HISTORY

On May 19, 1973, the City Council annexed 4,120± acres, including the project site, into the City of Mesa (Ord. No. 812).

On **January 18, 1994**, the City Council approved a request to rezone 134.4± acres including the project site from R1-35 and R1-9-DMP to R1-7-DMP (Conceptual R1-9, R1-7, R1-6, R1-6-PAD, R-3 and C-2) and “The Dana Ranch D.M.P.” (Case No. Z93-030; Ordinance No. 2869). The project site was zoned R1-7-DMP (conceptual C-2).

On **November 16, 1998**, the City Council approved a request to rezone 66± acres including the project site from R1-7-DMP to C-2-BIZ -DMP (Conceptual R-4) for development of a retail center with residences and a hotel (Case No. Z98-079; Ordinance No. 3567).

On **April 19, 1999**, the City Council approved a request for a Council Use Permit (CUP) for 60± acres including the project site for a mixed-use development (Case No. Z99-023; Ordinance No. 3613).

On **November 5, 2001**, the City Council approved a request for a Site Plan Modification and deletion of the Council Use Permit for 55± acres, including the project site, for a shopping center with pad sites (Case No. Z01-049; Ordinance No. 3946).

On **August 15, 2005**, the City Council approved a request for Site Plan Review for retail uses in Phase 3, located at the northern end of the center (Case No. Z05-060; Ordinance No. 4435).

On **May 15, 2008**, the Planning and Zoning Board approved a request for Site Plan Modification for development of a 9,500-square-foot retail building within Dana Park Village Square (never vested) (Case No. Z08-030).

On **September 28, 2015**, the City Council approved a request for Site Plan Modification and rezoning from LC-BIZ-PAD to LC-BIZ-PAD and Council Use Permit for 66+ acres, including the project site, to allow the addition of residential, retail, office, hotel and theater buildings to the existing commercial center as part of a mixed-use development (Case No. Z15-025; Ordinance No. 5301).

PROJECT DESCRIPTION

Background:

The applicant is requesting a Special Use Permit (SUP) to exceed the permitted number of special events in the Limited Commercial (LC) District. Per Section 11-31-27(A)(3) of the Mesa Zoning Ordinance (MZO), special events on the same premises are limited to four events per calendar year. However, Section 11-31-27(D)(1) of the MZO, allows special events to exceed this maximum with the approval of a Special Use Permit (SUP).

Per the submitted narrative, the applicant is requesting approval of an SUP to host a free public car show known as “Mesa Cars & Coffee” in the parking lot of the Dana Park Village Square, one morning each month, beginning in September, for a maximum of twelve (12) special events per calendar year. The car show is on the third Saturday of each month from 7:00 a.m. to 10:00 a.m.

General Plan Character Area Designation and Goals:

The Mesa 2040 General Plan Character Area designation on the property is Mixed Use Activity District. Per Chapter 7 of the General Plan, the goal of the Mixed Use Activity District character type is to create strong and viable centers of commercial activity that attract people to unique shopping and entertainment experiences.

The existing commercial uses are permitted in the Mixed Use Activity Character Area. The proposed special events advance the goals and objectives of the Mesa 2040 General Plan by contributing to the vitality of the local businesses and providing an opportunity for the community to gather. The car show attracts local car enthusiasts to the shopping center, which benefits the restaurants there.

Site Characteristics:

The subject site is located at the northwest corner of South Val Vista Drive and East Baseline Road in the Dana Park Village Square shopping center parking lot, specifically in the west parking lot near the area between the Rodizio Grill at 1840 South Val Vista Drive and the Original ChopShop at 1850 South Val Vista Drive, Suite 101. The auto show will occupy the parking spaces between the two north / south drive aisles off of East Inverness Avenue, west of the aforementioned businesses. The perimeter of the area will be marked with safety cones and caution tape during the events.

Surrounding Zoning Designations and Existing Use Activity:

Northwest LC-PAD-BIZ Commercial	North LC-PAD-BIZ Commercial	Northeast LC-PAD-BIZ Commercial
West LC-PAD-BIZ Commercial	Subject Property LC-PAD-BIZ Commercial	East LC-PAD-BIZ Commercial
Southwest LC-PAD-BIZ Commercial	South LC-PAD-BIZ Commercial	Southeast LC-PAD-BIZ Commercial

Mesa Zoning Ordinance Requirements and Regulations:

Per Section 11-31-27(A), (B) and (C) of the MZO, special events are permitted in all zoning district provided that:

1. The event is licensed in accordance with the provision of Title 5 of the Mesa City Code;

Mesa Cars & Coffee has a consistent history of obtaining special event licenses for their events. The conditions of approval include a requirement to obtain Special Event Licenses for all events through the City of Mesa Tax and License Department.

2. The duration of the event does not exceed the time period specified in the special event license or a maximum of 4 consecutive days, whichever is less,

The Mesa Cars & Coffee event is a three-hour event one time per month.

3. No more than 4 events are conducted on the same premises during the calendar year;

As stated above, the applicant is requesting a SUP to host a maximum of one special event per month up to twelve (12) special events per year.

4. The site of the event is adequately served by utilities and sanitary facilities; and

Trash receptacles are available within the site and restrooms facilities at nearby restaurants are available to the public.

5. The event will not present a safety hazard or public disturbance and will not cause substantial adverse impacts on surrounding properties or land uses by creating excessive noise, glare, heat, dust, odor, or pollutants as determined by the Director and Fire Marshal.

Per City records, no complaints have been received on the previously held events.

- B. Special events shall be conducted only on a lot that has an approved dust proof parking surface with permanent driveway access.

Per the site plan, the event is conducted on a paved parking lot that has permanent driveway access from East Inverness Avenue, East Baseline Road, and South Val Vista Drive.

- C. Facilities, structures, and utilities shall be installed and maintained in conformance with all applicable building, fire, traffic, and zoning regulations.

Staff has included a condition of approval that all special events comply with all requirements of the Development Services Department.

Special Use Permit MZO Section 11-70-5

Per Section 11-70-5(E) of the City of Mesa Zoning Ordinance, the Board of Adjustment shall also find the following criteria are met for approval of a SUP:

1. Approval of the proposed project will advance the goals and objectives of and is consistent with the policies of the General Plan and any other applicable City plan and/or policies;

The requested special events are consistent with the location, size, design, and operating characteristics of the LC District and conform with the Mesa 2040 General Plan by contributing to a healthful, productive, and vibrant city.

The request complies with this criterion.

2. The proposed project will not be injurious or detrimental to the adjacent or surrounding properties in the area, nor will the proposed project or improvements be injurious or detrimental to the neighborhood or to the general welfare of the City; and

Based on the operational history of special events held on the subject site, staff found no evidence of nuisance complaints, and therefore, does not believe the proposed special events will be injurious or detrimental to the surrounding properties. Based on the operational history, staff is recommending that the Special Use Permit be valid for three years and expire on September 30, 2027.

The request complies with this criterion.

3. Adequate public services, public facilities and public infrastructure are available to serve the proposed project.

The City of Mesa utilities and public infrastructure are available to serve the special event.

The request complies with this criterion.

Findings:

- A. The SUP request would allow one special event per month, for a maximum of twelve (12) special events per year, for Mesa Cars & Coffee at the location shown on the site plan.
- B. The special event will be held 7:00 a.m. to 10:00 a.m. on the third Saturday of each month.
- C. The proposed special event is consistent with the location, design and operating characteristics of LC-PAD-BIZ District and conforms with Mesa 2040 General Plan.
- D. Staff research indicates no complaints were received for any of the Mesa Cars & Coffee events that have been held at the site since 2019. Therefore, the proposed special event will not be injurious or detrimental to the surrounding properties.
- E. Based on the operational history, staff is recommending that the Special Use Permit be valid for three years and expire on September 30, 2027.
- F. City of Mesa utilities and public infrastructure are available to serve the special event.

Neighborhood Participation Plan and Public Comments:

The applicant mailed the required notification letters to all property owners within 500 feet of the site. As of writing this report, staff has not been contacted by any resident or property owner to express support or opposition to the request.

Staff Recommendations:

Based on the application received and preceding analysis, staff finds the request for a Special Use Permit to exceed the number of special events per calendar year meets the required findings of Section 11-70-5(E) of the MZO; and therefore recommends approval with the following conditions:

Conditions of Approval:

1. Compliance with the submitted narrative and site plan.
2. Compliance with all requirements of the Development Services Department.
3. Prior to operations, the applicant must obtain a Special Event License for each event through the City of Mesa License Department.

4. The Special Use Permit shall automatically expire on September 30, 2027 and be of no further force and effect.
5. Events shall operate, per the applicant's Operation Plan, between the hours of 7:00 a.m. and 10:00 a.m.
6. The Special Use Permit allows a maximum of one special event per month up to twelve (12) events per year in which the SUP is in effect.

Attachments:

Exhibit 1-Vicinity Map

Exhibit 2-Staff Report

Exhibit 3-Project Narrative

Exhibit 4-Site Plan