




**DEVELOPMENT SERVICES DEPARTMENT**  
**PLANNING DIVISION**

**Board of Adjustment Staff Memo**

**June 4, 2025**

Case No.	BOA25-00292	
Project Name	Guadalupe & Power Retail	
Request	<ul style="list-style-type: none"><li>• Special Use Permit (SUP) to expand a non-conforming structure</li><li>• Modification of a SUP for an automobile/vehicle car wash</li><li>• Substantial Conformance Improvement Permit (SCIP) to allow deviations from certain development standards for a restaurant with drive-thru facility and an automatic vehicle/car wash</li></ul>	
Project Location	Located at 6810 East Guadalupe Road.	
Parcel No(s)	304-05-981C 304-05-981D 304-05-982G 304-05-982E	
Project Area	1.2 ± acres	
Council District	District 6	
Existing Zoning	Limited Commercial (LC)	
General Plan Designation	Neighborhood Center	
Applicant	Sean Lake / Sarah Prince, Pew & Lake, P.L.C.	
Owner	DR ONE LLC	
Staff Planner	Charlotte Bridges, Planner II	

**Recommendation**

Staff recommends approval a Special Use Permit (SUP) to expand a non-conforming structure, modification of a SUP for an automobile/vehicle car wash, and a Substantial Conformance Improvement Permit (SCIP) to allow deviations from certain development standards to allow for the development of a restaurant with drive-thru facility and an automobile/vehicle car wash.

## Project Overview

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### Request:

The applicant is requesting a Special Use Permit (SUP) to expand a non-conforming structure, modification of a SUP for an automobile/vehicle car wash, and a Substantial Conformance Improvement Permit (SCIP) to allow deviations from certain development standards to allow for the development of a restaurant with a drive-thru facility and a car wash in the Limited Commercial (LC) District. An identical request, BOA22-01323 (attached for your review), was approved by the Board of Adjustment on June 7, 2023. Per Section 11-67-9(A) of the Mesa Zoning Ordinance (MZO), approval SUPs and SCIPs may be declared expired and of no further force or effect if no time period is otherwise specified and it is not exercised or extended within one year of its issuance. The permit is considered exercised by completion of one of the following:

- a. A permit for the use of a building or a property is exercised when, if required, a valid City business license has been issued, and the permitted use has commenced on the property in reliance on that permit.
- b. A permit for the construction of a building, structure, or sign is exercised when a valid City building permit, if required, is issued, and construction has lawfully commenced in reliance upon that permit.

BOA22-01323 expired on June 7, 2024, since it was not exercised or extended within one year of its issuance, per the stipulations of Section 11-67-9(A).

As companion case to BOA22-01323, on August 21, 2023, the City Council approved ZON22-01332, a Major Site Plan Modification, Special Use Permit, and amending conditions of approval on case Z88-032 to allow for a restaurant with a drive-thru facility and an automobile/vehicle washing facility (Ordinance No. 5800). Per Section 11-67-9(A)(3) of the MZO, a major site plan modification is no longer in effect if it is not exercised or extended within two years of the date of approval. An approved site plan modification is considered exercised by completion of one of the following:

- a. A valid city business license, if required, is issued, and the permitted use has commenced on the property.
- b. A valid city building permit, if required, is issued, and construction has lawfully commenced.

The ZON22-01332 approval will not expire until August 21, 2025. Consequently, staff is recommending approval of BOA25-00292 to allow the application to proceed with building permit and construction.

## Site Context

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### Site History:

- **August 21, 1983**, the City Council annexed 1,855± acres of land, including the project site into the City of Mesa (Ordinance No. 1731).
- **November 2, 1983**, the City Council rezoned 30± acres of recently annexed property, including the project site, from Maricopa County-43 to City of Mesa Single Residence-7 (R1-7) (equivalent to current Single Residence-7 [RS-7]) and Conceptual Limited Commercial

(C-2) (equivalent to current Limited Commercial [LC]) to allow for a shopping center (Case No. Z83-128, Ordinance No. 1765).

- **June 21, 1999**, the City Council rezoned the subject site from RS-7 to LC to allow for the development of convenience store/service station and automobile/vehicle washing facility (Case No. Z99-040, Ordinance No. 3640).
- **November 2, 1999**, the Board of Adjustment approved two Special Use Permits (SUPs) to allow the development of an automobile service station and an automobile/vehicle washing facility (Case No. BA99-030).
- **June 7, 2023**, the Board of Adjustment approved a Special Use Permit (SUP) to expand a non-conforming structure, modification of a SUP for an automobile/vehicle car wash, and a Substantial Conformance Improvement Permit (SCIP) to allow deviations from certain development standards to allow for the development of a restaurant with a drive-thru facility and an automobile/vehicle car wash (Case No. BOA22-01323). This approval expired on June 7, 2024.
- **August 21, 2023**, the City Council approved a Major Site Plan Modification, Special Use Permit, and amending conditions of approval on case Z88-032. This request will allow for a restaurant with a drive-thru facility and an automobile/vehicle washing facility (Case No, ZON22-01332, Ordinance No. 5800).

## Citizen Participation

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### Required Notification:

- Property owners within 500 feet, HOAs within ½ mile, and registered neighborhoods within one mile of the subject site were notified of the public hearing.
- Staff has not received any phone calls or emails with comments or concerns on the Proposed Project. No opposition was expressed.

## Conditions of Approval

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Staff finds the request complies with the Mesa 2040 General Plan, additional Special Use Permit criteria of Sections 11-36-7(B) and 11-31-7(G) of the MZO, the criteria for Special Use Permits outlined in Section 11-70-5 of the MZO as well as the required findings for a Substantial Conformance Improvement Permit outlined in Section 11-73-3 of the MZO. Therefore, staff recommends approval with the following conditions:

1. Compliance with the final documents submitted with BOA22-01323.
2. Compliance with all requirements of Ordinance No. 5800 (ZON22-01332).
3. Compliance with all City development codes and regulations.
4. Compliance with all requirements of the Development Services Department regarding the issuance of building permits.
5. To demonstrate compliance with Section 11-31-7(F) of the MZO, submit a sound study for the car wash verifying sound level readings at the street and at interior property lines are no more than 55 decibels prior to the issuance of a building permit.

## **Exhibits**

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Exhibit 1 – Vicinity Map

Exhibit 2 – BOA25-00292 Staff Memo

Exhibit 3 – BOA22-01323 Staff Report

Exhibit 4 – Site Plan

Exhibit 5 – Landscape Plan

Exhibit 6 – Elevations

Exhibit 7 – Power Point Presentation

Exhibit 8 – Project Narrative

Exhibit 9 – Good Neighbor Policy and Plan of Operation