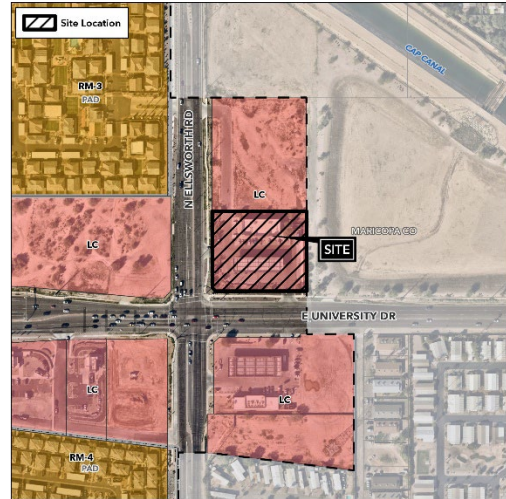


Board of Adjustment Report

| | | | |
|--------------------------|--|---|--|
| Date | December 3, 2025 | | |
| Case No. | BOA25-00718 | | |
| Project Name | Circle K Burrito Express CSP | | |
| Request | <ul style="list-style-type: none">Special Use Permit for a Comprehensive Sign Plan (CSP) | | |
| Project Location | 9230 East University Drive | | |
| Parcel No(s) | 220-21-003N |  | |
| Project Area | 2± acres | | |
| Council District | District 5 | | |
| Existing Zoning | Limited Commercial (LC) | | |
| General Plan Designation | Urban Residential | | |
| Applicant | Brett Berres, Grahams Neon | | |
| Owner | Toms Investments, LLC | | |
| Staff Planner | Kwasi Abebrese, Planner II | | |

Recommendation

Staff finds that the requested Comprehensive Sign Plan (CSP) meets the required findings outlined in MZO Section 11-46-3 and the required findings for a Special Use Permit (SUP) in Section 11-70-5.

Staff recommends approval with conditions.

Project Overview

Request:

The applicant is requesting a Special Use Permit (SUP) for a Comprehensive Sign Plan (CSP) for an existing convenience store and service station located in the Limited Commercial (LC) District. Overall, the proposed CSP will allow a total of five (5) attached signs with a maximum aggregate sign area of 178 square feet for the existing commercial development in the LC District.

Site Context

General Plan:

- The Placetype for the project site is Urban Residential and the Growth Strategy is Evolve.
- Per the Mesa 2050 General Plan, the convenience service use, which includes gas stations and convenience stores, is not a principal or supporting land use in the Urban Residential Placetype. However, when the convenience store and service station were approved, retail and minor auto repair and services were listed as primary land uses for this location (per the Mesa 2040 General Plan).
- While the existing use is not consistent with the vision of the Urban Residential Placetype, the General Plan analysis applicable to this request may not prohibit any permitted land use in the existing zoning district.

Zoning:

- The project site is zoned Limited Commercial (LC).
- Per Section 11-6-2 of the MZO, a convenience store with an associated service station requires a Special Use Permit in the LC District.

Surrounding Zoning & Use Activity:

| | | |
|---|--|--|
| Northwest (Across Ellsworth Road) RM-3-PAD Multiple Residence | North LC Vacant | Northeast Maricopa County Vacant |
| West (Across Ellsworth Road) LC Vacant | Project Site LC Existing Convenience Store and Service Station | East Maricopa County Vacant |
| Southwest (Across University Drive) LC Vacant | South (Across University Drive) LC Commercial | Southeast (Across University Drive) Maricopa County Multiple Residence |

Site History:

- **October 22, 2003:** The City Council annexed 56± acres of land, including the project site, into the City of Mesa (Case No. A03-01; Ordinance No. 4102).
- **January 5, 2004:** The City Council approved a rezone of approximately 58 acres of land, including the project site from Maricopa County R-5, C-S, C-2, C-2 C.U.P.D, and Rural-43 to City of Mesa R-4(equivalent to current Multiple Residence 4 [RM-4]), C-2 (equivalent to current Limited Commercial [LC]) and R1-43 (equivalent to current Single Residence 43 [RS-43])(Case No. Z03-057; Ordinance No. 4142).
- **December 11, 2019:** The Planning and Zoning Board approved a Special Use Permit and a Site Plan to allow for the development of a service station with an associated convenience store on the project site (Case No. ZON19-00691).

Project/Request Details

Site Characteristics:

The project site is located at the northeast corner of East University Drive and North Ellsworth Road. The site is approximately 2± acres in size and is zoned Limited Commercial (LC). The site has over 200 linear feet of street frontage on both Ellsworth Road and University Drive.

Mesa Zoning Ordinance Regulations and Requirements:

The proposed CSP will allow for two (2) new attached signs in addition to three (3) existing attached signs for the existing commercial development. Overall, the CSP will allow for a total of five (5) attached signs with a maximum aggregate sign area of 178 square feet. The two proposed signs will be installed at the west and south elevations of the existing commercial building.

Table 1 compares the Mesa Zoning Ordinance (MZO) standards and the proposed CSP modifications per Section 11-43-3 of the MZO.

Table 1: Standard Attached Sign Allowances

| Sign Standards | MZO Requirements | Proposed CSP | Staff Recommendation |
|--|--|---------------------------|----------------------|
| Maximum number of permitted signs per front foot of building occupancy (81 – 199 feet) | <u>MZO Section 11-43-3(D)</u> 3 signs | A total of 5 signs | As proposed |

| | | | |
|-----------------------------|---|-------------------------------|-------------|
| Maximum Aggregate Sign Area | <u>MZO Section 11-43-3(D)(1)</u> 160 sq. ft. | A total of 178 sq. ft. | As proposed |
|-----------------------------|---|-------------------------------|-------------|

Comprehensive Sign Plan MZO Section 11-46-3(D):

Per Section 11-46-3(D) of the MZO, the Board of Adjustment must find at least one of the following criteria are met in order to approve a CSP:

- **Unique or Unusual Physical Conditions:** The project site has over 200 linear feet of street frontage on North Ellsworth Road and East University Drive. In addition, the site is bordered to the north by a vacant parcel and to the east by a retention area, making the western and southern elevations the only areas where signage is appropriate and visible to potential customers. The proposed CSP would provide visibility of the commercial development for both vehicular and pedestrian traffic on North Ellsworth Road and East University Drive.
- **Unique Characteristics of Land Use, Architectural Style, Site Location, or other Distinguishing Features:** The existing Circle K comprised of CMU blocks, stone veneer and stucco is designed to match brand architectural standards as well as the design standards in the LC zoning district. A Burrito Express kitchen is being added at this location for the preparation and sale of fresh food to customers. The approval of the proposed CSP would provide visibility for this additional service offered at the existing site. The additional signage complements the architectural design of the existing commercial building as well as compatible with the adjacent commercial development to the south of the project site.
- **Incorporation of Special Design Features:** The proposed wall signs comprised of halo illuminated pan channel letters with acrylic faces and colored vinyl are compatible with the architectural design of the existing commercial building and will be well integrated with the rest of the site.

Special Use Permit:

Per Section 11-46-3(A), a CSP must be approved in conjunction with an SUP. Per Section 11-70-5(E) of the MZO, the Board of Adjustment must find the following criteria are met for approval of a SUP:

1. **Consistency with the General Plan and other Plan/Policies:** The proposed CSP is consistent with the Urban Residential Placetype, and furthers the implementation of, and is not contrary to, the Vision, Guiding Principles, Strategies, and applicable elements of the Mesa 2050 General Plan.
2. **Zoning District Intent:** The proposed CSP is consistent with the location, design and operating characteristics and conforms to the goals and purposes of the LC zoning designation on the project site.
3. **Project Impact:** There will be no injurious or detrimental impact to surrounding properties with the proposed signage and will only encourage harmonic growth for the surrounding area. The proposed signs will not be overbearing in size, and will not flash, blink, animate or emit any noise.

4. **Adequate Public Facilities:** The City of Mesa utilities and public infrastructure are available to serve the proposed project.

Citizen Participation

The applicant conducted a Citizen Participation process, notifying surrounding property owners.

Required Notification:

- Property owners within 500 feet of the project site were notified of the public hearing.
- Neither the applicant nor staff has received any comments or concerns from surrounding property owners on the proposed event.

Conditions of Approval

Staff recommends **approval** of the Special Use Permit for a Comprehensive Sign Plan subject to the following conditions:

1. Compliance with the final sign plan submitted.
2. Compliance with all requirements of the Development Services Department regarding the issuance of building permits.
3. Any sign components that become deteriorated, damaged, or weakened shall be promptly repaired or replaced.

Exhibits

Exhibit 1 – Vicinity Map

Exhibit 2 – Project Narrative

Exhibit 3 – Site Plan

Exhibit 4 – Comprehensive Sign Plan

Exhibit 5 – Power Point Presentation