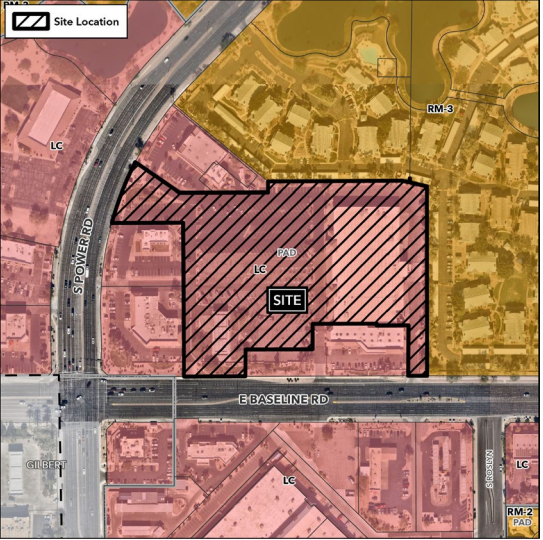


Date	May 6, 2026	
Case No.	BOA26-00230	
Project Name	Fry's Fuel Center	
Request	<ul style="list-style-type: none"> • Revocation of a Special Use Permit for a Service Station 	
Project Location	6838 East Baseline Road	
Parcel No(s)	141-54-166	
Project Area	7.6± acres	
Council District	District 6	
Existing Zoning	Limited Commercial with a Planned Area Development Overlay (LC-PAD)	
General Plan Designation	Neighborhood Center	
Applicant	Robert Cole, Sustainability Engineering Group	
Owner	Gabriel Torres, Fry's Food Stores of Arizona INC Lease	
Staff Planner	Chloe Durfee Daniel, Planner II	

Recommendation

Staff finds that the requested revocation of the Special Use Permit meets the required findings outlined in MZO Sections 11-67-11(D) and 11-70-5(F).

Staff recommends approval with conditions.

Project Overview

Request:

The applicant is requesting the revocation of the existing Special Use Permit for a service station to allow for the removal of the abandoned service station.

Concurrent Applications:

- **Minor Site Plan Modification:** Planning Director is reviewing the minor site plan modification to remove the abandoned Service Station from the existing site.

Site Context

General Plan:

- The Placetype for the project site is Neighborhood Center and the Growth Strategy is Evolve.
- Convenience Services is not a listed principal or supporting land use within the Neighborhood Center Placetype.

Zoning:

- The project site is zoned Limited Commercial with a Planned Area Development Overlay (LC-PAD).
- A Service Station is a permitted use within the LC District with a Special Use Permit.

Surrounding Zoning & Use Activity:

The proposed revocation of a Special Use Permit to allow for the removal of a Service Station is compatible with surrounding land uses, which includes restaurant, retail, auto repair, and other commercial uses.

Northwest LC-PAD Restaurant/Retail	North LC-PAD Parking for Commercial	Northeast LC-PAD Parking for Commercial
West LC-PAD Commercial	Project Site LC-PAD Service Station	East LC-PAD Commercial/Vacant
Southwest (Across Baseline Rd.) LC-PAD Restaurant with a drive thru	South (Across Baseline Rd.) LC-PAD Bank/Retail	Southeast (Across Baseline Rd.) LC-PAD Auto Repair/Retail

Site History:

- **August 18, 1988:** City Council annexed 174± acres, including the project site, into the City of Mesa (Case No. A88-009; Ordinance No. 2359).
- **May 4, 1992:** City Council approved modifications to the previous Master Plan approved for Superstition Springs (Case No. Z92-014; Ordinance No. 2693).
- **March 20, 1995:** City Council approved a Site Plan for 12± for development of a 62,000 square foot grocery store with shops and pad buildings (Case No. Z95-010; Ordinance No. 3009).

- **June 10, 2010:** The Planning and Zoning Board approved a Site Plan Modification to allow for the development of a Fueling Station (Case No. Z10-017).
- **June 2, 2010:** The Design Review Board reviewed a 4,961 Service Station (Case No. DR10-006).
- **June 22, 2010:** The Zoning Administrator approved a Special Use Permit and a Substantial Conformance Improvement Permit to allow for a 4,961 Service Station (Case No. ZA10-024).

Project/Request Details

Site Plan:

- **Building Design:** The abandoned 4,961 square foot Service Station is being removed and replaced with parking and landscape diamonds.
- **Access:** The site is accessed through the shared access drive to the south out to Baseline Road.
- **Parking:** The existing development provides 416 spaces and, following the removal of the Service Station, will be adding 47 parking spaces for a total of 463 parking spaces on the site.
- **Landscaping:** With the removal of the Service Station, the parking area will be providing landscape islands at the end of each row, and landscape diamonds within the rows, not to exceed eight spaces in a row without a landscape island. The landscape islands and diamonds meet all planting requirements.

Special Use Permit Revocation:

Per Section 11-67-11(D) of the City of Mesa Zoning Ordinance, the Board of Adjustment may revoke a permit if any of the following are found:

1. That approval was obtained by means of fraud or misrepresentation of a material fact;
2. That the permittee or holder of the permit has failed to initiate construction or undertake the use in question within a 1-year period following the effective date of the permit or variance;
3. That the use in question has ceased to exist or has been suspended for one year or more;
4. That there is or has been a violation of or failure to observe the terms or conditions of the permit or the use has been conducted in violation of the provisions of this Ordinance, law or regulation; or
5. That the use to which the permit or applies has been conducted in a manner detrimental to the public safety, health and welfare, or so as to be a nuisance.

The use in question has ceased to exist. This would allow the Board of Adjustment to revoke the Special Use Permit for the Service Station.

Required Notification

The applicant provided letters to surrounding property owners within 500 feet of the project site, notifying them of the public hearing.

Staff has not received any comments from neighbors for the proposed project at the time of writing this staff report.

Conditions of Approval

Staff recommends **approval** of the revocation of the Special Use Permit, subject to the following conditions:

1. Compliance with the final site plan and landscape plan as submitted.
2. Compliance with all requirements of Case No. ZON26-00199.
3. Compliance with all applicable City development codes and regulations.
4. Installation of all off-site improvements and street frontage landscaping during the first phase of construction.

Exhibits

Exhibit 1 – Vicinity Map

Exhibit 2 – Project Narrative

Exhibit 3 – Site Plan

Exhibit 4 – Landscape Plan

Exhibit 5 – Power Point Presentation