



PLANNING DIVISION

STAFF REPORT

City Council Meeting

December 9, 2024

CASE No.: ZON24-00426	PROJECT NAME: WM Fuel Mesa 1646
Owner's Name:	Trent Rachel, Retail Trust III
Applicant's Name:	Ryan Alvarez, Kimley-Horn
Location of Request:	Within the 6000 to 6200 blocks of East Southern Avenue (south side). Located west of Superstition Springs Boulevard on the south side of Southern Avenue.
Parcel No(s):	141-54-561A and 141-54-059J
Request:	Major Site Plan Modification and amending condition of approval Number One for Case No. Z99-043. This request will allow for a Service Station.
Existing Zoning District:	Limited Commercial (LC)
Council District:	6
Site Size:	19± acres
Proposed Use(s):	Service Station
Existing Use(s):	Vacant
Hearing Date(s):	November 13, 2024 / 4:00 p.m.
Staff Planner:	Chloe Durfee Daniel
Staff Recommendation:	APPROVAL with Conditions
Planning and Zoning Board Recommendation:	APPROVAL with Conditions (7-0)
Proposition 207 Waiver Signed:	Yes

HISTORY

On **August 18, 1988**, the City Council annexed the project site into the City of Mesa as part of a larger 484.74± acre annexation (Case No. A88-008; Ord. No. 2358).

On **October 3, 1988**, the City Council established comparable zoning on recently annexed property including R-S (now Office Commercial), C-2 (now Limited Commercial), R-3 (now Multiple Residence-3), R-4 (now Multiple Residence-4), and SR (Suburban Ranch) on 437.8± acres, including the subject site (Case No. Z88-056; Ord. No. 2382).

On **April 4, 1990**, the Design Review Board approved the elevations and landscape plans for a commercial center (Case No. DR90-004).

On **April 16, 1990**, the City Council approved a site plan to allow for the development of the first phase of a commercial development consisting of a major anchor tenant and two restaurant pad buildings on 13.75± acres (Case No. Z90-014; Ord. No. 2519).

On **September 6, 1999**, the City Council approved a site plan modification to expand the existing Walmart (Case No. Z99-043; Ord. No. 3644).

On **September 29, 1999**, the Design Review Board approved the 89,107 square foot expansion of the existing Walmart (Case No. DR99-106).

On **December 4, 2023**, the City Council approved a site plan modification for two areas of expansion of the existing Walmart (Case No. ZON23-00501; Ord. No. 5831).

On **October 8, 2024**, the Design Review reviewed the project and made minor comments. The applicant is working with staff to update their documents based on the comments.

On **November 13, 2024**, the Planning and Zoning Board approved a Special Use Permit to allow for a Service Station use in the Limited Commercial zoning district and recommended that City Council approve the proposed project (Case No. ZON24-00426).

PROJECT DESCRIPTION

Background:

The proposed project site is approximately 0.9 acres of the larger 19± acre Walmart site and is located on the south side of Southern Avenue west of Superstition Spring Boulevard.

The applicant is requesting a Major Site Plan Modification, a Special Use Permit (SUP), and to amend condition number one on Ordinance 5831 to allow for the development of a service station (Proposed Project).

The site plan for the commercial center was originally approved by City Council on April 16, 1990 (Case No. Z90-014) and later modified by City Council on September 6, 1999 (Case No. Z99-043; Ord. 3644). Condition of Approval number one for Ordinance 3644 requires compliance with the basic development as described in the project narrative and as shown on the site plan, preliminary plat, and elevations submitted. This Condition of approval was amended on December 4, 2023, by Ordinance 5831, requiring compliance with the final site plan submitted.

General Plan Character Area Designation and Goals:

The Mesa 2040 General Plan character type designation on the property are Mixed Use Activity District with a Regional Scale subtype and Neighborhood with a Suburban Sub-type.

Per Chapter 7 of the General Plan, the primary focus 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. Regional-Scale Districts primarily serve the population up to a 10-mile radius, are typically larger than 60 acres and contain multiple large format commercial buildings, unique features (lifestyle center), enclosed malls, and/or auto-malls that attract customers from a large trade area. The goal of Regional-Scale Districts is to provide a location for businesses and attractions that brings people to Mesa from the larger region.

The focus for the Neighborhood character type is to provide safe places for people to live where they can feel secure and enjoy their surrounding community. Neighborhoods can contain a wide range of housing options and often have non-residential uses such as schools, parks, places of worship and local serving businesses.

The Suburban Sub-type includes neighborhoods which are primarily single residence in nature with most lots ranging in size from 6,000 sq. ft. to 18,000 sq. ft. As part of a total neighborhood area, this character type may also contain areas of duplexes and other multi-residence properties and commercial uses along arterial frontages and at major street intersections. Schools, parks, and religious institutions are frequently found in these neighborhoods. Streets are generally wide and contain sidewalks on both sides.

The Proposed Project complies with the character type by furthering the availability and accessibility of the existing business and fuel access to the surrounding area.

Zoning District Designations:

The project site is zoned Limited Commercial (LC). Per Section 11-6-1 of the MZO, the purpose of the LC zoning district is to provide areas for indoor retail, entertainment and service-oriented businesses that serve the surrounding residential trade area within a one (1) to ten-mile radius.

Per Table 11-6-2 of the City of Mesa Zoning Ordinance (MZO), a service station is an allowed use in the LC zoning district with the approval of a Special Use Permit.

Surrounding Zoning Designations and Existing Use Activity:

<p>Northwest LC Commercial</p>	<p>North (Across Southern Ave) Maricopa County Single Residence</p>	<p>Northeast LC Commercial</p>
<p>West RM-2/GC Multiple Residence & parking lot</p>	<p>Project Site LC Commercial</p>	<p>East (Across Superstition Springs Blvd.) LC Commercial</p>
<p>Southwest RM-2-PAD Single Residence</p>	<p>South LI-PAD Auto Sales</p>	<p>Southeast (Across Superstition Springs Blvd.) LC Commercial</p>

Compatibility with Surrounding Land Uses:

The proposed project site is currently part of a larger group commercial development located on the south side of Southern Avenue and west Superstition Springs Boulevard. The properties to the north, across Southern Avenue, are single family residential within the jurisdiction of Maricopa County while the other properties to the east and south are commercial uses. To the southwest of the subject site is a single residence development.

The Proposed Project is compatible with the surrounding area.

Site Plan and General Site Development Standards:

The Proposed Project includes development of a 1,556 square foot service station building and a 4,773 square foot fuel canopy on the northern portion of the site within an existing parking area.

The fuel canopy will contain eight pumps and will be located adjacent to Southern Avenue. The Service station will be located to the south of the fuel canopy. Access to the site is from Southern Avenue and via internal drive aisles.

All landscape areas will be revegetated to be consistent with the landscape plan approved with Case No. DR90-004 and DR99-106 and the currently proposed landscape plan DRB24-00424.

Neighborhood Participation Plan and Public Comments:

The applicant completed a Citizen Participation Process, which included mailing letters to property owners within 1,000 feet of the site, as well as HOAs within ½ mile, and registered neighborhoods within one mile of the site. Staff received general questions about the proposed project and the process the applicants are going through.

The applicant held a neighborhood meeting on August 5, 2024, and had three attendees with various questions and concerns. Concerns included general impacts to the adjacent neighborhoods, increases in HOA fees, decrease in property values, increases in crime, noise increases, and visibility of new signage for the fuel station. The applicant answered questions addressing concerns by providing information about their operations plan and good neighbor policy and the visibility of the site.

At the November 13, 2024, Planning and Zoning Board meeting a representative of surrounding property owners requested a continuance of the case citing concerns for the impacts of their grading and drainage and surrounding properties and requesting more time to work with the applicant on a private easement agreement. The applicant explained that the parking lot will include light fixtures designed to meet local city codes, ensuring minimal light spill on the neighboring properties and protecting the night sky. For sound attenuation, there is an existing screen wall and landscaping along the front of the site, which will help mitigate noise. The private easement between the two properties is currently being discussed by the attorneys in relation to City Code but does not affect the Proposed Project.

Staff Recommendations:

Staff finds that the Proposed Project is consistent with the Mesa 2040 General Plan and meets the review criteria for Site Plan Review outlined in Section 11-69-5 of the MZO.

Staff recommends approval with the following **Conditions of Approval:**

1. Compliance with the final site plan submitted.
2. Compliance with all requirements of Case No. DRB24-00424.
3. Compliance with all City development codes and regulations.
4. Compliance with the Plan of Operation and Good Neighbor Policy submitted.
5. Prior to the issuance of a Certificate of Occupancy, landscaping must comply with the landscape plan approved with case no. DR90-004, DR99-104, and DRB24-00424 and all dead, dying, and missing landscape materials must be replaced with landscape materials of similar type and size.

Exhibits:

Exhibit 1 - Presentation

Exhibit 2 - Ordinance

Exhibit 3 - Ordinance Map

Exhibit 4 - Vicinity Map

Exhibit 5 - Site Plan

Exhibit 6 - Minutes

Exhibit 7 - Submittal Documents