



**PLANNING DIVISION**  
**STAFF REPORT**

**Board of Adjustment**

**April 3, 2024**

CASE No.: **BOA24-00133**

CASE NAME: **SUP 2024**

Owner's Name:	CAR CPS AZ MESA LLC
Applicant's Name:	Yvonne Holmes
Location of Request:	922 South Country Club Drive. Located north of Southern Avenue on the west side of Country Club Drive.
Parcel No(s):	134-17-006B, 134-17-007D, 134-17-007E, & 134-17-007F
Nature of Request:	Requesting a Special Use Permit to exceed the annual number of special events allowed in the General Commercial with a Planned Area Development overlay (GC-PAD) district.
Zoning District:	General Commercial with a Planned Area Development overlay (GC-PAD)
Council District:	4
Site size:	7± acres
Proposed use:	Commercial
Existing use:	Commercial
Hearing date(s):	<b>April 3, 2024/5:30 p.m.</b>
Staff Planner:	Sergio Solis, Planner I
Staff Recommendation:	APPROVAL with Conditions

**HISTORY**

On **August 17, 1970**, the City Council annexed 675± acres, including the project site, into the City and subsequently zoned the site Single-Family Residential-6 (R1-6) [equivalent to Single Residence-6 (RS-6)] (Ordinance No. 675).

On **October 5, 1987**, the City Council rezoned 3.5± acres, including the western part of the project site, from R1-6 to Neighborhood Commercial (C-1) / Office Service O-S (O-S) with Site Plan Review for a 50,132 square-foot office development (Ordinance No. 2271; Case No. Z87-064).

On **August 10, 1989**, the City Council rezoned 3.5± acres, including the project site, from O-S to Limited Commercial (C-2) [equivalent to (LC)] and Site Plan Review for a mini-storage facility with accessory outdoor storage (Ordinance No. 2448; Case No. Z89-019).

On **November 19, 2007**, the City Council rezoned 7.17± acres, including the project site, from Limited Commercial (C-2) and General Commercial (C-3) to General Commercial with a Planned Area Development overlay (C-3-PAD) and Site Plan Review for the expansion of the existing Automobile/Vehicle Sales use (Ordinance No. 4779; Case No. Z07-104).

On **December 15, 2009**, the Zoning Administrator approved a Special Use Permit (SUP) with conditions to exceed the maximum number of special events permitted in the GC-PAD district. The approval stated that the number of special events could not exceed 25 per calendar year (Case No. ZA09-061).

On **November 11, 2018**, the Board of Adjustment approved a SUP with conditions to exceed the maximum number of special events permitted in the GC-PAD district. The approval stated that the number of special events could not exceed 25 per calendar year (Case No. BOA18-00767).

On **June 3, 2020**, the Board of Adjustment approved a SUP with conditions to exceed the maximum number of special events permitted in the GC-PAD district. The approval stated that the number of special events could not exceed 25 per calendar year (Case No. BOA20-00170).

On **April 5, 2023**, the Board of Adjustment approved a SUP with conditions to exceed the maximum number of special events permitted in the GC-PAD district. The approval stated that the number of special events could not exceed 25 per calendar year. This permit approval expires on April 5, 2024, and requires a new Board of Adjustment approval to exceed the maximum number of special events per calendar year (Case No. BOA22-01350).

## **PROJECT DESCRIPTION**

### **Background:**

This Special Use Permit (SUP) request is to exceed the permitted number of days for special events in the GC-PAD zoning district. Per Section 11-31-27(A) of the Mesa Zoning Ordinance (MZO), the duration of a special event is limited to a maximum of four (4) consecutive days and limits the number of special events conducted on the same premises to four (4) per calendar year. Per Section 11-31-27(D), special events can exceed the maximum allowances with the approval of a SUP. The applicant is requesting a maximum of 25 special events per calendar year, of which:

- 90% of events will be single-day events.
- 100% of the events will be held in the large outdoor event pad (60,000± square feet).
- The largest event is expected to have approximately 200 attendees.
- No event will exceed the four (4) consecutive day maximum per Section 11-31-27(A).

According to the submitted project narrative, additional event parking is available on an undeveloped, dust proof area located at the southeast corner of the site with entrance from

West Emerald Avenue. The project narrative provided by the applicant states that most events last one day, and that no event will exceed the four days permitted by the MZO. Start time for an event is 8:00 a.m. and ends at 10:00 p.m.

**General Plan Character Area Designation and Goals:**

The Mesa 2040 General Plan Character Area designation on the property is Neighborhood. Per Chapter 7 of the General Plan, the primary focus of the Neighborhood character type is to provide safe places for people to live and enjoy their surrounding community, with a wide range of associated non-residential uses such as schools, parks, and local-serving businesses in the area.

The subject site is also located within the Transit Corridor character area. The Transit Corridor designation applies to development of corridors between transit stations and stops. These areas are expected to transition from suburban into an urban pattern with buildings brought close to the front property line and parking behind or beside buildings to create a pedestrian-oriented urban environment within walking distance of transit stops.

Overall, the proposed Special Use Permit for future special events is seen to advance the goals and objectives of the Mesa 2040 General Plan.

**Site Characteristics:**

The project site is addressed at 922 South Country Club Drive and is located west of South Country Club Drive and north of West Southern Avenue. The property provides three entrances, two from Country Club Drive with access to a large parking area, and one from Emerald Avenue with access to a smaller area for overflow parking. A large motorcycle training course is centrally located on the site. This training course will be the main location for most events.

**Surrounding Zoning Designations and Existing Use Activity:**

<b>Northwest</b> RS-6 Single Residence	<b>North</b> GC Commercial	<b>Northeast</b> (Across Country Club Drive) LC Commercial
<b>West</b> RS-6 Single Residence	<b>Subject Property</b> GC-PAD Commercial	<b>East</b> (Across Country Club Drive) GC Commercial
<b>Southwest</b> (Across West Emerald Ave.) RS-6 Single Residence	<b>South</b> (Across West Emerald Ave.) LC Commercial	<b>Southeast</b> (Across West Emerald Ave.) GC Commercial

**Mesa Zoning Ordinance Requirements and Regulations:**

Per Section 11-31-27 of the MZO, special events shall adhere to the following criteria:

1. Special events are permitted in all zoning districts provided that:
  - a. The event is licensed in accordance with the provision of Title 5 of the Mesa City Code;

**The conditions of approval include a requirement to obtain Special Event Licenses for all events through City of Mesa Parks, Recreation, and Community Facilities.**

- b. 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;

**Per Section 11-31-27(D)(1) of the MZO, a special event is allowed to exceed the maximum number of special events within a calendar year and the maximum number of consecutive days per event with the approval of a Special Use Permit (SUP). The applicant is requesting 25 special events per year, identifying 90% of the events as single-day events. The provided narratives states that no individual event will exceed the four (4) day maximum duration. Staff has included a condition of approval to allow a total of 50 special event days per year. An event may be licensed to exceed the maximum of four (4) consecutive days if the need arises.**

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

**The applicant is requesting a SUP to exceed the maximum number of special events to exceed four (4) events allowed per calendar year.**

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

**The events will be adequately served by existing City of Mesa utilities and sanitation.**

- e. 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.

**Information provided in the BOA22-01350, BOA18-00767, and BOA20-00170 case files state that there have been no nuisance complaints or City of Mesa Police complaints since approval of these permits. The applicant submitted a narrative with this proposal indicating that there were no issues or complaints filed during the special events held in 2023. Based on the operational history, staff is recommending that the Special Use Permit be valid through the 2026 calendar year and shall expire on December 31, 2026.**

- B. Special events shall be conducted only on a lot that has an approved dust-proof parking surface with permanent driveway access. Decomposed granite or Aggregate Base Course (ABC) gravel surfacing may be substituted for paving subject to approval by the Director and Fire Marshal.

**The events will be conducted on a paved parking surface.**

- 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 shall comply with all City development codes and regulations.**

**Mesa Zoning Ordinance Requirements and Regulations:**

Per Section 11-70-5 of the MZO, the Board of Adjustment shall find upon sufficient evidence when making a decision on a SUP that:

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;

**Per the Mesa 2040 General Plan, the site is within the Neighborhood Character Area. Along with providing safe places for people to live where they feel secure and enjoy their surrounding community, this character area also provides a wide range of associated non-residential uses such as schools, parks, and local-serving businesses in the area. The area of these special events is meant to serve the local neighborhood along with the greater City of Mesa.**

***The request complies with this criterion.***

2. The location, size, design, and operating characteristics of the proposed project are consistent with the purposes of the district where it is located and conform with the General Plan and with any other applicable City plan or policies;

**The requested special events are consistent with the location, size, design, and operating characteristics of the GC-PAD zoning district and will conform with the Mesa 2040 General Plan by contributing to a healthy, productive, and vibrant city.**

***The request complies with this criterion.***

3. 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

**Applicants and staff have not received any nuisance complaints under previous SUPs to exceed the maximum of four (4) special events per calendar year, and as such the proposed SUP is not foreseen to be injurious or detrimental to the surrounding properties.**

***The request complies with this criterion.***

4. 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. Previously approved case nos. BOA22-01350, BOA18-00767, and BOA20-00170 allowed 25 special events and up to 30-50 event days per year.
- B. This SUP request will allow 25 special events and up to 50 event days per year for Desert Wind Harley-Davidson.
- C. Staff research indicates no complaints were received for previous events held at the site during the 2021-2023 calendar years.
- D. The applicant has submitted an Operation Plan that indicates the hours of operation for each event will be limited to the hours of 8:00 AM to 10:00 PM. If the event includes the sale of alcohol the applicant will obtain the appropriate license and provide security to ensure the proper ID for alcohol sales and the alcohol does not leave the premises.
- E. The applicant indicated that there is adequate parking onsite for most events. If necessary, the applicant will request a permit for the temporary closure of Emerald Avenue for the specific event.
- F. The applicant's Good Neighbor Policy indicates neighborhood complaints will be directed to the Marketing Director for addressing any problems.
- G. The proposed special events are consistent with the location, design and operating characteristics of GC-PAD zoning district and conforms with Mesa 2040 General Plan.
- H. The proposed special events will not be injurious or detrimental to the surrounding properties.
- I. The 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 Recommendation:**

Based on the application received and preceding analysis, Staff finds that the request for a SUP to exceed the allowed number of special events in a calendar year meets the approval criteria outlined in Sections 11-31-27 and 11-70-5 of the MZO; and therefore, recommends approval with the following conditions:

**Conditions of Approval:**

1. Compliance with the applicant's project narrative and site plan, except as modified by the conditions below.
2. Compliance with all City development codes and regulations.
3. Overflow parking must be, at a minimum, a dust proof surface of decomposed granite or asphalt millings and provided for the temporary parking located at southeast corner of the site.
4. Prior to operations, the applicant must obtain a Special Event License for each event through the City of Mesa Parks, Recreation, and Community Facilities Department.
5. Events shall operate between the hours of 8:00 AM and 10:00 PM.
6. The Special Use Permit will allow up to 25 events per calendar year.
7. The Special Use Permit shall automatically expire on December 31, 2026.

**Exhibits:**

Exhibit 1 – Vicinity Map

Exhibit 2 – Staff Report

Exhibit 3 – Project Narrative

Exhibit 4 – Site Plan

Exhibit 5 – 2024 List of Events