



PLANNING DIVISION
STAFF REPORT

Planning and Zoning Board

September 27, 2023

CASE No.: ZON23-00350	PROJECT NAME: Ultra Clean Express Car Wash
Owner's Name:	B&B Merritt Real Estate, LLC
Applicant's Name:	Pew and Lake, PLC
Location of Request:	Within the 4400 block of East Brown Road (north side). Located north of Brown Road and east of Greenfield Road.
Parcel No(s):	141-33-125
Requests:	Major Site Plan Modification and amending the conditions of approval for Case No. Z03-053; and Special Use Permit. This request will allow for the development of a carwash.
Existing Zoning District:	Limited Commercial (LC)
Council District:	2
Site Size:	1.2± acres
Proposed Use(s):	Car Wash
Existing Use(s):	Vacant former Restaurant with a Drive Thru
Hearing Date(s):	September 27 th , 2023 / 4:00 p.m.
Staff Planner:	Josh Grandlienard, AICP, Planner II
Staff Recommendation:	Approval with Conditions

HISTORY

On **December 17, 1979**, the City Council annexed 576.6± acres, including the project site, into the City of Mesa and established Agriculture (AG) zoning (Case No. Z79-118, Ordinance No. 1302).

On **February 18, 1980**, the City Council rezoned 12.8± acres, including the project site, from AG to Limited Commercial (C-2) for development of a neighborhood commercial center (Case No. Z80-015; Ordinance No. 1311).

On **January 5, 2004**, the City Council approved a site plan modification to allow for the development of a drive-thru restaurant on the project site. Condition of approval number 1 requires compliance with the site plan submitted (Case No. Z03-053; Ordinance No. 4135).

PROJECT DESCRIPTION

Background:

The applicant is requesting a Major Site Plan Modification to allow for the development of a carwash facility on the 1.2± acre project site (Proposed Project) and is requesting a Special Use Permit to allow for the carwash facility within the Limited Commercial zone. Per Section 11-66-2(C) of the MZO, the Planning and Zoning Board may hear and take action on Special Use Permits when requested in conjunction with another request requiring action or recommendation by the Planning and Zoning Board.

The project site was previously developed with a drive-thru restaurant. The property is east of Greenfield Road on the north side of Brown Road and is part of the Mountain View Plaza group commercial center.

In 2004, a site plan modification was approved to modify Lot 1 of the approved Mountain Vista Plaza site plan. The approved site plan modification allowed for the development of a restaurant with drive-thru (Case No. Z03-053).

Condition of approval number 1 in Case Z03-053 requires compliance with the basic development as described in the project narrative and as shown on the site plan and elevations submitted. The applicant is therefore requesting a Major Site Plan Modification and a modification of the conditions of approval for Case Z03-053.

General Plan Character Area Designation and Goals:

The Mesa 2040 General Plan Character Type designation on the property is Neighborhood Village. The primary focus of the Neighborhood Village character area is to provide shopping and service needs of the nearby population. These centers serve as the focal point for the surrounding neighborhoods and the gathering place for local residents. The design, development, and maintenance of neighborhoods focuses on ensuring clean, safe, and healthy areas where people want to live and maintain their investments.

The proposed site plan works in conjunction with the existing buildings and infrastructure in the group commercial center. These businesses have provided a sense of place and services to the local area for over 15 years, and in this way the proposal conforms to the Neighborhood Village character area of the General Plan.

Zoning District Designations:

The property is currently 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.

The proposed car wash use is permitted in the LC zoning district with approval of a Special Use Permit.

Airfield Overlay – MZO Article 3 Section 11-19:

Per Section 11-19 of the MZO, the property is located within the Airfield (AF) Overlay District. Specifically, within the Airport Overflight Area Three (AOA 3). The location of the property within the AOA 3 is due to its proximity to the Falcon Field Airport. Per Section 11-19 of the MZO, there are no use limitations beyond those set by the base district.

Surrounding Zoning Designations and Existing Use Activity:

Northwest LC Group Commercial Center	North LC Group Commercial Center	Northeast (Across Eastern Auxiliary Canal) RS-43 Single Residence
West LC Group Commercial Center	Project Site LC Vacant Restaurant with a Drive-thru	East (Across Eastern Auxiliary Canal) RS-43 Electrical Substation
Southwest (Across Brown Road) RS-15-PAD Single Residence	South (Across Brown Road) RS-15-PAD Single Residence	Southeast (Across Brown Road and Eastern Auxiliary Canal) RS-9 Single Residence

Compatibility with Surrounding Land Uses:

The subject property is located within the larger commercial center located at the northeast corner of the intersection of Greenfield and Brown Roads. The project site is located directly to the west of the Eastern Auxiliary Canal, which acts as a buffer to the residential uses to the east. The subject site is also located on the north side of Brown Road which is a four lane arterial, which helps to buffer the residential uses to the south.

Site Plan and General Site Development Standards:

The project site consists of one parcel totaling 1.2± acres in size that is located within a larger commercial center. The proposed car wash building is approximately 4,200± square feet and is located in the southeast corner of the overall commercial center, fronting onto Brown Road.

The site plan shows the proposed car wash building in the middle of the subject site, replacing the existing restaurant with drive-thru building. The site plan also shows 14 new vacuum spaces located in two groups with five located along the western side of the building, and nine located along the southern portion of the site. Primary access to the project site will be from Brown Road. Additional access points to the Mountain Vista Plaza are also provided along both Brown Road and Greenfield Road.

Per Section 11-32-3 of the Mesa Zoning Ordinance (MZO), 14 parking spaces are required for the proposed facility. The site plan shows 14 vacuum stalls; however, as the project site is part of the

larger Mountain View Plaza, a cross-parking and access agreement is in place allowing the employees of the carwash to utilize existing parking stalls withing the commercial center.

Special Use Permit – MZO Article 7, Section 11-70:

Section 11-66-2(C)(2) of the MZO allows the Planning and Zoning Board to hear and take action on a SUP when requested in conjunction with another request requiring action or recommendation by the Planning and Zoning Board.

Automobile/Vehicle Washing:

Per Section 11-31-7 of the MZO, Automobile Washing Facilities as a primary use require a SUP with additional standards that are required to be met for the specific use. Below is a summary of the criteria for the SUP and findings:

Automobile/Vehicle Washing Required Findings (MZO Section 11-31-7)	Findings
1. The number of automobile related activities within 600-feet of an intersection of arterial streets shall not exceed 2, including automobile/vehicle washing, automobile service stations, automobile sales or rental lots, or automobile/vehicle repair.	The subject site is the only automobile related use within Mountain View Plaza. The existing uses on the south side of Brown Road, both east and west of Greenfield Road, are residential. The northwest corner of the intersection of Brown Road and Greenfield Road is zoned Office Commercial (OC) and is developed with office uses, therefore the subject request meets this requirement
2. Compliance with all development standards for the applicable zoning district	The site plan has been reviewed by staff and is in compliance with all requirements of the Limited Commercial zoning district.
3. The use is found to be in compliance with the General Plan, applicable Sub-area plans and other recognized development plans or policies, and will be compatible with surrounding uses;	The proposed use is consistent with the Neighborhood Village character type of the Mesa 2040 General Plan by providing a commercial service to serve the surrounding neighborhood area.
4. Evidence that acceptable documentation is present demonstrating that the building or site proposed for the use shall adequately provide paved parking and on-site circulation in a manner that minimizes impacts on adjacent sites; and existing or proposed improvements to the site shall minimize dust, fugitive light, glare, noise, offensive smells and traffic impacts on neighboring residential sites	The proposed project has been designed to reduce the overall impacts and mitigate the sound requirements in order to meet the MZO requirements of no more than 55 decibels at the interior property lines as provided in the Sound Study by Censeo AV+Acoustics. As a part of the overall site plan design, the applicant proposed a screen wall made with sound attenuating blocks at the southern portion of the site in order to reduce the impacts of the Sound of the wash

	tunnel. The site functions similarly to the previous restaurant use which allowed for shared access and parking for the overall commercial center and is design so that any queuing on site will not impact traffic on Brown Road as well as limiting the overall parking access to the commercial use to the north and west of the proposed location.
5. A finding that a plan of operation has been submitted, which includes, but is not limited to, acceptable evidence of compliance with all zoning, building, and fire safety regulations	The applicant has provided a plan of operation that has been reviewed by staff and meets all zoning, building and fire safety regulations.
6. A finding that a "good neighbor policy" in narrative form has been submitted, which includes, but is not limited to, descriptions of acceptable measures to ensure ongoing compatibility with adjacent uses. Such policies shall include, but are not limited to, the name and telephone number of the manager or person responsible for the operation of the facility; complaint response procedures, including investigation, remedial action, and follow-up; and litter control measures	A good neighbor policy has been provided by the applicant that details the means of operation and information on how to contact the manager responsible for the facility and includes procedures on how to provide complaints and allow for investigation, remediation, and litter control measures.
7. Evidence that acceptable documentation is present demonstrating that the building or site proposed for the use is in, or will be brought into, substantial conformance with all current City development standards, including, but not limited to, landscaping, parking, screen walls, signage, and design guidelines	Staff has reviewed the proposed project and finds that the proposed site plan conforms with all development standards, including removal of existing structures within a Public Utility Easement which does not allow for any structures or landscaping within the easement on the eastern side, as well as providing the required landscaping, parking, and screen walls for the proposed use.

Design Review:

The Design Review Board will review the Proposed Project at their September 12, 2023, work session. Staff will work with the applicant to address any comments and recommendations from the Design Review Board.

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. To date, the applicant and staff have received two written emails as well as a handwritten letter in addition to 4 emails from neighbors with

concerns about the overall development of the car wash. The applicant also held two neighborhood meetings to address the overall concerns provided by the neighborhood. The overall concerns provided at the July 10th and August 1st 2023 meetings which was attended by 4 citizens included the impacts of the sound from the proposed car wash, including not only the proposed vacuums, but also noise from music that other locations have provided for as well as the overall traffic impacts in the area due to the proposed use. The applicant has proposed that no music will be played at this location as well as working with the HOA of the neighborhood to the south to provide for additional landscaping on the south side of Brown Road. The applicant has also updated the site plan in order to relocate the proposed vacuum apparatus further north on the site in order to reduce the overall impacts of the noise to neighbors offsite. Staff will provide the Board with any new information during the scheduled Study Session on September 27th.

Staff Recommendation:

Staff finds the Proposed Project complies with the Mesa 2040 General Plan, the review criteria for Site Plan Review outlined in Section 11-69-5 of the MZO and meets the review criteria for a Special Use Permit outlined in Section 11-70-6 of the MZO.

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

1. Compliance with all conditions of approval of Case No. Z03-053, except compliance with the final site plan submitted with this request (Case No. ZON23-00350).
2. Compliance with all requirements of Design Review, Case No. DRB23-00297.
3. Compliance with all City development codes and regulations.
4. Compliance with all requirements of Chapter 19 of the Zoning Ordinance including:
 - a. Owner must execute the City's standard Avigation Easement and Release for Falcon Field Airport prior to or concurrently with the recordation of the final subdivision map or the issuance of a building permit, whichever occurs first.
 - b. Due to the proximity to Falcon Field Airport, any proposed permanent or temporary structure, as required by the FAA, is subject to an FAA filing for review in conformance with CFR Title 14 Part 77 (Form 7460) to determine any effect to navigable airspace and air navigation facilities. A completed form with a response by the FAA must accompany any building permit application for structure(s) on the property.
 - c. Prior to the issuance of any building permit, provide documentation by a registered professional engineer or registered professional architect demonstrating compliance with the noise level reductions required in Section 11-19-5 of the Mesa Zoning Ordinance.
 - d. Provide written notice to future property owners that the project is within one mile of Falcon Field Airport.
 - e. All final subdivision plats must include a disclosure notice in accordance with Section 11-19-5(C) of the Zoning Ordinance which states in part: "This property, due to its proximity to Falcon Field Airport, will experience aircraft overflights, which are expected to generate noise levels that may be of concern to some individuals."

Exhibits:

- Exhibit 1 – Staff Report
- Exhibit 2 – Vicinity Map
- Exhibit 3 – Project Narrative
- Exhibit 4 – Site Plan
- Exhibit 5 – Landscape Plan
- Exhibit 6 – Grading and Drainage
- Exhibit 7 – Elevations
- Exhibit 8 – Citizen Participation Plan
- Exhibit 9 – Citizen Participation Report
- Exhibit 10 – Sound Study
- Exhibit 11 – Power Point Presentation