



TOWN OF
QUEEN CREEK
ARIZONA

TO: PLANNING & ZONING COMMISSION

THROUGH: BRETT BURNINGHAM, DEVELOPMENT SERVICES DIRECTOR

FROM: ERIK SWANSON, PLANNING ADMINISTRATOR, SARAH CLARK, SENIOR PLANNER/PROJECT MANAGER

RE: PUBLIC HEARING AND POSSIBLE ACTION ON P23-0079, P23-0078, AND P23-0080 CIRCLE K AT ELLSWORTH AND OCOTILLO REZONE, CONDITIONAL USE PERMIT AND SITE PLAN, A REQUEST FROM JODI HAMMILL (LAND DEVELOPMENT CONSULTANTS LLC) TO REZONE APPROXIMATELY 0.64 ACRES FROM R1-43 TO C-2 AND FOR SITE PLAN AND CONDITIONAL USE PERMIT APPROVAL FOR THE EXPANSION AND REDEVELOPMENT OF AN EXISTING FUEL STATION AND CONVENIENCE STORE FOR A NEW 5,200 SQUARE FOOT CONVENIENCE STORE AND 3,264 SQUARE FOOT FUEL STATION ON A 1.21 ACRE SITE LOCATED AT THE NORTHEAST CORNER OF ELLSWORTH AND OCOTILLO ROADS.

DATE: December 13, 2023

Suggested Action:

Move to recommend approval of P23-0079, P23-0078, and P23-0080 Circle K at Ellsworth and Ocotillo Rezone, Conditional Use Permit and Site Plan subject to the Conditions of Approval included in this report.

History:

- 1988:
- The existing convenience store and fuel station was constructed.
- Sept. 5, 1989:
- The Town of Queen Creek was incorporated.

Project Information:

Project Name:	Circle K at Ellsworth and Ocotillo
Site Location:	NEC Ellsworth and Ocotillo roads
Current Zoning:	R1-43 (Rural Estate District) – 0.64 acres C-2 (General Commercial) – 0.57 acres
Proposed Zoning:	C-2 (General Commercial) – 1.21 acres
General Plan Designation:	Urban
Surrounding Zoning:	
North:	C-2 (General Commercial) – QC Village Center
South:	DC (Downtown Core)– Old Ellsworth Brewing Company
East:	C-2 (General Commercial) – QC Village Center
West:	DC (Downtown Core) – Cactus Plaza

Gross Acreage:	0.64 acres to be rezoned 1.21 acres total
Open Space Acreage:	Required – 15% (14,45sf) Provided – 30.1% (28,858sf)
Building Height:	23’8”max
Lot Coverage:	16.1%
Parking:	Required – 31 spaces Provided – 32 spaces

Discussion:

The project site is located at the northeast corner of Ellsworth and Ocotillo roads, just outside of the Town’s established Downtown Core district. Currently, the site consists of an existing Circle K fuel station and convenience store built prior to the Town’s incorporation. The site is bound on its north and east sides by C-2 zoned property that is a part of the QC Village Center, to the south is Ocotillo Road and the Old Ellsworth Brewing Company brewery/restaurant zoned DC (Downtown Core), and to the west of the site is Ellsworth Road and existing businesses zoned DC.

The applicant is proposing to expand the existing site by rezoning two adjacent parcels from R1-43 to C-2 (consisting of 0.64 acres), and requesting Site Plan and Conditional use permit approval to demolish the existing buildings for the development of a new 5,200sf Circle K convenience store and 3,264sf, five (5) pump fuel station on 1.21 acres. The hours of operation will be 24 hours a day, 7 days a week and include a minimum of three employees onsite at all hours.

The Site Plan proposes to modify the existing driveway access on Ocotillo Road, moving it approximately 75 feet eastward and shift the existing driveway on Ellsworth Road approximately 40 feet northward. There is a proposed new access point at the northeast corner of the site that would connect the Circle K site to the commercial center to the north. The applicant is in discussions with the property owner to the north to execute a cross access agreement to establish the easement.

The project includes 32 parking spaces, where 31 spaces are require by the Zoning Ordinance. Three (3) parking stalls will be located just outside of the northern property boundary of the site, on the property to the north of the project, along the existing aisle of parking stalls within an existing, undeveloped part of the property. A separate agreement to develop and maintain these stalls will be provided between the Circle K property owner and the property owner to the north.

Screen walls are placed around the parking areas to shield vehicle headlights and include a three-material design consisting of a flagstone cap, splitface CMU, and painted smoothface CMU.

Architecturally, the style and theme of the buildings are consistent with the architectural style and materials of the commercial center surrounding the site and include stacked stone, stucco, metal awnings, and landscaped green screens. All rooftop mechanical equipment is fully screened from view.

The Zoning Ordinance requires a 30-foot landscaped buffer along arterial roads. The site provides the required buffer along Ellsworth Road, however the landscaped buffer along Ocotillo Road slightly tapers down to 17 feet to accommodate the shift in the right-of-way and the revised parking and drive aisles. The current convenience store does not provide any landscape buffer along Ocotillo Road and the proposed site redevelopment and additional landscaping are an improvement from the existing condition. The arterial landscaped buffer includes Mulga and Red Push Pistache trees, consistent with the landscape palette for the Downtown Core area, and provides adequate screening of the site. Staff is supportive of the deviation.

The Zoning Ordinance requires “all above-grade equipment at gasoline service stations or public garages for the service of gasoline, oil, air, or water shall be completely screened from public view

and no closer than ten feet (10') to any public right-of-way", which includes gasoline fuel pumps. To accommodate this, fuel station canopy columns should be located on the outside of the fuel pumps, facing the public right of way, to screen the pumps from view. The applicant has agreed to work with staff to modify the site plan to address this and a condition of approval has been added.

Public Participation:

The applicant held a Neighborhood Meeting on October 26, 2023. Two (2) members of the public participated in the meeting with no opposition, but asked general questions related to the following:

- Development proposal
- Architecture
- Improvements to the site to accommodate pedestrian traffic

A Neighborhood Meeting summary is included as an attachment for reference.

Staff has not received any inquiries or comments regarding the proposed project.

Analysis:

Conditional Use Permit (CUP) Review:

The proposed gasoline station is considered "In-Vehicle Service Facilities" according to Article 6.10 of the Zoning Ordinance. All "In-Vehicle Service Facilities" are subject to a Conditional Use Permit review procedure.

Conditional Uses are those land uses that may be desirable in a community, but may by their nature, require special site and design considerations in order to insure that they are compatible with adjacent uses and community standards. The Planning Commission and ultimately the Town Council are charged with determining whether or not a proposed location is suitable for such uses. The purpose of the Conditional Use Permit is to have an additional tool to maintain development standards.

Conditional Use review in the Zoning Ordinance sets forth approval criteria for evaluating a proposed Conditional Use (as outlined in Article 3.5 of the Zoning Ordinance) as provided below:

1. The proposed conditional use shall be in compliance with all regulations of the applicable zoning district, the provisions of Article 4 and Article 5 of this Ordinance, and any applicable performance standards as set forth in Article 6 of this Ordinance.

Applicant Response:

- *The proposed use will be in compliance with the General Commercial zoning district, and will advance the goals and objectives of the Urban land use. This project will service the community with desired goods and services and is ideally suited to provide a transitional element at the intersection of two arterial roadways.*
- *The project will provide Adequate Public Facilities including a clearly identified pedestrian path to the store from the public right of way as well as from the parking areas.*
- *Site screening walls will be provided along both frontages of Ellsworth Road and Ocotillo Road. The screen walls will be 3-feet high in order to adequately screen the undercarriages of vehicles while at the fuel pumps or parked in the parking area. The wall will be constructed with a masonry type finish. A 6-foot high screen wall will be provided around the trash dumpster storage area, and will be constructed with masonry block walls and painted to complement the colors of the convenience store.*
- *Abundant landscaping will be provided throughout the site, along the interior perimeter as well as on both street frontages of the project. Plant materials will consist of trees and shrubs that are low or moderate water users.*
 - *Request for Deviation to 30-ft Landscape Buffer – Ocotillo Road*
 - *The 30-ft landscape buffer requirement is not entirely met along Ocotillo Road.*

- *The landscape buffer varies between 13.7-ft and 28-ft.*
- *There is landscape in the right of way that will be provided, providing an additional 10-15 feet of landscaping space where trees and groundcover plants are proposed.*
- *The current convenience store does not provide any landscape planting areas along Ocotillo Rd, so this is a substantial improvement over existing conditions.*
- *The ROW being dedicated as a part of the Lot Tie application creates an acute narrowing of the parcel and the geometry becomes restrictive for providing adequate onsite circulation of driveways and parking areas onsite, thus impacting the available landscape buffer.*
- *This project will be well lit for safety and security purposes. All light fixtures will be installed to only provide site lighting as needed, and shielding will be installed as needed to minimize light pollution outside of the project site.*
 - *Site lighting will be located in strategic locations through and along the perimeter of the project to provide sufficient illumination while not impacting any of the adjoining properties.*
 - *The exterior of the convenience store will have wall-mounted LED light fixtures at each entrance, plus the store front will be illuminated by several recessed lighting fixtures to provide downlighting at the store's main entrance.*
 - *The area under the fuel canopy will be well lit with flush-mounted LED soffit fixtures. These light fixtures have a slim, low-profile design and are specifically designed for downlighting under fuel canopies.*
- *This project will provide 32 on-site parking spaces adjacent to the convenience store. This number of parking spaces includes 2 Accessible spaces and exceeds the minimum requirement of 31 parking spaces. All spaces shall be 10'x20', and Accessible spaces shall be 16'x20'.*
 - *Two loading spaces will be provided for vendor parking to the right of the store, in the space in front of the trash dumpster enclosure.*
 - *The fuel station servicing points shall be spaced 28-feet apart, and ample circulation around the fuel canopy will be provided.*
- *Screening of the roof mounted equipment will be provided with a heightened parapet. Examples of these can be found in the roof plan and building section exhibits found at the end of this document.*
- *Performance standards outlined in Article 6 do not apply to this proposed use.*

2. The proposed conditional use shall conform to the character of the neighborhood, within the same zoning district, in which it is located. In making such a determination, consideration shall be given to the location, type, and height of the buildings or structures and the type and extent of landscaping and screening on the site.

Applicant Response:

- *The architectural design of the convenience store and fuel canopy will be unique, reflecting the nature of the General Commercial/Downtown Core district. The building materials will include masonry construction, wood panel exterior, and standing seam metal canopy accents.*
 - *The convenience store front will face south towards Ocotillo Road. The store will be one-story with a height of 23 feet.*
 - *The fuel canopy will be in front of or south of the convenience store, also facing Ocotillo Road. The bottom of the canopy fascia will be 15.5 feet high.*
- *Site Screening and Landscaping:*
 - *Site screening walls will be provided along both frontages of Ellsworth Road and Ocotillo Road. The screen walls will be 3-feet high*
 - *Abundant landscaping will be provided throughout the site, along the interior perimeter as well as on both street frontages of the project. Plant materials will consist of trees and shrubs that are low or moderate water users.*
- *The Circle K branded signs for the store and fuel canopy will be constructed under a separate permit, but details are provided in this application for reference.*
 - *There will be a 11-foot high monument sign on each street frontage. Materials and colors will be compatible with the architectural elements of the store and fuel canopy.*
 - *One Circle K sign will be placed on the fuel canopy, and one Circle K sign will be on the*

front of the store, with a smaller Circle K emblem on the east side of the store.

3. Adequate utilities, access roads, drainage, fire protection, and other necessary facilities shall be provided.

Applicant Response:

- Ellsworth Road and Ocotillo Road have been fully developed adjacent to this project.*
- Water and sewer service lines are existing and will be utilized for service to this parcel.*
- Automatic fire sprinklers will be provided for both the store and the fuel canopy in accordance with Queen Creek Fire Requirements.*
- Underground stormwater retention is proposed to manage drainage for this project.*
- Electric facilities by SRP and communication by Cox are provided in the adjacent right-of-way for this project.*

4. Adequate measures shall be taken to provide ingress and egress so designed as to minimize traffic hazards and to minimize traffic congestion on the public roads.

Applicant Response:

- The project will have two driveways to provide adequate access and circulation.*
- One driveway will be established on Ellsworth Road. This will be a right-in, right-out driveway.*
- One driveway will be provided along Ocotillo Road and will be a right in/right out driveway.*
- A pedestrian pathway will be a striped ADA pathway from the store front sidewalk to the public sidewalk on Ellsworth Road. This is the shortest distance to directly access a public walkway.*

5. The proposed use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke, or gas.

Applicant Response:

- The fuel pump dispensers installed at this project will include the most current vapor-recovery equipment to ensure minimal exposure and release during fueling operations.*
- Emergency cut-off switches will be installed per Arizona standards.*
- Emergency spill kits are provided at the pump islands for quick deployment as needed.*

6. The proposed use shall not be injurious to the use and enjoyment of the property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair the property values within the neighborhood.

Applicant Response:

- This project is designed to provide adequate circulation with wide drives, enabling safe vehicle movement in and around the fueling pumps, as well as safe backing of parked vehicles.*
- The driveways have adequate depth for incoming vehicles to move to parking or a fueling station and not block or stack up at the entrance driveways.*
- Ample parking is provided for frequent arrivals and departures to operate in a routine manner.*
- This store will be open 24 hours a day, 7 days a week with a minimum of three employees onsite at all hours.*
- Outdoor lighting will be provided to adequately light the project for safety and security, and will be properly shielded to prevent light trespassing beyond the property boundaries.*

7. The establishment of the proposed use shall not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district.

Applicant Response:

- The proposed use as a convenience store with gas station will support the needs of this busy, diverse community.*
- As this well-traveled intersection is not currently serviced by similar facilities, Circle K will bring desirable goods and services to the existing commercial uses and proposed residential developments as well as the travelling public.*

8. The establishment, maintenance, or operation of the proposed use shall not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare.

Applicant Response:

- *Day-to-day operations and maintenance at this Circle K convenience store and gas station will be conducted with the customers safety and general welfare in mind, in compliance with all required routine inspections and permitting.*
- *Circle K has vast experience in retail operations and brings this wealth of knowledge into developing a locally customized plan that will meet or exceed local health requirements as well as safe and secure operations.*
- *The project will revitalize this busy intersection with a new, modern store bringing enhanced consumer products and services to the area and surrounding communities and is not detrimental to the public health, safety, morals, comfort or general welfare*

9. The public interest and welfare supporting the proposed conditional use shall be sufficient to outweigh the individual interests which are adversely affected by the establishment of the proposed use.

Applicant Response:

The proposed development will bring a new and aesthetically pleasing facility to this developing neighborhood. Circle K believes the project will bring new, enhanced consumer products and services to the residents of the Town of Queen Creek, its visitors, and surrounding communities and is not detrimental to the public health, safety or welfare, nor cause damage or nuisance arising from noise, smoke, odor, dust vibration or illumination. The fueling facility is designed with state-of-the-art containment and vapor recovery systems to ensure protection of the environment. Through the use of landscaping and building design, we believe that the proposed development mitigates any adverse impacts on the natural environment. Furthermore, Circle K believes that the project meets the general intent and purpose of the Queen Creek Zoning Ordinance.

During the Public Meeting with Neighbors, a community member suggested that since both Ellsworth and Ocotillo Roads are frequent parade routes for events throughout the year, perhaps in lieu of using crushed stone as a ground cover, provide paver stones for spectators comfort in viewing the parades.

Circle K is committed to supporting these community events and will work with the Town's plan reviewers to consider providing this element as a part of the landscaped area along the roadways.

General Plan Review: The General Plan Land Use Category for this property is Urban and the proposed request is in conformance with its underlying General Plan Land Use designation.

Zoning Review: The current zoning designation of the property is 0.57 acres of C-2 (General Commercial) and 0.64 acres of R1-43 (Rural Estate District). The applicant is proposing to rezone the 0.64 acres from R1-43 to C-2 to for the development of a new 5,200sf Circle K convenience store and 3,264sf, five (5) pump fuel station on the 1.21 project site. Additionally, the applicant is requesting a Conditional Use Permit to allow fuel sales, as set forth within the Town of Queen Creek Zoning Ordinance.

Adequate Public Facilities: In accordance with Article 5.1 (Adequate Public Facilities) provision of the Zoning Ordinance, the subject property is within the Town's water and wastewater service areas.

Engineering, Utilities and Transportation Review: The project has been reviewed by the Engineering, Utilities and Transportation departments. Conditions of Approval have been added to address any applicable development requirements for this project.

Landscape / Open Space Review: In the C-2 zoning district, a total of 15% (14,45sf) open space is required. A total of 30.1% (28,858sf) is proposed. The site consists of Red Push Pistache, Willow Acacia, Mulga, and Shoestring Acacia, consistent with the landscaped palette of the Downtown Core and surrounding existing commercial center.

Signage: The existing nonconforming pole cabinet sign will be removed and replaced with a new monument sign that conforms to current Zoning Ordinance requirements. All site and building signage will be reviewed and approved through a separate sign permit.

Conditions of Approval:

1. This project shall be developed in accordance with the plans attached to cases P23-0078, P23-0079, and P23-0080, as outlined in the staff memo, and all the provisions of the Zoning Ordinance applicable to this case.
2. Mechanical equipment, electrical meter and service components, and similar utility devices, whether ground level, wall mounted, or roof mounted, shall be screened and painted to match the main colors of the buildings or to blend in with adjacent landscaping.
3. All rooftop mechanical equipment is fully screened from view by the roof parapet.
4. All transformers shall be screened and painted to match the main colors of the buildings or to blend in with adjacent landscaping.
5. All new landscaping within the right-of-way shall be installed and maintained by the property owner. Any existing right-of-way landscaping impacted by the redevelopment of the site shall be reinstalled by the property owner at the sole cost of the property owner.
6. The existing nonconforming pole sign shall be removed at the time of site redevelopment.
7. All signage shall be reviewed and approved under separate permitting.
8. A lot tie between parcels 304-66-001K, 304-66-001L, and 304-66-001H will be required.
9. A cross access easement with the property owner to the north to facilitate the construction and use of the shared drive aisle shall be executed and provided with the construction documents.
10. A parking construction and maintenance agreement shall be executed and provided with construction documents.
11. All gasoline tank vent piping shall be screened from arterial streets and public view.
12. The applicant will work with staff to relocate the fuel canopy columns to be on the south side of the fuel pumps in order to screen the pumps from public view.
13. For any offsite public improvements the Town requires cash, irrevocable letter of credit (IRLOC), or a bond to cover the costs for construction assurance. The IRLOC and bond are required to be approved by the Town Attorney. The assurance amount shall be determined by an engineer's estimate during the Construction Document review phase. Construction assurance shall be deposited with the Town prior any permits being issued.

Attachment(s):

1. [1. Aerial.pdf](#)
2. [2. General Plan Exhibit.pdf](#)
3. [3. Current Zoning.pdf](#)
4. [4. Proposed Zoning Exhibit.pdf](#)
5. [5. Project Narrative.pdf](#)
6. [6. Site Plan and Site Details.pdf](#)
7. [7. Landscape Plan.pdf](#)
8. [8. Elevations.pdf](#)
9. [9. Neighborhood Meeting Summary.pdf](#)

Project Name: Circle K Ellsworth and Ocotillo Rezone, Site Plan, & CUP Aerial Exhibit

Case Numbers: P23-0078, P23-0079, & P23-0070

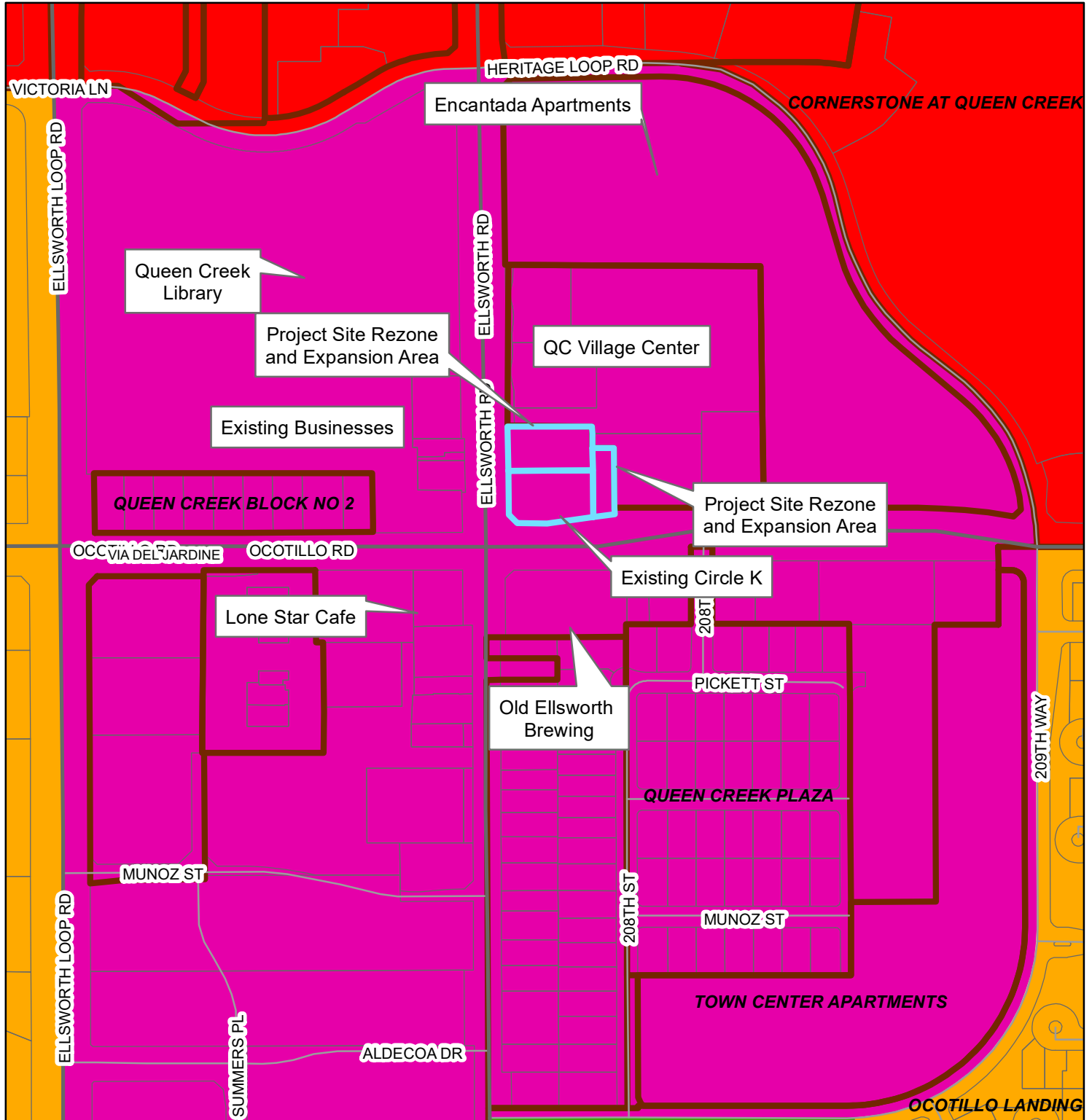
**Hearing Date: December 13, 2023 (Planning Commission)
January 17, 2024 (Town Council)**



Project Name: Circle K Ellsworth and Ocotillo Rezone, Site Plan, & CUP General Plan Exhibit

Case Numbers: P23-0078, P23-0079, & P23-0070

**Hearing Date: December 13, 2023 (Planning Commission)
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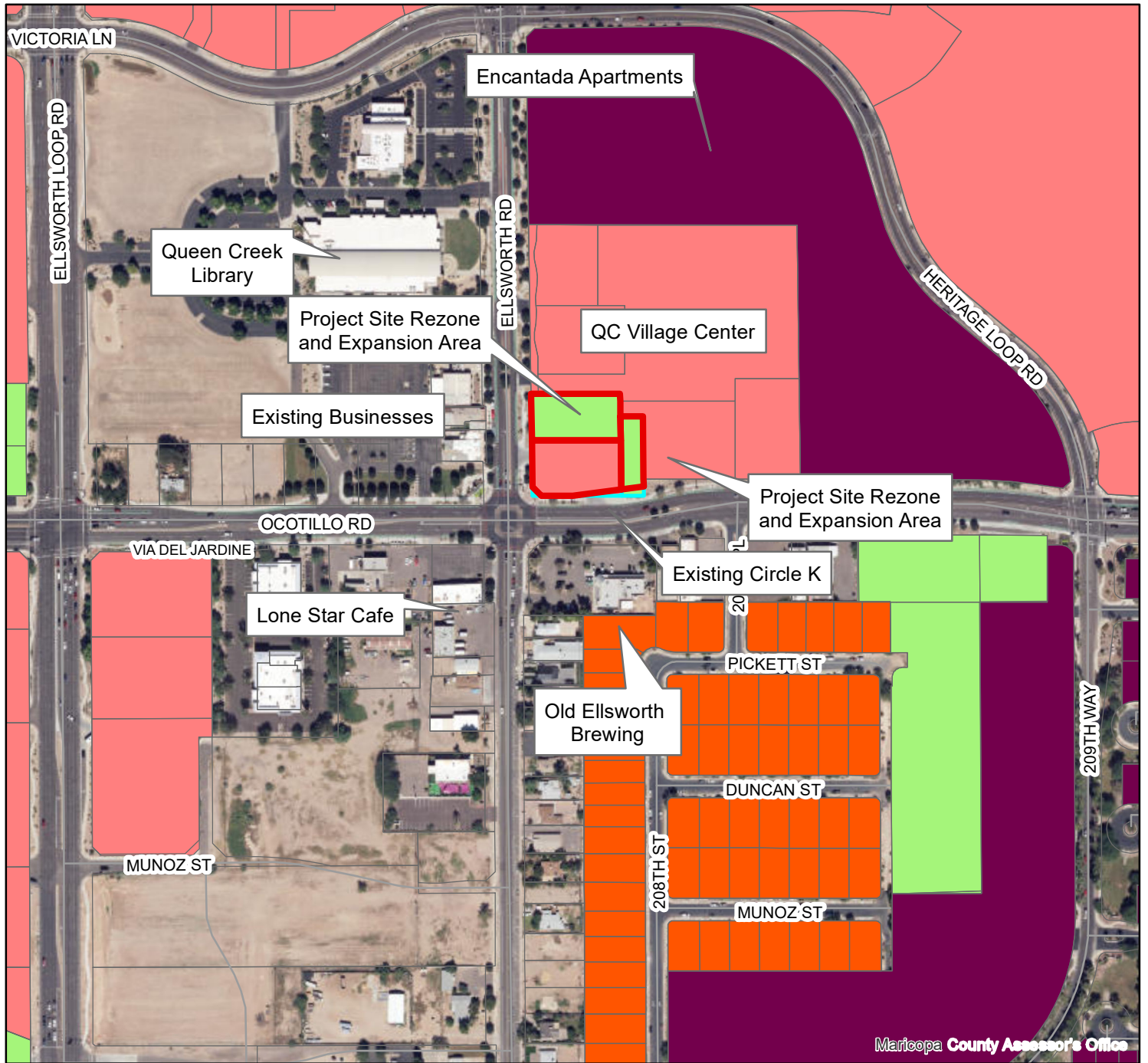
General Plan Land Use

- | | | | |
|----------------------------------|------------|--------------------|--------------------|
| Special District 1: Agritainment | Urban | Open Space | Special District 4 |
| Rural | Commercial | Special District 2 | |
| Neighborhood | Industrial | Special District 3 | |

Project Name: Circle K Ellsworth and Ocotillo Rezone, Site Plan, & CUP Current Zoning Exhibit

Case Numbers: P23-0078, P23-0079, & P23-0070

**Hearing Date: December 13, 2023 (Planning Commission)
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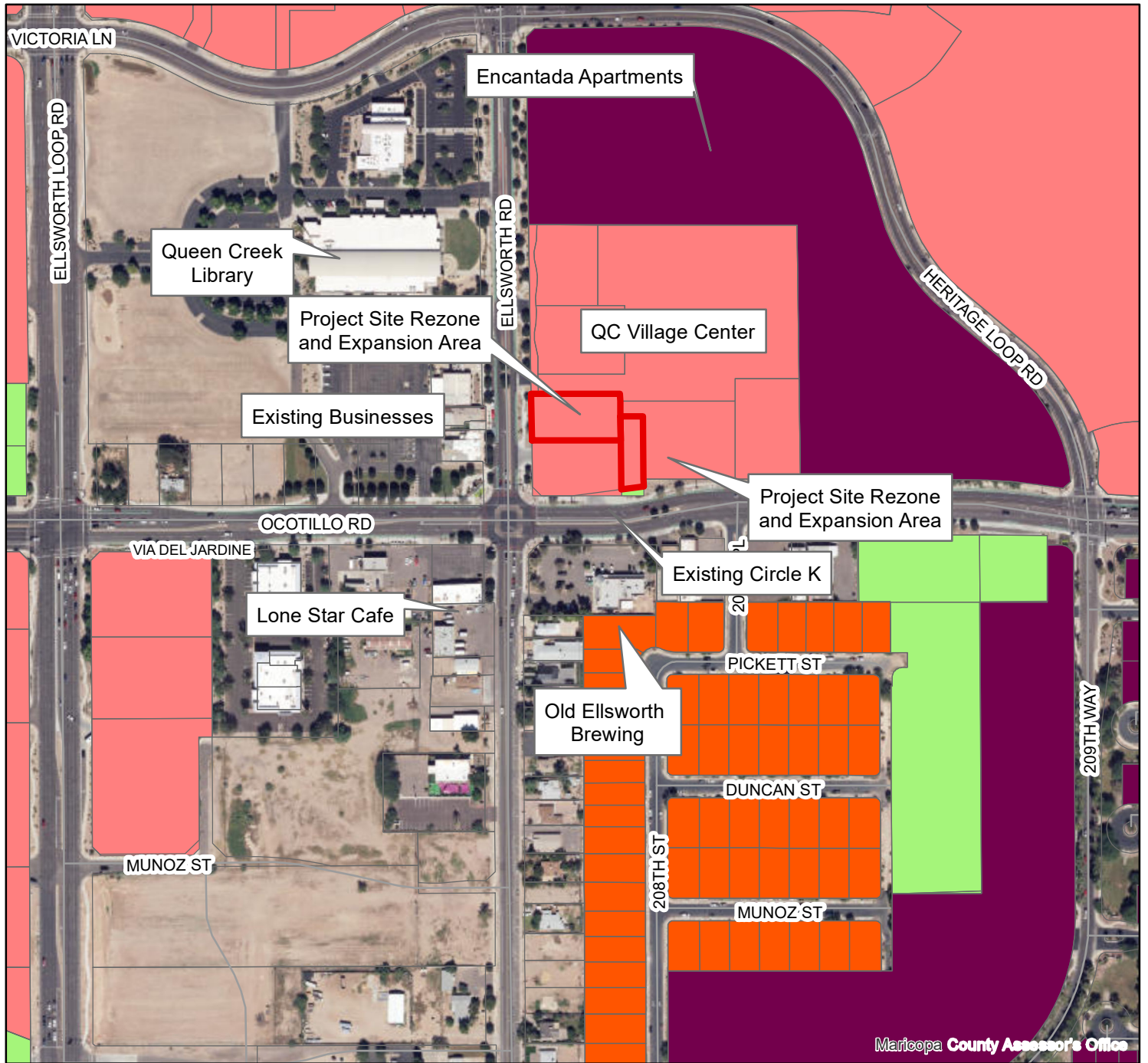
Zoning Districts

C-1 - Commercial	PQP - Public/Quasi-Public	R1-7 - Residential	R1-35 - Residential
C-2 - Commercial	RC - Recreation/Conservation	R1-8 - Residential	R1-43 - Residential
C-3 - Commercial	MDR - Residential	R1-9 - Residential	R1-54 - Residential
TC - Commercial	R1-4 - Residential	R1-12 - Residential	R1-190 - Residential
EMP A - Office/Industrial Park	R1-5 - Residential	R1-15 - Residential	PCD - Planned Community
EMP B - General Industrial	R1-6 - Residential	R1-18 - Residential	AT - Agritainment
			MU - Mixed Use

Project Name: Circle K Ellsworth and Ocotillo Rezone, Site Plan, & CUP Proposed Zoning Exhibit


























Case Numbers: P23-0078, P23-0079, & P23-0070

**Hearing Date: December 13, 2023 (Planning Commission)
January 17, 2024 (Town Council)**



Maricopa County Assessor's Office

Zoning Districts

 C-1 - Commercial	 PQP - Public/Quasi-Public	 R1-7 - Residential	 R1-35 - Residential
 C-2 - Commercial	 RC - Recreation/Conservation	 R1-8 - Residential	 R1-43 - Residential
 C-3 - Commercial	 MDR - Residential	 R1-9 - Residential	 R1-54 - Residential
 TC - Commercial	 R1-4 - Residential	 R1-12 - Residential	 R1-190 - Residential
 EMP A - Office/Industrial Park	 R1-5 - Residential	 R1-15 - Residential	 PCD - Planned Community
 EMP B - General Industrial	 R1-6 - Residential	 R1-18 - Residential	 AT - Agritainment
			 MU - Mixed Use

Project Narrative

For



1.2 acres

NEC of Ocotillo Road & Ellsworth Road

Submitted by:



Submitted on Behalf of:

Circle K Stores, Inc.

Submitted to:

Town of Queen Creek Planning Division

21895 S. Ellsworth Road

Queen Creek, AZ 85142

June 9, 2023

1. Purpose of Request

The purpose of this request is to present a Rezone request, Site Plan Review and request a Conditional Use Permit to allow fuels sales in relation to the development of this property.

The property, which is the subject of this application for Site Plan Review and Conditional Use Permit is located at the northeast corner of Ellsworth Rd and Ocotillo Rd as shown in the aerial photo below and more specifically identified as a portion of APN #304-66-001CK, APN #304-66-001H and APN #304-66-001L. The site will be more specifically described with a legal description upon recordation of the associated Lot Tie application. The current property is an existing Circle K store, and zoned C-2, General Commercial and R1-43.



Project Description

The proposed Circle K development will include the construction of a new 5,200 square foot retail convenience store with 5 gasoline dispensing pumps. Circle K will be expanding to utilize the surrounding parcel 304-66-001K, 304-66-001L, and 304-66-001H. Access to the Circle K will be provided by access drives on Ellsworth Rd and Ocotillo Rd. The designed parking lot will contain ample room for customer parking and vehicle maneuvering and the development will be well landscaped. The proposed Circle K facility will be operated 24 hours a day, 7 days a week

Circle K believes the proposed project will bring new, enhanced consumer products and services to the Town of Queen Creek. As with all new Circle K facilities, this project will include masonry construction of the building and canopy, extensive landscaping and exceptional service, products and security for the residents of Queen Creek and the surrounding communities utilizing the store. The proposed development will bring a new and aesthetically pleasing facility along two highly traveled roads in the town.

2. Existing Site Conditions and Relationship to Surrounding Properties

The existing property is approximately 1.2 acres of land with an existing Circle K Store located on the property. North of the property is the Queen Creek Village Shopping Center. To the west is multiple businesses consisting of a Family Market, a Queen Creek Library, and College Centers. To the east consists of more businesses associated with the Queen Creek Shopping Center and to the south is a Brewing Company and residential communities.

The table below summarizes

Direction	Zoning	General Plan Land Use	Existing Use
Project Site	C-2, R1-43	General Commercial/Rural Residential	Commercial Building
North	C-2	General Commercial	Queen Creek Village Center
East	C-2	General Commercial	Queen Creek Village Center
South	DC	Downtown Core	Residential
West	DC	Downtown Core	Commercial Buildings

3. Compliance with Town Guidelines for Conditional Use Criteria

Circle K Stores Inc. is requesting a Conditional Use Permit for fuels sales at this new convenience store.

- The proposed conditional use shall be in compliance with all regulations of the applicable zoning district, the provisions of Article 4 and Article 5 of this Ordinance, and any applicable performance standards as set forth in Article 6 of this Ordinance, this development shall provide the following:*

Response:

- The proposed use will be in compliance with the General Commercial zoning district, and will advance the goals and objectives of the Urban land use. This project will service the community with desired goods and services and is ideally suited to provide a transitional element at the intersection of two arterial roadways.

	C-2 Requirement	Circle K Provided
Min Lot Width	50'	200'
Min Lot Depth	100'	156'
Max Lot Coverage	60%	16.1%
Max Bldg Height	48'	23'-8"
Min Front Yard Setback	--	68'
Min Side Yard Setback	0'	53'-6"
Min Rear Yard Setback	15'	2.4'
Min Open Space Req'd	15%	30.1%
Perim Landscape Buffer	0' to Commercial	2.4'
Roadway Landscape Setback	30'	26.8'

- The project will provide Adequate Public Facilities including a clearly identified pedestrian path to the store from the public right of way as well as from the parking areas.

- Site screening walls will be provided along both frontages of Ellsworth Road and Ocotillo Road. The screen walls will be 3-feet high in order to adequately screen the undercarriages of vehicles while at the fuel pumps or parked in the parking area. The wall will be constructed with a masonry type finish. A 6-foot high screen wall will be provided around the trash dumpster storage area, and will be constructed with masonry block walls and painted to complement the colors of the convenience store.
- Abundant landscaping will be provided throughout the site, along the interior perimeter as well as on both street frontages of the project. Plant materials will consist of trees and shrubs that are low or moderate water users.
 - Request for Deviation to 30-ft Landscape Buffer – Ocotillo Road
 - The 30-ft landscape buffer requirement is not entirely met along Ocotillo Road.
 - The landscape buffer varies between 13.7-ft and 28-ft.
 - There is landscape in the right of way that will be provided, providing an additional 10-15 feet of landscaping space where trees and groundcover plants are proposed.
 - The current convenience store does not provide any landscape planting areas along Ocotillo Rd, so this is a substantial improvement over existing conditions.
 - The ROW being dedicated as a part of the Lot Tie application creates an acute narrowing of the parcel and the geometry becomes restrictive for providing adequate onsite circulation of driveways and parking areas onsite, thus impacting the available landscape buffer.
 - Request for Deviation to 15-ft Rear Yard Setback
 - A minimum rear yard setback of 15-ft is required and 2.4-ft is provided.
 - The entire rear (northern) property line is approximately 200 ft, and the store lies along 113 ft, so there is setback for about 87 ft.
 - The parcel to the rear of this project has parking spaces directly adjacent to the property line, providing a bit of buffering between the driveway and building to the north.
 - Circle K intends to construct the building to meet the 2-hour fire-rating requirements for the northern wall.
- This project will be well lit for safety and security purposes. All light fixtures will be installed to only provide site lighting as needed, and shielding will be installed as needed to minimize light pollution outside of the project site.
 - Site lighting will be located in strategic locations through and along the perimeter of the project to provide sufficient illumination while not impacting any of the adjoining properties.
 - The exterior of the convenience store will have wall-mounted LED light fixtures at each entrance, plus the store front will be illuminated by several recessed lighting fixtures to provide downlighting at the store's main entrance.
 - The area under the fuel canopy will be well lit with flush-mounted LED soffit fixtures. These light fixtures have a slim, low-profile design and are specifically designed for downlighting under fuel canopies.
- This project will provide 32 on-site parking spaces adjacent to the convenience store. This number of parking spaces includes 2 Accessible spaces and exceeds the minimum requirement of 31 parking spaces. All spaces shall be 10'x20', and Accessible spaces shall be 16'x20'.
 - Two loading spaces will be provided for vendor parking to the right of the store, in the space in front of the trash dumpster enclosure.

- The fuel station servicing points shall be spaced 28-feet apart, and ample circulation around the fuel canopy will be provided.
- Screening of the roof mounted equipment will be provided with a heightened parapet. Examples of these can be found in the roof plan and building section exhibits found at the end of this document.
- Performance standards outlined in Article 6 do not apply to this proposed use.

2. *The proposed conditional use shall conform to the character of the neighborhood, within the same zoning district, in which it is located. In making such a determination, consideration shall be given to the location, type, and height of the buildings or structures and the type and extent of landscaping and screening on the site:*

Response:

- The architectural design of the convenience store and fuel canopy will be unique, reflecting the nature of the General Commercial/Downtown Core district. The building materials will include masonry construction, wood panel exterior, and standing seam metal canopy accents.
 - The convenience store front will face south towards Ocotillo Road. The store will be one-story with a height of 23 feet.
 - The fuel canopy will be in front of or south of the convenience store, also facing Ocotillo Road. The bottom of the canopy fascia will be 15.5 feet high.
- Site Screening and Landscaping:
 - Site screening walls will be provided along both frontages of Ellsworth Road and Ocotillo Road. The screen walls will be 3-feet high
 - Abundant landscaping will be provided throughout the site, along the interior perimeter as well as on both street frontages of the project. Plant materials will consist of trees and shrubs that are low or moderate water users.
- The Circle K branded signs for the store and fuel canopy will be constructed under a separate permit, but details are provided in this application for reference.
 - There will be a 11-foot high monument sign on each street frontage. Materials and colors will be compatible with the architectural elements of the store and fuel canopy.
 - One Circle K sign will be placed on the fuel canopy, and one Circle K sign will be on the front of the store, with a smaller Circle K emblem on the east side of the store.

3. *Adequate utilities, access roads, drainage, fire protection, and other necessary facilities shall be provided:*

Response:

- Ellsworth Road and Ocotillo Road have been fully developed adjacent to this project.
- Water and sewer service lines are existing and will be utilized for service to this parcel.
- Automatic fire sprinklers will be provided for both the store and the fuel canopy in accordance with Queen Creek Fire Requirements.
- Underground stormwater retention is proposed to manage drainage for this project.
- Electric facilities by SRP and communication by Cox are provided in the adjacent right-of-way for this project.

4. *Adequate measures shall be taken to provide ingress and egress so designed as to minimize traffic hazards and to minimize traffic congestion on the public roads:*

Response:

- The project will have two driveways to provide adequate access and circulation.
 - One driveway will be established on Ellsworth Road. This will be a right-in, right-out driveway.
 - One driveway will be provided along Ocotillo Road and will be a right in/right out driveway.
 - A pedestrian pathway will be a striped ADA pathway from the store front sidewalk to the public sidewalk on Ellsworth Road. This is the shortest distance to directly access a public walkway.

5. *The proposed use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke, or gas:*

Response:

- The fuel pump dispensers installed at this project will include the most current vapor-recovery equipment to ensure minimal exposure and release during fueling operations.
- Emergency cut-off switches will be installed per Arizona standards.
- Emergency spill kits are provided at the pump islands for quick deployment as needed.

6. *The establishment of the proposed use shall not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district:*

Response:

- This project is designed to provide adequate circulation with wide drives, enabling safe vehicle movement in and around the fueling pumps, as well as safe backing of parked vehicles.
 - The driveways have adequate depth for incoming vehicles to move to parking or a fueling station and not block or stack up at the entrance driveways.
- Ample parking is provided for frequent arrivals and departures to operate in a routine manner.
- This store will be open 24 hours a day, 7 days a week with a minimum of three employees onsite at all hours.
- Outdoor lighting will be provided to adequately light the project for safety and security, and will be properly shielded to prevent light trespassing beyond the property boundaries.

7. *The establishment of the proposed use shall not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district:*

Response:

- The proposed use as a convenience store with gas station will support the needs of this busy, diverse community.
- As this well-traveled intersection is not currently serviced by similar facilities, Circle K will bring desirable goods and services to the existing commercial uses and proposed residential developments as well as the travelling public.

8. *The establishment, maintenance, or operation of the proposed use shall not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare:*

Response:

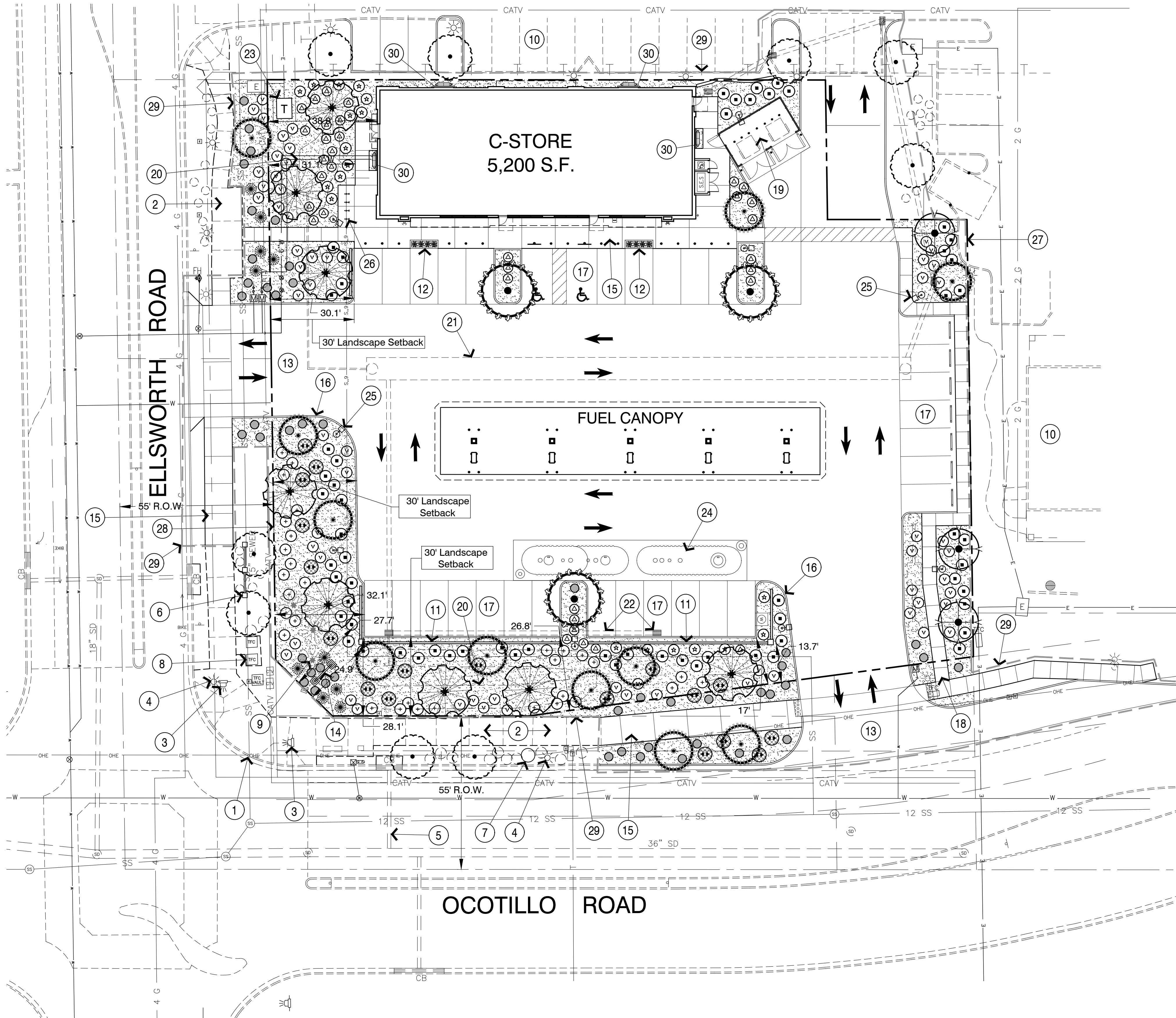
- Day-to-day operations and maintenance at this Circle K convenience store and gas station will be conducted with the customers safety and general welfare in mind, in compliance with all required routine inspections and permitting.
- Circle K has vast experience in retail operations and brings this wealth of knowledge into developing a locally customized plan that will meet or exceed local health requirements as well as safe and secure operations.
- The project will revitalize this busy intersection with a new, modern store bringing enhanced consumer products and services to the area and surrounding communities and is not detrimental to the public health, safety, morals, comfort or general welfare

9. *The public interest and welfare supporting the proposed conditional use shall be sufficient to outweigh the individual interests which are adversely affected by the establishment of the proposed use:*

Response:

The proposed development will bring a new and aesthetically pleasing facility to this developing neighborhood. Circle K believes the project will bring new, enhanced consumer products and services to the residents of the Town of Queen Creek, its visitors, and surrounding communities and is not detrimental to the public health, safety or welfare, nor cause damage or nuisance arising from noise, smoke, odor, dust vibration or illumination. The fueling facility is designed with state-of-the-art containment and vapor recovery systems to ensure protection of the environment. Through the use of landscaping and building design, we believe that the proposed development mitigates any adverse impacts on the natural environment. Furthermore, Circle K believes that the project meets the general intent and purpose of the Queen Creek Zoning Ordinance.

During the Public Meeting with Neighbors, a community member suggested that since both Ellsworth and Ocotillo Roads are frequent parade routes for events throughout the year, perhaps in lieu of using crushed stone as a ground cover, provide paver stones for spectators comfort in viewing the parades. Circle K is committed to supporting these community events and will work with the Town's plan reviewers to consider providing this element as a part of the landscaped area along the roadways.



PLANT LIST

SYMBOL	BOTANICAL NAME COMMON NAME	SIZE QUAN.	REMARKS
	ACACIA SALICINIA WILLOW ACACIA	24" Box 3	10' Ht., 4' Sp., 2" Cal.
	PISTACIA CHINENSIS 'RED PUSH' RED PUSH PISTACHIO	24" Box 8	9' Ht., 4' Sp., 2" Cal.
	ACACIA ANEURA MULGA	24" Box 11	7' Ht., 4' Sp., 2" Cal.
	ACACIA STENOPHYLLA SHOESTRING ACACIA	24" Box 3	10' Ht., 6' Sp., 2" Cal.
	LEUCOPHYLLUM L. 'Rio Bravo' RIO BRAVO SAGE	5 GAL. 62	
	SENNA NEMOPHYLLA GREEN CASSIA	5 GAL. 31	
	EREMOPHILA MACULATA 'VALENTINE' VALENTINE BUSH	5 GAL. 61	
	LANTANA MONTEVIDENSIS 'NEW GOLD' 'NEW GOLD' LANTANA	5 GAL. 47	
	TECOMA STANS YELLOW BELLS	5 GAL. 19	
	MYRTUS COMMUNIS 'COMPACTA' COMPACT MYRTLE	5 GAL. 34	
	HESPERALOE PARVIFLORA RED YUCCA	5 GAL. 10	
	EREMOPHILA GLABRA 'MINGENEW GOLD' OUTBACK SUNRISE EMU	5 GAL. 18	
	ALOE 'BLUE ELF' 'BLUE ELF' ALOE	5 GAL. 8	
	HARDENBERGIA VIOLACEA LILAC VINE	15 GAL. 4	Weave vine into metal trellis & secure with plant ties

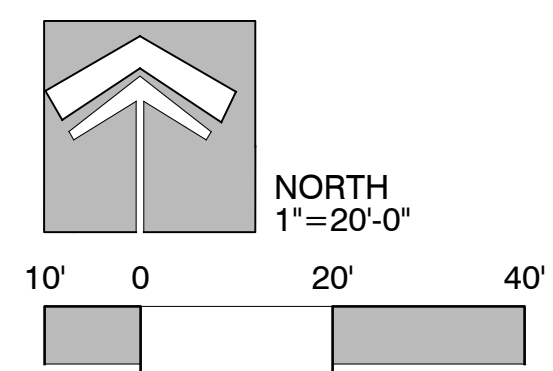
DECOMPOSED GRANITE - 1/2" SCREENED, 2" DEPTH IN ALL AREAS OF PLANTING, 'SADDLEBACK BROWN'

ALL TREES SHALL COMPLY WITH THE LATEST AMENDED EDITION OF THE 'ARIZONA NURSERY ASSOCIATION - RECOMMENDED TREE SPECIFICATIONS.'

EXISTING TREES AND SHRUBS TO REMAIN

LANDSCAPE KEY NOTES

- EXISTING STREET CURB AND GUTTER
- EXISTING CONCRETE WALK
- EXISTING TRAFFIC LIGHT
- EXISTING STREET LIGHT
- EXISTING STORM DRAIN PIPE
- EXISTING COLUMN / FENCE RAIL
- EXISTING POWER POLE
- EXISTING UTILITY BOXES
- EXISTING PALMS TO BE REMOVED (3)
- EXISTING DEVELOPMENT
- NEW MASONRY SCREEN WALL (See Arch. Plan)
- NEW RAISED PLANTER (See Arch. Plan)
- NEW ENTRY DRIVE
- NEW MONUMENT SIGN
- NEW CONCRETE WALK
- NEW CONCRETE CURB TYP.
- NEW PARKING AREA
- NEW ACCESSIBLE ROUTE
- NEW TRASH ENCLOSURE
- NEW RETENTION AREA
- NEW UNDERGROUND RETENTION PIPE
- NEW DRAIN INLET/DRAIN PIPE
- NEW ELECTRICAL TRANSFORMER
- NEW FUEL TANKS
- NEW SITE LIGHT TYP.
- NEW BIKE RACKS
- PROPERTY LINE
- R.O.W. LINE
- LIMIT OF WORK LINE
- METAL TRELLIS - "Green Screen" (See Arch. Plan)



LANDSCAPE CALCULATIONS

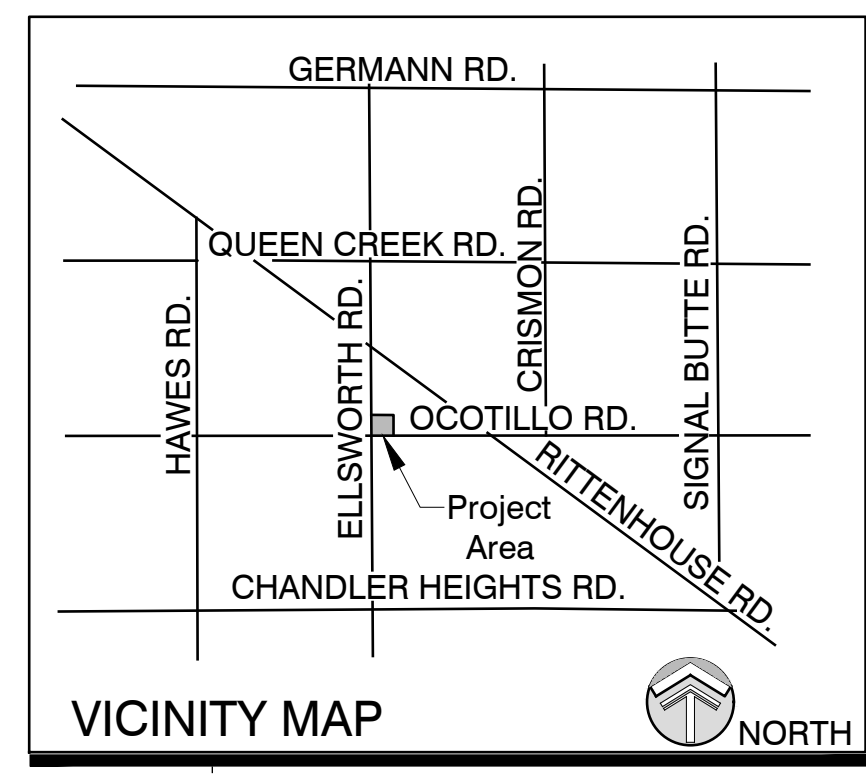
NET SITE AREA 95,832 S.F.
 LANDSCAPE AREA (New & Existing)
 Required Landscape Area - 14,475 S.F. (15%)
 Provided - 28,858 S.F. (30.1%)

Tree and Shrub Requirement
 (1) Tree per 30 L.F. of Street Frontage (468 L.F.)
 16 Required, 16 Provided (Includes 4 existing trees)

(1) Tree and 10 Shrubs per
 500 S.F. of Landscape Area (14,304 S.F.)

	Required	Provided (Includes Existing)
Trees	29	29
Shrubs	286	290

Parking Area - (1) Tree per 8 Spaces, (32) Parking Spaces Provided
 (4) Trees Required, (4) Trees Provided

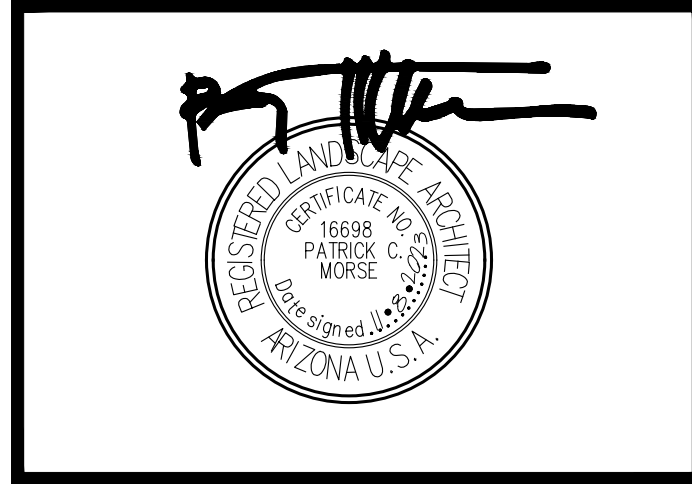


TOWN OF QUEEN CREEK

APPROVED BY TOWN ENGINEER _____ DATE _____
CONSTRUCTION AND INSTALLATION SHALL BE IN ACCORDANCE WITH THESE PLANS AND ANY AND ALL DEVIATIONS WILL REQUIRE RE-APPROVAL. LANDSCAPE INSTALLATIONS TO BE APPROVED BY THE TOWN OF QUEEN CREEK INSPECTION SERVICES BEFORE CERTIFICATE OF OCCUPANCY IS ISSUED.

APPROVED BY PLANNING MANAGER _____ DATE _____

MAINTENANCE NOTE:
 ALL LANDSCAPE AREAS AND MATERIALS SHALL BE IN A HEALTHY, NEAT, CLEAN AND WEED-FREE CONDITION. THIS SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER OR HOME OWNERS ASSOCIATION.
 TOWN OF QUEEN CREEK NOTES:
 1. A TOWN OF QUEEN CREEK PERMIT IS REQUIRED FOR ANY LANDSCAPE OR IRRIGATION SYSTEM. IRRIGATION LINES MUST BE INSPECTED BEFORE BACKFILLING. A SET OF 4 MIL PHOTO MYLAR AS-BUILTS OF THE LANDSCAPE AND IRRIGATION PLANS WILL BE REQUIRED PRIOR TO FINAL TOWN OF QUEEN CREEK ACCEPTANCE TO THE PROJECT.
 2. PRIOR TO THE TOWN OF QUEEN CREEK'S ACCEPTANCE OF ANY BACKFLOW DEVICE, A STATE CERTIFIED BACKFLOW PREVENTER TESTER MUST TEST THE DEVICE.



**NEC Ellsworth Road
& Ocotillo Road
Queen Creek, Arizona**

PROJECT: 2023-15
 DATE: MAY 24, 2023
 REVISION: AUG. 14, 2023 AUG. 24, 2023 NOV. 8, 2023

**Preliminary
Landscape Plan**

L1
of 1

Call at least two full working days before you begin excavation.
ARIZONA 811
 Arizona Blue Stake, Inc.
 Dial 8-1-1 or 1-800-STAKE-IT (782-5348)
 In Maricopa County: (602) 263-1100

Neighborhood Meeting Summary

Project: Circle K at NEC of Ellsworth Rd & Ocotillo Rd: P23 -0078, P23-0079 & P23-0080

Date: October 26, 2023 Location: Town of Queen Creek Community Chambers

Attendees:

Business Owner: Carlo Muñoz

Queen Creek Chamber of Commerce: Chris Clark

Town of Queen Creek: Sarah Clark, Planner

Land Development Consultants: Mike Scarbrough, Jodi Hamill

Summary:

- Meeting began approximately 6:10pm
- Ms. Clark began meeting by presenting the project aerial photo and maps
- Mike gave a brief presentation regarding the existing site to be demolished and the new, modern Circle K store and gas station to be constructed.
- Jodi provided handouts of plans to include:
 - Aerial Map
 - Site Plan
 - Store Elevations
 - Fuel Canopy Elevations
 - Landscape Plan

- Questions/Concerns Presented by Meeting Attendees:
- Mr. Muñoz had no objections to the project. His only inquiry was about what the development would include.
- Mr. Clark expressed a concern that due to frequent Town parades along both Ellsworth Rd & Ocotillo Rd, that there should more pavers near the corner for parade-goers safety and stability. Also if the new store would have architecture similar to the new store on Riggs Road.
 - Response from Mr. Scarbrough: The trees can be kept, just have the granite stone replaced with pavers.
 - Response from Ms. Clark: There can be a condition added and Council can be advise of this request, and the request would be for Circle K to work with the Town's public works staff to provide this standing area.
 - Response from Mr. Scarbrough: The store will have architecture to match the other buildings in the retail center at that corner.

- Meeting concluded approximately 6:27pm.