



## Planning and Zoning Board

### *Staff Report*

**CASE NUMBER:** ZON17-00040  
**LOCATION/ADDRESS:** The 100 through 200 blocks of South 70<sup>th</sup> Street (west side).  
**GENERAL VICINITY:** Located east of Power Road and north of Broadway Road.  
**REQUEST:** Council Use Permit  
**PURPOSE:** Council Use Permit to convert a former nursing home to an in-patient detox and substance abuse treatment facility.  
**COUNCIL DISTRICT:** District 5  
**OWNER:** ARHC RHMESAZ01 LLC  
**APPLICANT:** Rod Jarvis; Earl, Curley & Legarde  
**STAFF PLANNER:** Tom Ellsworth

#### SITE DATA

**PARCEL NO.:** 218-21-012  
**PARCEL SIZE:** 5± acres  
**EXISTING ZONING:** RM-4-PAD  
**GENERAL PLAN CHARACTER:** Specialty District  
**SUBTYPE:** Medical Campus  
**CURRENT LAND USE:** Medical Office Building

#### SITE CONTEXT

**NORTH:** Assisted Living – zoned RM-4-PAD  
**EAST:** Jefferson Elementary School – zoned RS-6  
**SOUTH:** Single-Residential Duplex – zoned RM-2-PAD  
**WEST:** Medical Office Buildings – zoned LC-PAD

#### HISTORY/RELATED CASES

**November 16, 1974:** Annexed into the City Ord. #907  
**May 19, 1975:** Established City of Mesa LC zoning after annexation.  
**September 24, 1979:** Zoned R-2-PAD for development of a townhome project (Z79-099).  
**April 21, 1980:** Site Plan Modification of the approved townhome project (Z80-027)  
**October 15, 1984:** Rezone to R-4-PAD to allow development of medical offices (Z84-138)

#### STAFF RECOMMENDATION:

**P&Z BOARD RECOMMENDATION:** ☒ Approval with conditions. ☐ Denial

**PROPOSITION 207 WAIVER SIGNED:** ☒ Yes ☐ No

### **PROJECT DESCRIPTION / REQUEST**

The applicant is requesting approval of a Council Use Permit (CUP) to allow for an In-Patient Detoxification and Substance Abuse Treatment Facility to occur within an existing medical office building located at 140 South 70th Street (south & east of the southeast corner of Main Street & Power Road). The site area is approximately 4.11 acres in size, and is zoned RM-4-PAD.

The existing building is one-story in height, and is approximately 50,105 square feet in size. The proposed use is to be located entirely within the existing building, with the only patient ingress/egress to the building from the west. No new or additional improvements, site/building additions, or exterior alterations are being proposed. The facility will house up to 128 patients for in-patient detoxification and substance abuse rehabilitation. Patients will reside at the facility for the duration of their care and treatment, which is typically from 3 – 5 days for detoxification, and 30-60 days for rehabilitation. Typically, approximately 10 beds will be used for detoxification, and the remaining (up to) 118 beds used for rehabilitation.

The site is located across 70<sup>th</sup> Street from Jefferson Elementary School. The site is laid out in a fashion that all ingress and egress to the facility will be on the opposite side of the building from the school. The operational plan outlines the security measures in place to monitor patients in the facility as well as monitoring patients as they leave the facility. The applicant has had significant contact with the school district and specifically the principal from the school. The school district has not expressed concern regarding the proposed use or operational plan.

### **NEIGHBORHOOD PARTICIPATION:**

The applicant has completed a Citizen Participation Process, which included a mailed letter to property owners within 1000' of the site, as well as HOAs and registered neighborhoods within one mile. The applicant held a neighborhood meeting on July 25, 2017 at the site. The applicant has reported that 11 neighbors attended the meeting. The applicant reported that questions from neighbors at the meeting were in regards to the operation and security of the facility. The meeting included a tour of the facility. The applicant has reported that the response was extremely positive and no one expressed opposition to the proposal.

The applicant also contacted the Superintendent's Office of Mesa Public Schools as well as the Principal of Jefferson Elementary. Through this outreach effort the applicant agreed to no signage along 70th Street, no outdoor activities, training for staff of the school, and an annual donation to the school. The applicant has reported that the school district and Jefferson Elementary School have agreed to not oppose the project.

At the time that this report was written staff had not been contacted by any residents or property owners in the area.

### **STAFF ANALYSIS**

#### **MESA 2040 GENERAL PLAN:**

Staff has reviewed the proposal and found that it is consistent with the criteria for review has outlined in Chapter 15 (pg. 15-1) of the Mesa 2040 General Plan and has determined that the proposed use is in conformance with the General Plan.

The Mesa 2040 General Plan Character type designation is for a Specialty District with a Medical Campus subtype. The primary focus of the Specialty District character type is for large areas with a single use

such as an educational campus, airport, or medical facility. This site is located within the area around Banner Baywood Medical Center and is located within an existing medical office development. The proposal is for the consideration of a Council Use Permit (CUP) to allow an in-patient detoxification and rehabilitation center.

The site is part of an existing commercial/office center and is located within an existing building that meets the design standards from the zoning ordinance and the architectural design standards from the center. The applicant is not proposing any modifications to the site plan or the building on the site. This proposal is consistent with the standards and guidelines for the Medical Campus character type. The proposed use is compatible with the medical and professional offices that are located within the center. The existing site plan provides the appropriate transitions and buffers between surrounding uses. The proposed use is compatible with and not detrimental to the surrounding development.

**ZONING:**

The existing zoning on the site is RM-4-PAD. The applicant is requesting a Council Use Permit (CUP) to allow an existing building on the site to develop as an in-patient detoxification and substance abuse treatment center. This use is considered a social service facility in the zoning ordinance and is an allowed use within the RM-4 zoning district with the approval of a Council Use Permit.

**SITE PLAN:**

The applicant is not proposing any modifications to the existing site plan. The property is compatible with the surrounding commercial/office development. The property is in substantial conformance with current City Development Standards related to landscaping, parking, screen walls and design guidelines. Staff is including a condition of approval that will maintain the landscaping on the site as initially approved with the site plan and design of the site (**see Condition #3**).

**COUNCIL USE PERMIT:**

The zoning ordinance defines In-Patient Detoxification and Substance Abuse Treatment Facilities as social service facilities. Social service facilities require the approval of a CUP within the RM-4 zoning district.

Section 11-70-6.D of the zoning ordinance outlines the criteria for review of a CUP. The proposed use meets the following criteria:

1. 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.
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.
3. The proposed project will not be injurious or detrimental to the adjacent or surrounding properties in the area of the proposed project or improvements in the neighborhood or to the general welfare of the City; and,
4. Adequate public services, public facilities and public infrastructure are available to serve the proposed project.

The proposed use is consistent with the General Plan character type designation as a part of a medical campus. The proposed use furthers the goals and objectives of the General Plan by providing a needed

use for the community and provides for the reuse of an existing vacant medical facility. The proposed use is compatible with and not detrimental to the surrounding development.

Criteria for Social Service Facilities

The zoning code also outlines specific review criteria for a CUP for social service facilities in section 11-31-26. This request for a CUP meets these criteria.

The applicant has provided a narrative which outlines how the proposed site provides adequate and accessible sanitary facilities, including lavatories, rest rooms and refuse containers; sufficient patron seating facilities for dining, effective screening devices such as landscaping and masonry fences in conjunction with outdoor activity areas.

The existing building and site conditions were developed to accommodate the previous use as a specialty hospital / nursing home facility, and therefore the site is in substantial conformance with all applicable current City of Mesa development standards and codes.

The narrative includes a plan of operation that includes a good neighbor policy which includes the elements noted in the Social Service Facilities requirements related to patron access requirements, hours of operation, measures used to control potential client congregation on the site during non-operating hours, security measures, litter control, noise attenuation, and other operational aspects of the proposed use.

**CONCLUSION:**

Staff is supportive of this request. The proposed project complies with the General Plan, and meets all review criteria for the review of a Council Use Permit for a Social Service facility as found in Chapters 31 and 70 of the Zoning Ordinance. Staff recommends approval with the following conditions:

**CONDITIONS OF APPROVAL:**

1. Compliance with the request as described in the project narrative, operations plan, good neighbor policy dated June 16, 2017 and as shown on the site and landscape plans except as otherwise conditioned.
2. Compliance with all City development codes and regulations.
3. **Landscaping shall comply with the approved site plan from zoning case Z84-138 as depicted by the site/landscape plan submitted. Any dead, dying or missing landscape materials shall be replaced in kind and all landscaping shall be trimmed to maintain natural surveillance.**
4. **Additional signage or changes to existing signage will require the approval and issuance of a sign permit by the Development Services Department.**