



## Planning and Zoning Board

### *Staff Report*

**CASE NUMBER:** ZON18-00361  
**LOCATION/ADDRESS:** 244 North Extension Road  
**GENERAL VICINITY:** Located east of Alma School Road south of University Drive.  
**REQUEST:** Council Use Permit for social service facility; and Special Use Permit for a parking reduction for a substance abuse social service facility.

**PURPOSE:** This request will allow for an in-patient substance abuse facility.

**COUNCIL DISTRICT:** District 4  
**OWNER:** Crossroads, Inc.  
**APPLICANT:** Lindsay C. Schube, Gammage & Burnham  
**STAFF PLANNER:** Ryan McCann, Planner I

#### **SITE DATA**

**PARCEL NO.:** 135-55-013  
**PARCEL SIZE:** 3± acres  
**EXISTING ZONING:** RM-2  
**GENERAL PLAN CHARACTER:** Neighborhood Suburban  
**CURRENT LAND USE:** Nursing Home

#### **SITE CONTEXT**

**NORTH:** Existing commercial, zoned LC  
**EAST:** (Across Extension) Existing residential, zoned RS-6  
**SOUTH:** Existing multi-family residential, zoned RM-2 PAD  
**WEST:** Existing multi-family residential, zoned RM-2 PAD

#### **HISTORY/RELATED CASES**

**January 5, 1949:** Annexed to City and subsequently zoned R1-6 (Ord. No. 228)  
**December 17, 1979:** Rezoned to R-2-PAD (Z79-153)  
**November 19, 1984:** Rezoned to C-2 (Z84-170 & SPM84-25)  
**October 21, 1996:** Approved by the City Council for C-2 to R-2 rezoning (Z96-073)  
**October 22, 1996:** Approved by Zoning Administrator for a Special Use Permit for parking reduction (ZA96-142)

**STAFF RECOMMENDATION:** Approval with conditions

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

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

### **PROJECT DESCRIPTION / REQUEST**

This is a request for Council Use Permit for a substance abuse facility and a Special Use Permit for a parking reduction located at 244 North Extension Road. The site is located south of University Drive and east of Alma School Road. The zoning ordinance identifies substance abuse centers as Social Service Facilities and requires the approval of a Council Use Permit (CUP). The applicant has stated that as part of this facility there will be no detoxification on site.

### **NEIGHBORHOOD PARTICIPATION:**

The applicant provided a Citizen Participation Plan, which included a mailed letter to property owners within 500' of the site, the minimum required notification radius, inviting them to a neighborhood meeting that was held on Wednesday June 13<sup>th</sup>. The applicant has reported that a total of 2 residents attended the meeting. The CPP report indicates that inquiries by the residents in attendance were positive and supportive. Notes from the meeting are included in the CPP report. At the time that this report was written staff had not been contacted by any residents or property owners in the area. The applicant will be providing an updated Citizen Participation Report prior to the August 14, 2018 Study Session. An update will be provided by staff at that Planning and Zoning Board Study Session.

### **STAFF ANALYSIS**

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

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

The Mesa 2040 General Plan Character area designation for this site is Neighborhood with the suburban sub-type. The primary focus of the neighborhoods character type is to provide safe places for people to live where they can feel secure and enjoy their surrounding community. Non-residential uses are typical uses found along collector streets within the suburban sub-type. Locating this type of use in this location should have minimal impact on the maintenance of the surrounding neighborhood. The proposed facility will utilize an existing site that operated as a nursing home for many years. The current zoning on the property of RM-2 is a primary zoning district within the suburban sub-type. The Multiple Residence (RM) zoning district provides areas for a variety of housing types which includes residential care facilities. The requested Council Use Permit for a social service facility is consistent with the character type and the surrounding developments.

#### **ZONING:**

The proposed social service facility is permitted within the RM-2 District with the approval of a Council Use Permit (CUP). The site is bordered by Limited Commercial (LC) to the north, multi-family residential to the south and west (RM-2-PAD), and single-family residential to the east (RS-6) (across Extension). The proposed substance abuse facility will utilize a former nursing home site.

#### **Council Use Permit:**

The substance abuse facility is considered a social service facility and requires that approval of a Council Use Permit be obtained in the RM-2 zoning district. The Mesa Zoning Ordinance (MZO) Section 11-70-6.D addresses Council Use Permits (CUP) and provides review criteria. A CUP shall only be granted if the approving body determines that the project as submitted or modified conforms to all of the following criteria. If it is determined that it is not possible to meet all of the review criteria, the application shall be

denied. The specific basis for denial shall be established in the record. Staff's conclusion is that this request meets the criteria for review. The criteria with staff comments are as follows:

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:

One Goal of the General Plan is to Create and maintain a variety of great neighborhoods. Within this goal there is a policy strategy that reads as follows:

*It is also important that we do not have an over concentration of uses that require a conditional use permit in neighborhoods. These uses include group homes, social service agencies, and businesses that are typically considered incompatible with and detrimental to the surrounding neighborhood.*

According to information provided by the applicant there are 3 Substance Use Disorder facilities within a 1-mile radius. Two facilities are in commercial buildings (located approximately 815 feet and 4,650 feet away) and provide outpatient services and the other is located in a residential neighborhood and provides transitional housing (located approximately 2,660 feet away). The closest facility, located approximately 815 feet away, is separated by a 4-lane arterial street.

Staff's analysis is that this proposed use is consistent with the policies of the General Plan. That the proposed use does not constitute an over concentration of CUP's in the area, and the proposed development is compatible with and not detrimental to the surrounding neighborhood.

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 location size and design are consistent with the purposes of the district. As stated in the narrative, the existing building and site improvements have a residential appearance, including architecture, sizable setbacks, limited building height, abundant landscaping, fencing, appropriately located parking, and other perimeter improvements, consistent with the single-family residential character of the area to the east across Extension Road. The operating characteristics identified in the project narrative and good neighbor policy conform with the General Plan. Further, the site is along a busy collector street between a commercial use to the north and a multi-residence development to the south and west. As discussed in the section below regarding social service facilities, the applicant has provided an operation plan and good neighbor policy that addresses how the facility will be run to minimize the impact on the neighborhood.

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

According to the narrative the social service facility will operate in a manner that will not interfere with the use and enjoyment of surrounding properties. As noted in the narrative "Crossroads" is sensitive to its neighbors and has adopted policies and acceptable measures to ensure ongoing compatibility with adjacent uses. The narrative also states, "*The assisted living facility, which generally provided residential care for persons of limited ability for self-care or*

*other services, operated for more than 20 years on the Property with no known impacts on the surrounding mix of land uses. The proposed Social Service Facility will function and operate very similar to the former assisted living facility, including being licensed by the State, resulting in no injurious or detrimental impacts to the adjacent or surrounding properties."*

4. Adequate public services, public facilities and public infrastructure are available to serve the proposed project.

*The proposed site does have adequate public services, public infrastructure that are available to serve the site.*

In addition to the CUP review criteria the social service facility is required to meet additional standards through the CUP process. MZO Section 11-31-26 provides standards that must be met for the Social Service Facility to be located, developed, and operated. It is staff's conclusion that the proposed facility meets these criteria. Staff's analysis of these criteria is as follows:

- A. Location. Social Service Facilities are not allowed on Main Street, within the designated Town Center Redevelopment Area.

*The site is not located on Main Street.*

- B. Minimum Standards. All Social Service Facilities shall provide: adequate and accessible sanitary facilities, including lavatories, rest rooms and refuse containers; sufficient patron seating facilities for dining, whether indoor or outdoor; effective screening devices such as landscaping and masonry fences in conjunction with outdoor activity areas; a plan of operation, including but not limited 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, and noise attenuation. Further, evidence of compliance with all Building and Fire Safety regulations and any other measures determined by the City Council to be necessary and appropriate to ensure compatibility of the proposed use or uses with the surrounding area shall be provided with permit applications.

*The applicant has indicated patrons will be provided with fully furnished units complete with restrooms and showers. According to the narrative, the facility has two existing internal fully enclosed outdoor courtyards, a commercial kitchen and dining room, laundry facilities, community/training room, staff offices and conference rooms, as well as a play room for children to visit.*

- C. Applicable Guidelines. All Social Service Facilities are subject to the Social Service Facilities Guidelines adopted by the City.

*The guidelines are limited in the capacity to address substance abuse facilities. The primary focus of the guidelines is to address shelters and dining halls. The proposed substance abuse facility does meet the guidelines.*

- D. Criteria for Review of Council Use Permit: When required, the review of the Council Use Permit shall include a review and determination regarding the following items:

1. The use is found to be in compliance with the General Plan, Sub Area Plans and other recognized development plans or policies, including the Social Service Facility Guidelines and will be compatible with surrounding uses; and

The proposed social service facility substance abuse facility proposed to be located in the RM-2 district is in compliance with the General Plan in the areas discussed above;

2. 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; and

The narrative indicates approval of this Application will allow Crossroads to operate the proposed Social Service Facility in compliance with all applicable City zoning regulations. Plans for improvements requiring a building permit will be submitted to the City for review and approval for conformance with building and fire safety regulations. Additionally, the narrative states Crossroads will comply with all applicable State licensing requirements.

3. 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; and

A good neighbor policy has been submitted and is attached to this report. The good neighbor policy addresses protocols to mitigate incidents on or off premise. As discussed above it further indicates that staff will conform with the policy. A manager's name and phone number have been provided. The good neighbor policy submitted appears to have acceptable measures to ensure ongoing compatibility with adjacent uses. According to the narrative, following an off-site assessment and determination of appropriate treatment, most all clients are transported to the facility by a licensed transportation company, family member, or friend. On rare occasion, clients may drive themselves to the facility. In addition, a resident discharge will be prepared for each resident by means of bus pass, family, or personal vehicle.

4. 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.

Over the years some of the original required landscaping has died off and has not been replanted. As part of condition of approval number 2, the applicant shall comply with the previously approved landscape plan associated with case Z96-073.

**SITE PLAN - MZO Section 11-69-5:**

This is an existing site and the proposal does not include any exterior modifications or changes. The applicant is requesting a Special Use Permit for a parking reduction.

**SPECIAL USE PERMIT – MZO Section 11-32-6 and 11-70-5:**

The Special Use Permit for the parking reduction is for a social service facility. The SUP is only for a substance abuse social service facility, any different uses will have to apply for and receive a parking reduction if needed. The proposed parking reduction complies with the four standard required findings outlined in MZO Section 11-70-5 for a Special Use Permit (SUP). The proposed social service facility is consistent with the General Plan and other uses in the surrounding area. The existing building is

compatible and appropriate to the neighborhood and surrounding area. The site is also able to be adequately served by utilities and public services.

The Special Use Permit request is for a reduction in parking. Therefore, the proposal must also comply with three additional criteria outlined in MZO Section 11-32-6. The applicant has shown sufficient justification to reduce the amount of parking on the site and complies with the three criteria.

In 1996 a Special Use Permit was approved for a parking reduction on this property for an assisted living facility. The applicant feels the proposed Social Service Facility and the assisted living facility are nearly identical in terms of operating characteristics. They have identified that based on the bed count, the employee count on the property could be 34 (one staff member for every three clients). The applicant feels it is unreasonable that each staff member will commute to/from work in their own vehicle. Based on similar operations, they estimate that 10-percent (5 spaces) of the existing spaces will be used by their clients. Substance-abuse program facilities are parked under the hospital, hospices, nursing, and convalescent home parking ratio at 1 space per 400 square feet. The parking requirements would require 80 parking spaces and 45 spaces are existing, which is a reduction of 35 spaces. The applicant has been operating similar facilities in Phoenix for some time and based on current operations feels there will be sufficient parking on this site. Those operations do not include clients coming and going on a regular basis and there is not a current need for those additional 35 spaces. Upon review of this proposal, staff does not have a concern that the reduction of 35 spaces for a substance abuse social service facility will have a negative impact on the surrounding area by causing the need for on street parking.

The Planning and Zoning Board may hear and take action on Special Use Permits only when requested in conjunction with another request requiring action or recommendation by the Planning and Zoning Board, as authorized by section 11-66-2.C of the City of Mesa Zoning Ordinance. Any Planning and Zoning Board approval of a SUP that requires the associated request, in this case the Council Use Permit for a social service facility, to be approved by the City Council is conditioned upon Council approval of the associated request. In the event the City Council denies the CUP request, the SUP for a parking reduction shall also be considered denied.

Parking Reduction Required Findings	Finding
1. Special conditions – including but not limited to the nature of the proposed operation; proximity to frequent transit service; transportation characteristics of persons residing, working or visiting the site exist that will reduce the parking demand at the site.	The applicant has provided information relating to operation of the proposed facility and the parking needs of the staff, clients, and visitors. Most of the parking will be utilized by staff, except in the rare occasion according to the applicant that a client drives themselves. Staffing will consist of 1 staff member for every 3 clients.
2. The use will adequately be served by the proposed parking.	Based on the proposed use and information provided by the applicant the existing 45 parking spaces will adequately serve the development.
3. Parking demand generated by the project will not exceed the capacity of or have a detrimental impact on the supply of on street parking in the surrounding area.	The parking demand is not anticipated to exceed the capacity provided or impact the supply of on-street parking in the area.

**CONCLUSION:**

The proposed project complies with the General Plan and meets the review criteria for a Council Use Permit, MZO Section 11-70-6 and 11-31-6 for a social service facility, and Special Use Permit, MZO Section 11-32-6 and 11-70-5 for a substance abuse social service facility parking reduction. Staff recommends approval with the following conditions:

**CONDITIONS OF APPROVAL:**

1. Compliance with the basic development as described in the Council Use Permit project narrative, dated July 30, 2018, which includes the plan of operation and good neighbor policy.
2. Conformance with the site plan, landscape plan and elevations approved in case Z96-073.