



mesa·az
Planning and Zoning Board

Case Information

CASE NUMBER: Z12-02
LOCATION: 6859 East Rembrandt Avenue
GENERAL VICINITY: Located north of Warner Road and east of Power Road.
REQUEST: Council Use Permit
PURPOSE: This request will continue to allow an existing charter school within an industrial zoned area.
COUNCIL DISTRICT: District 6
OWNER: Daniel Deryke, Western Horizons Development, LLC
APPLICANT: Steven Mills, University Public Schools
STAFF PLANNER: Tom Ellsworth

SITE DATA

PARCEL NO.: 304-17-208A
EXISTING ZONING: LI PAD CUP
GENERAL PLAN DESIGNATION: Mixed Use Employment
CURRENT LAND USE: School
GROSS FLOOR AREA: 14,100sf

SITE CONTEXT

NORTH: Undeveloped – zoned LI and LC
EAST: Agriculture – Maricopa County
SOUTH: Undeveloped - zoned LI and LC
WEST: (Across S. Power Rd.) Agriculture – Town of Gilbert

ZONING HISTORY

Dec. 21, 1998 Established R1-43-and R1-43 AF City zoning on recently annexed land.
Feb. 18, 1999 Rezone from R1-43 to M-1.
May 20, 2004 Rezone from M-1 to PEP PAD, M-1 PAD and M-1 and Site Plan Review (Z04-48)
Aug. 4, 2004 Design Review approval of Pierpont at Santan Commerce Center on Parcel 1 (DR04-50)
May 22, 2006 Site Plan Modification for the development of an office/warehouse and industrial condominium (Z06-28).
June 2, 2008 Approval of a Council Use Permit to allow a charter school in an industrial zoned area through December 31, 2009 (Z08-29)
Dec. 14, 2009 Approval of an extension of the Council Use Permit to allow a charter school in an industrial zoned area through June 30, 2012 (Z09-22)

STAFF RECOMMENDATION: Approval with conditions

P&Z BOARD RECOMMENDATION: Approval with conditions. Denial

PROPOSITION 207 WAIVER SIGNED: Yes No

PROJECT DESCRIPTION

The applicant is requesting an extension of a Council Use Permit to allow a charter school to continue to operate in an existing industrial office/warehouse development located at 6859 East Rembrandt Avenue. The existing Council Use Permit was originally approved by the City Council on June 2, 2008 with an expiration date of December 31, 2009. The expiration date was approved to reinforce the temporary nature of the request. The City Council subsequently approved an extension to the Council Use Permit until June 30, 2012.

This site was approved as an interim site until a permanent site could be constructed on the ASU Polytechnic campus. Construction of that site has been delayed due to financial issues related to an unfavorable bond market. The applicant has indicated that they anticipate that this issue can be overcome in the next 12 to 18 months and is requesting that the Council Use Permit for the school be extended to June 30, 2014.

The University Public School Initiative (UPSI) was formed to build and operate charter schools in affiliation with Arizona State University. This charter school operates a K-7 facility with a student population of 256. The school operates between 7:45am and 3:45pm five days per week for 180 day per year during the traditional school year from July to June.

Student drop-off and pick-up is facilitated off of Rembrandt Avenue. The applicant has submitted a traffic-analysis to support this location. The outdoor play area is also located on the property east of the site at the end of Rembrandt.

CHARTER SCHOOL PROPOSAL:

Charter School	Parking Req'd, Prov'd, Miscellaneous	Miscellaneous
Suites D-H 14,100 sf	Required spaces = 24 spaces 1 space per 600 s.f. (grades K-9) 14,100sf = 24 spaces Provided spaces = The school will be allotted 77 spaces within the development.	Current enrollment: 256 students School Hours 7:45am – 3:45pm Student Drop-Off will be off of Rembrandt Avenue

CITIZEN PARTICIPATION

The applicant has notified all surrounding property owners within 1000-feet of the subject site as well as Homeowners Associations within one-half mile and registered neighborhoods within one-half mile of the subject site. The applicant has offered to meet with neighbors upon request. The applicant has reported that surrounding neighbors are supportive of the proposal. Staff has not received any comments or concerns from adjacent property owners regarding the proposed development.

CONFORMANCE WITH THE GENERAL PLAN

The adopted Mesa 2025 General Plan Land Use Map designates this site to be Mixed Use Employment. The Mixed Use/Employment General Plan Designation defines areas where, among other uses, office, retail and business park uses are supportable. The proposed development does conform to the General Plan.

The following Mesa 2025 General Plan Goals, Objectives, and Policies are supportive of the

proposed land use:

Goal ED-3: *Utilize the competitive advantages of the City and region to promote Mesa as a community where people may live, learn, work, shop, and play.*

Objective ED-3.2: *Support a comprehensive educational system to produce a competitive workforce that supports the employment centers/corridors.*

STAFF ANALYSIS

SUMMARY:

Staff is supportive this request to extend the Council Use Permit for a charter school at this location. The applicant has provided all the required documentation and has completed an appropriate level of citizen participation. The school has operated on the site without any significant concerns from the neighboring property owners, students, or parents.

CONCERNS:

Staff had initial concerns regarding the compatibility of this project within an established light industrial project and its proximity to the airport. The airport had also contacted staff with the concern that this location was in close proximity to the runway over flight area. The concerns of both staff and the airport have been alleviated due to the temporary nature of the request (see condition #3).

CONCLUSIONS:

Staff recommends approval of the proposal subject to the following conditions:

CONDITIONS OF APPROVAL:

1. Compliance with the basic development of the Charter School as described in the project narrative.
2. Compliance with all City development codes and regulations, including comments from the Transportation Division.
3. This Council Use Permit shall expire on June 30, 2014.
4. The approval of this Council Use Permit is limited to the University Public School Initiative.

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