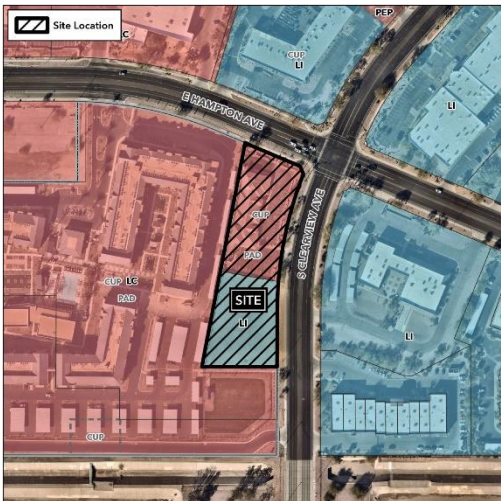


City Council Report

Date	June 16, 2025	
Case No.	ZON24-01074	
Project Name	Polaris Academy	
Request	<ul style="list-style-type: none">• Modification of Council Use Permit (CUP)• Major Site Plan Modification to allow for an 18,540 square foot K-12 Private School and to remove conditions no. 1, 7, 8, 10, and 11 of Ord. No. 2732• Rezoning 0.8± acres from Light Industrial with a Planned Area Development Overlay (LI-PAD) to LI-PAD with a Bonus Intensity Zone Overlay (LI-PAD-BIZ)	
Project Location	Located at southwest corner of East Hampton Avenue and South Clearview Avenue	
Parcel No(s)	218-56-570A 218-56-570B	
Project Area	1.8± acres	
Council District	District 6	
Existing Zoning	Limited Commercial with a Planned Area Development Overlay and Council Use Permit; and Light Industrial with a Planned Area Development Overlay	
General Plan Designation	Regional Center	
Applicant	Nathan Palmer, Polaris Academy	
Owner	C Jeffrey Amsberry Disclaimer Trust/ Amy E Rob Polaris Re Holdings LLC	
Staff Planner	Kellie Rorex, Senior Planner	
Proposition 207 Waiver Signed	Yes	

Recommendation

Staff Recommendation:

Staff finds that the Proposed Project is consistent with the Mesa 2050 General Plan, the criteria for a Council Use Permit outlined in MZO Section 11-70-6, the criteria for approval of a Bonus Intensity Zone (BIZ) overlay outlined in MZO Section 11-21-3, and the criteria for Site Plan Review outlined in MZO Section 11-69-5.

Staff recommends approval with conditions.

Planning & Zoning Board Recommendation:

On May 14, 2025, the Planning and Zoning Board **voted (6-0)** to recommend the City Council **approve** the proposed project.

Project Overview

Request:

The applicant is requesting approval for three related actions needed to expand an existing private school onto an adjacent parcel. The applicant is seeking to modify the existing Council Use Permit (CUP) on the northern parcel (Parcel 218-56-570A) to include the adjacent southern parcel (Parcel 218-56-570B). Secondly, the applicant is requesting to rezone the southern parcel from Light Industrial with a Planned Area Development Overlay (LI-PAD) to Light Industrial with both a Planned Area Development Overlay and a Bonus Intensity Zone Overlay (LI-PAD-BIZ). Finally, a rezoning is requested to allow a Major Site Plan Modification that would apply to both parcels and to remove condition no. 1, 7, 8, 10, and 11 from Ordinance No. 2732, which is also related to a prior site plan.

These actions are intended to facilitate the development of a new 18,540-square-foot K-12 private school building on the southern parcel, which would operate as a single, integrated campus with the existing private school on the northern parcel.

Concurrent Applications:

- **Design Review:** Design Review Board review of the proposed elevations, landscape plan, and photometric plan.

Site Context

General Plan:

- The Placetype for the project site is Regional Center and the Growth Strategy is Evolve.
- The focus of the Regional Center Placetype is commercial activity, and as such, its principal land uses are retail, personal services, eating and drinking establishments, entertainment and recreation, convenience services and business offices.

- Supporting land uses include Public/Semi-Public, Multi-Family Residential, Medical Facilities, and Light Industrial land uses.
- Per the Future Land Use Plan in the General Plan, Public/Semi-Public land uses include schools. A K-12 private school is supported within the Regional Center Placetype as a supporting land use.
- Supporting General Plan Strategies:
 - HS1. Provide leadership and collaborate with community agencies to encourage and promote the development and expansion of human service programs.
 - HS4. Support high-quality early childhood, primary, secondary, and higher education systems in Mesa.
 - LU1. Promote a balance of land uses to enhance the quality of life for current and future generations.
 - LU3. Encourage infill and redevelopment to meet the community's strategic needs.

Zoning:

- The northern parcel (218-56-570A) is zoned Limited Commercial with a Planned Area Development Overlay and Council Use Permit (LC-PAD-CUP).
- The southern parcel (218-56-570B) is zoned Light Industrial with a Planned Area Development Overlay (LI-PAD).
- A K-12 private school requires a Council Use Permit within the LI zoning district.
- The applicant is requesting to rezone the southern parcel to LI-PAD with a Bonus Intensity Zone Overlay and Council Use Permit (LI-PAD-BIZ-CUP).
- The site is within Airport Overflight Area three (AOA 3). There are no use limitations beyond those in the base district.

Surrounding Zoning & Use Activity:

The Proposed Project is compatible with surrounding land uses, which include multiple residence, retail, and offices.

Northwest (Across Hampton Ave.) LC-PAD Retail	North (Across Hampton Ave.) LI-PAD-CUP Retail	Northeast (Across Hampton Ave. and Clearview Ave.) LI-PAD Industrial Offices
West LC-PAD Multiple Residence	Project Site LC-PAD/LI-PAD Existing K-12 Private School/Vacant	East (Across Clearview Ave.) LI-PAD Industrial Offices
Southwest LC-PAD Multiple Residence	South LC-PAD Multiple Residence	Southeast (Across Clearview Ave.) LI-PAD Offices

Site History:

- **November 3, 1986:** The City Council annexed 136.3± acres, including the project sites, into the City of Mesa (Case No. A86-011; Ordinance No. 2137).
- **January 5, 1987:** The City Council approved comparable City of Mesa Zoning on 97.3± acres of recently annexed property, including the subject sites, from County R1-6 and C-2 to City of Mesa R1-6 (equivalent to Single Residence 6 [RS-6]) and C-2 (equivalent to Limited Commercial [LC]). Both properties were zoned R1-6 (Case No. Z86-124; Ordinance No. 2160).
- **February 17, 1987:** The City Council approved a rezoning of 83.6± acres, including the project sites, from R1-6 to Agricultural (AG) to establish a holding zone for future development (Case No. Z87-006; Ordinance No. 2174).
- **April 5, 1988:** The City Council rezoned 207± acres, including the project sites, from AG, Suburban Ranch (SR), and Single Residence 35 (R1-35 [equivalent to RS-35]), to AG with conceptual C-2 (equivalent to LC) and M-1 (equivalent to Light Industrial [LI]) to establish a mixed-use commercial/employment opportunity site. Both project sites were rezoned to AG with conceptual C-2 (Case No. Z88-016; Ordinance No. 2324).
- **July 5, 1988:** The City Council approved a rezoning of 36± acres from AG with Conceptual C-2 to C-2 (equivalent to LC) zoning, including the project sites, and approved a site plan to allow for the development of a 309,059 square foot shopping center (Case No. Z88-038; Ordinance No. 2354).
- **May 4, 1992:** The City council approved a Development Master Plan (DMP [equivalent to a Planned Area Development (PAD) overlay]) to allow for the Superstition Springs Master Plan (Case No. Z92-014; Ordinance No. 2693).
- **October 19, 1992:** The City Council rezoned 36± acres, including the project sites, from C-2-DMP and AG-DMP with conceptual C-2 to C-2-DMP, and approved a site plan modification to allow for a 392,600 square foot commercial center (Case No. Z92-046; Ordinance No 2732). Conditions No. 1, 7, 8, 10, and 11 of Ordinance No. 2732 requires compliance with the basic development as shown on the site plan, plat and elevations for the commercial center.
- **May 19, 1997:** The City Council approved a rezoning of 0.8± acres, which included the southern project site, from C-2-DMP to M-1-DMP to allow for an office/warehouse facility (Case No. Z97-032; Ordinance No. 3332).
- **June 4, 1997:** The Design Review Board approved the site plan, landscape plan, and elevations of a 10,166 square foot office building on the northern project site (Case No. DR97-039).
- **December 11, 2023:** The City Council approved a Council Use Permit (CUP) on the northern site to allow for a K-12 private school within the existing office building in the LC zoning district (Case No. ZON23-00416; Resolution No. 12139).

- **December 11, 2023:** The Planning Director approved a Minor Site Plan Modification on the northern project site to help facilitate the development of a K-12 private school on the site (Case No. ZON23-00880).
- **May 13, 2025:** The Design Review Board met to review the proposed elevations, landscape plan, and photometric plan. Staff is working with the applicant to address the Board's comments.
- **May 14, 2025:** The Planning and Zoning Board voted (6-0) to recommend the City Council approve the proposed project.

Project/Request Details

Site Plan:

- **North Building:** There is an existing 10,129 square foot building located on the northern parcel. The building design was approved in 1997 by the Design Review Board. Other than a modification to parking and access along the south property line, which will facilitate a shared circulation system for the school campus setting, no changes are occurring on the northern parcel.
- **South Building:** A new two-story building totaling 18,540 square feet is proposed along the south property line. A 10-foot-wide foundation base will be located just north of the building to accommodate student drop-off. An outdoor play yard is also planned to the west of the building.
- **Access:** There is existing access on the northern parcel from Clearview Avenue. Access to the second parcel will also be from a proposed entry drive along Clearview Avenue, just north of the planned building.
- **Pick-Up/Drop-Off:**
 - Parents dropping off or picking up students at the northern building will enter the site from Clearview Avenue, turn right, and proceed north along the internal drive aisle. They will loop around at the northern end of the site and exit through the same driveway on Clearview. School staff are stationed along the route to direct traffic and ensure safety. This process is efficient, with all students typically dropped off or picked up within 15 minutes.
 - For the proposed southern building, parents will enter through a separate driveway on the southern property, also accessed from Clearview Avenue. They will turn right into the site and either loop around at the shared property line between the two sites or continue north along the shared drive aisle to the top of the northern site before looping back down to the southern building. They will then exit through the same southern driveway. Staff will also be present at this site to manage traffic during all drop-off and pick-up periods.

- To minimize traffic congestion, start and end times for the two buildings are staggered, as they serve different age groups. This ensures smoother traffic flow and reduces overlap between vehicle queues at the two sites.
- The City's Transportation Department has reviewed and approved the proposed circulation on site for parent drop-off and pick-up.
- **Parking:**
 - Parking for the northern property was previously approved under case ZON23-00880. The existing northern building was required to provide 29 parking spaces for the use, and it met this requirement by providing all 29 spaces.
 - The proposed southern building will serve both kindergarten through 9th grade (K–9) and high school students.
 - According to Table 11-32-3(A) of the Mesa Zoning Ordinance (MZO), schools serving K–9 students are required to provide one parking space per 75 square feet of public assembly space (such as auditoriums or theaters) and one space per 600 square feet for all other areas. High schools, by contrast, must provide one space per 200 square feet of building area.
 - The applicant is requesting a deviation within the BIZ to supply 1 space per 600 square feet to the entire southern building, regardless of grade level. This calculation would require the southern property to provide 31 parking spaces. The applicant is proposing 37 spaces total for the southern site.
 - In addition to the parking modification in the BIZ the applicant will also submit a shared parking agreement and a cross-access agreement to allow parking spaces to be shared between the northern and southern sites. Additionally, no student parking will be allowed on-site, for either parcel.
- **Landscaping:** The landscape design includes trees, shrubs, and live and inert ground cover around the perimeter of the site, within parking lot landscape islands, and in foundation base areas adjacent to the buildings. Landscape deviations are shown within the BIZ table.
- **Solid Waste:** Per MZO Section 11-30-12(A)(1), solid waste and recycling containers are required for new developments with over 10,000 square feet. The applicant is requesting a deviation within the BIZ to remove the solid waste requirement for the southern site and to allow the southern site to utilize the existing trash enclosure on the northern property. A condition (condition 6) has been included with this request that requires an enclosure on the southern parcel if the use shall ever change from a school.

Bonus Intensity Zone Overlay:

Per Section 11-21 of the MZO, the purpose of a BIZ overlay is to provide for variation from the application of residential densities and other development standards to allow greater intensity of development and encourage unique, innovative developments of superior quality, if it is

demonstrated the development with further the goals of the city and provide significant social or economic benefits to the City.

The deviations proposed below are only applicable to the southern parcel of the Proposed Project, parcel number 218-56-570B.

Development Standards	MZO Required	BIZ Proposed
<u>Interior Side and Rear Setback Adjacent to Commercial</u> – MZO Table 11-7-3 (south setback for southern property)	1 foot of setback for each foot of building height with a minimum 20-foot setback	5' minimum
<u>Trash and Refuse Collection Areas</u> – MZO Section 11-30-12(A)(1) Southern Property only	Solid waste and recycling-container enclosures are required for all commercial/industrial developments in which the aggregate gross floor area exceeds 10,000 square feet.	No solid waste enclosure
<u>Parking Spaces Required</u> – MZO Table 11-32-3(A) Southern Property Only	School, kindergarten through 9 th grade: 1 space per 75 square feet for public assembly space, such as auditoriums and theaters, and 1 space per 600 square feet for all other areas High Schools, academies, colleges, universities, trade or vocational schools: 1 space per 200 square feet	1 space per 600 square feet
<u>Setback of Cross Drive Aisles</u> – MZO Section 11-32-4(A) Southern Property Only	50 feet	38 feet
<u>Landscaping for Non-Single Residence Adjacent to Non-Single Residence</u> – MZO Section 11-33-3(B)(2)(a)(ii) Southern Property Only (west and south landscape yards)	15-foot landscape yard	5 feet minimum

Development Standards	MZO Required	BIZ Proposed
<u>Landscaping for Non-Single Residence Adjacent to Non-Single Residence – MZO Section 11-33-3(B)(2)(c) –</u> Number of Plants Southern Property Only (South landscape yard)	3 trees & 20 shrubs per 100 linear feet	3 trees and 20 shrubs per 200 linear feet
<u>Foundation Base – MZO Section 11-33-5(A)(1) and 11-33-5(A)(1)(a)</u> Southern Property Only Exterior Walls with a Public Entrance Buildings larger than 10,000 square feet	15-foot foundation base An additional foundation base shall be provided at the entrance to create an entry plaza area. The plaza area shall have a minimum width and depth of 20 feet, and a minimum area of 900 square feet	10-foot foundation base An additional foundation base shall be provided at the entrance to create an entry plaza area. The plaza area shall have a minimum depth of 10 feet, a minimum width of 106 feet, and a minimum area of 1,060 square feet

The Proposed Project offers creative, high-quality development for both residents and the surrounding area, and meets the review criteria of 11-21-3(B) by providing:

- Superior Quality per MZO Section 11-31-32:
 - Holistic Approach to Project Design. The applicant is using regionally appropriate building materials including varying shades of CMU and architectural metals.
 - Responsive Approach to Site and Sub-Area Context. While developed to interact with the northern site, the proposed building responds to the overall area with a more updated and modern design.
 - Sustainable Design: The building design features awnings over all windows and the entry includes a large overhang for sun and weather protection. Additionally, the site has priority parking for low-emission vehicles, EV's, and car-pool.
 - Exceeds Standards: The applicant is providing larger tree species in place of what is required on site to increase tree canopy coverage.
 - Great Public Spaces: An outdoor play area has been proposed to the west of the building. Additionally, the applicant has provided larger trees than required around the site to increase shade canopy over parking areas and the play area.

- Utilization of a property that has existing utilities and community services and rehabilitates an otherwise vacant property.

Council Use Permit:

This request involves a modification to the Council Use Permit (CUP) previously approved for the northern parcel, which allowed the operation of a private school within the LC district. The proposed change would expand the CUP boundary to include both the northern and southern parcels, supporting the development of a quasi-school campus. Pursuant to MZO 11-67-10(B), a modification to a CUP is subject to the same review and approval process in MZO 11-70-6(D).

Approval Criteria - Section 11-70-6(D):

1. **Consistent with the General Plan and other Plan/Policies:** The Proposed Project complies with the General Plan as a supporting land use.
2. **Characteristics Consistent with Zoning District:** The Proposed Project aligns with the zoning district's intent and includes a well-designed building that has a campus-like setting, with areas visible to the general public that include well-designed landscape areas.
3. **Project Impact:** The Proposed Project will not be injurious or detrimental to surrounding properties or the welfare of the city.
4. **Adequate Public Facilities:** The applicant will be required to install necessary offsite improvements and/or upgrades to support the Proposed Project.

Citizen Participation

The applicant conducted a Citizen Participation process, notifying surrounding property owners, HOAs, and registered neighbors.

Neighborhood Meeting:

A neighborhood meeting was held on January 30, 2025, no property owners or representatives of any registered neighborhoods or HOA's attended the event.

Required Notification:

- Property owners within 1,000 feet, HOAs within ½ mile, and registered neighborhoods within one mile of the subject site were notified of the public hearing.
- Staff has not received any feedback or questions from the public regarding the Proposed Project. No opposition has been expressed.

Conditions of Approval

Staff recommends **approval** of the Council Use Permit Modification, rezone for Major Site Plan Modification and remove conditions no. 1, 7, 8, 10, and 11 of Ordinance 2732, the rezoning of 0.8 acres from LI-PAD to LI-PAD-BIZ, subject to the following conditions:

1. Compliance with the final site plan and landscape plan as submitted.
2. Compliance with all requirements of Design Review Case No. DRB24-01075.
3. Prior to the issuance of any building permit, record a cross-access and cross-parking easement between APN 218-56-570A and 218-56-570B.
4. Prior to the issuance of a building permit, record a shared refuse agreement between APN 218-56-570A and 218-56-570B.
5. A second trash enclosure shall be required on the southern parcel if the use on either parcel should ever change from a School, as evidenced by a new Certificate of Occupancy.
6. Compliance with all City development codes and regulations, except the modification to the development standards as approved with this BIZ Overlay as shown in the following table:

Development Standards	MZO Required	BIZ Proposed
<u>Interior Side and Rear Setback Adjacent to Commercial</u> – MZO Table 11-7-3 (south setback for southern property)	1 foot of setback for each foot of building height with a minimum 20-foot setback	5' minimum
<u>Trash and Refuse Collection Areas</u> – <i>MZO Section 11-30-12(A)(1)</i> Southern Property only	Solid waste and recycling-container enclosures are required for all commercial/industrial developments in which the aggregate gross floor area exceeds 10,000 square feet.	No solid waste enclosure
<u>Parking Spaces Required</u> – <i>MZO Table 11-32-3(A)</i> Southern Property Only	School, kindergarten through 9 th grade: 1 space per 75 square feet for public assembly space, such as auditoriums and theaters, and 1 space per 600 square feet for all other areas High Schools, academies, colleges, universities, trade or vocational schools: 1 space per 200 square feet	1 space per 600 square feet

Development Standards	MZO Required	BIZ Proposed
<u>Setback of Cross Drive Aisles – MZO Section 11-32-4(A)</u> Southern Property Only	50 feet	38 feet
<u>Landscaping for Non-Single Residence Adjacent to Non-Single Residence – MZO Section 11-33-3(B)(2)(a)(ii)</u> Southern Property Only (west and south landscape yards)	15-foot landscape yard	5 feet minimum
<u>Landscaping for Non-Single Residence Adjacent to Non-Single Residence – MZO Section 11-33-3(B)(2)(c) – Number of Plants</u> Southern Property Only (South landscape yard)	3 trees & 20 shrubs per 100 linear feet	3 trees and 20 shrubs per 200 linear feet
<u>Foundation Base – MZO Section 11-33-5(A)(1) and 11-33-5(A)(1)(a)</u> Southern Property Only Exterior Walls with a Public Entrance Buildings larger than 10,000 square feet	15-foot foundation base An additional foundation base shall be provided at the entrance to create an entry plaza area. The plaza area shall have a minimum width and depth of 20 feet, and a minimum area of 900 square feet	10-foot foundation base An additional foundation base shall be provided at the entrance to create an entry plaza area. The plaza area shall have a minimum depth of 10 feet, a minimum width of 106 feet, and a minimum area of 1,060 square feet

7. 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 the Mesa Gateway Airport prior to or concurrently with the recordation of the Final Plat or the issuance of a building permit, whichever occurs first.

- b. Due to the proximity to Mesa Gateway 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 5 miles of Mesa Gateway Airport
- e. All Final Plats must include a disclosure notice in accordance with Section 11-19-5(C) of the Zoning Ordinance which must state in part: "This property, due to its proximity to the Mesa Gateway Airport, will experience aircraft overflights, which are expected to generate noise levels that may be of concern to some individuals."

Exhibits

Exhibit 1 - Presentation

Exhibit 2 - Ordinance

Exhibit 3 - Ordinance Map

Exhibit 4 - Vicinity Map

Exhibit 5 - Site Plan

Exhibit 6 - Minutes

Exhibit 7 - Submittal Documents