



PLANNING DIVISION  
STAFF REPORT

Board of Adjustment

September 4, 2024

CASE No.: <b>BOA24-00620</b>	CASE NAME: <b>Zona K9 PlaySchool &amp; Grooming</b>
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Owner’s Name:	Professional Properties of Arizona LLC
Applicant’s Name:	Sarah Ringering, Owner
Location of Request:	2820 East University Drive
Parcel Nos:	140-11-447
Nature of Request:	Requesting a Special Use Permit (SUP) for a small animal daycare
Zone District:	Limited Commercial (LC)
Council District:	1
Site size:	3.2± acres
Existing use:	Commercial Recreation, Small Scale
Hearing date(s):	<b>September 4, 2024 / 5:30 p.m.</b>
Staff Planner:	Tye Hodson, Senior Planner
Staff Recommendation:	APPROVAL with Conditions

**HISTORY**

On **January 8, 1972**, the City Council annexed 546± acres into the City of Mesa (Ordinance No. 731).

On **March 19, 1979**, the City Council approved with conditions the rezoning of 16.8± acres, including the project site, from R1-6 to R-3 and C-2 (Case No. Z79-019; Ordinance No. 1214).

On **December 8, 1986**, the City Council approved a 4.6-acre site plan that included the development of a 45,642 square-foot neighborhood shopping center-(Case No. SPR86-012).

**PROJECT DESCRIPTION**

**Background:**

The applicant is requesting a Special Use Permit (SUP) to allow for a small animal (dog) day care in the LC zoning district, per Section 11-6-2 of the MZO. The subject site is located within a group

commercial development, on the northeast corner of East University Drive and North Lindsey Road. The indoor space is identified as Suite 122.

Per the Plan of Operation / Good Neighbor Policy, the facility is the product of a restructured business in Mesa, Arizona that will combine a dog daycare, dog grooming, and dog training services in an existing commercial facility.

**General Plan Character Area Designation and Goals:**

The General Plan character area designation on the property is Neighborhood Village Center. Per Chapter 7 of the General Plan, Neighborhood Village Center character areas are commercial and mixed-use nodes, generally between 15 and 25 acres in size, serving the surrounding neighborhood population. These areas contain a substantial retail commercial component that serve as the focal point for the surrounding neighborhood population, usually within less than a two-mile radius. They are located at arterial intersections and include a mix of uses such as retail, residential, and office. In addition, these centers typically support alternative transportation modes such as walking and bicycling by providing pedestrian and bike connections to surrounding areas.

**Site Characteristics:**

The subject property is approximately 4.6 acres in size and zoned LC. The site has approximately 553 feet of street frontage along East university Drive and approximately 419 feet of street frontage along North Lindsey Road.

The existing 34,438± square-foot single-story commercial building was constructed in 1988, per the Maricopa County Assessor website, and is located north of East University Drive and east of Lindsey Road, within the development known as Coconut Grove.

**Surrounding Zoning Designations and Existing Use Activity:**

<b>Northwest</b> LC Commercial	<b>North</b> RS-6 Single Residence	<b>Northeast</b> RS-6 Single Residence
<b>West</b> LC Commercial	<b>Subject Property</b> LC Commercial	<b>East</b> RM-3 Multiple Residences
<b>Southwest</b> (Across Baseline Road) LC Commercial	<b>South</b> (Across Baseline Road) LC Commercial	<b>Southeast</b> (Across Baseline Road) RM-4 Mobile Home Park

**Mesa Zoning Ordinance Requirements and Regulations:**

**Special Use Permit MZO Section 11-70-5**

Per Section 11-70-5(E) of the MZO, the Board of Adjustment shall also find the following criteria are met for approval of a SUP:

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;

**The subject site is located within the Neighborhood Village Character Area per the Mesa 2040 General Plan. The objective of this Character Area is to provide access to a mix of uses for people living within 2 miles of the subject site. The proposed small animal day care is relocating from their current space to a new location within the same commercial center, contributing to the mixture of uses provided to nearby residents and complying with the General Plan.**

***The proposal meets this criterion.***

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 any other applicable City plan or policies;

**The intent of the Limited Commercial (LC) District is to provide areas for indoor retail, entertainment, and service-oriented businesses, less than fifteen (15) acres, that serve the surrounding residential trade area within a one (1) to ten (10) mile radius. A small animal day care is a permitted use with the approval of a SUP and must be confined to completely enclosed, sound-attenuated facility. The exterior suite walls of the proposed dog day care are primarily made of concrete masonry unit (CMU) and all interior common walls will be lined with a secondary sound attenuating wall assembly as required by the city to ensure complete sound attenuation.**

***The proposal meets this criterion.***

3. The proposed project will not be injurious or detrimental to the adjacent or surrounding properties in the area, nor will the proposed project or improvements be injurious or detrimental to the neighborhood or to the general welfare of the City; and

**The applicant has been providing grooming services in the Coconut Grove Shopping Center since 2021. The proposed tenant improvement will alter the interior space as required by the MZO to attenuate sound and mitigate any impacts to future adjacent tenants and the surrounding areas. Additionally, the proposal includes spatial separation for the distinct use areas and to ensure the safety of the dogs and patrons of the surrounding businesses.**

***The proposal meets this criterion.***

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

**The proposed small animal day care will not have any impact on public services, public facilities, nor public infrastructure. The public infrastructure is already on-site and will adequately serve the site and proposed use.**

***The proposal meets this criterion.***

Findings:

- A. The subject site is currently a vacant commercial space in a commercial center.
- B. Small animal day care is a permitted use in the LC district with the approval of a SUP and it must be confined to completely enclosed, sound-attenuated facility; the building is made of CMU and the interior will be improved with noise-canceling acoustics, per the city.
- C. The dog day care Plan of Operation / Good Neighbor Policy is designed to keep the animals, customers, visitors, and employees safe and prevent any negative impacts on the surrounding area.
- D. This request conforms with the criteria for the granting of a SUP as outlined in Section 11-70-5(E) of the Mesa Zoning Ordinance.
- E. The proposal will not be injurious or detrimental to surrounding properties.

**Neighborhood Participation Plan and Public Comments:**

In addition to the required notification letter, the applicant mailed an initial notice on July 30, 2024, to all property owners within 500 feet of the project site, alerting them to the proposal and pending board hearing. The applicant received a single response to the initial notification letter voicing concerns about noise and smell. The business owner responded to those concerns, providing detail on the business operational plan and noise mitigation, resulting in support for the project.

The required notification letters were mailed on August 19, 2024, to all property owners within 500 feet of the site, notifying the public of the September 4<sup>th</sup> Board of Adjustment hearing. As of the writing of this staff report, staff has not been contacted by any property owners or neighbors.

**Staff Recommendation:**

Based upon the application received and preceding analysis, staff find that the request for a SUP for a small animal day care in the LC zoning district meets the approval criteria of Section 11-70-5 of the MZO. Therefore, staff recommends approval with the following conditions of approval.

**Conditions of Approval:**

- 1. Compliance with the final documents submitted with this application.
- 2. Compliance with all requirements of the Development Services Department regarding the issuance of building permits.
- 3. Compliance with all applicable City of Mesa Development Codes and Regulations.

**Exhibits:**

Exhibit 1 – Vicinity Map

Exhibit 2 – Staff Report

Exhibit 3 – Narrative and Justification Statement / Plan of Operations / Good Neighbor Policy

Exhibit 4 – Site Plan, Floor Plan