



**PLANNING DIVISION  
STAFF REPORT**

**Board of Adjustment**

**November 4, 2020**

CASE No.: **BOA20-00629**

CASE NAME: **La Semilla Christian Learning Center**

Owner's Name:	Southpoint Commerce Partners, LLC
Applicant's Name:	Nina Bravo
Location of Request:	3050 S Country Club Drive, Suites 23 & 24
Parcel Nos:	302-77-004G
Nature of Request:	Requesting a Special Use Permit (SUP) to allow a Day Care Center in conjunction with a Place of Worship.
Zone District:	General Commercial (GC)
Council District:	3
Site size:	4.3± acres
Staff Planner:	Cassidy Welch
Staff Recommendation:	APPROVAL with Conditions

**HISTORY**

On **June 18, 1973**, the City Council annexed approximately, 4,119 ± acres, including the subject site, into the City of Mesa with a comparable zoning designation of Agricultural (AG) (Ord. #812).

On **January 19, 1975**, the City Council approved a rezone of 264 ± acres, including the subject site from AG to General Commercial (GC) (Case Z77-017, Ord. #1086).

**PROJECT DESCRIPTION**

**Background:**

The applicant is requesting a Special Use Permit (SUP) to allow for a Day Care Center in conjunction with a Place of Worship. Per Section 11-31-22(B) of the Mesa Zoning Ordinance (MZO), day care centers in conjunction with places of worship require approval of a Special Use Permit (SUP). Per Table 11-6-2 of the MZO, day care centers as a solitary use are permitted in the GC zoning district.

The subject request would allow for the operations of a day care center within an existing church. According to the operational plan provided by the applicant, the La Semilla Christian Learning Center is located entirely within the building with the day care utilizing existing church facilities.

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

The Mesa 2040 General Plan Character Area designation on the property is Neighborhood with a Suburban sub-type. Per Chapter 7 of the General Plan, the primary focus of the Neighborhood character type is to provide safe places for people to live where they can feel secure and enjoy their surrounding community. Churches, schools, and other special uses are typical land uses in the Suburban Sub-type and are encouraged along or at the intersection of arterial and collector roadways. The proposed day care is within an existing place of worship located in a shopping center along Country Club Drive. Therefore, the project conforms to the character area's goals of providing special services/uses to the surrounding neighborhood.

**Site Characteristics:**

La Semilla Christian Learning Center will be located in two suites in an existing church within a commercial center located south of Guadalupe Road on the west side of Country Club Drive. All work will be internal to the building. The provided floor plan shows three (3) new classrooms and a new playroom with the potential to use the existing church sanctuary as an additional play area.

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

<b>Northwest</b> RS-6 Existing Residential	<b>North</b> GC Existing Self-Storage	<b>Northeast</b> (Across Country Club Drive) Chandler AG Existing Place of Worship
<b>West</b> RS-6 Existing Residential	<b>Subject Property</b> GC Existing Commercial Center	<b>East</b> (Across Country Club Drive) Chandler AG Vacant
<b>Southwest</b> (Across Pantera Avenue) RS-6 Existing Residential	<b>South</b> (Across Pantera Avenue) GC Existing Plant Nursery	<b>Southeast</b> (Across Country Club Drive) Chandler AG Existing Residential

**Mesa Zoning Ordinance Requirements and Regulations:**

Per Section 11-70-5 of the City of Mesa Zoning Ordinance, the Board of Adjustment shall find upon sufficient evidence when making a decision on a SUP that:

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 Mesa 2040 General Plan Character Area designation on the property is Neighborhood with a Suburban sub-type. Per Chapter 7 of the General Plan, the primary focus of the Neighborhood character type is to provide safe places for people to live where they can feel secure and enjoy their surrounding community. Churches, schools, and other special uses are typical land uses in the Suburban Sub-type and are encouraged along or at the intersection of arterial and collector roadways. The proposed project conforms to the character area's goals of providing special services/uses to the surrounding neighborhood.

*The proposal meets this criteria.*

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 subject proposal will occupy two suites within an existing shopping center. Per Section 11-31-22 of the MZO, day care centers are allowed in conjunction with a place of worship with approval of a SUP. Per Table 11-6-2 of the MZO, day care centers not associated with another land use are an allowed use in the GC zoning district. All activities related to the operation of the day care will take place entirely within the existing suites.

*The proposal meets this criteria.*

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

No external modifications are proposed with the subject request. The proposed use should not be injurious or detrimental to the neighborhood or City because it will be in an existing commercial center and will not interfere with existing parking, circulation, or building design. The activities associated with the day care center will be located entirely within the existing suites.

*The proposal meets this criteria.*

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

The proposed project does not add any additional burden on the public services, public facilities, nor public infrastructure. The public infrastructure is already existing.

*The proposal meets this criteria.*

Findings:

- A. A day care center is an allowed use in the GC zoning district.

- B. Day care centers in conjunction with a place of worship requires a Special Use Permit (SUP).
- C. All modifications to the building will be internal.
- D. All activities related to the proposed day care center will be located internally.
- E. 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.

**Neighborhood Participation Plan and Public Comments:**

The applicant mailed the required notification letters to all property owners within 500 feet of the site. As of the writing this report, staff has not been contacted by any resident or property owner to express support or opposition to the request.

**Staff Recommendation:**

Based upon the application received and preceding analysis, Staff finds that the request for a SUP for a day care center in conjunction with a place of worship meets the approval criteria of Section 11-70-5(E) of the MZO; and therefore, recommends approval of the request with the following conditions.

**Conditions of Approval:**

1. Compliance with the final floor plan and narrative submitted.
2. Compliance with all applicable City of Mesa Development Codes and regulations.

**Exhibits:**

Exhibit 1 – Vicinity Map

Exhibit 2 – Staff Report

Exhibit 3 – Narrative/Justification Statement

Exhibit 4 – Floor Plan