



PLANNING DIVISION
STAFF REPORT

Board of Adjustment

July 7, 2021

CASE No.: BOA21-00550	CASE NAME: Heartwood Montessori School Daycare
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Owner's Name:	Chicanos Por La Causa Inc.
Applicant's Name:	Lesley Partch
Location of Request:	207 North Mesa Drive
Parcel Nos:	138-25-106
Nature of Request:	Requesting a Special Use Permit (SUP) to allow a day care center in the DR-3 district.
Zone District:	Downtown Residence 3 (DR-3) and Multiple Residence 4 (RM-4)
Council District:	4
Site size:	4.61± acres
Proposed use:	Day Care Center associated with a charter school
Existing use:	Charter School
Hearing date(s):	July 7, 2021 / 5:30 p.m.
Staff Planner:	Jennifer Gniffke
Staff Recommendation:	APPROVAL with Conditions

HISTORY

On **June 10, 1930**, the western edge of the subject site was annexed into the City of Mesa as part of a larger 551± acre annexation (Ordinance No. 157), and on **December 6, 1948**, the remainder of the property was annexed into the City of Mesa as part of a larger 2,419± acre annexation. The property was subsequently zoned for residential uses.

On **September 8, 1987**, City Council approved the Town Center zoning districts, development regulations, and design standards, which included a rezone of the western half of the property to General Multiple Residential (TCR-3), equivalent to current DR-3 zoning, as part of a larger 837± acre area (Case No. Z87-040; Ordinance No. 2254).

On **May 8, 1990**, the Zoning Administrator approved variances to certain development standards such as landscaping, screen walls, and parking for the expansion of an athletic facility (Case No. ZA90-043).

On **November 1, 2000**, the Design Review Board approved a major remodel and addition to the original YMCA building, which was built in the 1970's (Case No. DR00-106).

PROJECT DESCRIPTION

Background:

The applicant is requesting a Special Use Permit (SUP) to allow for a day care center in a DR-3 zoning district. The subject site is located east of Mesa Drive, south of University Drive and north of 2nd Street in the DR-3 and RM-4 zoning districts. The existing building, formerly occupied by the Mesa YMCA, is 30,227 square feet.

In July 2019, a Certificate of Occupancy was issued for GEM Charter School Inc, to convert the building to an assemble/education occupancy type. Currently, a tenant improvement permit is being reviewed for an interior remodel of the building to provide new classrooms for younger children, including two classrooms to be used as a day care center. Public and charter schools are permitted in the DR-3 and RM-4 zoning districts; however, day care centers, which include nursery schools and preschools, require the approval of a SUP in the DR-3 district.

General Plan Character Area Designation and Goals:

The Mesa 2040 General Plan Character Area designation on the property is Downtown, Neighborhood, and Transit Corridor. 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. Neighborhoods can contain a wide range of housing options and often have associated nonresidential uses such as schools, parks, places of worship, and local serving businesses. The goal for the Downtown character area is to make it a people-friendly area that is alive with options for housing, employment, shopping, entertainment, and events. The Transit character type overlays other character types; its focus is to develop a mixed-use, pedestrian-oriented, urban environment, particularly within walking distance of transit stops. The subject site is also located within a Neighborhood Maintenance area of the Temple/Pioneer Neighborhood of the Central Main Street Area Plan, and the intent is to maintain the existing neighborhood character. The proposed day care center would be located within an existing school, on the former YMCA site, and complies with the General Plan by providing compatible nonresidential services to the neighborhood.

Site Characteristics:

The subject site is 4.61± acres, located just east of Mesa Dr., 650 ft. South of University Drive and approximately 0.10 miles north of 2nd St. The property contains a 30,227 square foot building and sports field. The proposed day care center will occupy two classrooms on the west side of the building. Each classroom will have an associated, fenced outdoor play area. All improvements being made are internal, no changes to the site or elevations are proposed at this time.

Surrounding Zoning Designations and Existing Use Activity:

Northwest (Across Mesa Drive) DC Vacant (Site 17)	North DR-1, DR-2, & RS-6 Single Residential	Northeast RM-2 Apartments
West (Across Mesa Drive) DC Apartments	Subject Property DR-3 & RM-4 Existing Charter School	East (Across Lesueur) RM-3 Apartments
Southwest (Across Mesa Drive & 2 nd Street) DC & DR-3 Vacant & Public Park	South DR-3 First Presbyterian Church	Southeast (Across Lesueur) DR-3 Apartments

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 subject site is located within the Downtown, Neighborhood, and Transit Corridor character areas per the Mesa 2040 General Plan. The existing charter school and proposed day care centers adds to a mixture of compatible, nonresidential uses provided to nearby residents, complying with the General Plan.

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;

Per Chapter 8 of the Mesa Zoning Ordinance, in order to maintain a viable downtown area, stable residential neighborhoods must be protected and enhanced. Schools and day care centers provide a place for local children and their families to socialize, which strengthens the community. A day care center is a permitted use within the DR-3 district with the approval of a SUP.

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

The existing facility has multiple access points, two from Mesa Drive, and one from Lesueur, reducing the likelihood of traffic back-ups during peak hours for drop off and pick up. Also, existing pedestrian walks connect the building entrance to the public walk at Mesa Drive and thus to public transportation.

The proposal meets this criteria.

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

The addition of the day care center does not add any additional burden on the 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 criteria.

Findings:

- A. The subject site is currently used as a charter school.
- B. Day care centers are permitted in the DR-3 zoning district with the approval of a SUP.
- C. The day care center will be located within two classrooms on the western side of the existing charter school building.
- D. There are no specific requirements for day care centers beyond the SUP and the addition of the use will not trigger any additional code requirements.
- 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 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 the request for a SUP for a day care center in the DR-3 zoning district meets the approval criteria of Section 11-70-5(E), and therefore recommends approval with the following conditions:

Conditions of Approval:

1. Compliance with the floor plan, site plan and project narrative as submitted.
2. Compliance with all applicable City of Mesa Development Codes and Regulations.
3. Compliance with all requirements of the Development Services Department regarding the issuance of building permits.

Exhibits:

Exhibit 1 – Vicinity Map

Exhibit 2 – Staff Report

Exhibit 3 – Narrative/Justification Statement

Exhibit 4 – Site Plan

Exhibit 6 – Floor Plan