



Report to the Planning and Zoning Commission

Prepared by the Maricopa County Planning and Development Department



Case: CPA2012011 – East Valley Men’s Center
Meeting Date: June 6, 2013

Agenda Item: 11

Supervisor District: 1

Applicant: Beus Gilbert, PLLC

Owner: Prehab of Arizona, Inc.

Request: Comprehensive plan amendment (CPA) to change the land use designation from Rural Development Area to Institutional

Site Location: Southeast corner of Lehi Rd. and Country Club Dr. (in the Mesa area)

Site Size: Approx. 3.17 acres

Density: N/A

County Island Status: Class IIA

County Plan: Comprehensive Plan – Rural Development Area

Municipal Plan: City of Mesa – Mixed Use Employment

Municipal Comments: None received

Support/Opposition: None known

Recommendation: **Approve** with conditions

Project Summary:

1. The applicant is requesting a CPA to change the land use designation within the comprehensive plan from Rural Development Area to Institutional on approximately 3.17 acres. The request is to continue using the property for New Leaf/East Valley Men’s Center which is a group home care facility to provide transitional shelter for homeless men. There is an associated Special Use Permit in process with the request.

Figure 1.
Aerial photograph of subject site and adjacent land uses.



2. The East Valley Men’s Center provides comprehensive programs which include life skills, training, work assistance and counseling along with shelter for homeless men. The East Valley Men’s Center opened in 1998 and merged with New Leaf in 2006. In 2007, the City of Mesa obtained funding to remodel the site and has since leased it to New Leaf with a condition that the site to be used as a homeless shelter. At that time the County determined the ownership was considered governmental use and was exempt from zoning authority for 5 years. However, due to the change in ownership from the City of Mesa to New Leaf it was determined this facility would require a special use permit in conjunction with a comprehensive plan amendment.
3. The narrative asserts that the proposed development meets the Comprehensive Plan Amendment criteria in the following manner.

Whether the amendment constitutes an overall improvement to the Comprehensive Plan and is not solely for the good or benefit of a particular landowner or owners at a particular point in time.

The applicant states due to a shortage of affordable housing, gentrification of communities and the dwindling number of social service facilities are trends that contribute to homelessness. The narrative indicates the comprehensive plan amendment is not solely for the good or benefit of a particular landowner or owners, rather it constitutes an overall improvement to the Comprehensive Plan and provides homeless individuals an opportunity to be self-sufficient and move back into the community.

Whether the amendment will adversely impact all or a portion of the planning area.

A. *Altering acceptable land use patterns to the detriment of the plan.*

The narrative asserts that the facility has operated since 1998 and is adjacent to various industrial uses. Uses in the vicinity include an Arizona Department of Public Safety substation, and Arizona Department of Transportation vehicle service station, and an earth excavation/mining and material transferring facility to identify a few. The land uses and their intensities are consistent with the heavy commercial and industrial zoning districts, thus the proposed Institutional land use is an acceptable land use pattern and consistent with the adjacent uses.

B. *Requiring public expenditures for larger and more expensive public improvements to roads, sewer, or water systems than are needed to support planned land uses.*

The applicant indicates no public expenditures for larger or more expansive infrastructure is required. The narrative states the site is serviced by the City of Mesa for water and there is an existing on-site septic for wastewater. The narrative asserts that there will not be any public improvements for roads, sewer or wastewater systems or other infrastructure to support the proposed land use.

C. *Adversely impacting planned uses because of increased traffic.*

The narrative indicates there will be no increase in the number of residents at the facility (110 residents). The narrative also states there will be some on-site modifications with structures, but will not impact the East Valley Men's Center capacity and operation, therefore will not have any adverse impacts related to an increase in traffic.

D. *Affecting the livability of the area or the health or safety of present and future residents.*

The narrative asserts that there will be no effect on the livability of the area or the safety of present and future residents. The site is within a heavy commercial and industrial uses and would not impact the livability of the area.

- E. *Adversely impacting the natural environment or scenic quality of the area in contradiction to the plan.*

The narrative states there will be site modifications as proposed with the Special Use Permit to remove a canopy and expand the Skills Development Building. The modifications will have no effect on the natural environment and scenic quality of the area due to the existing heavy commercial and industrial uses.

Whether the amendment is consistent with the overall intent of the Comprehensive Plan.

The narrative report states the comprehensive plan amendment request conforms with the Comprehensive Plan which seeks to create strong and vibrant communities by encouraging orderly development. Affordable housing is directly correlated with homelessness, the Comprehensive Plan states, “provide decent and affordable housing opportunities for citizens is often considered one of the most important issues facing communities” and “affordable housing is an important issue that affects the social and economic stability of all communities”. The narrative asserts that there is a need for homeless shelters in the County due to scarcity of permanent affordable housing and rising costs of market rate housing. The CPA will provide homeless individuals increased opportunities to set personal goals and address their barriers.

- 4. The narrative also states that the proposed development meets the following goals and objectives of the Comprehensive Plan (Note: the applicant’s narrative report [attached] provides details about how this amendment intends to meet these goals and policies):

Land Use objective L12: Support and encourage efforts by public, private, and non-profit agencies to establish affordable housing programs.

Land Use Objective L13: Promote zoning, subdivision, and land use regulations that accommodate affordable housing.

Public Participation Summary:

- 5. The applicant posted the property and notified all property owners within 300 feet of the subject site in accordance with the Maricopa County’s Public Participation Guidelines. Staff has not received any support or opposition as the writing of this report.

Existing On-Site and Adjacent Land Uses:

- 6. On-site: East Valley Men’s Center
North: Arizona Department of Public Safety substation
South: Industrial outdoor storage uses
East: Industrial outdoor storage uses
West: State Route 87, then Salt River

Utilities and Services:

- 7. Water: City of Mesa
- Wastewater: On-site septic
- School District: Mesa #4
- Fire: City of Mesa

Outstanding Concerns from Reviewing Agencies:

- 8. N/A

Staff Analysis:

- 9. The subject site is within a Class II A county island surrounded by the City of Mesa and Salt River Pima-Maricopa Indian Community. The City of Mesa General Plan identifies the site for 'Mixed Use Employment', namely areas designed for a mix of employment including office, retail, commercial and business park in a campus environment. Staff has not received comment from the City of Mesa regarding the request and believes the Institutional land use designation is appropriate and consistent with the surrounding land uses. Reviewing county agencies have no objections to this request.

Recommendation:

- 10. Staff recommends the Commission motion for **approval** with conditions "a" – "b", of **CPA2012011** for the following reasons:
 - The request meets the criteria identified in the Maricopa County Comprehensive Plan Amendment Guidelines.
 - There is no known public opposition.
 - Reviewing county agencies have no objections to the request.

Provided the following conditions are met:

- a. Development and use of this site shall comply with the narrative report entitled, "East Valley Men's Center", including all exhibits dated revised April 9, 2013, and stamped received April 9, 2013, except as modified by the following conditions.
- b. The granting of this change in land use designation of the property has been at the request of the applicant, with the consent of the landowner. The granting of this approval allows the property owner to enjoy uses in excess of those permitted by the land use existing on the date of application, subject to conditions. In the event of the failure to comply with any condition of approval, the property shall change to the land use designation that existed on the date of application. It is, therefore, stipulated and agreed that revocation due to the failure to comply with any condition does not reduce any rights that existed on the date of application to use, divide, sell or possess the property and that there would be no diminution in value of the property from the value it held on the date of application due to such revocation. The Comprehensive Plan Amendment enhances the value of the property above its value as of the date this Comprehensive Plan Amendment is granted and changing to the prior land

use designation results in the same value of the property as if the Comprehensive Plan Amendment had never been granted.

Presented by: Rachel Applegate, Planner
Reviewed by: Matt Holm, AICP, Comprehensive Planning Supervisor

Attachments: Case Map (1 page)
Vicinity Map (1 page)
Land Use Plan (reduced 8.5"x11", 1 page)
Narrative Report/Ex. Summary (2 pages)
1st Routing Memo (1 page)
MCDOT comments (1 page)
MCESD comments (1 page)
FCD comments (1 page)
MCDEM comments (1 page)

Enclosures: Narrative with land use exhibit