



PLANNING & ZONING COMMISSION

STAFF REPORT

Meeting Date: 2/5/2026

Agenda Item(s): 3R

TO: Planning and Zoning Commission
THROUGH: Chris M. Jacques, AICP, Planning Director
FROM: Jacob Herrera, Planner II
SUBJECT: Deep Within Rehab: Conditional Use Permit (CU25-21)
11773 N 91st Avenue, Peoria, AZ 85345

PROPOSAL

The applicant is requesting a Conditional Use Permit to increase the allotted number of residents receiving substance abuse rehabilitation services on site from 20 to 28 persons.

APPLICATION INFORMATION

Case Numbers	Conditional Use Permit (CU25-21)
Applicant	Cynthia Humes – Deep Within Rehab
Request(s)	Approval of a Conditional Use Permit (CUP) to increase the allotted number of residents receiving substance abuse rehabilitation services on site from 20 to 28 persons.

LOCATION AND CONTEXT

SUBJECT SITE

The existing rehabilitation facility occupies a site comprised of two parcels zoned General Commercial (C-4) and is situated southeast of the intersection at 91st Avenue and Grand Avenue. The site consists of multiple buildings serving various functions, including resident lodging, storage, meeting areas, and the director's living quarters (**Exhibit 5**).

The existing vehicular access to the site is from the entrance off of 91st Avenue. There are 28 parking spaces on-site to support staff and peer mentors that assist with programming. Residents receiving services are not permitted to have personal vehicles that are parked on site. The site has operated in a similar fashion since 2004, and no on-site improvements are proposed in association with the increase in residents. The existing site contains the requisite number of sleeping and sanitation facilities to house the proposed resident increase.

CONTEXT:

The area surrounding the subject site to the north, east, and south consists of an RV sales and repair facility. Immediately beyond the RV sales and repair establishment is Grand Avenue (US-60) to the north, a mini-storage facility to the east, and Casa Del Sol RV Resort to the south (**Exhibit 2**). The parcels that directly abut the subject site are similarly zoned General Commercial (C-4).

The western boundary of the subject site abuts 91st Avenue which is an arterial roadway followed by a mix of uses running north to south that include retail establishments followed auto service establishments

and workshop spaces, followed by single-family residential across 91st Avenue from the southern end of the subject site.

APPLICANT'S PROPOSAL

The applicant is requesting to increase the number of residents receiving substance abuse rehabilitation services from 20 to 28 persons. No changes to access, hours of operation, services provided, or physical site modifications are proposed. As referenced the subject site currently contains additional capacity for the proposed resident increase.

DEVELOPMENT INFORMATION:

<u>Existing Use:</u>	Rehabilitation Facility for 20 residents
<u>Proposed Use:</u>	Rehabilitation Facility for 28 residents
<u>Development Site Area:</u>	Approximately 2 acres

STAFF ANALYSIS

ZONING HISTORY AND PROPERTY DEVELOPMENT:

The property was annexed into the City through Ordinance No. 47, on January 10th, 1961, and was zoned as General Commercial (C-4) when City Council adopted the zoning for the larger area in 1976 under Ordinance 211. The site was initially constructed in the 1960s and has been modified over the years prior to the implementation of Site Plan submittal requirements by the City. The rehabilitation facility has been in operation on the site for the last 21 years.

APPLICABILITY:

The *substance abuse detoxification and treatment center* use is a conditionally permitted use within the C-4 zoning district. The applicant received a Conditional Use Permit (CU18-03) in 2018, authorizing the expansion of on-site services to include substance abuse detoxification.

The narrative associated with the previously approved CUP (CU18-03) limits rehabilitation services to a maximum of 20 residents. However, the facility is capable of accommodating up to 28 residents. The proposed increase of eight (8) residents would accommodate the additional need and would align with the capacity of the on-site facilities in compliance with Arizona Department of Health Services (AZDHS) requirements for such facilities. Of note, AZDHS requires local jurisdiction approval for changes to facilities including their operational limitations, such as the number of residents.

As a result, the proposed Conditional Use Permit simply seeks to amend the existing CUP to increase the allotted number of residents receiving substance abuse rehabilitation services from 20 to 28 persons.

CONDITIONAL USE PERMIT:

The purpose of a Conditional Use Permit is to ensure that the physical and operating characteristics inherent with the land use have been sufficiently resolved or mitigated, thereby optimizing compatibility with the surrounding area. This is to ensure that the use is not injurious to the health, safety, and general welfare of the community.

Within the C-4 Zoning District, a rehabilitation facility requires a Conditional Use Permit. As such the facility must operate in compliance with the review criteria set forth in the Peoria Zoning Ordinance. Staff has reviewed the application for compliance with the Zoning Ordinance and conducted an overall examination of the project characteristics. Staff's findings are summarized in italics below the applicable review criteria:

Review Criteria:

Section 21-155 of the Peoria Zoning Ordinance outlines the applicable criteria for evaluating Conditional Use Permits. The Planning and Community Development Department shall review applications and make a recommendation for approval or denial to the Planning and Zoning Commission based on the following criteria:

1. The proposed use is consistent with the General Plan and all applicable provisions of this Zoning Ordinance, and applicable state and federal regulations.

The proposed use aligns with the Zoning Ordinance subject to obtaining a Conditional Use Permit. As referenced, the Arizona Department of Health regulates the treatment provided on site for the residents and the proposed facility seeks to comply with applicable regulations.

2. The proposed use is consistent with the purpose and intent of the zoning district which it is located and meets any applicable use-specific standards within the Zoning Ordinance.

The proposed use is a conditionally permitted use within the subject zoning district (C-4) and seeks to continue operational consistency with the previously approved limitations with the exception of the change in the number of residents in alignment with this application.

3. The proposed use is compatible with adjacent uses in terms of scale, site design, and operating characteristics (such as, but not limited to, hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts);

The existing facility has been in operation for several years and continues to comply with the limitations imposed. No physical modifications to the site are proposed and as such would continue the existing continuity with surrounding properties.

4. Any significant adverse impacts anticipated to result from the use will be mitigated or offset to the maximum extent practical.

No physical improvements are proposed, and the operational characteristics will remain aligned with the current operation. No adverse impacts are anticipated.

5. Facilities and services (including sewage and waste disposal, water, gas, electricity, police and fire protection, and roads and transportation as applicable) will be available to serve the subject property while maintaining adequate levels of service for existing development.

As referenced, no physical improvements are proposed to the site, and the site currently contains excess capacity to serve the proposed additional 8 residents as identified within the narrative (Exhibit 4).

6. Adequate assurances of continuing maintenance have been provided.

The existing operation currently maintains the site and would continue to do so.

7. Any significant adverse impacts on the natural environment will be mitigated to the maximum extent practical.

The site has existed in its current form for decades and does not propose any physical changes to the site.

OPERATIONAL CHARACTERISTICS

The previously approved Conditional Use Permit (CU18-03) established the following limitations:

1. The use shall substantially conform to the approved Project Narrative and Site Plan.
2. Any expansion or material change to the use shall require an amendment to the CUP, as well as Site Plan approval for any modifications to the physical composition of the site.
3. The use shall obtain all required permits and approvals from the City of Peoria Building Department, the City of Peoria Fire Department, and the Arizona Department of Health Services.
4. The number of residents on site shall comply with all applicable building and fire code occupancy requirements.

Consistent with these limitations, the applicant's request represents a single, minimal change to the existing operational parameters. The only operational change proposed is the increase in the allotted number of residents receiving services on-site. Residents receiving services would live on site, and the facility would continue to operate 24 hours per day for services to residents, seven days per week, consistent with the hours approved under CU18-03. Additionally, no changes to parking, access, or the physical site are proposed.

The facility currently provides, and would continue to provide, the following services to individuals receiving treatment:

- Assessment, individualized program planning, and health evaluations.

- Individual and group substance abuse counseling provided by qualified counselors.
- Substance abuse treatment, relapse prevention, and life skills education.
- Twelve-step meetings and SMART Recovery groups.
- Vocational training and assistance, as well as referrals related to court matters.
- Drug and alcohol testing to verify sobriety of individuals receiving services.

The applicant's narrative (**Exhibit 4**) indicates that potential residents who are severely mentally ill or require detoxification or methadone treatment would be referred to local hospitals and would not receive treatment at the subject site.

PUBLIC SAFETY

Staff consulted the Peoria Police Department regarding the proposed request to discern any potential public safety concerns.

The Police Department reviewed calls for service associated with the site and identified a total of fourteen (14) calls for service over the past two years, with only two (2) resulting in a crime report. The Police Department noted that this level of activity is low for a substance abuse detoxification and treatment facility, and that there were no concerns of impact or strain on public safety services with the proposed change.

Additionally, the Peoria Fire Department was included in the review of the Conditional Use Permit application and approved the request as proposed.

CONTINUING JURISDICTION

The purpose of the Conditional Use Permit requirement for a substance abuse detoxification and treatment center is to ensure compatibility with the surrounding area.

If any issues arise regarding the operation of the business, [Section 21-155.L](#) of the Zoning Ordinance provides the Zoning Administrator with continuing jurisdiction over all Conditional Use Permits. This means that the Zoning Administrator may recommend to the Planning and Zoning Commission that a permit may be revoked, modified, or suspended should any of the following occur:

1. The permit was obtained by fraud or misrepresentation;
2. The use authorized by the permit has been exercised in violation of the conditions of its approval;
3. A change in circumstances consisting of any of the following has occurred:
 - a. Impacts from the approved conditional use to neighboring properties.
 - b. Changes in aesthetic or environmental impacts such as noise, odors, or pollution.
4. The use authorized by the permit has been exercised in a manner that is detrimental to the public health, safety, or welfare of the community or in a manner that constitutes a nuisance to neighboring property owners, adjacent neighborhoods, or the City.

COMMUNITY INVOLVEMENT

Public Noticing:

The application was properly noticed pursuant to [Section 21-146](#) of the City of Peoria Zoning Ordinance , which includes notification to all property owners within 600 feet of the site and registered HOAs within one (1) mile, posting of a sign on the site, and placing of an ad in the Peoria Times at least 15 days prior to the Public Hearing.

Support / Opposition:

At the time of this writing, Staff has not received written opposition or support.

KEY FINDINGS

1. The proposal meets the Conditional Use Permit standards within the City of Peoria Zoning Ordinance.
2. When operated in accordance with the recommended conditions of approval, the change in the number of residents is not expected to have an impact on adjacent properties.
3. On behalf of the owner, the applicant has submitted a signed and notarized Proposition 207 waiver, which will be recorded with the conditions outlined below.

RECOMMENDATION

Staff recommend that the Planning and Zoning Commission take the following action:

Approve the applicant's request for a Conditional Use Permit under Case CU25-21, subject to Exhibit 1 - Conditions of Approval.

STAFF CONTACT

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