



## Planning and Zoning Board

### *Staff Report*

**CASE NUMBER:** ZON18-00854  
**LOCATION/ADDRESS:** 534 and 550 West McKellips Road.  
**GENERAL VICINITY:** Located west of Country Club Drive on the north side of McKellips Road.  
**REQUEST:** Site Plan Review.  
**PURPOSE:** To allow for the development of industrial and commercial buildings.  
**COUNCIL DISTRICT:** 1  
**OWNER:** KIRBY AND ANN MARTIN  
**APPLICANT:** Michael O'Brien, Pitchfork Partners, LLC  
**STAFF PLANNER:** Wahid Alam, AICP

#### **SITE DATA**

**PARCEL NO.:** 135-01-002J and 135-01-002K  
**PARCEL SIZE:** 3± acres  
**EXISTING ZONING:** Light Industrial (LI)  
**GENERAL PLAN CHARACTER:** Employment  
**CURRENT LAND USE:** Industrial uses

#### **SITE CONTEXT**

**NORTH:** Existing industrial uses -zoned LI  
**EAST:** Existing industrial uses -zoned LI  
**SOUTH:** (across McKellips Road) Existing Seyenna Vista Mobile Homes – zoned RM-4  
**WEST:** (across Date Street) Existing industrial uses-zoned LI

#### **HISTORY/RELATED CASES**

**May 5, 1979:** Annexed to City of Mesa (Ordinance# 1243)  
**November 19, 1979:** Established City Zoning on recently annexed property (Z79-143, Ordinance# 1292)  
**September 20, 2018:** Medical Marijuana Facility Registration was approved for 550 West McKellips Road (ADM18-00656).

**STAFF RECOMMENDATION:** Approval with conditions.

### **PROJECT DESCRIPTION / REQUEST**

The applicant is requesting a site plan review to redevelop an existing site. Currently, there are multiple structures on the site. The proposed site plan shows all the current structures on the site will be removed and replaced with two new buildings of approximately 34,478 square feet. The buildings will consist of one large building of approximately 31,985 and smaller building of approximately 2,493 square feet. The development is located at the northeast corner of Date Street and McKellips Road west of Country Club Drive on the north side of McKellips Road. According to the applicant and information shown on the site plan, the smaller building will be used as a dispensary for medical marijuana. The larger building will be used for cultivation and fusion of marijuana products. The site plan shows the larger building will be located at the rear of the site along the north property line, and the smaller building will be located on the northern section of the site. Access to the site will be provided through two existing driveways from McKellips Road, and one new driveway from Date Street.

### **NEIGHBORHOOD PARTICIPATION:**

The applicant has completed a Citizen Participation Process, which included a mailed letter to property owners within 1,000' of the site, as well as HOAs and registered neighborhoods within a mile. The applicant held a neighborhood meeting on November 7, 2018 in the boardroom at Sheraton Mesa Hotel at Wrigleyville West, 860 North Riverview, Mesa, AZ 85201 which is located within 2.5 mile of the site. Twelve neighbors attended the meeting. According to the meeting minutes submitted by the applicant, there are several concerns expressed by the community members which included potential odor that may be associated with the operation of the facility and disposal of waste water and materials. See attached citizen participation report.

On December 6, 2018 the applicant met with Stephanie Wright, Principal Officer with West Mesa Community Development Corporation and other interested neighbors including Council member Mark Freeman (District 1) to discuss the project. Some of the issues discussed at the meeting included design of the buildings, potential traffic congestion and other City of Mesa development requirements including timing of the development. See attached citizen participation report dated December 27, 2018.

As of writing this report, Staff has been contacted by one property owner who expressed concerns with the proposed development and its potential negative impact on his property value and ability to attract potential buyers.

### **STAFF ANALYSIS**

#### **MESA 2040 GENERAL PLAN:**

The Mesa 2040 General Plan designates this area as Employment District. Staff has reviewed the request and found that it is consistent with the criteria for review as outlined in Chapter 15 (pg. 15-1) of the Mesa 2040 General Plan, as well as conforms to the requirements of the General Plan.

#### **ZONING:**

The parcels are currently zoned Light Industrial (LI). Per Section 11-7-2 of the city of Mesa's zoning ordinance, retail, manufacturing and warehouse uses are allowed in the LI zone district. The proposed

development is for a medical marijuana dispensary and cultivation facility. Section 11-31-34 of the MZO also requires the facility to conform to additional requirements for dispensary, cultivation and fusion. The information submitted with the applicant shows conformance with the MZO.

**SITE PLAN - MZO Section 11-69-5:**

The site plan meets all of the review criteria for lot layout and functionality outlined in section 11-69-5 of the Mesa Zoning Ordinance. The proposed vehicular access, setback of building and all applicable dimensional and development standards conforms to the requirement of the MZO.

Design Review:

On December 11, 2018, the Design Review Board reviewed the design of the proposed development. Approximately 12 residents attended the meeting. Since the meeting, the applicant has completed changes to the elevations that were recommended by the Design Review Board

**CONCLUSION:**

The request complies with the Mesa 2040 General Plan and criteria for Site Plan Review outlined in Chapter 69 of the Zoning Ordinance (Section 11-69-5). Staff recommends approval with the following conditions:

**CONDITIONS OF APPROVAL:**

1. Compliance with the final site plan submitted.
2. Compliance with all City development codes and regulations.
3. Compliance with all requirements of Design Review.
4. Install enhanced material (pavers, color concrete or similar material) in the pedestrian crossings located in the parking lots or driveways.
5. Issuance of an active Medical Marijuana Dispensary registry certification from the Arizona Department of Health Services.
6. Prior to the issuance a building permit, record with Maricopa County a parcel combination that combines parcel numbers 135-01-002J and 135-01-002K into one parcel.