

## MINUTES OF THE MAY 22, 2019 PLANNING & ZONING MEETING

- \*4-a ZON18-00891 District 3.** 535 West Baseline Road. Located west of Country Club Drive on the south side of Baseline Road. (1.4± acres). Rezone from NC to LI. This request will allow for the development of an industrial use. Matthew Rettig, applicant; PDE Investments, LLC, owner. **(Continued from April 17, 2019).**

**Planner: Evan Balmer**

**Staff Recommendation:**

**Summary:** Staffmember Evan Balmer presented case ZON18-00891 to the Board. Mr. Balmer explained to the Board that staff is recommending a condition of approval with case to require a Development Agreement to limit certain land uses on the property. The intent of limiting certain land uses is to ensure the rezoning of the property to Light Industrial does not negatively impact surrounding properties. Mr. Balmer informed the Board that uses allowed in the Neighborhood Commercial designation currently on the property will still be allowed with development agreement.

The property owner, Steve Adams, 535 W. Baseline Road, spoke to the Board. Mr. Adams stated he has had difficulty leasing vacant spaces in the building and believes the rezoning with the possibility of allowing a medical marijuana use will be compatible with the area. Mr. Adams stated he does not object if the P&Z include a requirement to construct a higher fence at the rear of the property.

David Benson, 2043 S. Orange Street spoke in opposition. Mr. Benson stated he owns two properties nearby and has mixed feelings about the rezoning. He stated he is not pleased to have a medical marijuana dispensary so close to his home, however, there are several homeless people trespassing on the property all the time and have an active use will deter the homeless from occupying the property. Mr. Benson questioned if there were not other type of retailers that could lease the space. In conclusion, he requested an increase to the wall on the south side of the property if the request is approved.

There was a card filled by the owner of the medical marijuana dispensary, Jason Chacon, 4353 N. Deserts Gate Circle, was in favor of the request and did not speak.

Attorney for the applicant, Janet Jackim, 4250 N. Drinkwater spoke in favor of the project. Ms. Jackim stated the owner will be relocating from another location and intends to continue to provide a professional facility.

Gabe Gomez, 2152 S. Vineyard is in favor of the project and did not speak.

The boardmembers discussed including a condition of approval to require a higher wall on the southern section of the property. Mr. Adams stated he would be amenable to adding to the existing wall if needed. The P&Z also asked staff if the Development Agreement will run with the land. Staff informed the P&Z that the Development Agreement will run with the land.

Boardmember Villanueva-Saucedo motioned to approve case ZON18-00891 with conditions of approval. The motion was seconded by Boardmember Sarkissian.

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**That: The Board recommends the approval of case ZON18-00891 conditioned upon:**

1. Compliance with all City development codes and regulations.
2. Execute a development agreement, as approved by City Council, to restrict certain land uses on the property
3. Landscaping shall comply with the landscape plan approved with zoning case Z05-020. Any dead, dying or missing landscape materials shall be replaced in kind and all landscaping shall be trimmed to maintain natural surveillance.

Vote: 4-0 Approved (Chair Dahlke, and Boardmembers Allen and Crockett, absent)

Upon tabulation of vote, it showed:

AYES – Astle, Sarkissian, Boyle, Villanueva-Saucedo

NAYS – None

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***Note: Audio recordings of the Planning & Zoning Board Meetings are available in the Planning Division Office for review. They are also “live broadcasted” through the City of Mesa’s website at [www.mesaaz.gov](http://www.mesaaz.gov)***