

Exhibit A-ZON19-00440



August 5, 2019

City of Mesa
Planning & Zoning
55 N Center St.
Mesa, AZ 85201

Re: Rezoning, Council use permit for Pawn Shop use and Site Plan Approval Application for property located at 1728 S. Greenfield Road Mesa AZ 85206, Case No. ZON19-00440

Project Narrative:

Proposed application is a request for rezoning of parcel number 140-67-088 with existing zoning Light Industrial (LI) to proposed zoning Limited Commercial (LC) with a council use permit to allow pawn shop use. No changes to the buildings, site or any other work is proposed with this submittal.

The proposed site is located at 1728 S. Greenfield Rd. Mesa AZ 85206 near the southwest corner of US60 and Greenfield Road. It is an existing developed site with existing commercial retail center. It is part of Greenfield Gateway Retail Center. The site area of this parcel is approximately 311,852 S.F. or 7.159 Acres. With two existing building; a 35,000 S.F. fitness center and a 16,900 S.F. retail building. Existing zoning of this parcel is Light Industrial (LI) and proposed zoning is Limited commercial (LC). We are also applying for a council use permit for proposed Pawn shop in the existing retail building. South and east side of this property is commercial with LI zoning having cross access and cross parking agreement with proposed site. West of this parcel is vacant land with LI zoning and south of this parcel is US-60, Superstition Freeway.

General Plan:

The Mesa 2040 General Plan Character area designation on the property is Mixed-Use Activity District (MUAD) with primary focus of the Mixed-Use Activity. Proposed Greenfield Gateway Retail Center is a large-scale community and regional activity center having a significant retail commercial component including shopping areas, Restaurants, Fitness center and Big box retail like Walmart that are designed and developed to attract customers from a large radius. The goal of the center is to help create strong and viable centers of commercial activity that attract people to unique shopping and entertainment experiences.

The site falls within the Superstition Springs Economic Activity Area and the Superstition Freeway East District. This area is expected to see growth in the healthcare and retail industry along the freeway. The existing retail center is consistent with the General Plan. We believe that this area is rapidly growing and providing a significant demand for a Pawn shop. There is a significant interest from end user to be in this location as there is no other Pawn shop with in close vicinity.

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Utah
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Washington
West Virginia
Wisconsin
Wyoming

Principals:

Robert W. Kubicek, AIA
Kathleen D. Rieger, VP
Steve A. Nosal, VP
Neil A. Feaser, AIA, VP



Council Use permit: Proposed Pawn shop

Section 11-70-2: Burden of Proof:

"The applicant has the burden of proving that the application meets the Ordinance requirements for granting of any use permit. No structure, facility, or use approved by conditional use permit may be modified, enlarged or expanded, without obtaining an approved modification to the Conditional Use Permit. The application for modification shall be processed as a new conditional use permit application under this Ordinance. The issuance of a Conditional Use Permit may require that the existing development site be brought into substantial conformance with the terms of the Mesa City Code in effect on the date the use permit is approved, including but not limited to: landscaping, screening, parking, and storm water retention."

Proposed site is located near SWC of US60 and Greenfield Road in an existing commercial retail center which is part of Greenfield Gateway Retail Center. Proposed zoning for this parcel is LC and Proposed Pawn shop use is an approved use with council use permit in LC zoning. And is consistent with the General plan. We have applied for CUP for pawn shop use for this project. There is no other Pawn shop within 1200 feet of this location and it is out side 1200 feet radius of any school. We believe that this area is rapidly growing and providing a significant demand for a Pawn shop. The proposed project will be brought to substantial conformance with the terms of the Mesa City Code and regulations including but not limited to: Building and fire safety regulation at the permit stage. Per our discussion with and email received from Mr. Pablo Hernandez on July 31st 2019, the building and fire safety comments were for information only at this stage and will needs to be addressed at permit stage. The proposed application is consistent with the policies of the General Plan and any other applicable City plan and/or policies

No structure, facility, or use approved by conditional use permit will be modified, enlarged or expanded, without obtaining an approved modification to the Conditional Use Permit. The application for modification will be processed as a new conditional use permit application under this Ordinance. The issuance of a Conditional Use Permit may require that the existing development site be brought into substantial conformance with the terms of the Mesa City Code in effect on the date the use permit is approved, including but not limited to: landscaping, screening, parking, and storm water retention."

We feel that this application meets the Ordinance requirement for council use permit. The existing development site will be brought to substantial conformance with the terms of the Mesa City Code including but not limited to: landscaping, screening and parking.

Section 11-70-6: Council Use Permits:

A. Council Use Permits (CUP). A CUP is a discretionary permit issued by the City Council after review and recommendation by the Planning & Zoning Board.

B. Uses Subject to Council Use Permits. Uses requiring a CUP are established in the use tables in Chapters 4 through 11.

C. Permit Application and Procedures. The procedures for review and consideration of a CUP are as provided in the Chapter 67, Common Procedures.

D. Review Criteria. A CUP shall only be granted if the approving body determines that the project as submitted or modified conforms to all of the following criteria. If it is determined that it is not possible to meet all of the review criteria, the application shall be denied. The specific basis for denial shall be established in the record.



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 Mesa 2040 General Plan Character area designation on the property is Mixed-Use Activity District (MUAD) with primary focus of the Mixed-Use Activity. The site falls within the Superstition Springs Economic Activity Area and the Superstition Freeway East District. This area is expected to see growth in the healthcare and retail industry along the freeway. The existing retail center is consistent with the General Plan.

We believe that this area is rapidly growing and providing a significant demand for a Pawn shop. There is a significant interest from end user to be in this location as there is no other Pawn shop with in close vicinity. The proposed application is consistent with the policies of the General Plan and any other applicable City plan and/or policies

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;

Proposed site is located near SWC of US60 and Greenfield Road in an existing commercial retail center which is part of Greenfield Gateway Retail Center. Proposed zoning for this parcel is LC and Proposed Pawn shop use is an approved use with council use permit in LC zoning. And is consistent with the General plan.

3. The proposed project will not be injurious or detrimental to the adjacent or surrounding properties in the area of the proposed project or improvements in the neighborhood or to the general welfare of the City;

The proposed project is an existing retail center and the application is for a Pawn Shop use. The site falls within the Superstition Springs Economic Activity Area and the Superstition Freeway East District. This area is expected to see growth in the healthcare and retail industry along the freeway. We believe that this area is rapidly growing and providing a significant demand for a Pawn shop and that it will not be injurious or detrimental to the adjacent or surrounding properties in the area of the proposed project or improvements in the neighborhood or to the general welfare of the City.

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

Proposed site is located at 1728 S. Greenfield Road Mesa AZ 85206 Near SWC of US60 and Greenfield Road. It is a developed site with existing commercial retail and is part of Greenfield Gateway Retail Center. North of this center is US60 which is a Major freeway and East of this property is Greenfield Road which provides connection to this site from freeway and other area's in the vicinity of this site. We believe that there are adequate public services, public facilities and public infrastructure available to serve proposed project.

Section 11-31-21: Pawn Shops:

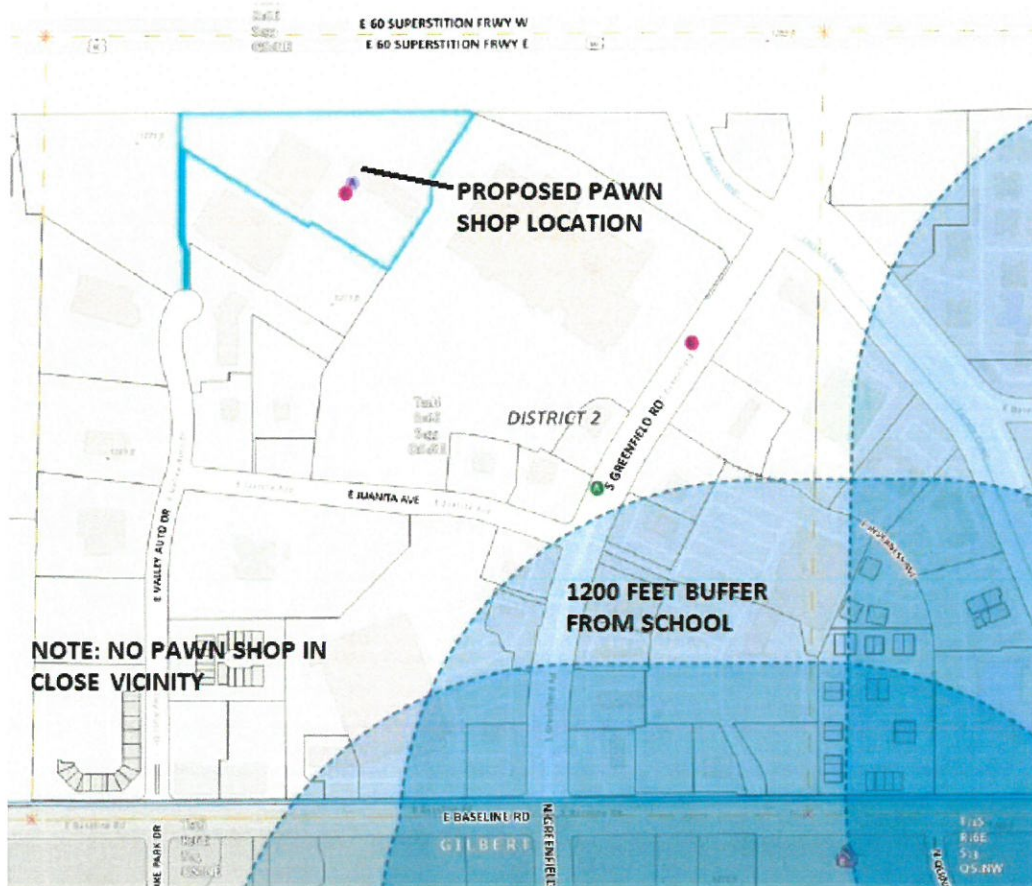
Pawn Shops, as described in Section 11-86-4, shall be located, developed, and operated in compliance with the land use regulations in Article 2 and the following standards:



A. License required. A pawn broker license issued pursuant to Title 5, Chapter 7 of the Mesa City Code is required, or evidence of current and/or future compliance with all requirements of Mesa City Code Title 5, Chapter 7 pertaining to the issuance of a pawn broker's license. ***Proposed user of this Pawn Shop has the same pawn shop use in many other places and is an established name in this industry. They will apply for a license after approval of the use permit pursuant to Title 5, Chapter 7 of the Mesa City Code and they strongly believe that they are in compliance with all requirements of Mesa City Code Title 5, Chapter 7 pertaining to the issuance of a pawn broker's license. Please refer to Letter/explanation attached.***

B. Location. 1. Minimum distance from another pawn shop: 1,200 feet. Minimum distance from a public or private school: 1,200 feet. 2. Exceptions to the 1,200 feet separation requirement may be approved by the City Council upon a finding that there are significant intervening physical features, such as arterial street, canals, parks, or similar buffering features or developments, between a proposed pawn shop and an existing pawn shop or Public or Private School. MESA ZONING ORDINANCE Chapter 31: Standards for Specific Uses and Activities Return to Page 1 31-27 The MZO is current through Ordinance 5437, effective June 6, 2018

Proposed Pawn Shop location meets the above criteria and is minimum 1200 feet from another Pawn shop or public or private school.





1,200 FEET Buffer Map: Blue shaded area – 1,200 feet from school.
No Pawn shops within 1,200 feet of proposed site.

C. Criteria for Review of Council Use Permit: The review of the Council Use Permit shall include a review and determination regarding the following items:

1. The use is found to be in compliance with the General Plan and other recognized development plans or policies, and will be compatible with surrounding uses;
Proposed Pawn Shop use is an approved use with council use permit in Proposed LC zoning and is in compliance with the General Plan and other recognized development plans or policies, and will be compatible with surrounding retail and commercial uses.

Operation Plan

2. A finding that a plan of operation has been submitted, which includes, but is not limited to, acceptable evidence of compliance with all zoning, building, and fire safety regulations:
Proposed zoning for this parcel is LC and Proposed Pawn shop use is an approved use with council use permit in LC zoning. The proposed project will be brought to substantial conformance with the terms of the Mesa City Code and regulations including but not limited to: Building and fire safety regulation at the permit stage. Per our discussion with and email received from Mr. Pablo Hernandez on July 31st 2019, the building and fire safety comments were for information only at this stage and will needs to be addressed at permit stage.

Good neighbor policy

3. A finding that a "good neighbor policy" in narrative form has been submitted, which includes, but is not limited to, descriptions of acceptable measures to ensure ongoing compatibility with adjacent uses. Such policies shall include, but are not limited to, the name and telephone number of the manager or person responsible for the operation of the facility; complaint response procedures, including investigation, remedial action, and follow-up; and litter control measures;
The use will have policies in place to make sure of compatibility with adjacent uses. The use will maintain a healthy and safe environment and will follow with the policies and guidelines of the center. Customer experience will be an at most priority not only for customers of this use but for the customers and persons visiting this center. The cleanliness will be maintained by providing trashcans and by proper cleaning of the premises. Any unsocial activity will be discouraged and proper measures will be taken to avoid such activities. At no time will outdoor display of goods be allowed all sales activities will be performed inside the tenant's space. The name and telephone number of the Person/Manager in charge in responsible for the operation will be posted on a visible location and also an easily accessible complain box will be placed on the premises. Any form of communication including but not limited to phone, email, letter or in person will be dealt with at most priority and action will be taken immediately following an investigation. Head office address and phone number will also be made easily available to any one for any communication with the Head office if they feel that the action taken is not sufficient. Any and all attempted illegal transactions will be reported to proper authorities.
Over all best efforts will be made to give customers of the center a peaceful healthy and pleasant experience.

4. Evidence that acceptable documentation is present demonstrating that the building or site proposed for the use is in, or will be brought into, substantial conformance with all



current City Development Standards, including, but not limited to, landscaping, parking, screen walls, signage, and design guidelines.

Noted. Proposed zoning for this parcel is LC and Proposed Pawn shop use is an approved use with council use permit in LC zoning. The proposed project will be brought to substantial conformance with the terms of the Mesa City Code and regulations including but not limited to: Building and fire safety regulation at the permit stage. Per our discussion with and email received from Mr. Pablo Hernandez on July 31st 2019, the building and fire safety comments were for information only at this stage and will needs to be addressed at permit stage.

5. Evidence that acceptable documentation is present demonstrating that the building or site proposed for the use shall adequately provide paved parking and on-site circulation in a manner that minimizes impacts on adjacent sites; and existing or proposed improvements to the site shall minimize dust, fugitive light, glare, noise, offensive smells and Traffic impact on neighboring residential sites.

Noted. The proposed application is a request for rezoning of parcel number 140-67-088 with existing zoning LI to proposed zoning LC with a use permit to allow pawn shop use in an existing building. This site is part of an existing commercial center and no Building, site or any other work is proposed with this submittal.

We believe the proposed zoning and use is consistent with the plans and goals of the city and we look forward to working with the City of Mesa.

Regards,

Neil Feaser, AIA

RKAA Architects, Inc.