



# City Council Report

**Date:** January 27, 2020  
**To:** City Council  
**Through:** Kari Kent, Assistant City Manager  
**From:** Nana Appiah, PhD, AICP, Planning Director  
**Subject:** Development Agreement limiting certain general permitted uses in the Limited Industrial (LI) zone for the property located at 535 W. Baseline Road (Council District 3)

## **Purpose and Recommendation**

This resolution is for the approval of a development agreement that will limit certain general permitted uses in the Light Industrial (LI) zoning district for the property located at 535 W. Baseline Road.

Staff recommends the approval of the development agreement with the property owner.

## **Background**

The property owner has submitted an application to rezone approximately 1.4 acres of property from Neighborhood Commercial (NC) to Light Industrial (LI) to allow development of commercial uses. The property is currently developed as a commercial center and adjacent to an existing residential development. The residential development is located to the south of the property. Per Section 11-7-2 of the Mesa Zoning Ordinance, the LI zoning district allows a wide range of uses, such as auto repair and large vehicle sales. A number of such uses allowed in the LI zoning are incompatible with the surrounding residential development. To rezone the property to allow additional commercial uses that are also compatible with the surrounding neighborhood, the property owner has agreed to enter into a development agreement to limit potential incompatible uses on the property.

## **Discussion**

The applicant's initial intent to rezone the property included allowing medical marijuana dispensary uses on the property. However, after several discussions and deliberations both staff and the applicant have agreed to include medical marijuana dispensary to the list of prohibit uses on the property through a development agreement. The applicant may request an amendment to the list of prohibit uses in the future. However, such an amendment shall require the City Council's approval through the public hearing process. Amendments to the development agreement shall not change any required development standards for a use outlined in the City's zoning ordinance.

**Alternatives****APPROVAL OF THE DEVELOPMENT AGREEMENT.**

Approval of the development agreement will facilitate further development on the property. Both the City and the owner will benefit from the proposed development.

**DO NOT APPROVE THE DEVELOPMENT AGREEMENT.**

If the development agreement is not approved, the property will retain the current NC zoning designation and the allowed uses in the NC district.