

Conditional Use Permit Narrative
4255 North Winfield Scott Plaza

INTRODUCTION & LOCATION

This application requests a conditional use permit to enable a medical marijuana dispensary. There are currently four other dispensaries operating in Scottsdale, all in the northern part of the city. The subject site is located at 4255 N. Winfield Scott Plaza, near the intersection of 5th Avenue and Winfield Scott Plaza (the "Property") as seen on the enclosed exhibits. The Property is currently zoned Central Business / Parking, Downtown overlay (C-2/P-3, DO) with a pending request for Commercial Office / Parking, Downtown Overlay (C-O/P-3, DO). The Property has a General Plan designation of Mixed-Use Neighborhoods and is located within the Old Town Character Area Plan. The proposal advances the goals and policies of both guiding documents by providing a desired use at an ideally located site – currently occupied by a Tattoo Parlor. The existing building will be preserved and adaptively reused to house the new, 2,300 sqft dispensary. The proposed Sunday Goods dispensary will closely resemble a high-end retail experience the likes of which might be found at Scottsdale Fashion Square or Scottsdale Quarter. The project utilizes best-of-class design and industry expertise to create comfortable, upscale and inviting setting, where accessory products and information are provided alongside patient-only dispensary areas.

USE PERMIT REQUESTS

Per Section 1.401 of the Zoning Ordinance, a Conditional Use Permit is required for a medical marijuana dispensary facility. The zoning ordinance lists the following criteria for evaluating a Conditional Use Permit request:

- a. ***That the granting of such conditional use permit will not be materially detrimental to the public health, safety or welfare. In reaching this conclusion, the Planning Commission and the City Council's consideration shall include, but not be limited to, the following factors: 1) Damage or nuisance arising from noise, smoke, odor, dust, vibration or illumination; and 2) Impact on surrounding areas resulting from an unusual volume or character of traffic.***

The use will by no means be detrimental to the public health, safety or welfare. Quite the contrary, the use will provide a beneficial health use to an under-served area of the community. Currently, the Scottsdale South CHAA (Community Health Analysis Area) is ranked by the Arizona Department of Health Services as a top 10 priority CHAA – meaning at of 126 CHAA's throughout the State, patients in this area

are the most underserved in their options for access to the medical marijuana treatment they have been subscribed. No damage or nuisance arising from noise, smoke, odor, dust, vibration or illumination will occur from this use. All associated operations are conducted within an enclosed building. No processing or cultivating occurs on site. All associated medical products arrive in pre-packaged, air-sealed packages. No on-site consumption is permitted (as is required by both City and State law). No detrimental impact to surrounding areas will occur from unusual traffic. The site is located within downtown Scottsdale where the ambient condition includes high pedestrian activity with vehicle traffic as would be expected in the downtown of a major employment, entertainment and tourist destination. A public opinion poll by a nationally-recognized firm with deep experience in Scottsdale shows widespread support too. 66 percent of Scottsdale voters said that placing a medical marijuana facility in the Winfield Plaza would be a good idea, while only 24 percent said it wouldn't be. Those closest to the site supported it by a large margin, 69 percent to 21 percent. A majority of voters across Scottsdale, 57 percent, said that the medical marijuana dispensaries that are currently operating in Scottsdale have done so responsibly, while only 7 percent say they have not. When Scottsdale voters were asked if Scottsdale was headed in the right direction or was on the wrong track, voters sided with "right direction" by 68 percent to 20 percent margin.

b. The characteristics of the proposed conditional use are reasonably compatible with the types of uses permitted in the surrounding areas.

As noted, the located is in downtown where a variety and mix of uses persists (and is encouraged by various City documents). The use will blend seamlessly with existing surrounding uses which consists of a diverse range of employment uses, street-level retail / restaurants, medical and other compatible uses. Notably, an open house on February 21, 2019 in which nearby property owners were invited yielded only four attendees.

c. The additional conditions specified in Section 1.403, as applicable, have been satisfied.

As noted below, the application satisfied the additional conditions specified in Ordinance Section 1.403 as applicable.

In addition to the standard Conditional Use Permit requirements, a marijuana dispensary is also subject to the following standards per Ordinance Section 1403.M.2.:

a. All operation are conducted within a completely enclosed building, in conformance with Arizona Revised Statutes, Title 36, Chapter 28.1, Arizona Medical Marijuana Act, and regulations.

All uses will be conducted within a completely enclosed building per the Arizona Revised Statutes.

b. The medical marijuana use is at least one thousand five-hundred (1,500) feet

from:

- 1. Any residential use in a residential district or a PC or PRD with an underlying zoning district comparable to the residential districts show in Table 4.100.A of the Zoning Ordinance.**

The use is at least 1,500 feet from any residential district or PC or PRD district with an underlying zoning comparable to the residential districts noted in the ordinance.

- 2. Any elementary or secondary school or pre-school.**

A pre-school currently exists at 4221 N. Winfield Scott Plaza, within 1,500 feet of the subject site. The Applicant is working with this user on a relocation plan for a larger facility to continue to advance the goals and mission of the school. Per conversations with Staff, prior to the issuance of any Certificate of Occupancy for the requested use, the Applicant will have obtained a variance from this protected use or the protected use will cease operations.

- 3. Any place of worship.**

The use is at least 1,500 feet from any place of worship. Please note, the adjacent Christian Science Reading Room (CSRR) does not function as a "place of worship" as defined by City ordinance. Nonetheless, as part of the overall improvements to this corner, the CSRR will be vacating and the Applicant plans to renovate the existing building into a café/retail use.

- 4. Any day care.**

The use is at least 1,500 feet from any daycare use.

- 5. Any public park.**

The use is at least 1,500 feet from any public park.

- c. The medical marijuana use is at least two thousand six hundred forty (2,640) feet from a medical marijuana caregiver cultivation use or another medical marijuana use.**

This provision is key to this application. The use is located at least 2,640 feet from cultivation sites and other medical marijuana uses. In fact, only one (1) dispensary is located within the entirety of the Scottsdale South CHAA. That dispensary is in the northernmost point of the CHAA (near Via De Ventura - leaving Scottsdale patients highly underserved).

- d. All distances are measured from the wall of the medical marijuana use nearest to the district(s) or use(s) indicated above, to the nearest property line of the district(s) or use(s) indicated above.**

Separation has been measured in accordance to these standards.

- e. The property owner has provided a written exterior refuse control plan, subject to City approval.**

A Refuse Control Plan has been reviewed and approved by the Scottsdale Police Department. Conditions of the plan will be implemented by the Applicant and enforced. The project team has also met with Scottsdale Police Chief Alan Rodbell and his team. It yielded no concerns and positive dialogues as the department is well experienced with the existing dispensaries in Scottsdale. Scottsdale's Fire Chief also indicated no concerns with the proposal.

- f. The property owner has provided a written public safety plan, subject to City approval.**

A Public Safety plan has been reviewed and approved by the Scottsdale Police Department. Conditions of the plan will be implemented by the Applicant and enforced.

- g. The hours of operation for a medical marijuana use that provides, shares, exchanges, sells, or dispenses medical marijuana are no earlier than 6:00 a.m. and no later than 7:00 p.m.**

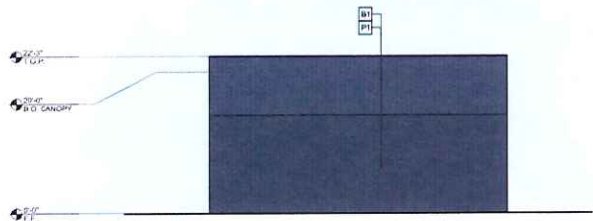
The operation will abide by these operation hours. Currently hours of operation are anticipated to be from 8am to 7pm.

- h. There is no drive-through service, take-out window, or drive-in service.**

As seen on the provided site plan, no drive-through, drive-in or take out window operation is proposed.

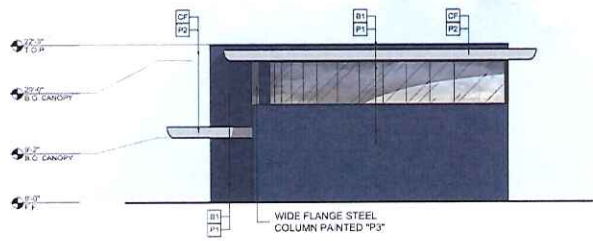
CONCLUSION

The conditional use permit requested meets or exceeds the approval criteria set forth in the zoning ordinance. The approval of this request will not be detrimental to any adjacent properties or uses – in fact, the opposite of this is true. The application marks a significant investment upgrade over existing conditions while provide first-class design and operations befitting its Scottsdale location.



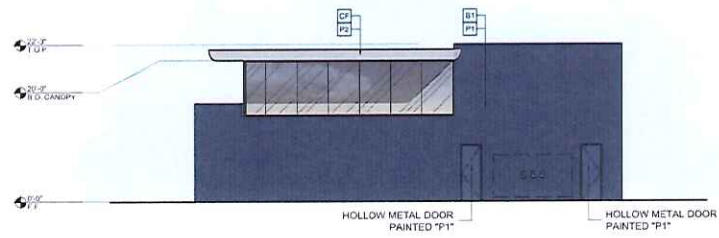
NORTH ELEVATION

SCALE: 1/8" = 1'-0"



SOUTH ELEVATION

SCALE: 1/8" = 1'-0"



EAST ELEVATION

SCALE: 1/8" = 1'-0"



WEST ELEVATION

SCALE: 1/8" = 1'-0"

GENERAL NOTES:

MATERIAL/FINISH SCHEDULE:

KEY	DESCRIPTION
B1	EXISTING BLOCK TO BE PAINTED

CANOPY KEY:

KEY	DESCRIPTION
CF	STEEL FRAMED CANOPY WITH EPS EXTERIOR - PAINTED

GLAZING KEY:

MATERIAL	DESCRIPTION
STANDARD	ARCADIA ALUMINUM STOREFRONT SYSTEM - DARK BRONZE (487)
EXTERIOR GLAZING	1" CLEAR INSULATED GLAZING

PAINT KEY:

KEY	DESCRIPTION
P1	DUNN EDWARDS - D6156 "SHING THE BULLET" LAY 6
P2	DUNN EDWARDS - D6375 "CASTLEROCK" LAY 37
P3	DUNN EDWARDS - D6383 "POINTED ROCK" LAY 13

PAINTING NOTES:

1. PAINTER TO PROVIDE COLOR SCHEME WITH ALL DECORATIVE BANDS MASKED AND PAINTED IN COLORS TO BE SELECTED.
2. SEALANTS FOR THE PROJECT TO MATCH ADJACENT MATERIAL COLORS - NO WHITE OR OFF WHITE COLORS.
3. PAINTER TO PREPARE SAMPLES WITH APPROPRIATE COLOR TO BE APPROVED BY OWNER PRIOR TO APPLICATION ON BUILDING FACADES.
4. PAINTER TO PROVIDE TWO COATS OF SEALER TO ALL EXPOSED NATURAL BLOCK, PRECAST CONCRETE, UNPAINTED CONCRETE AND OTHER MATERIALS AS REQUIRED TO PROVIDE A WEATHER SEALED PROJECT.

LGE DESIGN GROUP
 740 N. 52nd Street • Phoenix, AZ • 85008
 P: 480.966.4001

**SUNDAY GOODS
 OLD TOWN SCOTTSDALE**
 SCOTTSDALE, AZ

LGE DESIGN BUILD

NUMBER	REVISION	DATE



SHEET TITLE:
 L&T ELEVATIONS
 BLUE DATE: 05-14-19
 DRAWN BY:
 CHECKED BY: BM
 PROJECT No.:

SHEET: **A4.11**



2-UP-2019
 5/15/19