

PLANNING COMMISSION REPORT



Meeting Date: October 13, 2021
General Plan Element: *Land Use*
General Plan Goal: *Create a sense of community through land uses*

ACTION

Curaleaf Scottsdale 8-UP-2021

Request to consider the following:

A recommendation to the City Council for adoption of Resolution No. 12278 approving a Conditional Use Permit for a Marijuana Use (dispensary) in a +/- 9,091 square foot space located at 16277 N Greenway-Hayden Loop, on a +/- 1.92-acre site with Industrial Park (I-1) district zoning.

Goal/Purpose of Request

The applicant's request is for a Conditional Use Permit to allow operation of a marijuana dispensary within a first-floor suite in the existing building.

Key Items for Consideration

- Planning Commission heard this case on August 25, 2021 and recommended approval with a vote of 5-2. Due to an inconsistency in the floor area of the space, the request has been rescheduled for a new recommendation by the Planning Commission.
- Compliance with the Conditional Use Permit criteria
- No protected uses within 1,500 feet
- Public Safety and Refuse Control Plan approved by the Scottsdale Police Department

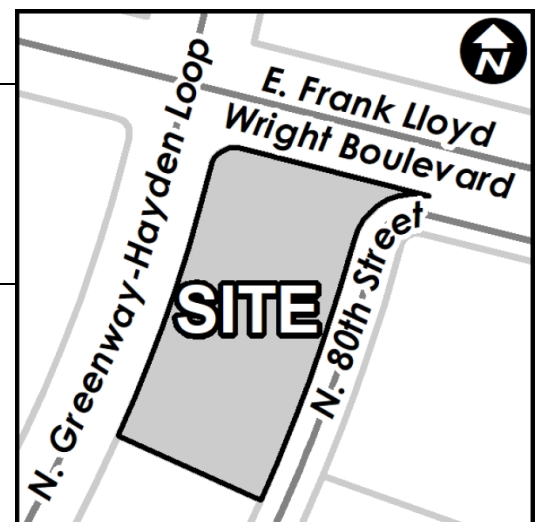
OWNER

Wester Security Bank
(480) 367-9494

APPLICANT CONTACT

Michelle Green
Larry Lazarus

Action Taken _____



(602) 340-0900

LOCATION

[16277 N. Greenway-Hayden Loop](#)

BACKGROUND

August 25, 2021 Planning Commission

The Planning Commission heard this case on August 25, 2021 and recommended approval with a vote of 5-2. Prior to being heard by the City Council it was discovered that the size of the space subject to the Conditional Use Permit was incorrectly identified in the application materials. The application has been updated to reflect the size of the facility to be 9,091 square feet rather than the 7,706 square feet that was previously listed. All other aspects of the application remain the same. Due to this substantive change in the application materials, the request has been returned to the Planning Commission for a new recommendation on the updated application.

General Plan

General Plan Land Use Element designates the property as Employment. This category is intended to support a variety of employment uses including office, light manufacturing, and light industrial. Locations have been identified for employment areas where impacts on residential neighborhoods are limited and access is available to labor pools and transportation facilities.

Character Area Plan

The subject property is located within the boundaries of the Greater Airpark Character Area Plan (GACAP). The GACAP future land use map designates this site as Employment (EMP). The Employment area is intended to include an array of office, commercial, warehousing, and light industrial land uses that provide for business enterprises, as well as regional and local jobs.

Zoning

The site is zoned Industrial Park (I-1) district. The I-1 zoning district allows for a variety of light manufacturing, light industrial, aeronautical, office, and support uses to sustain and enhance major employment opportunities. The I-1 district allows a marijuana use, subject to a Conditional Use Permit.

Context

The subject property is located at the southeast corner of N. Greenway-Hayden Loop and E. Frank Lloyd Wright Boulevard. The proposed dispensary will occupy a portion of the first floor of existing building (previously used as a bank). Surrounding uses include office, aviation, warehouse, retail, and vehicle sales.

Please refer to context graphics attached.

Adjacent Uses and Zoning

- North: CAP Canal, TPC Golf Club, zoned Open Space (OS) district.
- South: Vehicle leasing, zoned Highway Commercial (C-3) district.
- East: Manufacturing/warehouse, zoned Industrial Park (I-1) district.

- West: Vehicle sales, zoned General Commercial (C-4) district.

Other Related Policies, References:

Scottsdale General Plan 2001, as amended
Greater Airpark Character Area Plan
Zoning Ordinance

APPLICANT’S PROPOSAL

Development Information

The development proposal includes a new marijuana dispensary with approximately 9,091 square feet over a portion of the first-floor area of the existing building.

- Existing Use: Bank/office
- Proposed Use: Marijuana dispensary
- Buildings/Description: 22,724 square feet two-story (existing building)
- Parcel Size: 83,709 square feet (1.92 acres)
- Building Height Allowed: 52 Feet
- Building Height Proposed: Two-story (existing)
- Parking Required: 98 spaces (including 31 spaces for dispensary)
- Parking Provided: 112 spaces (existing)
- Open Space Required: 13,940 square feet
- Open Space Provided: 16,758 square feet (existing)
- Floor Area: 22,724 square feet (existing building)
9,091 square feet (Dispensary)

IMPACT ANALYSIS

Land Use

The proposed marijuana dispensary will occupy a portion of the existing bank/office building. Earlier this year state law was amended to allow sales of marijuana for recreational use. The City of Scottsdale subsequently amended the Zoning Ordinance to treat medical marijuana sales and recreational marijuana sales similarly and apply the same criteria and standards to both uses. A medical marijuana license must be established prior to, or concurrent with, recreational marijuana sales. It is anticipated the facility will operate similar to a medical office and/or retail use, with foot traffic consisting of patients and/or caregivers as well as recreational customers. The surrounding area is home to a variety of professional offices and retail uses, similar in intensity and character to the proposed use.

Conditional Use Permit (Permits Issued After September 30, 2016)

Conditional Use Permits, which may be revocable, conditional, or valid for a specified time period, may be granted only when expressly permitted after the Planning Commission has made a recommendation and City Council has found as follows:

- 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.
 - **All operations associated with this use will be conducted within the building. No processing or cultivation is proposed at this location that might require the use of machinery. All products offered for sale will arrive prepackaged in sealed, airtight, bar coded packages ready to sell. No damage or nuisance arising from noise, smoke, odor, dust, vibration or illumination is anticipated.**
 2. Impact on surrounding areas resulting from an unusual volume or character of traffic.
 - **As the proposed use is a dispensary only with no cultivation or processing, it is anticipated the facility will generate traffic similar to a medical office or retail use, both of which are prominent in this area. No significant impacts to existing traffic patterns, or increase in traffic volume is anticipated.**
- B. The characteristics of the proposed conditional use are reasonably compatible with the types of uses permitted in the surrounding areas.
 - **It is anticipated the use will operate similar to a medical office or retail use, both of which are prominent in this area. The subject site is located in an area occupied by a variety of professional office, retail, and restaurant uses of similar or higher intensity than the proposed use. The proposed use is reasonably compatible with the uses in the area.**
- C. The additional conditions in Section 1.403 have been satisfied:

The proposal meets the provisions for Medical Marijuana use as identified in Zoning Ordinance Section 1.403.M., including:

 1. A marijuana operation for recreational purposes is only permitted in establishments that hold both a valid medical marijuana dispensary registration and a marijuana establishment license.
 - **The applicant intends to operate the facility for the sale of medical and recreational marijuana and will have a valid medical marijuana dispensary registration in accordance with the state requirements.**
 2. All operations are conducted within a completely enclosed building, in conformance with Arizona Revised Statutes, Title 36, Chapter 28.1, Arizona Medical Marijuana Act, and regulations issued thereunder, as amended.
 - **All operations are conducted within a fully enclosed building, with the exception of necessary security measures as required by the Public Safety and Refuse Control Plan.**

3. The Marijuana use is not located within 1,500 feet of any of the following protected districts or uses:
 - a. Any residential zoning district, or the residential portion of a Planned Community District (PCD), or any portion of a Planned Residential Development (PRD) with an underlying residential zoning district.
 - b. Any educational service, elementary and secondary school.
 - c. Any Place of worship.
 - d. Any Day care.
 - e. Any City park or park.
 - **The facility is not located within 1,500 feet of any of the above uses or districts.**
4. The Marijuana use is at least 2,640 feet from the following uses within the City limits:
 - a. Medical marijuana caregiver cultivation use, or
 - b. Another marijuana use; however, no separation between these uses is required in the Industrial Park District (I-1) where a medical marijuana caregiver cultivation use and a medical marijuana use hold a state issued caregiver registry identification card and a non-profit medical marijuana dispensary registration certificate under the same name or entity.
 - **The facility is not located within 2,640 feet of any other medical marijuana facility.**
5. All distances are measured from the wall of the marijuana dispensary 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.
 - **All separation requirements were measured and confirmed as indicated above.**
6. The applicant has provided a written exterior refuse control plan, subject to City approval.
 - **A Public Safety and Refuse Control Plan has been reviewed and approved by the Scottsdale Police Department. Conditions of the plan will be implemented and enforced by the City's Code Enforcement Division and the Scottsdale Police Department.**
7. The applicant has provided a written public safety plan, subject to City approval.
 - **A Public Safety and Refuse Control Plan has been reviewed and approved by the Scottsdale Police Department. Conditions of the plan will be implemented and enforced by the City's Code Enforcement Division and the Scottsdale Police Department.**
8. The hours of operation for a marijuana use that provides, shares, exchanges, sells, or dispenses medical marijuana are no earlier than 6:00 AM and not later than 10:00 PM.
 - **The proposed hours of operation for this facility are Monday thru Sunday, 6:00 AM to 10:00 PM.**
9. There is no drive-through service, take-out window, or drive-in service.

- **Although the existing bank building includes a drive-through service bay, the drive-through will not be used in conjunction with the sale of marijuana.**

Water/Sewer

No cultivation is proposed for this location. Existing water and sewer infrastructure is sufficient to accommodate a Marijuana Use.

Public Safety

A comprehensive Public Safety and Refuse Control Plan has been reviewed and approved by the Scottsdale Police Department. The nearest fire station is located at 14970 N 78th Way. No significant impacts to existing service levels are anticipated.

Community Involvement

The applicant notified all property owners within 750 feet of the site by mail, and City staff also notified all property owners within 750 feet of the site by mail. Additionally, the site has been posted with required signage. As of the date of this report staff has not received any public comment regarding the application, other than general inquiries.

OTHER BOARDS AND COMMISSIONS

Planning Commission:

Planning Commission heard this case on August 25, 2021 and recommended approval with a vote of 5-2. Due to an inconsistency in the floor area of the space, the request has been rescheduled for a new recommendation by the Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission find that the Conditional Use Permit criteria have been met, and make a recommendation to the City Council for adoption of Resolution No. 12278 approving Case 8-UP-2021, per the attached stipulations.

RESPONSIBLE DEPARTMENT

Planning and Development Services

Current Planning Services

STAFF CONTACT

Bryan Cluff
Principal Planner
480-312-2258
E-mail: bcluff@ScottsdaleAZ.gov

APPROVED BY



Bryan Cluff, Report Author

Phone: 480-312-2258

Email: bcluff@scottsdaleaz.gov

10/4/2021

Date



Tim Curtis, AICP, Current Planning Director

Planning Commission Liaison

Phone: 480-312-4210

Email: tcurtis@scottsdaleaz.gov

10/5/2021

Date



Randy Grant, Executive Director

Planning, Economic Development, and Tourism

Phone: 480-312-2664

Email: rgrant@scottsdaleaz.gov

10/5/2021

Date

ATTACHMENTS

1. Context Aerial
- 1A. Close-up Aerial
2. Resolution No. 12278
 - Exhibit 1: Property Location
 - Exhibit 2: Stipulations
 - Exhibit A to Exhibit 2: Site Plan
 - Exhibit B to Exhibit 2: Floor Plan
 - Exhibit 3: Additional Requirements for a Marijuana Use
3. Applicant's Narrative
4. Zoning Map
5. Public Safety Plan
6. Existing Marijuana Uses Map
7. Community Involvement / Citizen Input
8. City Notification Map
9. 8/25/2021 Planning Commission Draft Meeting Minutes



Context Aerial

8-UP-2021



Close-up Aerial

8-UP-2021

Attachment 1A

RESOLUTION NO. 12278

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, ADOPTING A CONDITIONAL USE PERMIT FOR A MARIJUANA USE (DISPENSARY) IN A +/- 9,091 SQUARE FOOT SPACE LOCATED AT 16277 N GREENWAY-HAYDEN LOOP, ON A +/- 1.92-ACRE SITE WITH INDUSTRIAL PARK (I-1) DISTRICT ZONING.

WHEREAS, the Planning Commission held a public hearing on August 25, 2021 and

NOW, THEREFORE, LET IT BE RESOLVED, by the City Council of the City of Scottsdale, Maricopa County, Arizona, as follows:

Section 1. That the City Council finds:

- a) that the granting of this conditional use permit per stipulations set forth on Exhibit 2 will not be materially detrimental to the public health, safety or welfare based on, but not limited to, the following factors: damage or nuisance arising from noise, smoke, odor, dust, vibration or illumination and impact on surrounding areas resulting from an unusual volume or character of traffic;
- b) that the characteristics of the proposed conditional use are reasonably compatible with the types of uses permitted in the surrounding areas; and
- c) that the additional zoning requirements necessary for a marijuana use, set forth on Exhibit 3 have been met.

Section 2. That a description of the conditional use permit is set forth in Case No. 8-UP-2021. The property that is subject to the conditional use permit is shown on Exhibit 1 and the conditional use permit approval is conditioned upon compliance with all the stipulations that are set forth in Exhibit 2 and Exhibit 3. All exhibits are incorporated herein by reference.

PASSED AND ADOPTED by the Council of the City of Scottsdale, Maricopa County, Arizona this ___ day of _____, 2021.

ATTEST:

CITY OF SCOTTSDALE, an Arizona
Municipal Corporation

By: _____
Ben Lane
City Clerk

By: _____
David D. Ortega
Mayor

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

By: _____
Sherry R. Scott, City Attorney
By: Joe Padilla, Deputy City Attorney

Attachment 2



Property Location

8-UP-2021

**Stipulations for the Conditional Use Permit
For a Marijuana Use
Curaleaf Scottsdale
Case Number: 8-UP-2021**

These stipulations are in order to protect the public health, safety, welfare, and the City of Scottsdale.

OPERATIONS

1. **CONFORMANCE TO SITE PLAN.** The location of the marijuana use on the property shall be in substantial conformance with the site plan provided by the applicant, with the city staff date of 9/30/2021, included as Exhibit A to Exhibit 2 to Resolution No. 12278. Any proposed significant change to the conceptual site plan as determined by the Zoning Administrator, shall be subject to additional action and public hearings before the Planning Commission and City Council.
2. **CONFORMANCE TO FLOOR PLAN.** The interior layout of the facility shall be in substantial conformance with the floor plan provided by the applicant, with the city staff date of 9/30/2021, and attached as Exhibit B to Exhibit 2 to Resolution No. 12278. Any proposed significant change to the conceptual floor plan as determined by the Zoning Administrator, shall be subject to additional action and public hearings before the Planning Commission and City Council.
3. **PUBLIC SAFETY AND REFUSE CONTROL PLAN.** The operations of the Marijuana Dispensary shall conform to the Public Safety and Refuse Control Plan approved by, and on record with, the Scottsdale Police Department and the Planning and Development Services Division. A copy of the approved Public Safety and Refuse Control Plan shall be maintained on-site. Within 10 days after a request by the City Manager or designee, the owner shall provide an update of the Public Safety and Refuse Control Plan to the Scottsdale Police Department and the Planning and Development Services Division. At least 10 days prior to any operational changes to the Medical Marijuana Dispensary that modify the requirements or contents of the Public Safety and Refuse Control Plan, the owner shall submit a revised Public Safety and refuse Control Plan to the Scottsdale Police Department and the Planning and Development Services Division. Any proposed amendments to the Public Safety and Refuse Control Plan are subject to approval by the Scottsdale Police Department and the Planning and Development Services Division.
4. **HOURS OF OPERATIONS.** Per the applicant’s Operation Plan, the hours of operation for this facility shall be limited to:

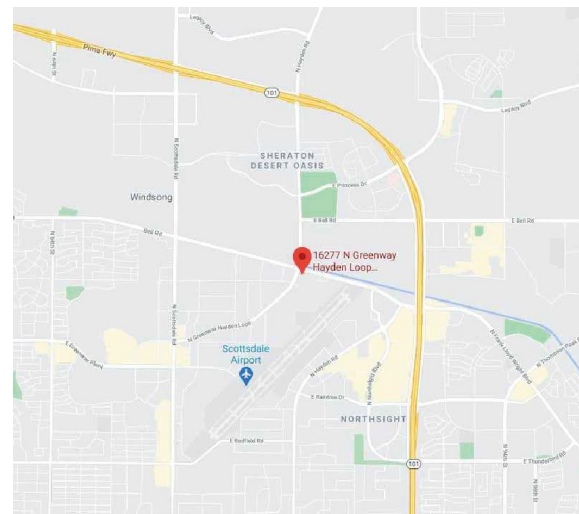
	Open to Customers	Close to Customers
Sunday	6:00 AM	10:00 PM
Monday	6:00 AM	10:00 PM
Tuesday	6:00 AM	10:00 PM
Wednesday	6:00 AM	10:00 PM
Thursday	6:00 AM	10:00 PM
Friday	6:00 AM	10:00 PM
Saturday	6:00 AM	10:00 PM

ADMINISTRATIVE/PROCESS

5. TERM OF CONDITIONAL USE PERMIT. This conditional use permit is valid for five (5) years, unless it is first amended or renewed.
6. CONDITIONAL USE PERMIT ADMINISTRATIVE REVIEW. Within ten (10) days after a request by the Zoning Administrator or designee, the owner shall submit a letter to the Zoning Administrator or designee demonstrating compliance with all stipulations. A deviation from any stipulations or change in the floor plan may be grounds for revocation of the Conditional Use Permit.
7. CHANGES IN OWNERSHIP. Within ten (10) days after a change in ownership, the owner shall provide notice to the Zoning Administrator in writing of any such ownership change.
8. COMPLIANCE WITH STATE LAW. The owner shall maintain in good standing all appropriate permits, licenses and certificates from the State of Arizona.

PARCEL #215-48-76

ITEM #24 CONTEXT AERIAL WITH EASEMENTS (2 PAGES)
(8 1/2" X 11")



VICINITY MAP

ITEM #25 SITE PLAN (8 1/2" X 11")

BUILDING DATA

ADDRESS: 16277 N GREENWAY HAYDEN LOOP
PARCEL #: 215-48-76
ZONING: I-1
LOT AREA: 83,680 SF
HEIGHT: 33' (NO CHANGE)

AREAS
BASEMENT (ACCESSORY/OFFICE): 4,995 SF
FIRST FLOOR (DISPENSARY/OFFICE): 10,471 SF
SECOND FLOOR (ACCESSORY/OFFICE): 12,253 SF
TOTAL BUILDING AREA: 27,719 SF
(NO CHANGE TO EXISTING BUILDING AREA)

SUBDIVISION: NORTH SCOTTSDALE AIRPARK, UNIT 1
OCCUPANCY: M/B
PLAT BOOK: 666, PAGE 13

ITEM #26 OPEN SPACE PLAN (8 1/2" X 11")

OPEN SPACE CALCULATIONS:

MAXIMUM BUILDING HEIGHT =
APPROX. 33' EXISTING (55' ALLOWED)

FIRST 12' AT HEIGHT = 10% X 83,680SF = 8,368 SF

NEXT 10' OF HEIGHT = 10' X .004 X 83,680SF = 3,347.2 SF

OPEN SPACE REQUIRED (NOT INCLUDING PARKING LOT
LANDSCAPING)
= 8,368 + 3,347.2 = 11,715.2 (14%)
OPEN SPACE PROVIDED = 16,758 SF

PARKING LOT LANDSCAPING REQUIRED
PARKING LOT AREA X 15%
43,605 X .15 = 6540.75
PARKING LOT LANDSCAPING PROVIDED = 10,605 SF
(EXISTING OPEN SPACE AREAS TO REMAIN, REFER TO
ENLARGED OPEN SPACE PLAN FOR MORE DETAILS)



ITEM #29 LANDSCAPE PLAN (8 1/2" X 11")

LANDSCAPING :

- ☼ PALM TREE
 - ☼ CACTUS
 - ☼ MATURE TREE
 - BUSH / GEN. TOPIARY
- (EXISTING LANDSCAPING TO REMAIN,
REFER TO ENLARGED LANDSCAPE
PLAN FOR MORE DETAILS)

ITEM #31 PARKING PLAN (8 1/2" X 11")

SETBACKS: (E) TO REMAIN (NO CHANGE TO BUILDING LOCATION)

TRAFFIC GENERATION IMPACT ANALYSIS: (E) CONDITIONS TO REMAIN

BICYCLE PARKING:
2 BICYCLE SPACE FOR EVERY 10 REGULAR VEHICULAR PARKING SPACES.
112 VEHICULAR SPACES
112÷10 = 11.2
11.2X2= (23 BICYCLE SPACES ARE REQUIRED)

ACTUAL BICYCLE SPACES= 20
(4) BICYCLE SPACES PROPOSED ADDED

PROPOSED USE PARKING CALCULATIONS:

FIRST FLOOR: 10,471 SF
DISPENSARY 9,091 SF:1:250 -> 36.3 (36 SPACES)
OFFICE 1,380 SF 1:300-> 4.6 (5 SPACES)
SECOND FLOOR: 12,253 SF
ACCESSORY/OFFICE 1:300 -> 40.8 (41 SPACES)

BASEMENT: 4,995 SF
ACCESSORY/OFFICE 1:300 -> 16.7 (17 SPACES) TOTAL REQUIRED: 99 SPACES
(INCL. 4 ACCESSIBLE)

NUMBER OF PARKING SPACES PROVIDED: 112 (EXISTING TO REMAIN) 6 OF
THE 112 ARE ACCESSIBLE PARKING
(3 OF 6 PROVIDED ARE VAN ACCESSIBLE)

ITEM #37 EXTERIOR LIGHTING (8 1/2" X 11")

EXTERIOR LIGHTING:
(E) LIGHTING IS COMPRISED OF FIXTURES MOUNTED TO
THE EXTERIOR OF THE BUILDING, ILLUMINATED
BOLLARDS, STREET LIGHTING, AND RECESSED
FIXTURES UNDER EXISTING BUILDING OVERHANGS.
THERE ARE NO PROPOSED CHANGES TO EXISTING
LIGHTING TYPES, LOCATIONS, OR QUANTITIES.

(EXISTING LIGHTING TO REMAIN, REFER TO ENLARGED
EXTERIOR LIGHTING SITE PLAN FOR MORE DETAILS)

FOR ADDITIONAL INFORMATION, REFER TO SMALL FORMAT 8 1/2" X 11"
DOCUMENTS AS NOTED BELOW:

- ITEM #16: PHOTO EXHIBIT OF EXISTING CONDITIONS
- ITEM #24: PARCEL MAP WITH AERIAL IMAGE AND EASEMENTS
- ITEM #25: SMALL FORMAT SITE PLAN
- ITEM #26: OPEN SPACE PLAN
- ITEM #29: LANDSCAPE PLAN
- ITEM #31: PARKING PLAN
- ITEM #34: ELEVATIONS
- ITEM #35: FLOOR PLAN
- ITEM #37: EXTERIOR LIGHTING PLAN



SCALE: 1:500 (24" x 36")

REVISIONS:

DATE ISSUED:
04/02/2021

SHREMSHOCK

Shremshock Engineering, Inc.
7775 Walton Parkway Ste. 250 New Albany, OH 43054
T: 614 545 4550 | F: 614 545 4555
www.shremshock.com

THE ENGINEER ASSUMES NO RESPONSIBILITY OR LIABILITY FOR THE USE OF THESE PLANS FOR ANY PROJECT OTHER THAN SPECIFICALLY AUTHORIZED BY THEM AND SIGNED AND SEALED FOR SUCH PROJECT LOCATION BY THE STATE, PROVINCE OR TERRITORY SHOWN ON THE SEAL. THIS BUILDING USE IS ONLY APPLICABLE IN AREAS MEETING THE STATED DESIGN CRITERIA.

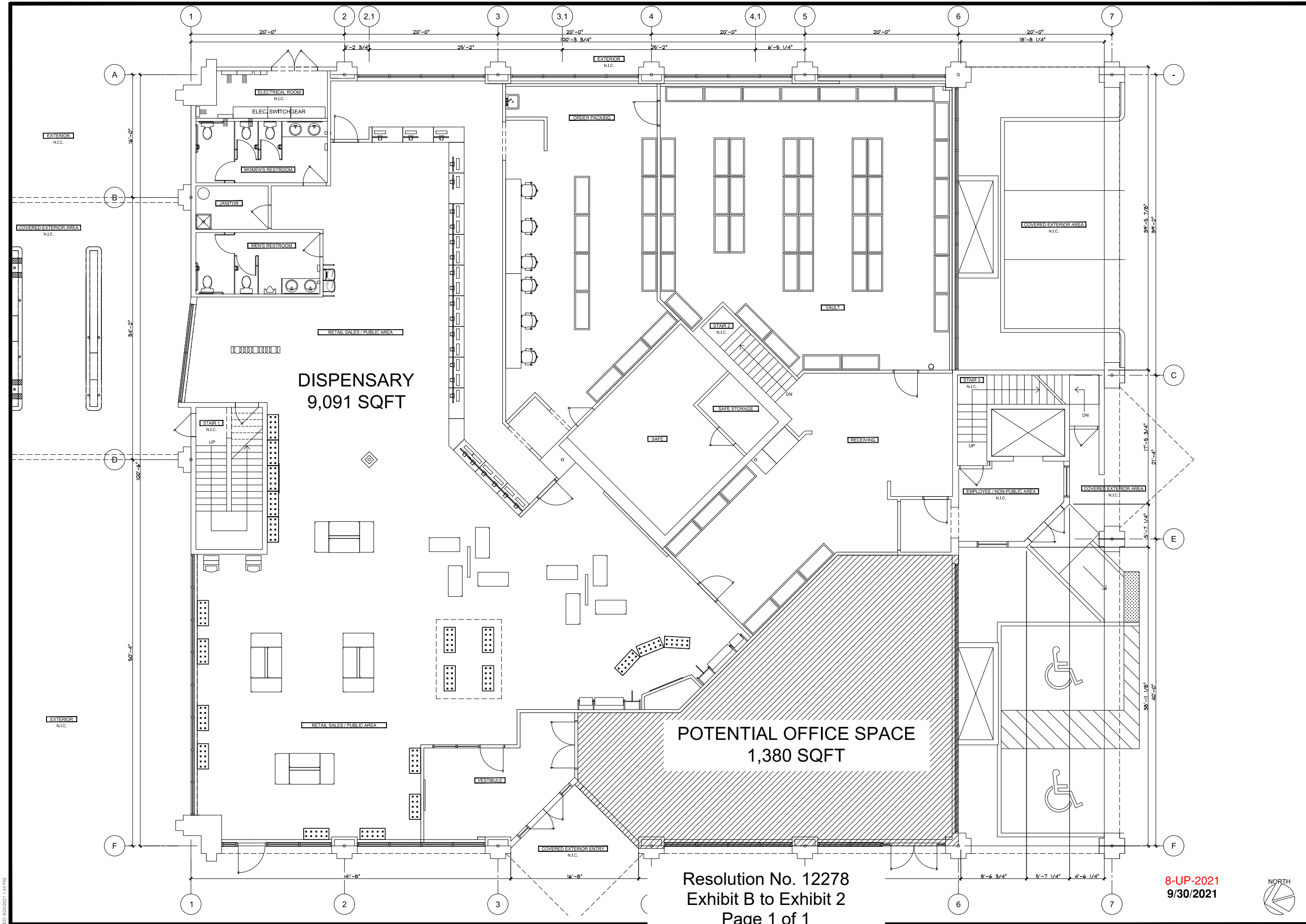
curleaf
16277 N GREENWAY HAYDEN LOOP
SCOTTSDALE, AZ 85260

COMBINED SITE PLAN

DRAWN BY: J.JG CHECKED BY: KMM

SAI# 210048
DRAWING NUMBER:

A1.1

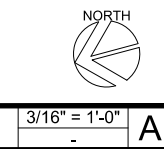


PLOTTED: 08/26/2021 1:44 PM

FLOOR PLAN

Resolution No. 12278
 Exhibit B to Exhibit 2
 Page 1 of 1

8-UP-2021
 9/30/2021



3/16" = 1'-0"
 A

REVISIONS:
 SHREMSHOCK
 Shremshock Architects, Inc.
 7775 Walton Parkway Ste. 250 New Albany, OH 43054
 T: 614 545-4550 | F: 614 545-4555
 info@shremshock.com
 www.shremshock.com

THE ARCHITECT/ENGINEER ASSUMES NO RESPONSIBILITY OR LIABILITY FOR THE USE OF THESE PLANS FOR ANY PROJECT OTHER THAN SPECIFICALLY AUTHORIZED BY THEM AND SEALS AND SIGNS FOR EACH SPECIFIC LOCATION IN THE STATE, PROVINCE OR TERRITORY SHOWN ON THE SEAL. THIS BUILDING USE IS ONLY APPLICABLE IN AREAS MEETING THE STATED DESIGN CRITERIA.

curleaf
 SCOTTSDALE DISPENSARY
 16277 N. GREENWAY
 HAYDEN LOOP
 SCOTTSDALE, AZ 85260

FLOOR PLAN
 DRAWN BY: CMB
 CHECKED BY: XXX

SA# 210047
 DRAWING NUMBER:
A0.1

ADDITIONAL CRITERIA FOR MARIJUANA USE

M. Marijuana *use*.

2. Permits Issued After September 30, 2016. Marijuana uses seeking a Conditional Use Permit after September 30, 2016, shall be subject to the following conditions:

- a. A marijuana operation for recreational purposes is only permitted in establishments that hold both a valid medical marijuana dispensary registration and a marijuana establishment license.
- b. All operations are conducted within a completely enclosed building, in conformance with Arizona Revised Statutes, Title 36, Chapter 28.1, Arizona Medical Marijuana Act, and regulations issued thereunder, as amended.
- c. The marijuana use is at least one thousand five hundred (1,500) feet from the following uses within the City limits:
 1. Any residential use in a residential district shown on Table 4.100.A., or the residential portion of a Planned Community PC or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A.
 2. Any Educational service, elementary and secondary school.
 3. Any Place of worship.
 4. Any Day care.
 5. Any City park or park.
- d. The marijuana use is at least two thousand six hundred forty (2,640) feet from the following uses within the City limits:
 1. Medical marijuana caregiver cultivation use, or
 2. Another marijuana use.

However, no separation between these uses is required in the Industrial Park I-1 where a medical marijuana caregiver cultivation use and a marijuana use hold a state issued caregiver registry identification card and a nonprofit medical marijuana dispensary registration certificate, respectively, under the same name or organization.

- e. All distances are measured from the wall of the 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.
- f. The property owner has provided a written exterior refuse control plan, subject to City approval.
- g. The property owner has provided a written public safety plan, subject to City approval.
- h. The hours of operation for a marijuana use that provides, shares, exchanges, sells, or dispenses marijuana are no earlier than 6:00 a.m. and no later than 10:00 p.m.
- i. There is no drive-through service, take-out window, or drive-in service.

Narrative
Conditional Use Permit
16277 N. Greenway-Hayden Loop
8-UP-2021 (850-PA-2020)

Introduction

Curaleaf, the applicant for this permit, is a national cannabis company with a wealth of experience in meeting the needs of marijuana patients and the community. They are a socially and environmentally responsible company that is committed to improving the communities they operate in as well as the lives of patients they serve.

The purpose of this application is to request a use permit to operate a dual license marijuana dispensary in the Scottsdale Airpark at the corner of N. Greenway-Hayden Loop and Frank Lloyd Wright Blvd at 16277 N Greenway-Hayden Loop (the “Property”). See **Exhibit 1** Context Map. The Property is a former Fidelity Bank building that was rezoned from R1-35 to I-1 in 1982, Case Number 67-ZN-1982. A use permit for the First Fidelity Bank was obtained in 1997 Case Number 30-UP-1997. The surrounding properties are zoned commercial or Industrial. See **Exhibit 2** Zoning. The General Plan designation is industrial.

The applicant is purchasing the property from First Fidelity Bank and will adaptively reuse the existing building for the dispensary. There will be no change to the exterior of the building and minimal construction on the inside of the property to adjust the floor plan to suit the needs of the dispensary and its customers.

Conditional Use Permit

The City of Scottsdale Zoning Ordinance requires a Conditional Use Permit for a marijuana dispensary in accordance with Section 1.401 which provides specific criteria for evaluating a use permit application. Below are excerpts from the ordinance listing the criteria to consider when reviewing a use permit request followed by a description of how the applicant’s proposal meets those criteria.

1.401.

- 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. 2. Impact on surrounding areas resulting from an unusual volume or character of traffic.*

This use will not be materially detrimental to the health safety and welfare of the public. In fact, one of the major benefits is that the dispensary will have a positive impact on public health by meeting the medical needs of patients who have been prescribed marijuana for a variety of ailments. The impact of the dispensary is to improve the quality of life for patients and the general public.

The activities associated with this use will take place entirely within an enclosed building with odor control system in place to control odors. The lighting will be in accordance with the City of Scottsdale standards and will not be significantly altered from the lighting that currently exists on the building. There will be no smoke or dust produced. A marijuana dispensary is a relatively low impact use in an existing industrial park. The traffic associated with the dispensary will be similar to that of the bank it will be replacing, or another similar retail use.

1.401.

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

This use is being proposed in the Scottsdale Airpark, an area with predominantly industrial and commercial uses. There are a very limited number of locations where a dispensary can operate in Scottsdale because of the separation distances required from protected uses such as schools, residences, and churches. This is probably the last possible location for a dispensary that meets all the spacing criteria in the ordinance and doesn't require a variance.

1.401.

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

A marijuana dispensary is subject to the following additional conditions as outlined in Section 1.403.M.2 of the Zoning Ordinance. The applicable additional conditions below have been satisfied as noted.

1.403. M.2.

a. A marijuana operation for recreational purposes is only permitted in establishments that hold both a valid medical dispensary registration and a marijuana establishment license.

Curaleaf holds both a medical dispensary registration and a marijuana establishment license.

1.403. M.2

- b. All operations are conducted within a completely enclosed building, in conformance with Arizona Revised Statutes, Title 36, Chapter 28.1, Arizona Medical Marijuana Act, and regulations issued thereunder, as amended.**

As previously stated, all operations of the dispensary will take place within a completely enclosed existing building.

1.403. M.2.

- c. The marijuana use is at least one thousand five hundred (1,500) feet from the following uses within the City limits:(1)Any residential use in a residential district shown on Table 4.100.A., or the residential portion of a Planned Community PC or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A.(2)Any educational service, elementary school and secondary school.(3)Any Place of worship.(4)Any Day care.(5)Any City park or park.**

As verified by the City of Scottsdale and a survey conducted by Civiltech Engineering Inc, the dispensary is not within 1,500 feet of any of the protected uses listed.

1.403. M.2.

- d. The marijuana use is at least two thousand six hundred forty (2,640) feet from the following uses within the City limits:(1) Medical marijuana caregiver cultivation use, or (2) Another marijuana use. However, no separation between these uses is required in the Industrial Park I-1 where a medical marijuana caregiver cultivation use and a medical marijuana use hold a state issued caregiver registry identification card and a nonprofit medical marijuana dispensary registration certificate, respectively, under the same name or organization.**

As verified by City of Scottsdale staff, the dispensary meets this criterion.

1.403. M.2.

- e. All distances are measured from the wall of the 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.**

All distances were measured in accordance with this standard.

1.403. M.2.

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

A written refuse control plan has been submitted to the City for review and approval.

1.403. M.2.

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

A public safety plan has been submitted to and signed by Patrick Regan, District 4 Commander.

1.403. M.2.

h. 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 10:00 p.m.

The hours of operation will be from 6:00 am to 10:00 pm as required.

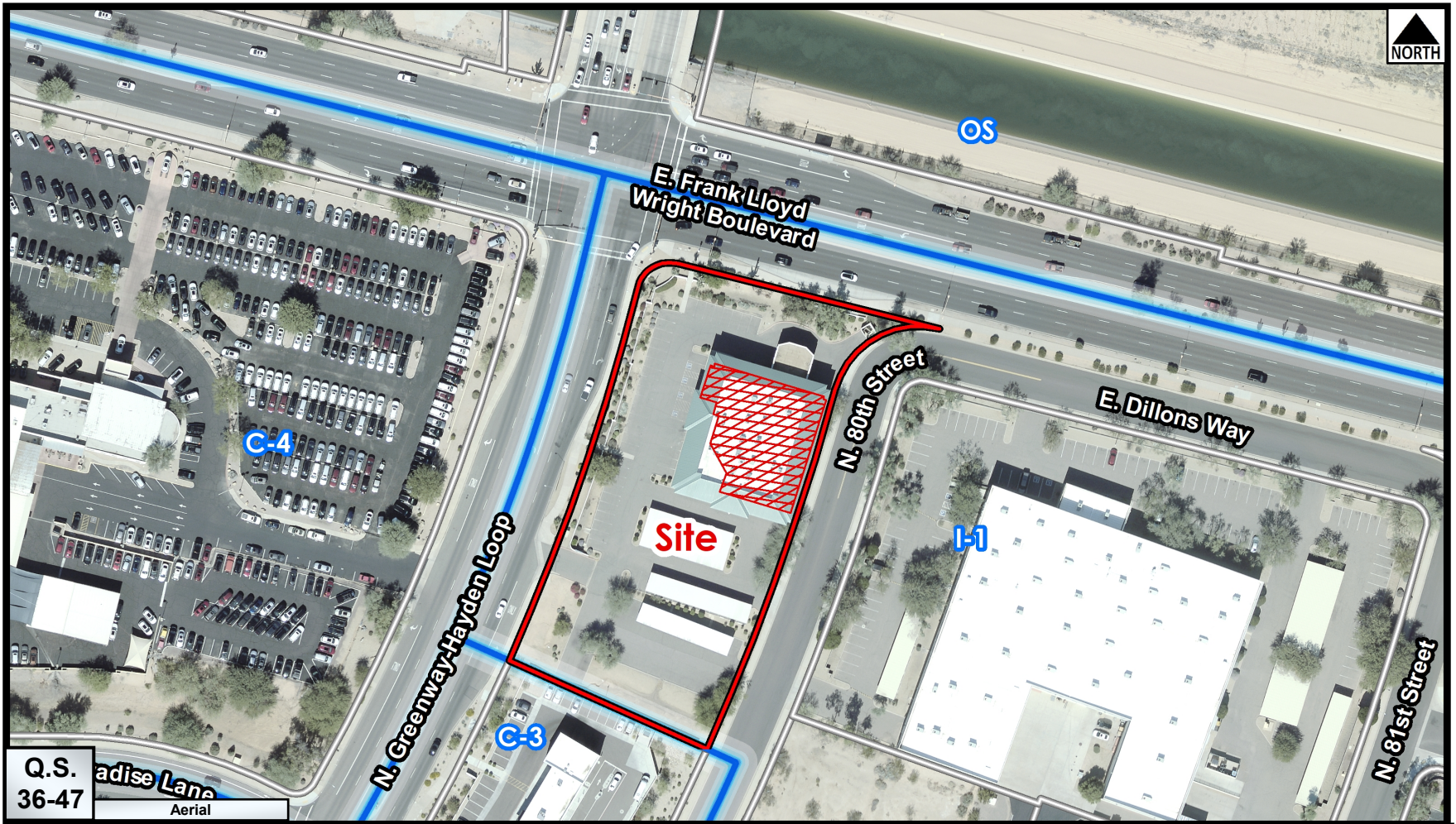
1.403. M.2.

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

There will be no drive through service.

Conclusion

The proposed dispensary is located in the Scottsdale Airpark, a location that is predominantly commercial and industrial in character. This proposed location meets all the criteria in the ordinance and does not require a variance. We respectfully request that you approve the Conditional Use Permit.



Zoning Aerial

8-UP-2021

Attachment 4

CITY OF SCOTTSDALE

Public Safety and Refuse Control Plan

For Medical Marijuana Facilities

Please indicate by Circling: Dispensary Cultivation, or Both

Scottsdale Police Department, 3700 North 75th Street, Scottsdale, AZ 85251

Phone: 480-312-5000

City of Scottsdale Current Planning, 7447 E. Indian School #105, Scottsdale AZ 85251

Phone: 480-312-7000

Project # 850 -PA-2020

Assigned Planner: Bryan Cluff

Police Detective: Patrick Regan, District 4 Commander

Facility Name: Curaleaf Scottsdale Dispensary

Facility State I.D. Number: _____

Address: 16277 N. Greenway-Hayden Loop, Scottsdale AZ, 85260

Business Phone: 480-231-0544

Business FAX: _____

Maximum Occupancy: _____

Effective Date of the Plan: _____

Date of Plan Review: _____

Use Permit Issue Date: _____

Contact Person (1): Steve Cottrell

Home Phone: 480-231-0544

Contact Person (2): Luke Flood

Home Phone: 480-381-6187

Purpose of the Plan

To address security measures, maintenance, waste management and operations for a facility that requires a Security, Maintenance and Operations Plan pursuant to Scottsdale Revised Codes. The applicable uses are as follows: Medical Marijuana Dispensary, Medical Marijuana Cultivation and Medical Marijuana Processing, all of which require a Conditional Use Permit. The contents of this plan will address the listed concerns as well as community concerns regarding:

- Compatibility with surrounding structures and uses
- Dispensary security and patron safety
- Waste disposal measures related to the dispensing, cultivation or processing of the product

It is the intent of the City of Scottsdale to provide an environment that enhances the safeguarding of property as well as public welfare and to limit the need for law enforcement involvement.

The Permittee agrees that successful execution and enforcement of this Plan are a required condition of the use permit. Termination, cancellation, deviation or non-approval of the Plan constitutes a breach of the Plan and could result in the revocation of the use permit.

Operations and Hours

1. Permittee: Curaleaf
Type of Organization: Arizona Corporation Corporation
 Sole Proprietorship LLC
 Partnership Other
2. Managing Agents Name: Steve Cottrell
Title: President of Arizona Operations
Address: 4455 E Camelback Rd, E280, Phoenix, AZ 85018
Phone Numbers: 480-231-0544
Fax or Other Numbers: N/A
3. Business Owner(s) (if different than Managing Agent) Name, Address,
Phone:

4. Property Owner or Property Manager (if different from Managing Agent)
Name, Address, Phone: Western Security Bank

5. Hours of Operation:

	Open	Closed
Monday	<u>7 AM</u>	<u>10 PM</u>
Tuesday	<u>7 AM</u>	<u>10PM</u>
Wednesday	<u>7 AM</u>	<u>10PM</u>
Thursday	<u>7 AM</u>	<u>10 PM</u>
Friday	<u>7 AM</u>	<u>10 PM</u>
Saturday	<u>7 AM</u>	<u>10 PM</u>
Sunday	<u>7 AM</u>	<u>10 PM</u>

6. Cooperation/Complaints/Concerns:

Permittee will maintain communications with establishments located on and adjacent to the premises, and with residents and other businesses that may be affected by patrons or operations of the Permittee. Permittee designates the following person to receive and respond to concerns or complaints from other residents or businesses: 4455 E Camelback Rd, E280

Name: Steve Cottrell Address: Phoenix, AZ 85018 Phone: 480-231-0544

Permittee, managing agents, on-duty managers, supervisors and security personnel will cooperate closely with Scottsdale Police, City of Scottsdale Code Enforcement staff or other City staff as well as business and residential neighbors in addressing and investigating complaints, criminal acts, refuse issues and any other concerns.

Security and Maintenance

Security Attire

- Security personnel must be readily identifiable to police, patrons, and other employees to ensure the safety of the security staff when engaged with patrons.
- If on-site security personnel are utilized, they should wear an appropriate uniform-style shirt with the word "security" on both the front and back, in two

(2) inch lettering and clearly visible. During cold weather, a jacket with the same inscription should be worn.

Security Officer Responsibilities

The Permittee or management must clearly delineate the below responsibilities to all new security personnel and ensure these responsibilities are explained and understood.

- Civilian Security Officers will be responsible for patrolling the full property of the facility during all hours when patrons are in the facility, outside the facility, and in the facility parking areas.
- The Permittee warrants that there will be a minimum of 1 uniformed security officer(s). (Wearing the above-described uniform). The following responsibilities shall be agreed upon and adhered to:
 1. 1 Security officer(s) will be responsible for roaming the interior of the business and identifying hazards, problems, and maintaining patron safety.
 2. 1 Security officer(s) will be responsible for conducting roaming patrol of the exterior in an effort to prevent criminal behavior, maintain the peace and prevent refuse issues. This patrol shall include all parking areas to prevent a gathering of patrons during business hours and up to thirty (30) minutes after closing.
 3. 1 Security officer(s) will be responsible for ensuring that no persons are consuming marijuana on the dispensary property, or on adjacent properties.
- In addition, security officers will report all acts of violence to management personnel, complete a written report, log the act of violence, and contact Scottsdale Police Department immediately. Unreported acts of violence may result in revocation of the Permittee's Conditional Use Permit. Facility management, company members, corporate officers/shareholders, or facility ownership has the ultimate responsibility for the recording of the act of violence, logging of the act of violence, and reporting the act of violence to the Police Department and the Arizona Department of Health Services.

Management Responsibilities

The Permittee must clearly delineate the below responsibilities to all managers, assistant managers, and person(s)-in-charge and ensure these responsibilities are understood and followed.

- The manager(s) shall ensure that all employees, security staff and off-duty officers employed by the facility be trained and knowledgeable about the contents of this plan. The following shall be agreed upon and adhered to:
 1. There will be a minimum of 1 manager(s) available on the premises during hours of operation.
 2. If security personnel are utilized, at least one manager shall be identified as the "Security Manager" for the facility and be responsible for ensuring that a safe environment exists, for the supervision of all security personnel and that all security personnel as identified here shall meet or exceed the requirements established by A.R.S. 32-2621

through A.R.S. 32-2636, as amended, relating to security personnel and guards, and any regulation issued pursuant thereto.

3. At least one security manager will be on duty until 30 minutes after closing or the last security officer is off duty, whichever occurs last.

Uniformed Sworn Officer Responsibilities:

If off-duty law enforcement is used for security, it is the responsibility of the Permittee or management to clearly delineate the following responsibilities, which include at a minimum the following:

1. Conduct traffic control as needed
2. Assist civilian security officer(s) in removal of disorderly and/or impaired patrons and maintain the peace outside the establishment.
3. If necessary, patrol the exterior portions of the business to maintain the peace as well as prevent criminal acts.

Parking

- In order to reduce criminal activity that negatively affects the nearby businesses or residential, the Permittee is responsible for the designated parking area to include any lots used by the Permittee's patrons and employees.
- It is the Permittee's responsibility to ensure that parking areas utilized by patrons and employees will be routinely patrolled so parking areas are not used: as a gathering place for use or consumption of medical marijuana or spirituous liquor, for other violations of state or city law or for acts of violence or disorderly conduct.

Refuse Plan

- It is the Permittee's responsibility to ensure refuse containers are properly used and the area in and around the business is kept clean. Failure to do so will result in an investigation and possible citation from the City of Scottsdale Code Enforcement or other governmental agencies.
- Waste associated with the medical marijuana, including seeds, stems, leaves, oils, etc. shall be disposed of in accordance with Title 36, Chapter 28.1 of the Arizona Revised Statutes and/or Title 9, Chapter 17, Article 3 of the Arizona Department of Health Services.

Establishment of Records

- In addition to those requirements spelled out in Title 9, Chapter 17, Article 3 of the Arizona Department of Health Services, the Permittee shall retain all records related to the operation of the establishment for a period of no less than 2 years. Records include all audio recordings, video recordings, written receipts, invoices and evidence of any transaction occurring within or without the establishment that are related to the establishment.
- Records may be maintained at an off-site location, but must be produced, if requested by any law enforcement officer, within 24 hours.
- Failure to maintain records for a minimum of 2 years may result in revocation of the Conditional Use Permit.

- Failure to produce records subsequent to a written or verbal request by any law enforcement officer within 24 hours may result in revocation of the Conditional Use Permit.

Physical Security

It is the Permittee's responsibility to utilize the following security measures throughout the property:

- Video Surveillance
 - In addition to those requirements spelled out in Title 9, Chapter 17, Article 3 of the Arizona Department of Health Services, the Permittee must install and utilize 24-hour video surveillance and hardened video lines that record to a secure or off-site location, and that the Permittee can provide to the Arizona Department of Health Services or Scottsdale Police Department upon request.
 - Video surveillance must record all persons who enter the facility, persons who submit registry identification cards, and the registry identification cards.
 - Video surveillance must cover all interior patron areas and exterior parking areas.
- Audible and Silent Alarms
 - In addition to those requirements spelled out in Title 9, Chapter 17, Article 3 of the Arizona Department of Health Services, the Permittee must install and utilize audio and silent monitored alarms and must obtain the required City of Scottsdale alarm permits.
- Physical Security Measures
 - The Permittee must develop a plan to address all aspects of physical security for the facility, including bollards to prevent vehicle intrusions into the facility, alarm security and written risk assessment by police personnel.
- Access to Employee Areas
 - The Permittee must utilize coded security doors that restrict access to any employee-only areas.
- Vending Machines
 - Vending machine operation for dispensing of product is restricted to the times when a manager or assistant manager is present and the facility is open for business.
- Lighting
 - All portions of the establishment and patron parking areas will be sufficiently illuminated, and the lighting will be consistent with the City Policy for Exterior and Site Lighting.

Enforcement of Security Plan

Violations of this Security Plan will be enforceable by City of Scottsdale Police Officers and/or Code Enforcement employees and may constitute grounds for revocation of applicable use permits relating to the facility.

Violation, amendment, revocation, as defined in Scottsdale City Zoning Code Sec. 1.402.

Conditional use-permits, which have been approved by the City Council, shall be subject to the following procedures and criteria regarding any violation, amendment, or revocation.

- The violation of any condition imposed by the conditional use permit shall constitute a violation of this ordinance and shall be subject to the requirements of Section 1.1400 et seq.
- Conditional uses shall be developed in conformance to the approved plans as determined by the Zoning Administrator. An amendment to a conditional use permit is required before implementation of any material change in the scope and nature of an approved conditional use, material change in any conditions or stipulations to a conditional use permit or material change in the physical size, placement or structure of property subject to a conditional use permit. The Zoning Administrator shall have the discretion to determine if a proposed change warrants an amendment. An amendment must be approved as provided in Section 1.400 et seq. for the approval of conditional use permits.
- The Zoning Administrator may recommend to the City Council and the City Council may affect revocation of a conditional use permit pursuant to Section 1.402 of the Scottsdale Zoning Code for acts including but not limited to:
 1. A violation of the Plan.
 2. Violation of the conditions of the Use Permit.
 3. Violation of Scottsdale ordinances or law.
 4. Repeated acts of violence or disorderly conduct as reflected by police calls for service or offenses occurring on premises utilized by patrons of the Permittee, or failure to report acts of violence
 5. Failure of the Permittee to take reasonable steps to protect the safety of persons entering, leaving or remaining on the premises when the Permittee knew or should have known of the danger to such person, or the Permittee fails to take reasonable steps to intervene by notifying law enforcement officials or otherwise to prevent or break up an act of violence or an altercation occurring on the premises or on premises utilized by patrons and employees of the Permittee when the Permittee knew or reasonably should have known of such acts of violence or altercations.
 6. Any enlargement or expansion of the premises, plan of operation or program format without appropriate approval from the City.
 7. Misrepresentations or material misstatements of the Permittee, its agents or employees.

Dissemination of the Security Plan

- A copy of this security plan must be provided to each security officer, off-duty sworn law enforcement officer, manager(s) and assistant manager(s) employed by the permittee.

- A reading log will be maintained and will be signed by each of the above persons, stating they have read and understood this plan. Each security employee must read the plan once per year, or when there are any changes to the plan.
- A current copy of this plan will be maintained on the premises at all times, and a copy of this plan must be made available upon request of any code enforcement officer or police officer.
- Failure to conform to this plan will be considered a violation of the use permit.


Termination of the Plan

- This plan terminates on the date that the permittee's use permit terminates.
- An annual review of this plan may be conducted by City staff and revisions may be required.


Enclosures

- Addendums attached _____
- Refuse Plan (Must Be Attached)

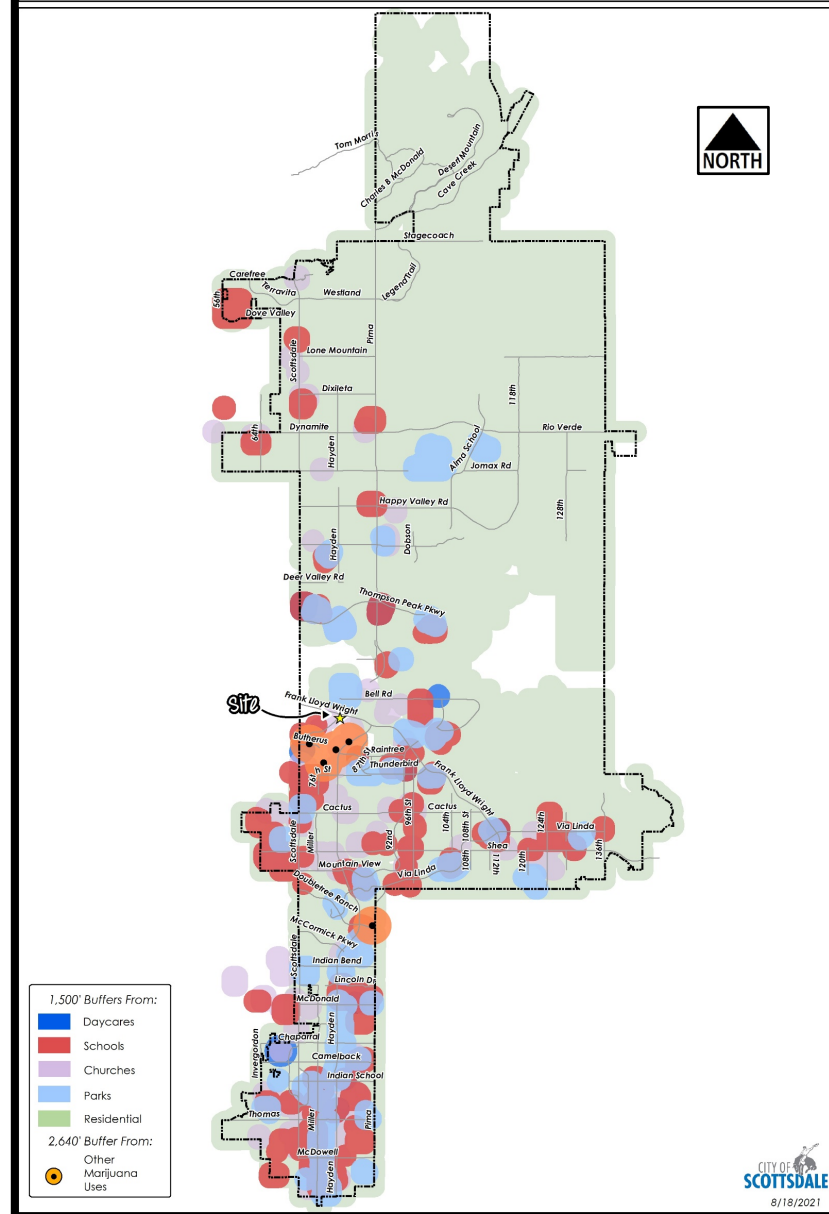
APPLICANT/MANAGEMENT:

Name: Steve Cottrall
 Address: 4455 E. Camelback Rd, Phoenix AZ, 85018
 Phone: 480.231.0544
 Date: 4.12.21
 Signature: 

APPROVED BY:

Detective: D. HYMAN #1311
 Phone: 480-312-8021
 Date: 6-29-31
 Signature: 

Marijuana Use Locations



Memorandum

To: Bryan Cluff
From: Larry S. Lazarus, Lazarus & Silvyn P.C.
Date: April 30th, 2021
RE: 850-PA-2020 Public Participation - Documentation

Neighborhood Meeting - On March 24th the applicant hosted a Virtual Neighborhood meeting which two members of the public attended

- 1) Mike Tomaszewski
- 2) Beth Aerts – BethAerts@protonmail.com

There were two concerns raised, first was regarding traffic and how much traffic would be generated. The response is that the use will not generate more traffic than the previous use, which was a bank. The second was a concern regarding security and bringing unwanted people into the neighborhood next to Dillon Precision. The response was that it would be local residents coming to the property and that there would be improved security in the area because of the additional cameras and security features that would be installed to protect the business.

At the neighborhood meeting it was suggested that the applicant follow-up by contacting the Scottsdale Northwest Airpark Owners Association (“SNAPOA”).

Additional Outreach

The applicant contacted Mitch Kelldorf, the President of SNAPOA, directly as documented in the attached form. The applicant offered to meet with anyone from SNAPOA individually or with the SNAPOA at one of the Board meetings. Mitch said that SNAPOA is not interested in addressing the application right now.

Attached Please find the following:

- 1) A copy of the letter sent to Homeowners and HOA’s within 750’ of the property
- 2) A map showing the notification area for properties.
- 3) A map showing the notification area for HOAs
- 4) The mailing list for the notification
- 5) A contact documentation form



**SCOTTSDALE PLANNING COMMISSION
KIVA-CITY HALL
3939 DRINKWATER BOULEVARD
SCOTTSDALE, ARIZONA**

WEDNESDAY, AUGUST 25, 2021

***DRAFT SUMMARIZED MEETING MINUTES ***

PRESENT: Renee Higgs, Chair
Joe Young, Vice Chair
William Scarbrough, Commissioner
Barry Graham, Commissioner
George Ertel, Commissioner
Christian Serena, Commissioner
Barney Gonzales, Commissioner

ABSENT:

STAFF: Tim Curtis
Joe Padilla
Bryan Cluff
Nicole Garcia
Karen Hemby
Lorraine Castro
Jeffrey Ruenger
Bronte Ibsen

CALL TO ORDER

Chair Higgs called the regular session of the Scottsdale Planning Commission to order at 5:00 p.m.

ROLL CALL

A formal roll call was conducted confirming members present as stated above.

MINUTES REVIEW AND APPROVAL

1. Approval of August 11, 2021 Regular Meeting Minutes including Study Session.

Commissioner Ertel moved to approve the August 11, 2021 regular meeting minutes. Seconded by Commissioner Scarbrough, the motion carried unanimously with a vote of seven (7) to zero (0).

* Note: These are summary action minutes only. A complete copy of the meeting audio is available on the Planning Commission page on ScottsdaleAZ.gov, search "Planning Commission"

CONSENT AGENDA

2. [8-UP-2021 \(Curaleaf Scottsdale\)](#)

Request by owner for a Conditional Use Permit for a Marijuana Use (dispensary) in a +/- 7,706 square foot space at 16277 N Greenway-Hayden Loop, on a +/- 1.92-acre site with Industrial Park (I-1) district zoning.

Staff contact person is Bryan Cluff, 480-312-2258.

Applicant contact person is Michelle Green, (602) 340-0900.

Item No. 2; Recommended City Council approve case 8-UP-2021 by a vote of 5-2 per the staff recommended stipulations based upon the finding that the Conditional Use Permit criteria have been met. Motion by Commissioner Scarbrough, 2nd by Vice Chair young with Commissioner Serena and Commissioner Graham dissenting.

The motion carried with a vote of five (5) to zero (0); with Chair Higgs, Vice Chair Young, Commissioner Scarbrough, Commissioner Gonzales, and Commissioner Ertel voting in favor, and Commissioner Serena, and Commissioner Graham dissenting.

REGULAR AGENDA

3. [15-ZN-2020 \(Greenbelt 88\)](#)

Request by owner for a Zoning District Map Amendment from Planned Neighborhood Center Planned Community District (PNC PCD) to Planned Unit Development (PUD), including a development plan with amended development standards for building setbacks for a mixed-use center including 278 multi-family dwelling units and approximately 25,000 square feet of commercial floor area on a +/- 7-acre site located at 3308 - 3370, 3388 N. Hayden Road.

Staff contact person is Bryan Cluff, 480-312-2258.

Applicant contact person is George Pasquel III, 602-230-0600.

Item No. 3; Recommended City Council approve case 15-ZN-2020 by a vote of 4-3 per the staff recommended stipulations, after determining that the PUD criteria have been met and the proposed Zoning District Map Amendment, Development Plan and Amended Development Standards are consistent and conform with the adopted General Plan. Motion by Commissioner Scarbrough, 2nd by Commissioner Ertel with Commissioner Gonzales, Commissioner Serena, and Commissioner Graham Dissenting.

The motion carried with a vote of four (4) to three (3); with Chair Higgs, Vice Chair Young, Commissioner Scarbrough, and Commissioner Ertel voting in favor, and Commissioner Gonzales, Commissioner Serena, and Commissioner Graham dissenting.

Request to Speak Cards: John Faramelli, Donald Creedon, Angela Schafroth, Anthony Leavy, Alisa Bierman, Paula Sturgeon, Louise Lamb, Travis Junion, Margaret Creedon, Brian Guerrero, Raoul Zubia, Dana Close, Angela Underwood, Jake Mathie, Jason Alexander, and Jan Vuichich.

Written Comment Card: Betty Becker

* Note: These are summary action minutes only. A complete copy of the meeting audio is available on the Planning Commission page on ScottsdaleAZ.gov, search "Planning Commission"

ADJOURNMENT

With no further business to discuss, the regular session of the Planning Commission adjourned at 8:02 p.m.