

**Ponderosa
318 South Bracken Lane
Chandler, AZ 85224
Conditional Use Permit Project Narrative**



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PLH24-0006 Ponderosa Dispensary

INTRODUCTION

In April 2023 a Conditional Use Permit was approved for an approximately 1.28-acre property located at 318 South Bracken Lane (the "Property") to allow for the addition of a dispensary or "medical marijuana facility" to an existing marijuana cultivation and infusion facility located on the Property. The Conditional Use Permit was approved for one (1) year. This request is to simply extend that approval. The dispensary has operated for several months, without incident and has been greatly beneficial to the existing cultivation and infusion facility. The Property is known as Maricopa County Assessor parcel number 303-24-150 and is shown below, outlined in red.



breakrooms. There is ample parking on the site and a landscaped area at the front of the site as shown on the cover of this narrative.

Existing Zoning and Land Use Designations

As shown in the table below, the Property is zoned I-1, and is designated in the City of Chandler General Plan for Employment Uses. These same designations are applicable to the properties on all four sides of the Property, each of which is occupied by an industrial user.

Direction	Current Zoning	General Plan Designation	Growth Area	Existing Use
North	I-1	Employment	Medical/Regional Retail	Pilgrim Aerospace Fasteners
South	I-1	Employment	Medical/Regional Retail	Aztech Controls/Technipure/Invatech Engineering
East	I-1	Employment	Medical/Regional Retail	Warehousing/Storage
West	I-1	Employment	Medical/Regional Retail	Cell Tower/Legends Brand Cleaning Equipment
Project Site	I-1	Employment	Medical/Regional Retail	Marijuana Dispensary, Cultivation, and Infusion

A discussion about how this site conforms to the General Plan and Growth Area is included in the *Evaluation of Use Permit Criteria* section later in this document.

Prior Approvals

As previously mentioned, the Property is currently in use as a medical marijuana dispensary, cultivation site and infusion establishment by the Applicant. This is simply a renewal of the April 2023 Conditional Use Permit that allowed the dispensary. The Property has received Zoning Clearance for all uses as provided for in the City of Chandler Medical Marijuana Regulations (Chapter 35, Section 2213 of the Chandler City Code). As shown below, the Code was amended to allow for co-location of a medical marijuana facility in I-1 zoning district as an ancillary use to an existing cultivation site upon the approval of a Conditional Use Permit with enhanced evaluation criteria.

Date	Case	Action
September 28, 2021	PLA21-0339	Zoning Clearance approval for the operation of a medical marijuana cultivation site
December 20, 2021	PLA21-0483	Zoning clearance approval for the operation of a medical marijuana infusion food establishment.
February 9, 2023	PLH22-0060 (ord. No. 5044)	Approval of citywide zoning code text amendment allowing for co-location of a medical marijuana facility in the I-1 zoning district as an ancillary use to an existing cultivation site upon the approval of a CUP and additional performance standards.

PROJECT SUMMARY AND REQUEST

The Applicant is seeking to renew the Conditional Use Permit that allows for a portion of the Property for a Medical Marijuana Facility.

Following is the specific request to the City of Chandler:

1. Approval of a Conditional Use Permit to allow a Medical Marijuana Facility within a medical marijuana cultivation site in the I-1 zoning district.

Approval of this Conditional Use Permit request will be in conformance with the Chandler City Code and will provide for the use of the Property within the many rules and regulations promulgated by Arizona Department of Health Services (AZDHS).

SITE DETAILS

As shown on the site plan provided with the application materials, the 12,394 square foot building is on a 1.28-acre parcel. The building sits in the center of the Property, encircled

by a drive aisle with parking spaces. There are two entry points to the Property along Bracken Lane, and the site has been designed to meet the required landscaping, parking and retention requirements.

A floor plan has been submitted in conjunction with this application. This floor plan is conceptual in nature and can be modified with approval from the Planning Director with the proper building permit submittal. With such action the Conditional Use Permit does not require modification as the use is not changing.

OPERATIONAL DETAIL

There will be approximately 20 employees on the premises at any given time. These employees will be involved in the cultivation functions, infusion of marijuana extracts into food products, dispensary sales and general operational management.

Hours for the medical marijuana facility are shown below:

Day	Open	Close
Monday through Sunday	7:00 AM	10:00 PM

SECURITY DETAIL

In compliance with Arizona State Law (A.R.S. §36-2804(B)(1)(C)), the Applicant has filed a security plan with the State of Arizona. The security plan includes:

- Surveillance cameras covering all exterior and interior areas of the Property, and all portions of the building used for cultivation, infusion and dispensary uses with a minimum backup storage of thirty (30) days;
- 24-hour independently monitored security alarm system (with backup cellular communication capability, audible alarms, motion detectors, panic buttons, yard signs and window stickers);
- Controlled and gated access to parking and loading areas;
- Trackable and controlled keycard access to the building and all portions used for cultivation, infusion and dispensary purposes (with employees only given keycard access to areas where they work); and

- Secure and controlled access to all areas where marijuana products are stored or displayed.

PARKING

As shown on the Site Plan, there is visitor/employee parking on both the north and south sides of the Property. 28 parking spaces are provided in front of the security gates and accessible at all times for both customers and employees. There are 13 additional parking spaces behind the security gates that are for employees only.

The graphic below demonstrates how the Property will be compliant with Section 35-1802 of the Chandler City Code.

318 Bracken Lane; Parking Analysis			
Use	Parking Requirement	Required Parking Spaces	Provided Parking Spaces
Retail Dispensary	1/250 sq. ft.	10	14
Cultivation and Infusion	1/1,000 sq. ft.	10	14
Office	1/250 sq. ft.	1	13
Total		21 Spaces	41 Spaces

Though not required for compliance with the Chandler City Code, there is also on-street parking along both sides of Bracken Lane that provides convenient access to the front entrance of the building.

EVALUATION OF USE PERMIT CRITERIA

Section 35-305.1.A of the Chandler City Code requires a review of the following factors when considering a Use Permit. The City Council must find that each criterion has been addressed prior to rendering any approval of decision of a Conditional Use Permit. Each criterion is shown below, followed by the applicant's response in bold text.

1. Consistency with the General Plan.

Response: As previously noted in this narrative, the land use designation for this property is "Employment". This land use designation focuses attention on the City's economic base. Major employers, knowledge-based industries

and industrial/business parks are allowed within areas designated as Employment. The industrial park in which the Ponderosa Dispensary will be located, the Price Road Industrial Park, offers employment prospects in manufacturing, wholesaling, hospitality, and incidental retail uses. The use of the Property as a Medical Marijuana Facility will provide a mix of employment opportunities on the Property.

The Property is also located in Growth Area #5, which is a node within the Employment designation that features regional retail and medical services. The Ponderosa facility will dispense marijuana products to its patients and customers and will be convenient to patients being treated at the nearby medical, nursing home and hospitality businesses.

2. Ingress and egress to the property and proposed structures, pedestrian and vehicular circulation with particular reference to fire protection.

Response: There are two access points to the Property from Bracken Lane. A drive aisle completely encircles the single-story building, providing for easy access for emergency vehicles. There is a fire hydrant conveniently located approximately 20-feet south of the Property.

3. Off-street parking and loading.

Response: As previously discussed, there is ample parking on the Property, and the site is in full compliance with the requirements contained in Section 35-1802 of the Chandler City Code.

4. General compatibility of use with adjacent property and property in the district.

Response: Ponderosa will be compatible with the uses of the neighboring properties. The prior use of the building was as a manufacturing facility with an ancillary retail showroom. The proposed use of the Property will be similar in nature, and the addition of the use as a medical marijuana facility will not be discernible to adjacent properties.

5. Impact on public services, including schools, recreation and utilities.

Response: There will be no impact to public services by this proposed Medical Marijuana Facility.

6. Screening and buffering of uses.

Response: The Property is surrounded by a generous landscape buffer and boundary and screen walls of various heights. While the surrounding structures and uses are also manufacturing/warehouse uses, it is still important to maintain a respectful distance and ensure that all activities on the site are conducted in a professional, orderly, and courteous manner.

7. Signage.

Response: The current signage is minimal, tasteful, and in compliance with Section 39-9.8 of the Chandler Municipal Sign Code.

8. Exterior lighting with reference to adjacent properties.

Response: Lighting on the Property consists of building mounted lighting required to meet building safety requirements. There is a City of Chandler streetlight at the front of the Property that provides ample lighting at the entry to the site.

9. Stormwater retention and landscaping.

Response: There is a retention basin at the rear of the Property and a recessed landscape area at the front of the building for the capture and retention of stormwater runoff from Bracken Lane. Landscaping is provided in the form of landscape buffers on the northern and eastern boundaries of the site, with a small amount of landscaping along the southern boundary and within landscape islands in the parking areas. With the implementation of the proposed use, there will be no change to the previously approved grading and drainage plan.

10. Site and building design for conformance with the General Plan and policies and City standards.

Response: As previously discussed, the General Plan land use designation for this property is "Employment". This designation is characterized by a mix of land uses including industrial, commercial, institutional, recreation, neighborhoods, and a range of residential densities. Price Road Industrial Park has been designed as an attractive industrial setting with a unique mix of businesses. The Ponderosa Medical Marijuana Facility will be consistent with the Employment designation in that it provides employment

opportunities and a valuable commercial service to residents of Chandler that may live or work in the area.

Enhanced Criteria Established through Text Amendment dated February 9, 2023

On February 9, 2023 the Chandler City Council approved Ordinance No. 5044, a citywide text amendment allowing a Medical Marijuana Facility in the I-1 Zoning District, with the satisfaction of additional criteria. Shown below are the additional criteria and how this application meets them.

A Medical Marijuana Facility:

- 1) Must be incidental to an existing cultivation site and/or infusion food establishment.

RESPONSE: As previously noted, 318 Bracken Lane is the site of an existing marijuana cultivation site and infusion food establishment authorized by AZDHS and the City of Chandler Zoning Clearance process. (Cases PLA21-0339 and PLA21-0483). The Medical Marijuana Facility requested within this application will be incidental to those uses.

- 2) Shall be located within 1,320 feet of an arterial roadway, measured in a straight line from the closest exterior wall of the cultivation site and/or infusion food establishment to the center of the arterial roadway;

RESPONSE: The Property is located approximately 535-feet from Frye Road. Frye Road is designated in the City of Chandler Transportation Master Plan as a Minor Arterial as shown in the graphic on the next page. Additionally, the western property line of the Property is located approximately 615-feet east of the South Price Road Major Arterial Roadway.



- 3) Shall be within 500 feet of the C-2 or C-3 zoning district, or a PAD district where C-2 or C-3 commercial uses are allowed, and

RESPONSE: As shown on the next page, the Property is located approximately 57-feet from the Chandler Hilton PAD property. The Development Booklet approved on September 4, 2006 (DVR06-0012), includes the following language: "Permitted uses on the Commercial Site shall include any use or similar use allowed in a C-2 District as indicated in the Chandler Zoning District...). Accordingly, this request meets the criteria for the required distance from a commercially zoned district.



- 4) Shall have frontage and access from public right-of-way.

RESPONSE: The Property has frontage on Bracken Lane. As previously noted, the Property is within Lot 6, of Price Road Industrial Park Unit 1, a subdivision platted in 1980 (Recorded at Instrument No. 1980-0298021, Book 226, Page 19). Language on the Plat “dedicates to the public for use as such the streets and the use of easements...). Moreover, Bracken Lane is maintained by the City of Chandler.

CONCLUSION

Ponderosa is a unique and successful business in the City of Chandler. Again, this application is simply to renew an approved Conditional Use Permit to allow for a dispensary in conjunction with the existing cultivation site and infusion establishment that has operated for over two years and are allowed to exist by right. They have operated in an orderly fashion, without complaint, and in a manner respectful of the surrounding properties. This application is to allow for the continued use of a dispensary or “Medical Marijuana Facility” in conjunction with those existing uses and will operate within the many rules and regulations established by AZDHS and the City of Chandler. Approval of this Conditional Use Permit will allow the Property Owner to create jobs and produce sales and subsequent tax revenue for the City while using the Property in a manner that is compatible with surrounding structures and uses.