



City of Apache Junction

Development Services Department



PLANNING AND ZONING COMMISSION PUBLIC HEARING STAFF REPORT

DATE: April 8, 2025

CASE NUMBER: P-25-6-CUP

OWNER: Tracey Yamamoto

APPLICANT: Noah Morrill-Mason, Saguaro Smoke Shop

REPRESENTATIVE: Noah Morrill-Mason

REQUEST: A proposed Conditional Use Permit ("CUP") for operating a high-end smoke shop on Units 8 and 9 of 100 W. Apache Trail, a property in B-3 "City Center" zone.

LOCATION: 100 W. Apache Trail, Units 8 and 9 are located inside Parkway Plaza, at the northwest corner of Idaho Road and Apache Trail (APN 101-23-004F).

**GENERAL PLAN/
ZONING DESIGNATION:** Downtown Mixed Use / City Center ("B-3")

SURROUNDING USES:

- North: City Center ("B-3"), Canyon Vista Dental Care dental office;
- South: General Commercial ("B-1") & General Commercial by Planned Development ("B-1/PD"), Drive-thru restaurants & Walgreens Pharmacy;
- East: City Center ("B-3"), Filiberto's Restaurant;
- West: City Center ("B-3"), Parkway Plaza tenants of Apache Family Dentistry dental office and Desert Dazzle Beauty Salon.



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BACKGROUND

Per historic Pinal County and city zoning records Parcel 101-23-004F has historically been zoned City Center "B-3" and was developed in 1972 as Parkway Plaza, an inline retail/office center. There have been many different tenants over the years, with the most recent tenant of the subject units being a medical clinic.

PROPOSALS

P-25-6-CUP is a proposed Conditional Use Permit request to authorize a smoke shop use within the "B-3" zoning district. The smoke shop use is categorized as "Tobacco & Related Product Sales" in the Apache Junction Zoning Ordinance Non-Residential Use Regulations, which use requires a CUP to operate in the Downtown, as an effort to coordinate of uses in the downtown core and provide a healthy economic diversity of uses.

No special deviations are requested in this CUP. The subject site is an already developed property, although minor improvements will be made as part of the applicant's move into their unit, such as restriping their parking.

PLANNING STAFF ANALYSIS

Relationship to General Plan:

The subject site is designated by the City's General Plan for "Downtown Mixed Use," which supports residential, retail and office uses. The proposed use is a retail use and therefore complies with the property's General Plan designation and does not require a General Plan Amendment.

Zoning/Site Context:

The "B-3" zoning district allows for a variety of retail uses designed to facilitate the development of the Downtown as a 'commercial destination.' Some uses, including "Tobacco & Related Product Sales," are managed by a conditional use permit in order to ensure greater economic diversity necessary for



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downtown retail and commercial growth. In this case, no other tobacco smoke shops of this category are located within the immediate vicinity of the property, or in the rest of the "B-3" zoning district downtown.

The property is surrounded on the east, west and north by the City Center "B-3" zoning district, while to the south, across W. Apache Trail, the commercial center is zoned General Commercial "B-1" and General Commercial by Planned Development "B-1/PD."

- North of the subject site is the Canyon Vista Dental Care dental office ("B-3").
- East of the subject site is a Filiberto's Restaurant ("B-3").
- West of the subject site are other Parkway Plaza tenants, the Apache Family Dentistry dental office and Desert Dazzle Beauty Salon. Further west is currently vacant land("B-3").
- South of the subject site are commercial properties with Taco Bell and Popeye's Drive-thru restaurants and a Walgreens Pharmacy ("B-1" & "B-1/PD").

Infrastructure Improvements:

The applicant is moving into an existing developed site that already has necessary infrastructure improvements; however they will be required to restripe the fading parking in front of their units (8 and 9), and to designate one of those parking spaces as an accessible parking space that complies with ADA design standards.

Public Input:

The applicant sent out neighborhood meeting notification letters to all property owners within a 300-foot radius and held the advertised neighborhood meeting at the Multi-Generational Center on Monday, March 10, 2025 at 5:30 PM. One (1) individual attended, with no concerns or questions expressed. A full report of the neighborhood meeting is provided in Exhibit #6 Public Participation Report.



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Staff received one phone call, asking whether the smoke shop will sell marijuana or not, and confirmed it will not.

FINDINGS OF FACT FOR CONDITIONAL USE PERMIT

As required by the Apache Junction Zoning Ordinance, § 1-16-12 Conditional Use Permits, Administrative Use Permits and Building Permits, a Conditional Use Permit request may be approved by the Planning Commission after consideration has been given to seven different criteria. The criteria are outlined in the text below:

- a) Adequacy of roadways, off-street parking, public facilities and services to accommodate the proposed use;

Applicant Response:

- *The site is accessible via State Route 88 (Apache Trail), a key thoroughfare in Apache Junction, with sufficient capacity to accommodate the expected traffic.*
- *Off-street parking is available with 9 designated spaces, ensuring convenience for customers without impacting adjacent properties.*
- *Public utilities and services, such as water, electricity, and waste disposal, are fully equipped to support our business operations.*

- b) Negative impacts arising from the emission of odor, dust, gas, noise, lighting, vibration, smoke, heat or glare;

Applicant Response:

- *All products are securely packaged, and no onsite consumption is permitted, eliminating concerns about odor or smoke.*
- *Modern HVAC systems will prevent any emissions from affecting the surroundings.*
- *Exterior lighting will adhere to city standards, ensuring safety without creating glare or nuisance.*



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- c) Contribution to the deterioration of the neighborhood or the negative impact on neighborhood property values;

Applicant Response:

- *Saguaro Smoke Shop's upscale branding and community-oriented focus are designed to enhance the neighborhood's appeal and property values.*
- *Our commitment to cleanliness, professional aesthetics and responsible business practices ensures a positive contribution to the area.*

- d) Compatibility with surrounding uses and structures;

Applicant Response:

- *The shop aligns with the commercial nature of the vicinity and complements nearby businesses by offering products that attract a diverse and responsible customer base.*
- *The building's exterior will maintain compatibility with surrounding structures, and any signage will conform to city design guidelines.*

- e) Conformance with the General Plan and City policies;

Applicant Response:

- *The shop supports the city's vision of fostering local businesses that contribute to economic growth while maintaining high community standards.*
- *We are aligned with zoning ordinances and city policies promoting responsible development.*

- f) Screening and buffering of uses; and

Applicant Response:

- *The property includes a brick wall at the back of the building that serves as a barrier between our business and another building, providing adequate screening from residential or sensitive areas.*

- g) Unique nature of the property, use and/or development's physical characteristics.



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Applicant Response:

- The building's existing layout supports our operational needs with no alterations needed.
- Our design and interior improvements emphasize modernity and cleanliness, reflecting the unique vision of Saguaro Smoke Shop

PLANNING DIVISION RECOMMENDATION

Staff respectfully recommends the approval of P-25-6-CUP, finding the proposed use suitable for the subject site with no noted land use impacts. As always, Commissioners may suggest changes or additional conditions they believe will enhance the proposed project.

RECOMMENDED MOTION FOR CONDITIONAL USE PERMIT

I move that the Planning and Zoning Commission approve Conditional Use Permit Case P-25-6-CUP, a request by Noah Morrill-Mason of Saguaro Smoke Shop, for the operation of a high-end smoke shop located at Units 8 and 9 of 100 W. Apache Trail, subject to the following conditions of approval:

- 1) The parking spaces in front of units 8 and 9 will be restriped, and one of them shall be designated as accessible parking that complies with ADA design standards.
- 2) The smoke shop will always comply with local laws and regulations.
- 3) The smoke shop will never sell marijuana or marijuana-infused products or any illegal products.
- 4) The smoke shop will always maintain the proposed no smoking on premises and no trespassing policy.
- 5) The smoke shop will maintain a clean and professional appearance at all times, both inside and outside.



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- 6) The hours of operation of the shop will be from 9:00 AM to 9:00 PM, Monday through Sunday.
- 7) To ensure the safety of customers and the public, the smoke shop will have a comprehensive security mechanism in place. The mechanism will include surveillance cameras and alarm systems at all entry points and on the sales floor.

Nick Leftwich

Prepared by Nick Leftwich
Senior Planner

Attachments:

- Exhibit #1 - Draft Resolution No. 25-06
- Exhibit #2 - Project Narrative
- Exhibit #3 - Proposed Site Plan
- Exhibit #4 - Aerial Zoning Map
- Exhibit #5 - Proposed Floor Plans
- Exhibit #6 - Final Public Participation Report