

Project Description and Potential Impacts

To provide the community with an opportunity to understand the proposed CUP amendment, Border Health will hold a neighborhood meeting at a location designated by Apache Junction Planning & Zoning. At the meeting, we will educate neighbors about the administrative nature of the CUP amendment and how it stems from a change in ownership of the property and how operationally no new uses or elements will be added—in other words, Border Health does not anticipate any potential impacts and operations will continue as they have been without incident. We will also address questions or concerns raised by neighbors.

Notification and Public Meeting

Applicant will provide the following materials to assist Apache Junction Planning & Zoning in notifying the public, through first class mail, of the CUP Amendment, Public Meeting, and Public Hearing and initiating the public participation process:

1. Pinal County Assessor Parcel Map illustrating all property owners within a 300' area of the subject parcel¹;
2. List of mailing labels containing (1) the property owners' names, current addresses, and parcel numbers, (2) the mailing information for any HOA or registered neighborhood group within the 300-foot area, and (3) any interested parties registered with the City²; and
3. A sample letter to the interested parties explaining the CUP Amendment and providing notification of the upcoming public meeting³.

After public notification is complete Applicant will hold a neighborhood meeting to provide the public an opportunity to address any comments or concerns regarding the CUP amendment. Following the neighborhood meeting, Applicant will submit to Apache Junction Planning & Zoning a Final Public Participation Report that outlines any issues raised by the interested parties and a plan to address said issues, if any.

¹ See, Exhibit A, Pinal County Assessor Parcel Map Illustrating 300' Area.

² See, Exhibit B, Mailing Label Notification List and Mailing Label Certification.

³ See, Exhibit C, Sample Letter to Interested Parties.



BianchiBrandt

JUSTIN M. BRANDT, ESQ
Justin@BianchiBrandt.com

6730 North Scottsdale Road, Suite 100
Scottsdale, Arizona 85253
O: 480.531.1800

April 15, 2025

Sent Via Email Only

Mr. Nicholas Leftwich
Development Services, City of Apache Junction
300 E Superstition Blvd.
Apache Junction, Arizona 85119
nleftwich@apachejunctionaz.gov

Re: CUP Amendment – Neighborhood Meeting
Permit: P-21-66-CUP
Property: 1575 E 18th Avenue

Dear Nick:

This letter summarizes the neighborhood meeting we held on Tuesday, April 8, 2025, from 8:00 to 10:00am. We scheduled the meeting in the morning to accommodate residents of the retirement community located east of the subject property. We hoped that having an early morning meeting with coffee and donuts would encourage attendance. But, as you know, we did not have any neighbors attend our meeting.

The notice sent to neighbors about the meeting included my contact information and invited them to reach out with any questions or concerns. As of today, I have not received any inquiries or comments regarding the project or the proposed CUP amendment. In other words, we have not received any negative feedback from neighbors. Additionally, we understand that the city has not received any odor complaints since operations at the facility were modified, including scaled back cultivation activities.

Sincerely,

Justin M. Brandt, Esq.
For the Firm

Affidavit for Posting Notice

Case Number: P-24-87-CUP

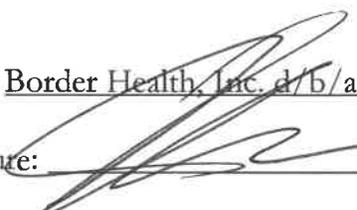
Project Name: CUP Amendment

Project Address: 1575 E. 18th Avenue

Apache Junction, Arizona 85119

I confirm that the sign has been posted by me or my agent for the case listed above as required by the City of Apache Junction, and a photo of the sign posting location on the property is attached hereto as **Exhibit 1**.

Applicant Name: Border Health, Inc. d/b/a Sticky Saguaro

Applicant Signature:  FOR BORDER HEALTH

Date of Sign Posting: April 25th, 2025

STATE OF ARIZONA)
) ss.
COUNTY OF PINAL)

Acknowledged and sworn to me this 28 day of April, 2025.


Notary Public

My Commission Expires: March 11, 2029

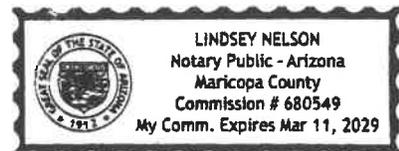


Exhibit 1

City of Apache Junction Public Notice

**CONDITIONAL USE
PERMIT PUBLIC HEARING**

PLANNING AND ZONING COMMISSION
DATE: MAY 13, 2025 TIME: 7:00

CASE#: P-24-87-CUP
APPLICANT: BORDER HEALTH, INC.
D/B/A STICKY SAGUARO
PHONE#: (480) 531-1800
PLACE: 300 E. SUPERSTITION BLVD.
APACHE JUNCTION,
ARIZONA 85119

REQUEST TO UPDATE THE OWNERSHIP AND MANAGEMENT OF THE
MAJUANA CULTIVATION AND INFUSION KITCHEN TO THE
OWNERSHIP AND MANAGEMENT OF BORDER HEALTH INC.

CITY CLERK: JENNIFER PENA
FOR INFORMATION CALL PLANNING OFFICE (480) 474-5683

City of Apache Junction Public Notice

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**REQUEST TO UPDATE THE OWNERSHIP AND MANAGEMENT OF THE
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CITY CLERK: JENNIFER PENA

FOR INFORMATION CALL

PLANNING OFFICE (480) 474-5083



City of Apache Junction
Development Services Department



**NOTICE OF PUBLIC HEARINGS:
CITY OF APACHE JUNCTION
PLANNING AND ZONING COMMISSION
300 EAST SUPERSTITION BOULEVARD
APACHE JUNCTION, ARIZONA 85119**

A public hearing will be held by the Planning and Zoning Commission of the City of Apache Junction, Arizona, on Tuesday, **May 13, 2025** at 7:00 p.m., in the Apache Junction City Council Chambers located at 300 E. Superstition Boulevard, Apache Junction, Arizona.

P-24-87-CUP

This is a request by Justin Brandt of Bianchi Brandt, representing Border Health, Inc. for a Conditional Use Permit to update the existing Conditional Use Permit P-21-66-CUP that authorizes the use of a marijuana cultivation and infusion kitchen with new ownership and management information. The subject property, APN 102-07-216B, is currently zoned B-5 on approximately .52 acres.

The purpose of this notice is to inform each individual who owns property within a 300-foot radius of the subject site, which is the affected area, to have an opportunity to speak either for or against the request. For more information, please contact Nick Leftwich, Senior Planner at nleftwich@apachejunctionaz.gov or (480)474-8575.

Please note that as part of public outreach efforts, the City also welcomes your comments in writing, by e-mail or telephone. Comments must be received before the public hearing date in order to be provided to the Commission. The contact information is provided below (refer to Case P-24-87-CUP when conveying your comments):

City of Apache Junction
Development Services Department
300 E. Superstition Boulevard
Apache Junction, AZ 85119

Please also see the attached **Notice of Public Hearing** and **Vicinity Map** for more information.

**NOTICE OF PUBLIC HEARING:
PLANNING & ZONING COMMISSION MEETING**

All interested persons are invited to attend and be heard at a **PUBLIC HEARING** to be held by the **PLANNING AND ZONING COMMISSION** of the City of Apache Junction, Arizona, on Tuesday, May 13, 2025. The meeting will be held at 7:00 p.m. in the Apache Junction City Council Chambers, 300 E. Superstition Boulevard, Apache Junction, Arizona. Consideration and discussion will be given to the following and other matters related thereto:

P-24-87-CUP

This is a request by Justin Brandt of Bianchi Brandt, representing Border Health, Inc. for a Conditional Use Permit to update the existing Conditional Use Permit P-21-66-CUP that authorizes the use of a marijuana cultivation and infusion kitchen with new ownership and management information. The subject property, APN 102-07-216B, is currently zoned B-5 on approximately .52 acres.

The property is generally described as:

Lots 43, 44, and 45, Palm Springs Unit Six, according to Book 13 of Maps, Page 48, Records of Pinal County, Arizona.

Case file P-24-87-CUP which has been advertised for public hearing, may be reviewed from 7:00 a.m. to 6:00 p.m., Monday through Thursday, except holidays, at the Planning Division Office, City Hall Complex, 300 E. Superstition Boulevard, Apache Junction, Arizona, 85119. For more information, please contact Nicholas Leftwich, Senior Planner, at nleftwich@apachejunctionaz.gov or (480)474-8575.

Dated at Apache Junction, Arizona, this 22nd day of April, 2025.

Publish the 26th day of April, 2025.

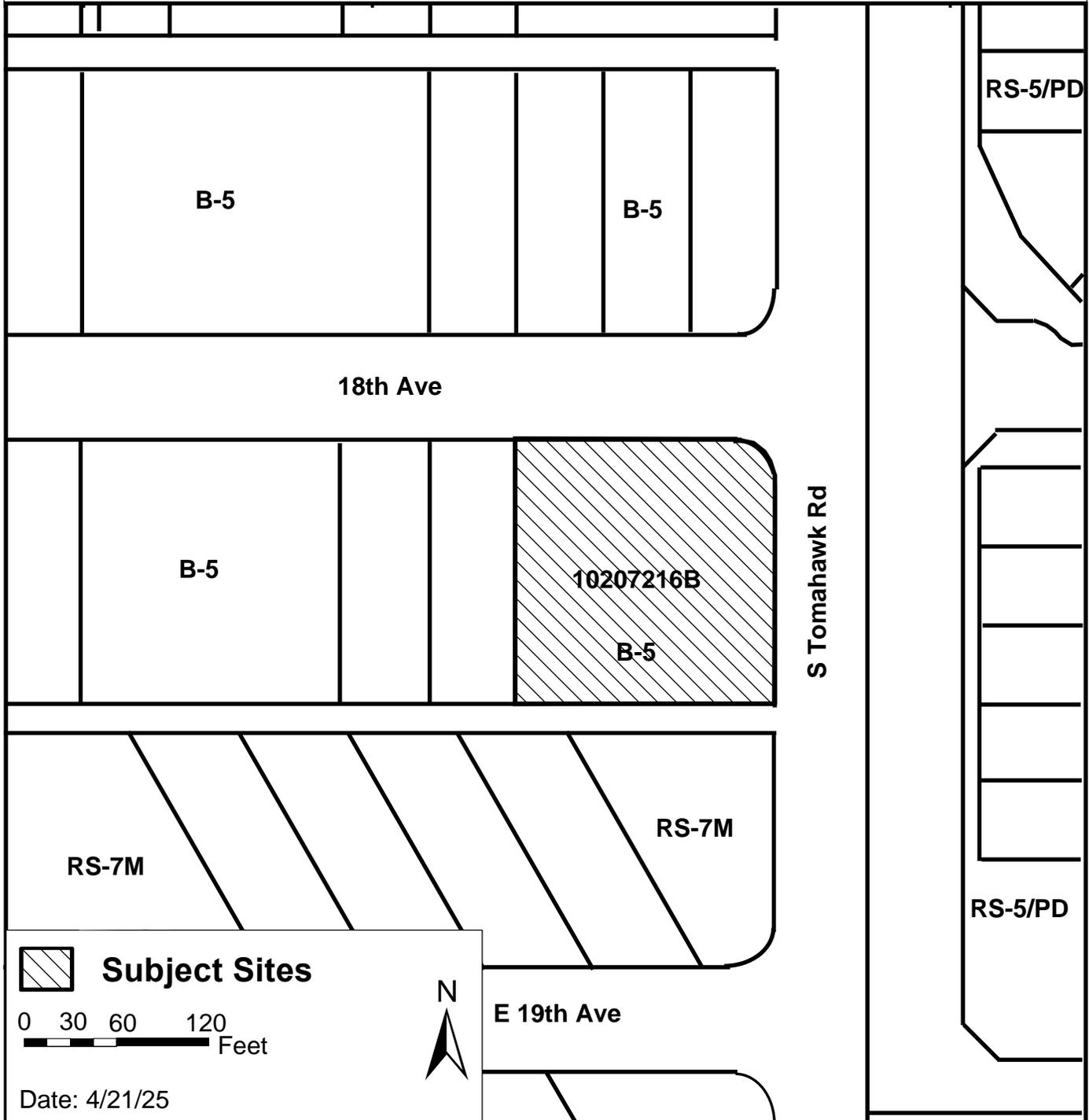

Yvette McKinney
City Clerk



Vicinity Map

P-24-87-CUP

Conditional Use Permit Request to update the ownership and management of the marijuana cultivation and infusion kitchen to the ownership and management of Border Health Inc.



Re: [External] P-24-87-CUP

From Nicholas Leftwich <nleftwich@apachejunctionaz.gov>

Date Mon 5/5/2025 8:11 AM

To Jazz Jobses <jazzy25@myyahoo.com>

Hello Jazz, the letter you received is regarding an existing marijuana kitchen and infusion facility at 1575 E. 18th Avenue. The site has been operated that way since around 2014, but they are required to go through this public process and notification when management or ownership change, which is what has recently happened. They are located across Tomahawk Road, across from the entrance of Bel Agave, but not within it.

Thank you for the notification regarding the meeting date error, the correct date is Tuesday, May 27th, 2025, at 7 PM.

Please let me know if you have further questions.

Nicholas Leftwich
Senior Planner
Development Services

City of Apache Junction
300 E. Superstition Blvd
Apache Junction, AZ 85119
(480)-474-8575
nleftwich@apachejunctionaz.gov

Hours: Monday-Thursday 7am-6pm; *closed on Fridays*



From: Jazz Jobses <jazzy25@myyahoo.com>

Sent: Wednesday, April 30, 2025 5:50 PM

To: Nicholas Leftwich <nleftwich@apachejunctionaz.gov>

Subject: [External] P-24-87-CUP

Hello Nick

I recieved a letter from the city of AJ about a marijuana kitchen renting there permit. Can you please give me mire info as to the location. Is this within the Bel Agave subdivision? Also the date of the meeting has a date of 2021

Thank you

Re: [External] Case P-24-87-CUP

From Suzanne Wells <rjsewells@gmail.com>

Date Wed 5/7/2025 6:44 AM

To Nicholas Leftwich <nleftwich@apachejunctionaz.gov>

We have no objections.
Suzanne and Richard Wells

On Tue, May 6, 2025, 3:02 PM Nicholas Leftwich <nleftwich@apachejunctionaz.gov> wrote:

Hello Suzanne, thank you for your message. If you would like, I can include it in the staff report for the Planning and Zoning Commission meeting next week.

Regarding your questions, the facility at 1575 E. 18th Avenue was first permitted to operate as a marijuana cultivation and infusion kitchen back in 2014, under the facility's first Conditional Use Permit, CUP-2-14. One of the conditions of approval is that every time management or ownership of the facility changed hands they would need to notify the city and go through a public renewal process, which is what is currently happening with this case P-24-87-CUP and the notification that you received. In this specific instance, the contracted company that was licensed to operate the facility, Border Health, decided to buy the property itself instead of just leasing the facility as they had been. This situation has the benefit that the people in question are the same ones that have been operating the facility since 2021, so we have a better idea of who they are and how they operate than if they were completely new.

To answer your questions in the noted order:

1. The Marijuana Cultivation & Infusion facilities were permitted in commercial and industrial zones back in 2014, and so there was no rezoning involved. Currently, there is no zoning district that a new facility can open up in, with this location being the only approved site in the city, having been approved before the city codes were changed. The city does not have a purely agricultural zoning district that would accommodate farms or cultivation facilities either.
2. The site operations have included marijuana cultivation since they opened in 2014, but it is not a large-scale growth facility since their primary use is the "infusion kitchen" meaning they grow marijuana to bake into other products like food.

Although you noted that you did not need further questions with the answer above being 'yes,' the new owners have provided further information that helps address your other concerns:

3. Marijuana is only to be grown indoors, and odors are to be heavily managed. There should be no difference with the lights, and no new lights are being proposed to our knowledge.
4. We have found that odor/fume leakage does not occur with the infusion process, but there have been odor complaints about once a year by some neighbors during the peak growing season, when the plants themselves bloom and are harvested. City code enforcement and police have come to inspect the site when we have received odor complaints in the past, and we have worked with Border Health to ensure that when there were smell complaints they would resolve the issue quickly, such as by installing better filters or reducing the exposure to

the outside. When the most recent complaint was raised in November 2024, we met with the facility operator and worked out a plan to mitigate future issues, and they have indicated that they would scale down production so that less marijuana would be produced here and that they would modify their work plan so that there would be less outdoor exposure to the plants when they ever have to move them between buildings.

5. The reduction in production and changes in operation should help with future odor/fume complaints, but we have not found anything potent enough to be a health hazard. If you do smell strong odors or feel it an issue, please let us know and we will alert our code officers and the site management of any issues.
6. There should be no increase in traffic beyond what has been in place since this specific group has been operating since 2021.

Please let me know if you have any further questions. Thank you,

Nicholas Leftwich
Senior Planner
Development Services

City of Apache Junction

[300 E. Superstition Blvd](#)

[Apache Junction, AZ 85119](#)

(480)-474-8575

nleftwich@apachejunctionaz.gov

Hours: Monday-Thursday 7am-6pm; *closed on Fridays*



From: Suzanne Wells <rjewells@gmail.com>
Sent: Tuesday, May 6, 2025 2:13 PM
To: Nicholas Leftwich <nleftwich@apachejunctionaz.gov>
Subject: [External] Case P-24-87-CUP

Dear Nick,

My husband and I received notification of a request for a NEW conditional use permit (P-24-87-CUP) by Justin Brandt of Bianche Brandt, representing Border Health, Inc. For an EXISTING conditional use permit P-21-66-CUP that authorizes the use of Marijuana cultivation and infusion kitchen in a building directly across the street from our house. I have several questions:

1. B-5 zones are for industrial use. Have the owners applied for an agricultural re-zoning to grow ("cultivate") the Marijuana?
2. Has this production been in operation already using the previous conditional use permit P-21-66-CUP?

If the answer is "yes", then I have no further questions because we have not experienced any adverse effects from this activity.

If, however, this industry has not already gone into production, then I have more questions:

3. Will they be growing Marijuana plants in the building? Will they have to keep lights on. Will the lights shine outside? Will they need to put windows in the roof to allow sunlight?

4. Will the smell of Marijuana be in the air when the "kitchen" is cooking their medicines? We often sit outside.

[5.](#) Is it possible the atmosphere around this factory will cause adverse health issues. Will we get fumes that make us feel woozy or high?

6. Will there be an increase in traffic from trucks coming and going from this place? The traffic right now is bad enough.

If your answer is "YES" to any of questions 3-6, then we oppose the conditional use permit P-24-87-CUP.

Thank you,
Suzanne and Richard Wells

Suzanne 262-321-8616
Rick 262-321-8785