Leo Lew
County Manager

PINAL COUNTY
WIDE OPEN OPPORTUNITY

MEETING DATE: FEBRUARY 5, 2025

TO: PINAL COUNTY BOARD OF SUPERVISORS

CASE NO.: **SUP-009-24 NIRVANA CENTER- SPECIAL USE PERMIT**

CASE COORDINATOR: SANGEETA DEOKAR, SENIOR PLANNER

Executive Summary:
Larry Lazarus, Lazarus & Silvyn, P.C., applicant, on behalf of Rand Del Cotto, Papago Properties LLC, landowner, is requesting approval of a Special Use Permit along with a rezone application to allow for a marijuana dispensary, on 3.3± acres of land, located east of N. White Road and south along W Papago Road in unincorporated Pinal County in the vicinity of the City of Maricopa.

If This Request is Approved:
The applicant will proceed to submission of a site plan for staff review and approval if they request additions to the building structure and/or site improvements.

Items for Boards consideration:
- Proposal is for a Special Use Permit to operate 'Nirvana Center'- a medical Marijuana Dispensary in an existing commercial building
- The proposal has a companion application for a rezone from General Business Zone (CB-2) to General Commercial Zoning District (C-3)
- The property is developed and has legal access.
- No letters of concern have been received for the Special Use Permit proposal.

Commission Recommendation:
- At the Dec 19th Planning and Zoning meeting, the Commission recommended conditional approval on an 8 to 0 vote, for the Special Use Permit to the Board of Supervisors subject to the 15 stipulations provided below:

SUP-009-24 Stipulations:

1. Special Use Permit approval is issued to the land for a period of maximum of five (5) years from the date of approval by the Board of Supervisors, Applicant will require to reapply permit at the end of 5 years per Pinal County Developments services code 2.191.010 (A)(3);

2. Special Use Permit approval is contingent on approval of the zone change (PZ-022-24);

3. Approval of this zone change (**SUP-009-24**) will require, at the time of application for development, that the applicant/owner submit and secure from the applicable and appropriate Federal, State, County and Local regulatory agencies, all required applications, plans, permits, supporting documentation and approvals.

4. The applicant/property owner shall meet the requirements of the International Fire Code, as adopted by Pinal County and administered by the Pinal County Building Safety Department;

5. The applicant is responsible for complying with all requirements/licenses for Medical Marijuana dispensary as required by DHS regulations prior to start/operate business.

6. All proposed outdoor lighting must conform to the Lighting Zone 3 requirements of the Pinal County Development Services Code;

7. Dust registration is required if 0.1 acres or more land is disturbed;

8. All construction activity must conform to the earthmoving activity requirements of the Pinal County Air Quality Control District;

9. A drainage report will be required to be submitted to the County Engineer at the time of Site Plan submittal for review and approval. The drainage report shall include a drainage plan that complies with the current Pinal County Drainage Manual and shall be approved prior to the Site Plan approval. The approved Drainage Report and drainage plan shall include provisions to accommodate offsite runoff and shall provide retention for storm waters in an onsite retention/common retention area or as approved by the County Engineer;

10. A Traffic Impact Analysis (TIA) or Traffic Impact Statement (TIS) will be required to be submitted to the County Engineer at the time of Tentative Plat or Site Plan submittal for review and approval. All peripheral road and infrastructure improvements shall be per the approved Traffic Impact Analysis to mitigate impacts on all surrounding roadways to be completed at the developer's cost. These may include construction of acceleration/deceleration lanes, left turn pockets, traffic signals or other public improvements as approved by the County Engineer. The TIA shall be in accordance with the current Pinal County TIA Guidelines and Procedures and shall be approved prior to the Tentative Plat approval;

11. Any additional right-of-way dedications needed for any required infrastructure improvements (as identified in the approved Traffic Impact Analysis) for any roadways shall be the responsibility of the applicant. All roadway and infrastructure improvements shall be in accordance with the current Pinal County Subdivision Standards or as approved by the County Engineer.

12. All right-of-way dedication shall be free and unencumbered;

13. Any roadway sections, alignments, access locations, and access movements shown in the rezoning application are conceptual only and have not been approved by the Pinal County Engineer;

14. Drainage/irrigation canals/ditches in project-dedicated Right of Way, will be required to be under grounded prior to dedication; and

15. If offsite improvements are required to be completed by the project per the Traffic or Drainage report, an offsite plan for the improvement is required with the first submittal of the site plans.

Date Prepared 1/21/25 SD

PINAL COUNTY PLANNING AND ZONING COMMISSION
(PO NUMBER 252269)

Regular Meeting
9:00 a.m.
Thursday, December 19, 2024

Pinal County Administrative Complex
Emergency Operations Center
85 North Florence Street, Florence, Arizona

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CALL TO ORDER & ROLL CALL: pp. 1-2

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NEW CASES:

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- **PZ-PA-016-23, PZ-054-23 & PZ-PD-024-23** – pp. 18-48

CALL TO THE COMMISSION – pp. 48-50

ADJOURNMENT: pp. 50-51

TRANSCRIPTION PROVIDED BY

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ORIGINAL PREPARED FOR:
PINAL COUNTY, ARIZONA

MENNENGA: Oh, right.

KLOB: It's the gift that keeps on giving.

MENNENGA: Yeah. Obviously. No doubt.

BILLINGSLEY: The zoning code is the gift that keeps on giving.

MENNENGA: Well, I saw last month or so of somebody had a really nice black shirt with Pinal County, I thought boy, that would be a nice Christmas. All right, so let's get started. All right, first case, PZ-022-24. Sangeeta. Commissioner Del Cotto.

DEL COTTO: Chair, if I could, I'd like to recuse myself and step down off of the Commission.

MENNENGA: Please do. All right, thank you. Okay.

DEOKAR: Thank you Chairman, Vice Chair and Commission Members. Sangeeta Deokar, Senior Planner, Planning Division, presenting the two cases. It's a rezone and a special use permit. It's going hand in hand, the rezone and the special use permit, which is PZ-022-24 and SUP-009-24, the Nirvana Center medical marijuana dispensary. The proposal, as I said, it goes hand in hand. It's a rezone from General Business zone, that is CB-2 which is existing, to the C-3 Commercial zoning district. And along with that is the special use permit request to operate the marijuana dispensary. The size for this proposal is 3.3 acres. Location is south along West Papago Road, east of North White

Road in Maricopa in the unincorporated Pinal County. We have Michelle Green from Lazarus Silvyn, and who's representing the owner, Del Cotto, Papago Properties LLC. This is the County map showing the location. One can see that it is in the Maricopa area, and to the west side of the County shown with a red star. The vicinity map, showing again the location and the surrounding land uses. One can see that it's CR-3 on the north side. We have SR to the south, however, this property is part of CB-2 zoning. There are a couple of properties along that junction with the CB-2 zoning. And further zooming into this, the aerial map showing the already developed site which has the commercial center developed, and when I show you on the next slide, this is what I was referring to in terms of zoning, that it is part of the CB-2 zoning. South is SR, the Suburban Ranch zone, and to the north of Papago Road is the CR-3 zoning. This is the site plan of the Nirvana Center, which is requesting the rezone and the special use permit. One can see that this is an existing site, a developed site, with access from the Papago Road on the north, showing the main access. The existing commercial center, which is permitted in 1988. There are existing 64 parking spots, along with the ADA parking. Existing trash enclosure to the west side of this building, there's partial fencing on the property to the west and to the south, and the portion that has been marked with a yellow is the portion of suites, 4A and 4B, that

would be requesting housing for the new Nirvana dispensary. One can also see that to the east side of this property is the Dollar General, and to the west side is the convenience store which is already operational. Some photos to the north, that's the Papago Road and the access into the complex. To the south into the property, and one can see that the convenience store, the dollar store, is to the left of this image. And to the right is the convenience store. You can see the site posting. Looking east. And west. Some items for the Commission's consideration. The parcel was zoned CB-2, and the commercial building was permitted a long time back, in 1988. Marijuana dispensaries was interpreted as allowed use under the CB-2 zone with a special use permit. A Ponderosa Releaf dispensary was operational and was operating under the SUP-001-15 and SUP-011-16. Both of them expired within those two years when they were issued, and they moved to a new location and leaving this areas of 4A and 4B, the suites, empty and leaving people who were depending on the dispensary, you know, having no access, actually. The code update in 2012 allowed marijuana dispensaries only in C-3 zoning with the special use permit, and that left the current CB-2 zoning kind of incompatible with the use that is requested by the applicant. Therefore, the applicant is requesting C-3 zoning per code requirements, along with a special use permit to allow the new Nirvana Center in the same

location where the prior dispensary was. We have received no letters of opposition. And as stated in the staff reports, the PZ-022-24 has 15 stipulations, and the SUP-009 has 24 stipulation - sorry, 17 stipulations. There was a request by the applicant to eliminate or remove two stipulations since the site is already developed, which is, I can share with you. For the first case, which is the rezone - and I'm going to pull up those stipulations on the screen for your reference. Stipulation number 7, which is basically talking about the right-of-way dedications, and stipulation number 10, that is access road – two permanent access points to be removed. This has been discussed with the applicant and with Public Works relating to removal of this. The County Engineer has agreed since the site is developed. So that's the request from the applicant for this case, and I would move forward with stipulations for the SUP. And it is the same stipulations that is being requested to be removed. In this case, the stipulations would be number 9 and number 12. And those are the same ones as the rezone, which is the access points, that is two permanent access points, and the right-of-way dedication. I'm open for any questions. We also have a small presentation from the applicant and –

MENNENGA: Any questions? Commissioner Mooney.

MOONEY: Changing from CB-2 to C-3, the two stipulations that they wanted removed, how does that affect

changing? I understand it's an existing location, but now changing the zoning.

DEOKAR: Yes, this has been discussed with the County Engineer and the County Engineer agrees that those actually may not be valid in the sense, because of the operations of the commercial center already being there with the requirements for development, whether it is retention, access and all of that has been already taken care of.

MOONEY: Okay, thank you.

MENNENGA: Any other questions?

KLOB: Through the Chair.

MENNENGA: Commissioner Klob.

KLOB: Sangeeta, thank you for your presentation. Question that I have is, so this project was - the zoning change on this in what, was it 2012.

DEOKAR: 2012, yes.

KLOB: And we're getting ready to have another major comprehensive zoning change. My concern is, for this, you know, for the applicant and the user, as the zoning changes to our, you know, hopefully our new zoning here next year, is this - are they going have to come back again when the SUP comes up to rezone yet again to meet our new, or is everything going to fall in line directly with the new zoning, provided it's approved?

BILLINGSLEY: Absolutely fantastic question. The

beautiful thing –

KLOB: And it's a question that I think we're going to be asking a lot here in the next several months.

BILLINGSLEY: Sure. The beautiful thing about our zoning code update is it eliminates the old zoning categories and goes with the 2012 categories. So they're going to be good. It's consistent, C-3 is consistent from the 2012 update to the current update, they're good to go.

KLOB: I just wanted to make sure that they wouldn't have to go through this process yet again, they've already kind of – you know, they didn't do anything wrong, it's just we changed. So thank you.

MENNENGA: Okay, any other questions? Okay, the applicant, please.

LAZARUS: For the record, my name is Larry Lazarus. My office is in Phoenix, Arizona, 206 East Virginia in Phoenix. I'll try not to be too repetitious. I think we do have some slides that we were going to show as well, if you want to bring those up. Thank you. So obviously it's an application not only to rezone, but also the special use permit for this Ponderosa Leaf dispensary. Nirvana Centers is a multi-state cannabis company. They have nine dispensaries in Arizona, 14 in the State of Michigan, one in Maryland and one in New Mexico. They've been in business since 2011. With me today is Michelle Green, who is my senior land use planner,

who has been doing a lot of legwork on this particular case with the staff. Property is located, as you indicated, 49237 West Papago. The next slide, please.

??: (Inaudible).

LAZARUS: I am? Oh, look at this. You're asking me to multitask now? Okay. I'm not good at – my wife tells me I'm not good at that. The property is located on the south side of Papago Road between White and Salmonson Roads. The Dollar General store is to the east, Farmers Restaurant and Convenience store is to the west, and the residential property to the south, and farming to the north. Originally when we filed our application for the special use permit in November of 2023, we held a neighborhood meeting at the dispensary on February 24th. We had five attendees, all five supported the application. When we filed the formal application, we found out that there was an issue, as was noted, between the zoning that we had before and the zoning that we had now, and so it is not allowed any longer in CB-2 zoning, and we had to go to CB-3. So the County indicated that previously we had two zone - even though we had two zoning permits for the dispensary under our CB-2 zoning, that change of zoning created this situation. We went ahead and we reapplied for the zoning, rezoning and the permit. The next slide actually - I'm moving through a lot of this, so you know, I don't want to be repetitious if I can get this thing going. I told you I

couldn't multi-task. This slide shows the zoning surrounding the property. Light purple color is commercially-zoned property. The Dollar General store, as I said, is immediately to the east, to the west, and along Papago Road. The property in the blue is zoned Suburban Ranch, and then you've got agriculture and residential uses to the north of the property. This slide shows the actual site plan. We are not proposing to change anything to this site as it exists. As you can see, the commercial building here with the entrance from Papago Road and the parking along the front of the building. We are only changing the internal use of the building. There's 64 parking spaces, we only need six according to the ordinance. The dispensary is planned in the same location as previous, except there's a slight deviation, and then we're adding a couple more square foot in a reptile store that was within that particular internal configuration. We had no opposition. As I said, the neighborhood meeting on February 21st there were five attendees, all supported it. The second neighborhood meeting for the rezoning was held on September 11th after we had to rezone the property. Again, five people showed up, different five people, and all of them were supporting it. Many of them indicated that they were appreciative because they had lost the prior dispensary and it was many, many miles away from where they could access another one. We talked about the standard stipulations. We'd like to recommend, and

we're asking as has been stated, to remove stipulation number 7 because the requirement for dedication right-of-way should not be imposed on a site plan that already exists. And stipulation number 10, two access points. As you can see, the property's long and narrow, with one access point exists today and has existed for years. A stipulation we don't think would be appropriate, and I think staff agrees with us. With that - and by the way, the two stipulations on the special use permit are the same as the one on the zoning that we're asking, for the same reasons. I'd be happy to answer any questions that you have. I moved through this very quickly because staff did such a great job in presenting our case.

MENNENGA: Any questions? Okay. Thank you.

LAZARUS: Thank you very much.

MENNENGA: Coming back to the - or any questions for staff after that? So moving back to the Commission, looks pretty straightforward. So we do need to have a public hearing. So at this point, let's open up the public hearing for case PZ-022-24 and case SUP-009-24. Anyone want to speak to these two issues? Anyone at all? Okay, with that, we're going to close the public hearing on PZ-022-24 and case SUP-009-24, and come back to the Commission. What's your pleasure? Is there a motion?

MOONEY: If I may.

MENNENGA: Commissioner Mooney.

MOONEY: I move the Pinal County Planning and Zoning Commission forward a recommendation of conditional approval to the Board of Supervisors with 13 stipulations, removing stipulation number 10 and - excuse me, number 7 and number 10.

MENNENGA: Second?

KLOB: I'll second.

MENNENGA: All right, got a motion and a second, everyone in favor?

COLLECTIVE: Aye.

MENNENGA: Any opposed? No opposed. Okay, there are two cases here, so we need to move on to the next one, SUP-009-24. Commissioner Mooney?

MOONEY: I gotta get to the page, sorry.

MENNENGA: Do me a – mention the case number on your motion, okay?

MOONEY: Oh, I didn't do that? I'm so sorry.

MENNENGA: That's okay.

MOONEY: Sorry, I'm just getting to the page. I can't jump to it. I move the Pinal County Planning and Zoning Commission forward a recommendation of conditional approval to the Board of Supervisors for SUP-009-24 with 15 stipulations, again removing stipulation number 7 and number 10.

BILLINGSLEY: Commissioner Mooney, on this particular item, I believe the request for removal were stipulation number 9 and stipulation number 12. They're not

the same numbers as the previous –

MOONEY: I'm sorry, he said – the gentlemen said that. Number 9 and number 12.

MENNENGA: Okay, I have a motion, a second?

KLOB: I'll second.

MENNENGA: Second. (Inaudible) public hearing, so yeah. All in favor?

COLLECTIVE: Aye.

MENNENGA: Any opposed? Both pass unanimously.

DEOKAR: Thank you.

MENNENGA: Good, no problem. Okay, case PZ-PA-016-23.

GAREY: Chairman Mennenga, if I may. Good morning, Daron Garey, County Attorney's Office. I believe the next three matters - and staff can correct me if I'm wrong - are being heard together, and if that's the case, my recommendation would be that the Chair call all three cases by case number and name of the applicant prior to beginning, so that way we know all three cases are being called.

MENNENGA: As far as a public hearing part?

GAREY: I would - well that's important too, and I noticed the Chair, you did that prior to - make it clear that the public knows that they're commenting on all. But just for the record, to keep the record clear, if you would call all three matters, that way we know they're all being opened up

EXHIBIT "A"

TO

RESOLUTION NO. 2025-SUP-009-24

[Legal Description of the Property]

PARCEL NO

APN # 510-64-005

Lot 93 of Papago Buttes Rancho Unit Two, according to the map of record in the office of the County Recorder of Pinal County, Arizona in Book 18 of Maps and Plats at Page 27.

EXHIBIT B

SUP-009-24 STIPULATIONS:

1. Special Use Permit approval is issued to the land for a period of maximum of five (5) years from the date of approval by the Board of Supervisors, Applicant will require to reapply permit at the end of 5 years per Pinal County Developments services code 2.191.010 (A)(3);

2. Special Use Permit approval is contingent on approval of the zone change (PZ-022-24);

3. Approval of this zone change (**SUP-009-24**) will require, at the time of application for development, that the applicant/owner submit and secure from the applicable and appropriate Federal, State, County and Local regulatory agencies, all required applications, plans, permits, supporting documentation and approvals.

4. The applicant/property owner shall meet the requirements of the International Fire Code, as adopted by Pinal County and administered by the Pinal County Building Safety Department;

5. The applicant is responsible for complying with all requirements/licenses for Medical Marijuana dispensary as required by DHS regulations prior to start/operate business.

6. All proposed outdoor lighting must conform to the Lighting Zone 3 requirements of the Pinal County Development Services Code;

7. Dust registration is required if 0.1 acres or more land is disturbed;

8. All construction activity must conform to the earthmoving activity requirements of the Pinal County Air Quality Control District;

9. A drainage report will be required to be submitted to the County Engineer at the time of Site Plan submittal for review and approval. The drainage report shall include a drainage plan that complies with the current Pinal County Drainage Manual and shall be approved prior to the Site Plan approval. The approved Drainage Report and drainage plan shall include provisions to accommodate offsite runoff and shall provide retention for storm waters in an onsite retention/common retention area or as approved by the County Engineer;

10. A Traffic Impact Analysis (TIA) or Traffic Impact Statement (TIS) will be required to be submitted to the County Engineer at the time of Tentative Plat or Site Plan submittal for review and approval. All peripheral road and infrastructure improvements shall be per the approved Traffic Impact Analysis to mitigate impacts on all surrounding roadways to be completed at the developer's cost. These may include construction of acceleration/deceleration lanes, left turn pockets, traffic signals or other public improvements as approved by the County Engineer. The TIA shall be in accordance with the current Pinal County TIA Guidelines and Procedures and shall be approved prior to the Tentative Plat approval;

11. Any additional right-of-way dedications needed for any required infrastructure improvements (as identified in the approved Traffic Impact Analysis) for any roadways shall be the

responsibility of the applicant. All roadway and infrastructure improvements shall be in accordance with the current Pinal County Subdivision Standards or as approved by the County Engineer.

12. All right-of-way dedication shall be free and unencumbered;

13. Any roadway sections, alignments, access locations, and access movements shown in the rezoning application are conceptual only and have not been approved by the Pinal County Engineer;

14. Drainage/irrigation canals/ditches in project-dedicated Right of Way, will be required to be under grounded prior to dedication; and

15. If offsite improvements are required to be completed by the project per the Traffic or Drainage report, an offsite plan for the improvement is required with the first submittal of the site plans.

Pinal Central Dispatch

AFFIDAVIT OF PUBLICATION

State of Florida, County of Orange, ss:

Jesse Sassaman, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC, duly authorized agent of Pinal Central Dispatch, a newspaper published at Casa Grande, Pinal County, Arizona,Thursday of each week; that a notice, a full, true and complete printed copy of which is hereunto attached, was printed in the regular edition of said newspaper, and not in a supplement thereto, for 1 issues. The publications thereof having been on the following dates:

PUBLICATION DATES:
Jan. 9, 2025

NOTICE ID: kpbLhuO6k3Z01PzPBJBs
NOTICE NAME: SUP-009-24

(Signed) Jesse Sassaman

JESSICA GORDON-THOMPSON
Notary Public - State of Florida
Commission # HH301656
Expires on August 17, 2026

VERIFICATION

State of Florida
County of Orange

Subscribed in my presence and sworn to before me on this: 01/09/2025

Notary Public
Notarized remotely online using communication technology via Proof.

NOTICE OF PUBLIC HEARING BY THE PINAL COUNTY BOARD OF SUPERVISORS AT 9:30 A.M.ON THE 5th DAY OF FEBRUARY, 2025, AT THE PINAL COUNTY ADMINISTRATIVE COMPLEX, IN THE BOARD OF SUPERVISORS HEARING ROOM, 135 N. PINAL STREET, TO CONSIDER THE APPLICATION FOR A SPECIAL USE PERMIT IN AN UNINCORPORATED AREA OF PINAL COUNTY, ARIZONA:
SUP-009-24 - PUBLIC HEARING/ ACTION: Rand Del Cotto, Papago Properties LLC, landowner, Larry Lazarus, Lazarus & Silvyn, P.C., applicant requesting approval of a Special Use Permit to operate a marijuana dispensary on a 3.3± acre parcel in the Commercial Zoning District (C-3); situated in Section 19, Township 5 South Range 3 East of the Gila and Salt River Base and Meridian, Pinal county, Arizona more particularly described as follows: Lot 93, of PAPAGO BUTTES RANCHO UNIT TWO, in Book 18 of Maps and Plats at Page 27, (legal on file) tax parcel 510-64-005 located east of N White Road, and south along W Papago Road in Maricopa, unincorporated Pinal county.
ALL PERSONS INTERESTED IN THIS MATTER MAY APPEAR AND SPEAK AT THE PUBLIC HEARING AT THE DATE, TIME AND PLACE DESIGNATED ABOVE. DOCUMENTS PERTAINING TO THIS CASE CAN BE FOUND ON THE NOTICE OF HEARING PAGE FOR THE P&Z COMMISSION AT:
DATED on the 26th day of December, 2024, Pinal County Planning & Development Dept.
https://www.pinal.gov/236/Notice-of-Hearings
TO QUALIFY FOR FURTHER NOTIFICATION IN THIS LAND USE MATTER YOU MUST FILE WITH THE PLANNING DEPARTMENT A WRITTEN STATEMENT OF SUPPORT OR OPPOSITION TO THE SUBJECT APPLICATION. YOUR STATEMENT MUST CONTAIN THE FOLLOWING INFORMATION:
1) Planning Case Number (see above)
2) Your name, address, telephone number, and property tax parcel number (Print or type)
3) A brief statement of reasons for supporting or opposing the request
4) Whether or not you wish to appear and be heard at the hearing
PROTESTS TO THE REZONING AND/OR PAD OVERLAY ZONE BY 20% OF THE PROPERTY OWNERS BY AREA AND NUMBER WITHIN 300 FEET OF THE PROPERTY PROPOSED FOR REZONING, WILL REQUIRE AN AFFIRMATIVE VOTE OF THREE-FOURTHS OF ALL MEMBERS OF THE BOARD OF SUPERVISORS FOR APPROVAL.
WRITTEN STATEMENTS MUST BE FILED WITH: PINAL COUNTY COMMUNITY DEVELOPMENT DEPARTMENT, PO BOX 749, FLORENCE, AZ 85132

Contact for this matter: Sangeeta Deokar, Senior Planner, E-mail Address: Sangeeta.deokar@pinal.gov
Phone # (520) 866-6641
No. of publications: 1: date of publication: Jan 09, 2025

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Contact for this matter: Sangeeta Deokar, Senior Planner,
E-mail Address: Sangeeta.deokar@pinal.gov
Phone # (520) 866-6641

PUBLISHED ONCE:

Pinal Central Dispatch

Leo Lew
County Manager

PINAL COUNTY
WIDE OPEN OPPORTUNITY

MEETING DATE: DECEMBER 19, 2024

TO: PLANNING AND ZONING COMMISSION

CASE NO.: **SUP-009-24 NIRVANA CENTER- SPECIAL USE PERMIT**

CASE COORDINATOR: SANGEETA DEOKAR, SENIOR PLANNER

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The applicant will proceed to submission of a site plan for staff review and approval if they request additions to the Building structure and/or site improvements.

LEGAL DESCRIPTION: A portion of Section 19, Township 05 South, Range 03 East of G&SRB&M, more specifically Lot 93 of Papago Buttes Rancho Unit Two, in Book 18 of Maps and Plats at Page 27, generally located east of N White Road and south along W Papago Road in Maricopa, unincorporated area of Pinal County.

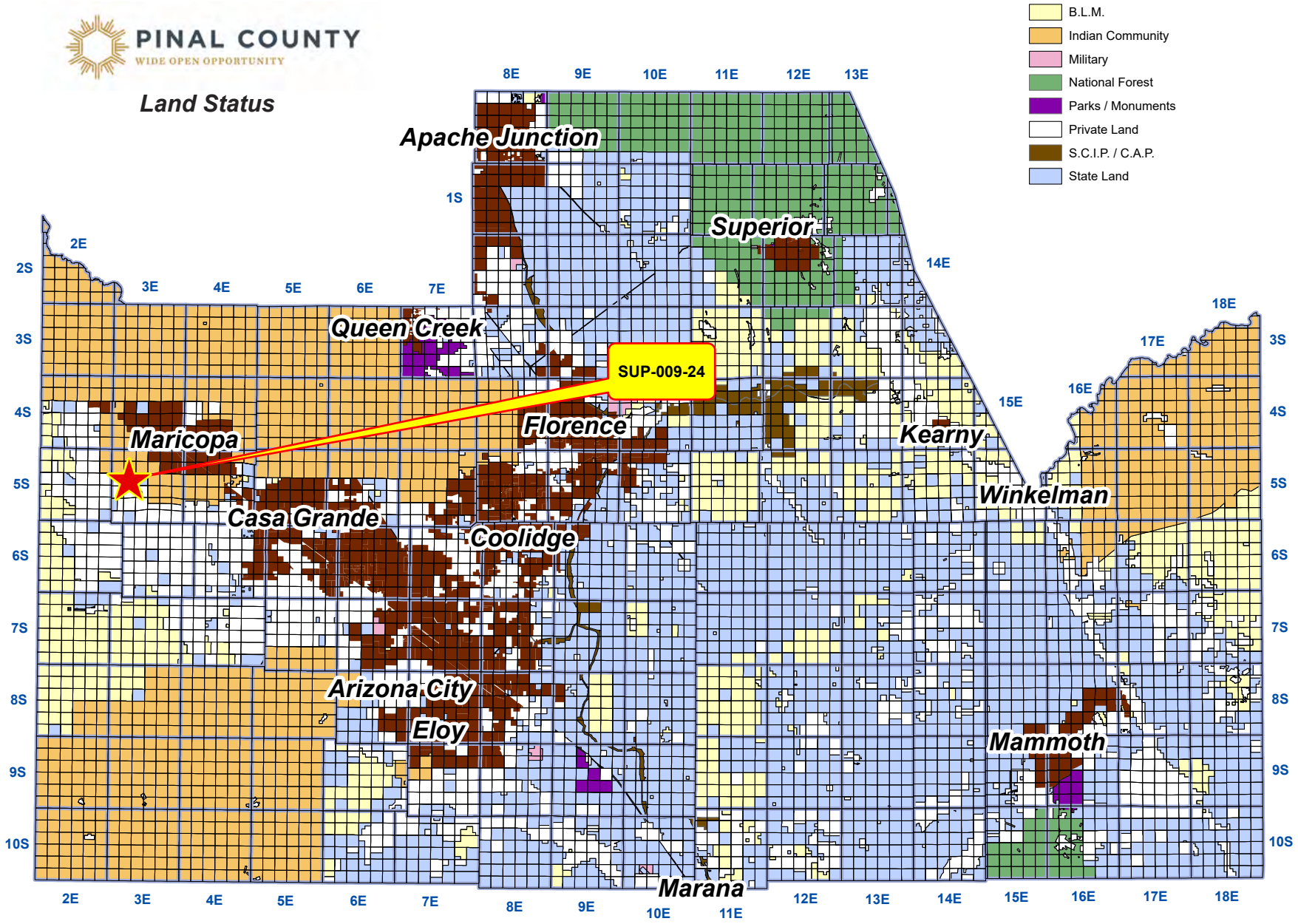
REQUESTED ACTION & PURPOSE:
SUP-009-24 – PUBLIC HEARING/ACTION: Larry Lazarus, Lazarus & Silvyn, P.C., applicant, on behalf of Rand Del Cotto, Papago Properties LLC, owner, is requesting approval of a **Special Use Permit** to operate a marijuana dispensary on a 3.3± acre parcel in the Commercial Zoning District (C-3); situated in Section 19, Township 5 South Range 3 East of the Gila and Salt River Base and Meridian, Pinal county, Arizona and more particularly described as follows: Lot 93, of PAPAGO BUTTES RANCHO UNIT TWO, in Book 18 of Maps and Plats at Page 27, (legal on file) tax parcel 510-64-005, generally located east of N White Road, and south along W Papago Road in Maricopa, unincorporated Pinal county.

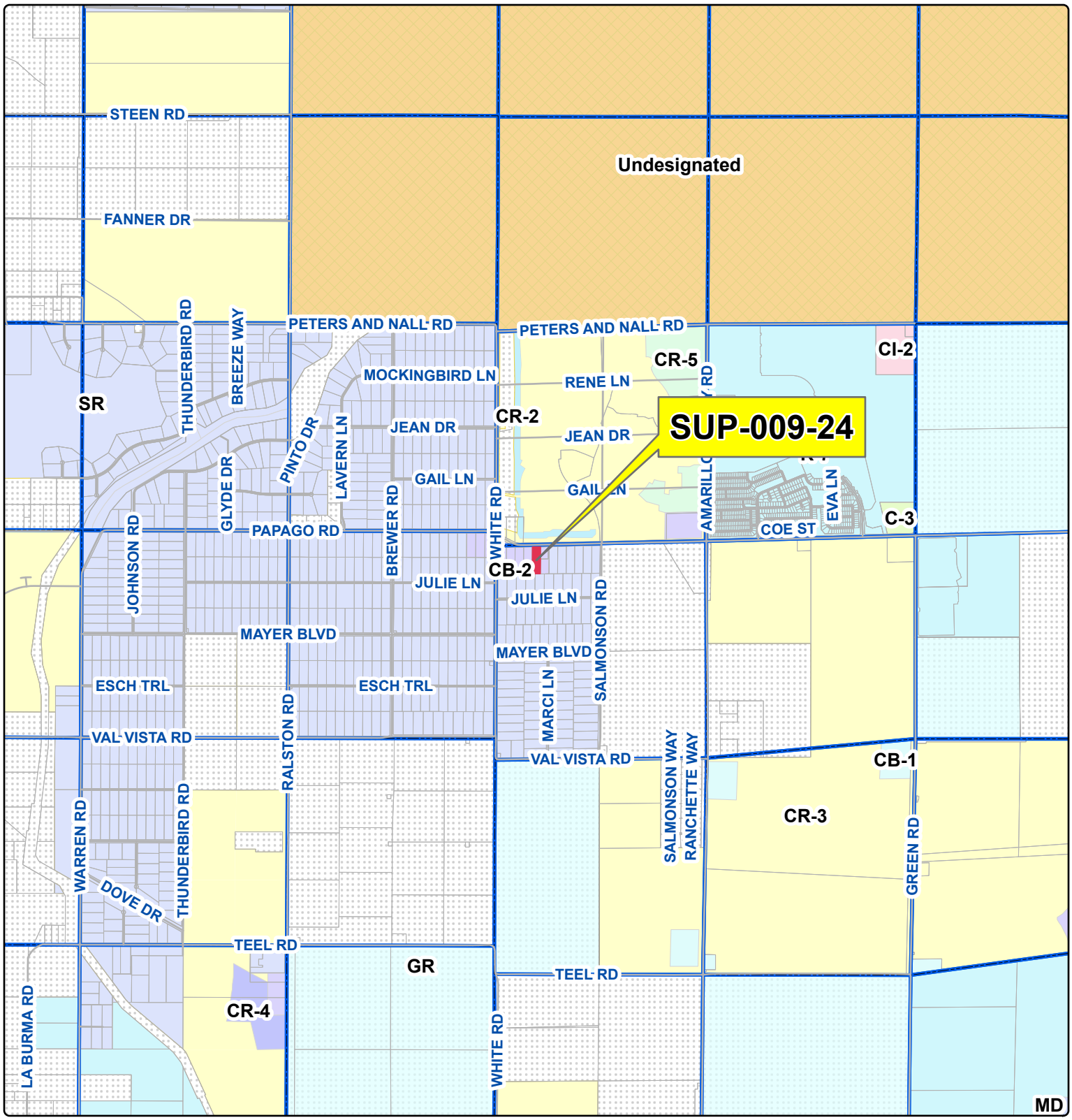
LOCATION:
The subject site is located east of N White Road, and south along W Papago Road in Maricopa, approximately three miles west of Highway 347, in an unincorporated area of Pinal County.

SIZE:
3.3± acres

COMPREHENSIVE PLAN:
The existing Comprehensive Plan land use designation for the property is Moderate Low Density (1-3.5du/ac).

EXISTING ZONING AND LAND USE:
The subject parcels are currently zoned General Business District (CB-2) under the zoning case PZ-430-74. Properties to the north and south are residential. This parcel is developed with a commercial retail center.


PINAL COUNTY
WIDE OPEN OPPORTUNITY
Land Status
Legend
B.L.M.
Indian Community
Military
National Forest
Parks / Monuments
Private Land
S.C.I.P. / C.A.P.
State Land
SUP-009-24
Apache Junction
Superior
Queen Creek
Florence
Kearny
Maricopa
Winkelman
Casa Grande
Coolidge
Arizona City
Eloy
Mammoth
Marana
1S
2S
3S
4S
5S
6S
7S
8S
9S
10S
2E
3E
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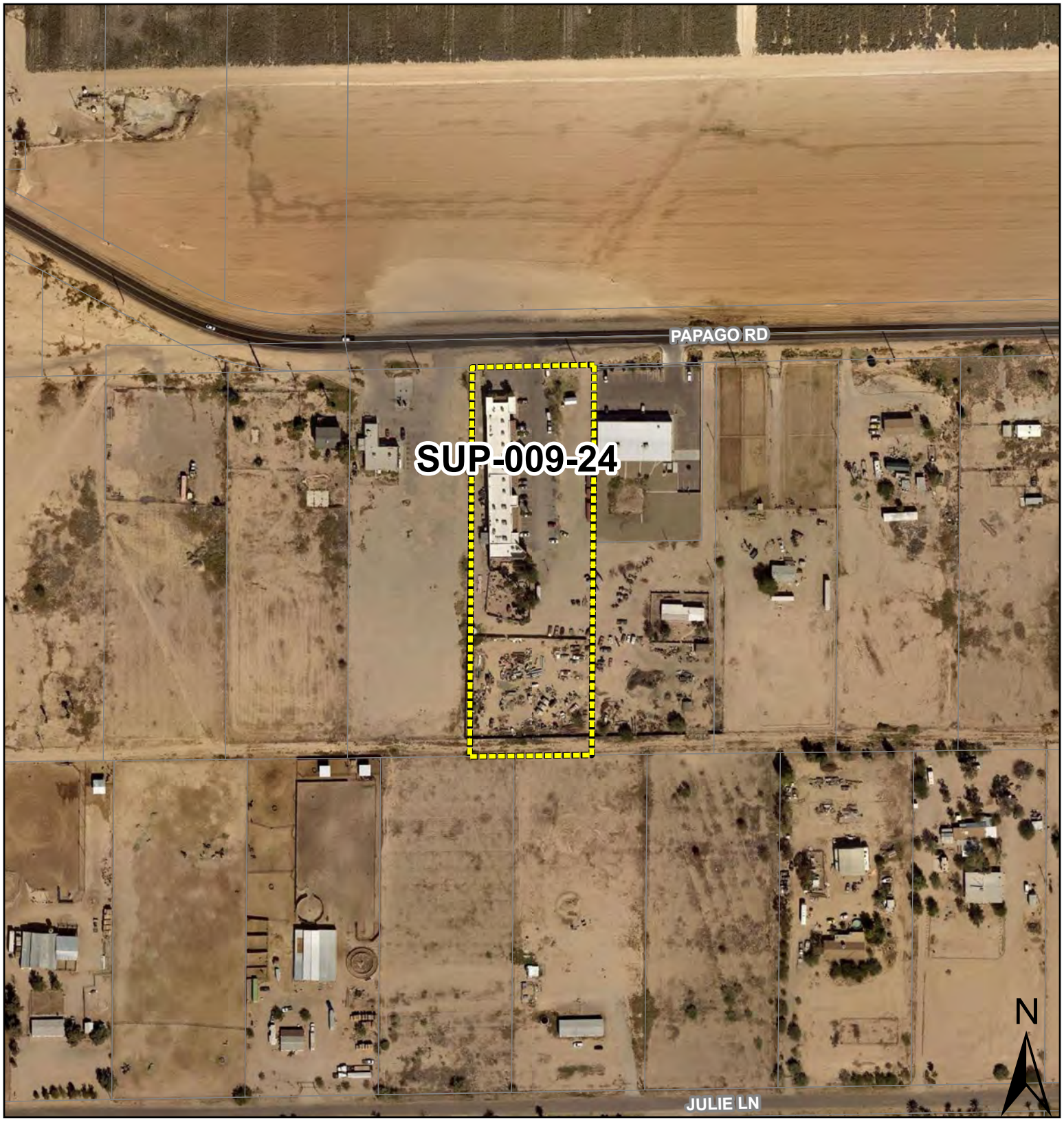


Community Development

PINAL COUNTY
WIDE OPEN OPPORTUNITY

Legal Description:
Situated in Section 19, Township 5 South Range 3 East of the Gila and Salt River Base and Meridian, Pinal county, Arizona more particularly described as follows: Lot 93, of PAPAGO BUTTES RANCHO UNIT TWO, in Book 18 of Maps and Plats at Page 27, (legal on file) tax parcel 510-64-005 located east of N White Road, and south along W Papago Road in Maricopa, unincorporated Pinal County.
SEC 19, TWN 085S, RNG 03E

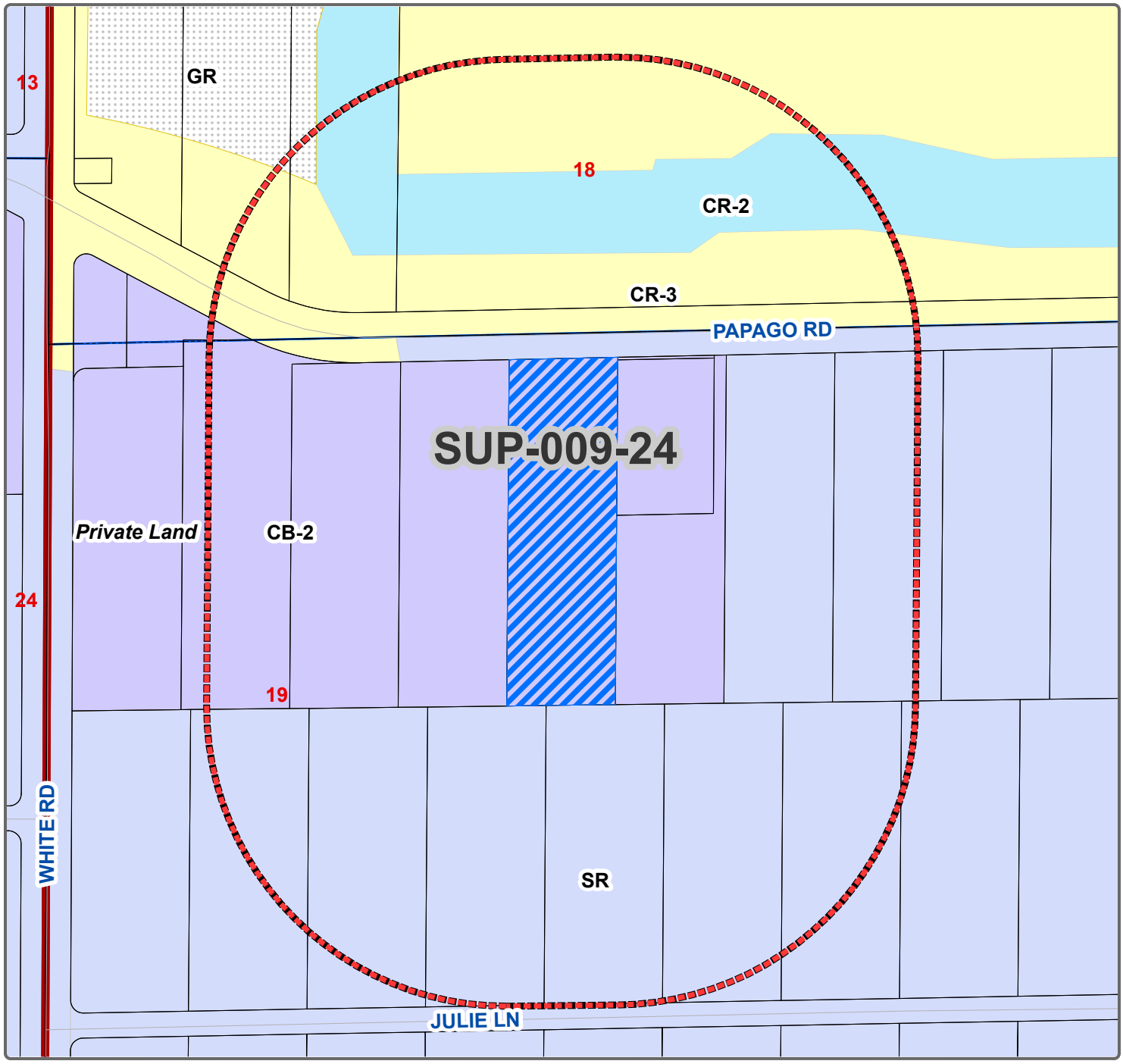
Sheet No. 1 of 1	Owner/Applicant: RAND DEL COTTO, PAPAGO PROPERTIES LLC		
	Drawn By: GIS / IT / RWH		Date: 11/12/2024
	Section 19	Township 05S	Range 03E
	Case Number: SUP-009-24		



Community Development

PINAL COUNTY
WIDE OPEN OPPORTUNITY

SUP-009-24



Community Development

SUP-009-24 – PUBLIC HEARING/ACTION: Rand Del Cotto, Papago Properties LLC, landowner, Larry Lazarus, Lazarus & Silvyn, P.C., applicant requesting approval of a Special Use Permit to operate a marijuana dispensary on a 3.3± acre parcel in the Commercial Zoning District (C-3); situated in Section 19, Township 5 South Range 3 East of the Gila and Salt River Base and Meridian, Pinal county, Arizona more particularly described as follows: Lot 93, of PAPAGO BUTTES RANCHO UNIT TWO, in Book 18 of Maps and Plats at Page 27, (legal on file) tax parcel 510-64-005 located east of N White Road, and south along W Papago Road in Maricopa, unincorporated Pinal County.

Current Zoning: CB-2	Requested Zoning: Rezone	Current Land Use: MLDR

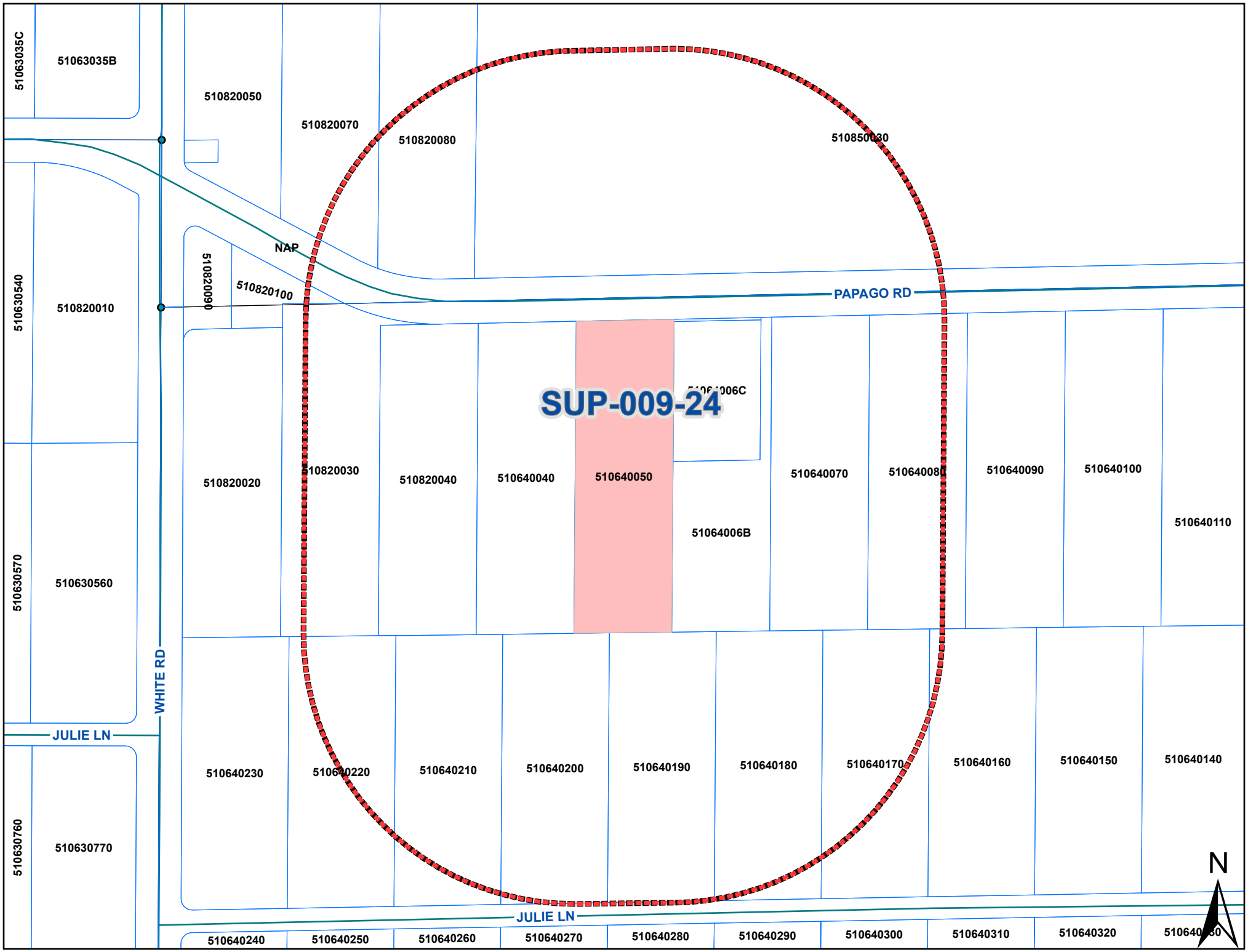
PINAL COUNTY
WIDE OPEN OPPORTUNITY

Legal Description: Situated in Section 19, Township 5 South Range 3 East of the Gila and Salt River Base and Meridian, Pinal county, Arizona more particularly described as follows: Lot 93, of PAPAGO BUTTES RANCHO UNIT TWO, in Book 18 of Maps and Plats at Page 27, (legal on file) tax parcel 510-64-005 located east of N White Road, and south along W Papago Road in Maricopa, unincorporated Pinal County.

SEC 19, TWN 085S, RNG 03E

Sheet No. 1 of 1

Owner/Applicant: RAND DEL COTTO, PAPAGO PROPERTIES LLC			
Drawn By: GIS / IT /RWH			Date: 11/12/2024
Section: 19	Township: 05S	Range: 03E	
Case Number: SUP-009-24			


SUP-009-24
PAPAGO RD
JULIE LN
WHITE RD
NAP
510820100
510820090
510820050
510820070
510820080
510850030
51063035B
51063035C
510820010
510630540
510630560
510630570
510630770
510630760
510820020
510820030
510820040
510640040
510640050
51064006C
51064006B
510640070
510640080
510640090
510640100
510640110
510640230
510640220
510640210
510640200
510640190
510640180
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510640240
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510640300
510640310
510640320
N

SURROUNDING ZONING AND LAND USE:

North: Single Residence Zone (CR-3) – Developed.
South: Suburban Ranch Zone (SR) – Developed.
East: General Business Zone (CB-2) - Developed.
West: General Business Zone (CB-2) - Developed.

PUBLIC PARTICIPATION:

Neighborhood Meeting:	September 11, 2024
Agency Mail out:	Nov 26, 2024
Property mail out:	Nov 25, 2024
Newspaper Advertising:	Nov 21, 2024
Site Posting:	June 25, 2024

FINDINGS/SITE DATA:

Flood Zone: The project site is In Flood Zone X, Area of Minimal Flood Hazard.

Access: The subject parcel has legal access along W Papago Road in Maricopa.

History:

The subject site is currently zoned CB-2. The parcel was rezoned under case PZ-430-74 from GR to CB-2 and was developed with a commercial retail center. The building was permitted in 1988. This structure had suites that housed multiple businesses. Marijuana dispensaries were interpreted as an allowed use in the CB-2 District with a special use permit. Ponderosa Releaf marijuana dispensary was one of the commercial uses in suite 4A and 4B of the retail structure. With change in development code in 2012, medical marijuana dispensaries was a permitted use allowed only in the General Commercial Zoning District (C-3) with a special use permit. Ponderosa Releaf discontinued the business sometime in 2019 leaving customers with no access to medical marijuana in the vicinity.

ANALYSIS:

The applicant is requesting a Special Use Permit to operate a Marijuana dispensary within an existing commercial retail center accessed from Papago Road. The dispensary will be housed in the same space of the former Ponderosa Releaf dispensary. The former dispensary was granted special use permit with the interpretation of the code for CB-2 as an allowed use. Following with the same interpretation, two SUP's were approved by the County: SUP-001-15 and SUP-011-16. SUP-001-15 expired in 2017 and SUP-011-15 expired in 2019. Ponderosa dispensary moved to a different location. People in the area depending on the dispensary for medicines were left with no choice besides long travel to access such facilities.

Pinal County updated the code in 2012 and defined the use of medical marijuana under the C-3 zoning with a Special Use Permit. This rendered the prior CB-2 zoning incompatible for the operation of medical marijuana dispensary as the code did not update the existing CB-2 uses. Applicant would like to reinstate the use of the dispensary at the same place and has applied for a rezone along with the Special Use Permit for the new 'Nirvana Center'

The property has direct access along W Papago Road, and can serve local residents in both unincorporated Pinal County areas and the City of Maricopa. The commercial building was permitted in 1988 and has been used for As the site is developed, minimal improvements may be required for the site. There are 64 parking stalls that include the ADA parking. In addition, the site has room for overflow parking at the south side of the parcel.
The parcel has fencing around the east, west and south edge of the property.

Comprehensive Plan
The Pinal County Comprehensive Plan land use designation for the property is Moderate Low Density (1-3.5du/ac).Commercial uses up to 25 acres are allowed in any land use without a change in the comprehensive plan land use map and the proposed use is compatible with surrounding land uses.

Zoning
Current zoning for the parcel is CB-2. Applicant has requested for a rezone to C-3 that allows the use for the medical marijuana along with the Special Use Permit.

Site plan
The site is developed with access road, parking, and fencing around the property. There is a provision of 64 parking stalls including ADA parking. Additional space for overflow parking is to the south of the parcel. The site can be accessed by an emergency vehicle and have space for circulation. Site plan shared shows landscape on the frontage and dumpster for the commercial space.

As the site is developed with the commercial retail structure, the applicant may not be required to submit for a site plan application, unless additional changes to the building and/or site are requested.

Security plan
Staff notes the details of the required security plan for Nirvana Center will have appropriate security measures in place and comply with Pinal County and Arizona Department of Health Services.

The SUP the Commission is considering is for the operation of Nirvana Center, a medical marijuana dispensary, in the suite 4A and 4B of a commercial retail center on a 3.3± acre parcel. The zoning ordinance identifies factors for consideration when reviewing special use permit requests under section 2.151.010 (O). These factors include, but are not limited to:

- **traffic conditions;**
- **provision of services and utilities to the site;**
- **the relationship of the proposed special use and surrounding uses;**
- **whether the proposed use is beneficial to the public health, safety and general welfare of the community;**
- **access to streets that are adequately designed and constructed to handle the volume generated by the use;**
- **does not result in the use of a residential street for non-residential through traffic;**
- **whether adequate measures have been taken to mitigate off-site impacts such as dust, smoke, noise, odors, lights or storm water runoff;**
- **the need for the proposed special use in the neighborhood/community;**
- **public input.**

If the Commission deems there is sufficient evidence to grant this SUP staff has included stipulations relating to the operation and permitting of the facility.

As usual with medical marijuana facilities, specific operational stipulations will need to be applied to the case, included a provision that **the SUP will expire five years from date of approval.**

Comments
To date, the County has received no correspondence from any adjacent property owner expressing concerns for Use permit for the property. According to the neighborhood meeting report, neighbors indicated support for Special Use permit to operate the Medical Marijuana dispensary as currently there are none in the near vicinity and the residents have to travel far to access one.

The Pinal County Department of Public Works reviewed the proposal and had no comments.

The Pinal County Flooding Department reviewed the proposal and had no comments.

Planning and Zoning Commission
At the public hearing, the Commission needs to be satisfied that the health, safety, and welfare of the County and adjacent properties will not be negatively impacted by this Special Use Permit. Furthermore, the Commission must determine that this Special Use Permit will promote the orderly growth and economic development of the County, at this location and time, and this proposed development is compatible and consistent with the applicable goals and policies of the Pinal County Comprehensive Plan and Special Use Permit request.

THE BURDEN OF PROOF IS UPON THE APPLICANT TO PROVIDE THE NECESSARY AND REQUIRED INFORMATION AT THE PUBLIC HEARING. THE APPLICANT NEEDS TO BE PREPARED TO ADDRESS AND MITIGATE, AS APPLICABLE, THE FOLLOWING ISSUES AND CONCERNS:

A. LAND USE, PERIMETER WALLS, SIGNAGE, SETBACKS, INGRESS/EGRESS & LANDSCAPING
B. PUBLIC SERVICES - SEWER, WATER, UTILITIES, DRAINAGE
C. NEIGHBORHOOD IMPACT
D. FLOOD CONTROL
E. TRAFFIC IMPACT
F. COMPATIBILITY/CONSISTENCY WITH PINAL COUNTY COMPREHENSIVE PLAN
G. BENEFITS/DETRIMENTS TO PINAL COUNTY

STAFF SUMMARY:
Larry Lazarus, Lazarus & Silvyn, P.C., applicant, on behalf of Rand Del Cotto, Papago Properties LLC, owner, has submitted the proper application and evidence as required by the code. Staff provides the following findings together with the information on Page 1 of this staff report:

1. This request is for a Special Use Permit to operate 'Nirvana Center'- a medical Marijuana Dispensary.
2. To date, no letter of concerns have been received for the Special Use Permit proposal.
3. The property has legal access.
4. Granting of the Special Use Permit will require, after the time of approval, that the applicant/owner submit and secure from the applicable and appropriate Federal, State, County and Local regulatory agencies, all required applications, plans, permits, supporting documentation and approvals.

STAFF CONCLUSION (SUP-009-24): After a detailed review of the request, Pinal County Comprehensive Plan, and the Pinal County Development Services Code (PCDSC), and if Planning and Zoning Commission finds sufficient evidence to warrant a recommendation, the Commission can recommend conditional approval of this request, subject to the stipulations listed in the recommended motion.

If the Commission cannot find for all of the factors listed above, then the Commission can forward this case to the Board of Supervisors with a recommendation of denial.

STAFF RECOMMEND MOTION (SUP-009-24): ***I move the Pinal County Planning and Zoning Commission forward a recommendation of CONDITIONAL APPROVAL to the Board of Supervisors with its 17 stipulations as listed in the staff report.***

1. Special Use Permit approval is issued to the land for a period of maximum of five (5) years from the date of approval by the Board of Supervisors, Applicant will require to reapply permit at the end of 5 years per Pinal County Developments services code 2.191.010 (A)(3);

2. Special Use Permit approval is contingent on approval of the zone change (PZ-012-24);

3. Approval of this zone change (**SUP-009-24**) will require, at the time of application for development, that the applicant/owner submit and secure from the applicable and appropriate Federal, State, County and Local regulatory agencies, all required applications, plans, permits, supporting documentation and approvals.

4. The applicant/property owner shall meet the requirements of the International Fire Code, as adopted by Pinal County and administered by the Pinal County Building Safety Department;

5. The applicant is responsible for complying with all requirements/licenses for Medical Marijuana dispensary as required by DHS regulations prior to start/operate business.

6. All proposed outdoor lighting must conform to the Lighting Zone 3 requirements of the Pinal County Development Services Code;

7. Dust registration is required if 0.1 acres or more land is disturbed;

8. All construction activity must conform to the earthmoving activity requirements of the Pinal County Air Quality Control District;

9. Papago Road is situated on a section line. According to the Subdivision & Infrastructure Design Manual (S&IDM), minor arterial half-street right-of-way widths, such as those found on section lines, must be minimum of 55’ wide. Additional right-of-way (ROW) is required at this location to comply with the S&IDM. ROW of 50’ currently exists; however, Pinal County is requesting the remaining 5' dedication free and unencumbered through Warranty Deed;

10. A drainage report will be required to be submitted to the County Engineer at the time of Site Plan submittal for review and approval. The drainage report shall include a drainage plan that complies with the current Pinal County Drainage Manual and shall be approved prior to the Site Plan approval. The approved Drainage Report and drainage plan shall include provisions to accommodate offsite runoff and shall provide retention for storm waters in an onsite retention/common retention area or as approved by the County Engineer;

11. A Traffic Impact Analysis (TIA) or Traffic Impact Statement (TIS) will be required to be submitted to the County Engineer at the time of Tentative Plat or Site Plan submittal for review and approval. All peripheral road and infrastructure improvements shall be per the approved Traffic Impact Analysis to mitigate impacts on all surrounding roadways to be completed at the developer’s cost. These may include construction of acceleration/deceleration lanes, left turn pockets, traffic signals or other public improvements as approved by the County Engineer. The TIA shall be in accordance with the current Pinal County TIA Guidelines and Procedures and shall be approved prior to the Tentative Plat approval;

12. Paved, all weather, 28’ wide public access shall be provided to and from the development. A minimum of two permanent access points to be provided for ingress and egress from the development to existing public roads. Approval of adequate access by the county engineer shall be a condition of approval of the plat by the board.

13. Any additional right-of-way dedications needed for any required infrastructure improvements (as identified in the approved Traffic Impact Analysis) for any roadways shall be the responsibility of the

applicant. All roadway and infrastructure improvements shall be in accordance with the current Pinal County Subdivision Standards or as approved by the County Engineer.

14. All right-of-way dedication shall be free and unencumbered;

15. Any roadway sections, alignments, access locations, and access movements shown in the rezoning application are conceptual only and have not been approved by the Pinal County Engineer;

16. Drainage/irrigation canals/ditches in project-dedicated Right of Way, will be required to be under grounded prior to dedication; and

17. If offsite improvements are required to be completed by the project per the Traffic or Drainage report, an offsite plan for the improvement is required with the first submittal of the site plans.

Date Prepared: 12/11/24 SD
Revised: 12/12/24 SD

Leo Lew
County Manager

PINAL COUNTY
WIDE OPEN OPPORTUNITY

APPLICATION FOR A SPECIAL USE PERMIT FOR A MEDICAL MARIJUANA DISPENSARY IN AN UNINCORPORATED AREA OF PINAL COUNTY, ARIZONA

(all applications must be typed or written in ink)

Special Use Permit & Property Information:

(feel free to include answers and "Supporting Information" to these questions in a Supplementary Narrative, when doing so write see narrative on the space provided)

1. Date of Pre-application Meeting: 11/28/23 **2.** Pre-application Number: Z-PA- 156-23

3. The legal description of the property: Lot 93, of Papago Buttes Rancho Unit Two, according to the map of record in the office of the County Recorder of Pinal County, Arizona, in Book 18 of Maps and Plats at Page 27.

4. Tax Assessor Parcel Number(s): 510640050 **5.** Current Zoning: CB-2

6. Parcel size: 3.3 Acres

7. The existing use of the property is as follows: Commercial Center

8. The exact use proposed under this request: Marijuana Dispensary

9. Is the property located within three (3) miles of an incorporated community? No If yes, which ones?

10. Is an annexation into a municipality currently in progress? No If yes which one?

11. Is there a zoning or building violation on the property for which the owner has been cited? No
If yes, Zoning/Building Violation Number:

12. Discuss any recent changes in the area that would support your application i.e.: zone change(s), subdivision approval, Planned Area Development (PAD), utility or street improvements, adopted Comprehensive/Area Plan(s) or similar changes and why this proposed use is needed and necessary at this time: A marijuana dispensary was previously located in this commercial center. That company moved the license to another location leaving the northwest area of Pinal County underserved. There were no objections to the previously approved use permits, one in 2015 and one in 2017.

INV#: AMT: DATE: CASE: Xref:

COMMUNITY DEVELOPMENT
Planning Division

85 N. Florence St., PO Box 2973, Florence, AZ 85132 T 520-866-6442 FREE 888-431-1311 F 520-866-6530
www.pinalcountyaz.gov

Supporting Information for a Medical Marijuana Dispensary:

1. What is the legal name of the Medical Marijuana Dispensary? Arizona Tree Equity LLC

2. Is the proposed dispensary located on property zoned CB-2, CB-2/PAD, C-3 or C-3/PAD?
❑ YES ❑ NO

3. Is the proposed dispensary setback a minimum of 10 miles from all other medical marijuana dispensaries measured from the parcel boundaries? ❑ YES ❑ NO

4. Is the proposed dispensary setback a minimum of 1,500 feet from schools, community service agency, activity facility and or activity where children may be enrolled, measured from the parcel boundaries?
❑ YES ❑ NO

5. Is the proposed dispensary setback a minimum of 1,500 feet from a childcare center, library or public park, church, residential substance abuse diagnostic and treatment facility or other drug or alcohol rehabilitation facility measured from the parcel boundaries? ❑ YES ❑ NO

6. Does the proposed dispensary have a drive-thru service or outdoor seating areas?
❑ YES ❑ NO

7. Does the proposed dispensary have a floor area greater than 2,000 square feet?
❑ YES ❑ NO

8. Does the proposed dispensary have a secure storage area for the storage of medical marijuana of less than 400 square feet?
❑ YES ❑ NO

9. Have you discussed possible conditions that may be placed on the permit with the Planning Department? ❑ YES ❑ NO

10. Do you understand that the permitted hours of operation for a dispensary are between the hours of 9:00 a.m. and 7:00 p.m. (MST), daily
❑ YES ❑ NO

11. Do you understand that the Pinal County Board of Supervisors may include any conditions it finds necessary to conserve and promote public health safety, convenience and general welfare?
❑ YES ❑ NO

12. Do you understand that if a condition is violated, that there is a public process by which your permit may be revoked and declared null and void? ❑ YES ❑ NO

13. What is the amount of traffic to be generated? (# of trips/day, deliveries/week). Approximately 700 trips/day _____, Show ingress/egress on the site plan.

14. How many parking spaces are to be provided (employees and customers)? In accordance with the ordinance (see site Plan)
Indicate these parking spaces on the site plan.

15. Is there a potential for excessive noise (I.E.; children, machinery) or the production of smoke, fumes, dust or glare with this proposed land use? If yes, how will you alleviate these problems for your neighbors? No

16. What type of landscaping are you proposing to screen this use from your neighbors? Existing Landscaping to remain . Indicate the landscaping on your site plan.

17. What type of signage are you proposing for the activity? Where will the signs be located, show the locations of signs on your site plan. The new sign will be in the same location on the building as the previous dispensary.

18. If the proposed land use involves any type of manufacturing or production process, provide a short synopsis of the processes utilizing diagrams, flowcharts and/or a short narrative. N/A

19. Explain how the appearance and operation of the proposed land use will maintain the integrity and character of the zone in which the Special Use Permit is requested. This will replace the same use that was previously in the space. It will be consistent with a commercial retail center.

I certify the information included in this application is accurate, to the best of my knowledge. I have read the application and I have included the information, as requested. I understand if the information submitted is incomplete, this application cannot be processed.

Michelle Green	206 E. Virginia Ave. Phoenix AZ 85004
Name of Applicant	Address
[redacted] Michelle Green	mgreen@lslawaz.com 602-340-0900
Signature of Applicant	E-Mail Address Phone Number

Larry Lazarus	206 E. Virgina Ave. Phoenix AZ 85004
Name of Agent/Representative	Address
	LLAZARUS@LSLAWAZ.COM 602-340-0900
Signature of Agent/Representative	E-Mail Address Phone Number

The Agent/Representative has the authority to act on behalf of the landowner/applicant, which includes agreeing to stipulations. The agent will be the contact person for Planning staff and must be present at all hearings.

Rand Del Cotto, Papago Properties LLC	49237 W. Papago Rd. Ste.7 Maricopa AZ 85139-5208
Name of Landowner	Address
Rand Del Cotto	rdelcotto@gmail.com 859-619-8853
Signature of Landowner	E-Mail Address Phone Number

PRINCIPAL OFFICER, BOARD MEMBER AND DISPENSARY IDENTIFICATION LIST

Please list all Principal Officers, Board Members and Dispensary Agents of the non-profit medical marijuana dispensary. *(if there are more than three officers please reproduce this page, each page will need to be notarized)*

Name	Title	Address	Date of Birth
Sheraz Warraich	Principal Officer Board Member	1414 W Broadway Rd., Ste 210A, Tempe, AZ 85282	09/26/1980

I hereby certify that none of the above listed principal officers or board members has served as a principal officer or board member for a registered non-profit medical marijuana dispensary that has had it registration certificate revoked or been convicted of one of the following offenses:

i. A violent crime as defined in A.R.S. § 13-901.03(B) that was classified as a felony in the jurisdiction where the person was convicted;

ii. A violation of state or federal controlled substance law that was classified as a felony in the jurisdiction where the person was convicted including an offense for which the sentence, any term of probation, incarceration or supervised release, was completed within the 10 years prior to applying for the application for the dispensary or an offense involving conduct that would be immune from arrest, prosecution or penalty under A.R.S. §36-2811 except that the conduct occurred before the effective date of that statute or was prosecuted by an authority other than the State of Arizona.

(Signature)	(Date)	(Signature)	(Date)	(Signature)	(Date)
	3/18/24				

On this_____day of_____, 201__, before me personally appeared_____,
(name of signor)

_____, Sheraz Warraich
(name of signor) (name of signor)

State of Arizona)ss.
County of Maricopa

Notary Public State of Arizona
Maricopa County
Kristen Danielle Grimmett
My Commission Expires 1/18/2028
Commission Number 662324

(SEAL)

My Commission Expires 01/18/2028

Signature of Notary Public

Application Checklist:

- [x] Submit a detailed site plan, at least 8½ X 11, but not larger than 11" X 17". The site plan must include the following:
  - Size and shape of parcel; property dimensions; north arrow
  - Adjacent streets; rights-of-way, easements and setbacks; indicate size; purpose and whether public or private
  - Location, size and use of all existing and proposed buildings; show setbacks from property boundary lines and between structures
  - Driveways and parking areas, show access, dimensions and surface material
  - Existing and proposed utilities, show location of lines, size and serving company
  - Any other information as may be applicable – landscaping, natural features i.e.: washes, excavation sites, etc.
- [x] Submit the "Supporting Information" sheet (if applicable) and/or the "Submittal Checklist" for the requested action. Forms are in this packet.
- [x] Submit a list of all property owners within 1000' of the subject property boundary showing name, mailing address and tax parcel numbers. This list must be obtained within the 30 days prior to application submission.
- [x] Submit a map of the area with the 1000' boundary shown. (A Tax Assessor Parcel Map is acceptable).
- [x] Submit the non-refundable filing fee according to the fee schedule shown on page 1 of the application. (The application is not considered filed until the fees are paid.)
- [x] Submit application and narrative in PDF format.
- [x] A floor plan showing the location, dimensions and type of security measures demonstrating that the medical marijuana dispensary will meet the definition of enclosed locked facility contained in A.R.S.§36-2801(6) and will be conducted completely within an enclosed, locked building.
- [x] A copy of the facilities operating procedures adopted in compliance with A.R.S. §36-2804(B)(1)(c).
- [x] Hold a neighborhood/community meeting prior to application submittal:
  - Notify all property owners within 1200'
  - Hold the meeting within 5 miles of the subject property
  - Hold the meeting between 5:00pm and 9:00pm
  - Applicant will be required to notify any jurisdiction within three (3) miles of the subject site boundary and provide proof via letter or email correspondence of sent notification and any jurisdiction response received.
- [x] Include neighborhood Public participation information with the application:
  - Copy of Notice of Neighborhood/Community Meeting
  - List of property owners notified
  - Meeting Minutes
  - Attendance sign-in sheet with names & addresses
- [ ] Install Broadcast Notification Sign(s) on the site in conformance with the information shown in this application.

Please feel free to compile all information into a separate Narrative

Please be aware that earth fissure maps are available online from the Arizona State Geologic Survey.

PROPERTY OWNERSHIP LIST - Attached Hereto As Exhibit 4
(required for filing all applications)

Instructions: Print Name, Address, City, State, Zip Code and Tax Parcel Number for each property owner within 1000 feet of the subject parcel boundary. Feel free to attach a separate list if generated digitally. Please see "How to use the Buffer Tool" on our FAQ's page if you are generating the list.

Parcel No.: (SEE ATTACHED MAILING LIST Ex 4)	Parcel No.:
Name:	Name:
Address:	Address:
City/ST/Zip:	City/ST/Zip:
Parcel No.:	Parcel No.:
Name:	Name:
Address:	Address:
City/ST/Zip:	City/ST/Zip:
Parcel No.:	Parcel No.:
Name:	Name:
Address:	Address:
City/ST/Zip:	City/ST/Zip:
Parcel No.:	Parcel No.:
Name:	Name:
Address:	Address:
City/ST/Zip:	City/ST/Zip:
Parcel No.:	Parcel No.:
Name:	Name:
Address:	Address:
City/ST/Zip:	City/ST/Zip:

Attached

I hereby verify that the name list ~~above~~ was obtained on the 11 day of January, 2024, at the office of Pinal County Assessor and is accurate and complete to the best of my knowledge.
(Source of Information)

On this 29 day of March, ~~2024~~ 24, before me personally appeared Michelle Green
(name of signor)

Signature Michelle Green Date March 29, 2024

State of Arizona
)ss.
County of Maricopa

MARY L. KEATING
Notary Public - Arizona
Maricopa County
Commission # 644307
My Commission Expires Jan. 24, 2027

(SEAL)

My Commission Expires January 24, 2027

Signature of Notary Public Mary L Keating

Narrative
SUP Request
49237 W. Papago Road

APN No. 510-64-0050

Nirvana Center

March 29, 2024

Purpose of Request

This is a request for a special use permit to allow the Nirvana Center to operate a marijuana dispensary at 49237 W. Papago Road APN No. 510-64-0050 (the" Property") in accordance with Chapter 2 Section 191.010. of the Pinal County Code.

Project Description

The dispensary will be in a permanent structure in a commercial retail center, west of the Dollar General store and east of Farmers Convenience Store. *See* **Figure 1** Location Map, below, and Site Plan attached hereto as **Exhibit 1**. The dispensary will be in the space of the former Ponderosa Releaf dispensary. There were two previous use permits approved for the Releaf dispensary on the Property. SUP -001-15 was approved on April 22,2015 and expired on April 22, 2017. SUP 2017-SUP-011-16 was approved on June 7, 2017, and expired in June of 2019. It is our understanding that the owners of the Releaf dispensary chose to move their license to another location. Operators are limited to the number of licenses they can have for dispensaries. If they find a new location, they must move a license they cannot just apply for another one.



Figure 1 Location Map (Source: Pinal County GIS Online Mapping)

The property is zoned (CB-2/C-3) General Commercial Case No. PZ-430-74. The General Commercial zoning allows for a marijuana dispensary with a use permit.
See **Figure 2** Zoning Map Below.

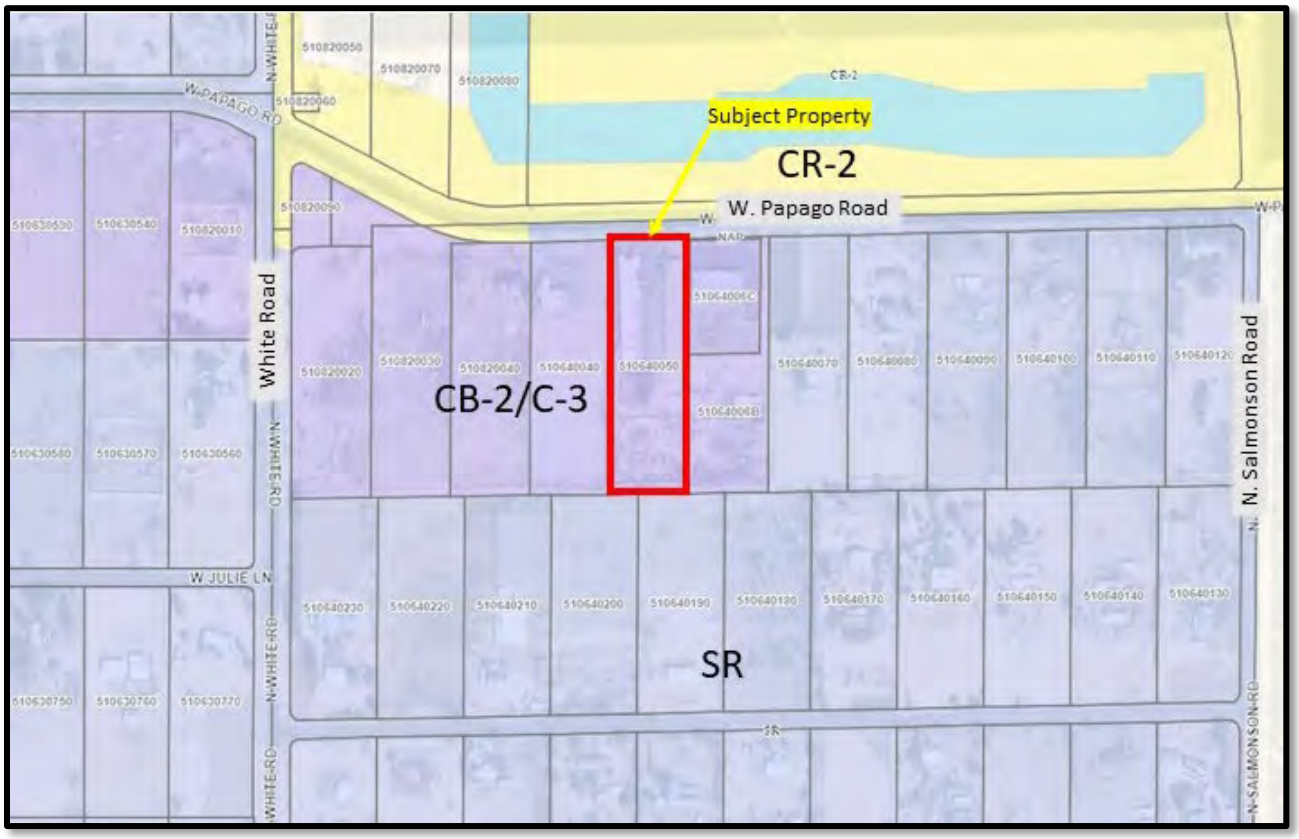


Figure 2 Zoning Map (Source: Pinal County GIS Online Mapping)

This property meets all of the separation requirements for protected uses and is at least 10 miles from another dispensary.

The dispensary will be approximately 1,240 square feet, located in suite 4A&B as shown in orange in **Figure 3** below. *See* Floor Plan attached hereto as **Exhibit 2**.

	papago cantina			Premises		Reptile	Rob's C- Store	
patio								
	3200	800	1000	380	860	1360	800	1600
Suite #	7	6	5	4B	4A	3	2	1
SF	5,000			380	860	1360	2400	
				1,240 SF				

Figure 3 Suite Map

All operations will take place inside the building between 7:00 am and 10:00 pm. There will be no outdoor seating for patrons.

Access

Access to the dispensary will be via an existing driveway on Papago Road.

Utilities

Since this is an existing commercial center with tenants currently operating businesses all utilities are in place and ready to support the dispensary.

Security

Nirvana Center will have appropriate security measures in place and will prepare and submit a security plan the complies with Pinal County and the Arizona Department of Health Services requirements with the application for a use permit.

Conformance with Comprehensive Plan

The property is designated as moderate low density which allows for commercial uses up to 25 acres if it is compatible with the surrounding land uses. Since this is an existing commercial center with commercial uses located east and west of the Property this retail use is compatible.

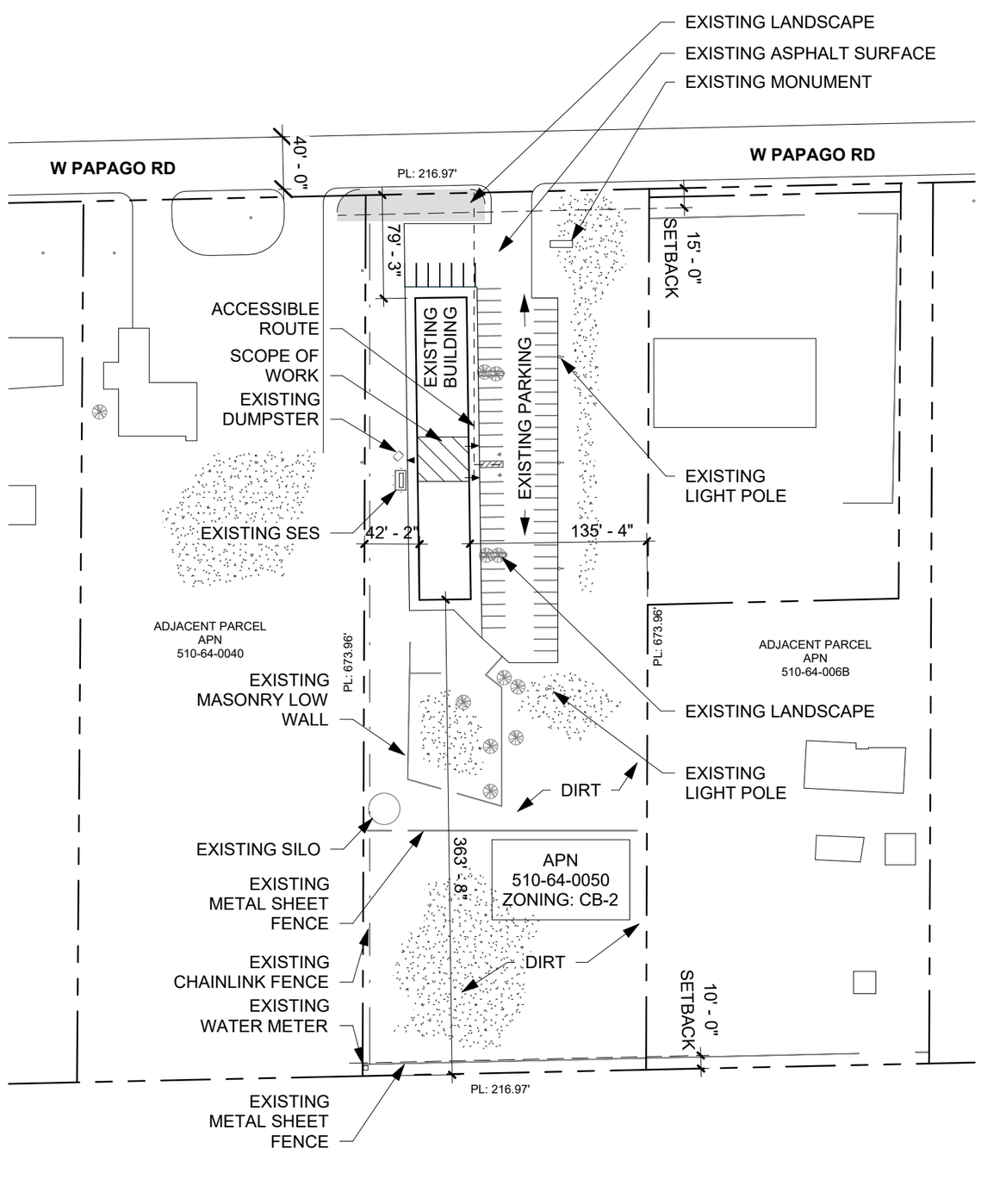
Neighborhood Meeting

We held a neighborhood meeting at 49237 W. Papago Road at 5:00 pm on February 21, 2024. See attached Notification letter. Five people attended the meeting. We gave a presentation regarding the proposal and the process. The people in attendance were supportive of the project and stated that there is a need for this use in the area. They explained that they were very surprised when the previous dispensary closed and now have to travel long distances to obtain their medicine.
The Sign-in sheet is attached hereto as **Exhibit 3**.

The list of property owners notified is attached hereto as **Exhibit 4.**
The map showing the showing the notification area within 1,200 feet is attached hereto as **Exhibit 5**.
A copy of the neighborhood meeting notification letter sent to the property owners within 1,200 feet is attached hereto as **Exhibit 6**.

A copy of the Facility and Operating Procedures is attached hereto as **Exhibit 7**.

EXHIBIT “1”



SITE PLAN A1

SCALE: 1" = 100'-0"

LEGAL DESCRIPTION

PAPAGO BUTTE RANCHOS UNIT 2: LOT 93

PROJECT TEAM

LANDOWNER:
PAPAGO PROPERTIES, LLC
1800 RICHMOND RD
LEXINGTON, AZ

CLIENT:
NIRVANA CENTER
SHERAZ WARRAICH
928-642-2250
SHERAZ@NIRVANACENTER.COM

ARCHITECT:
AG ARCHITECTURAL SOLUTIONS
COVEY GROFF
1776 N SCOTTSDALE RD, #2253
SCOTTSDALE, AZ 85252
480-670-3049
COVEY@AG-ARCHS.COM

AG ARCHITECTURAL SOLUTIONS
1776 N SCOTTSDALE RD,#2253
SCOTTSDALE, ARIZONA 85251
480.670.3049

MARICOPA PAPAGO
PLAZA DISPENSARY TI

49237 W PAPAGO RD, SUITE 4
MARICOPA, AZ 85139

PRELIMINARY NOT FOR CONSTRUCTION

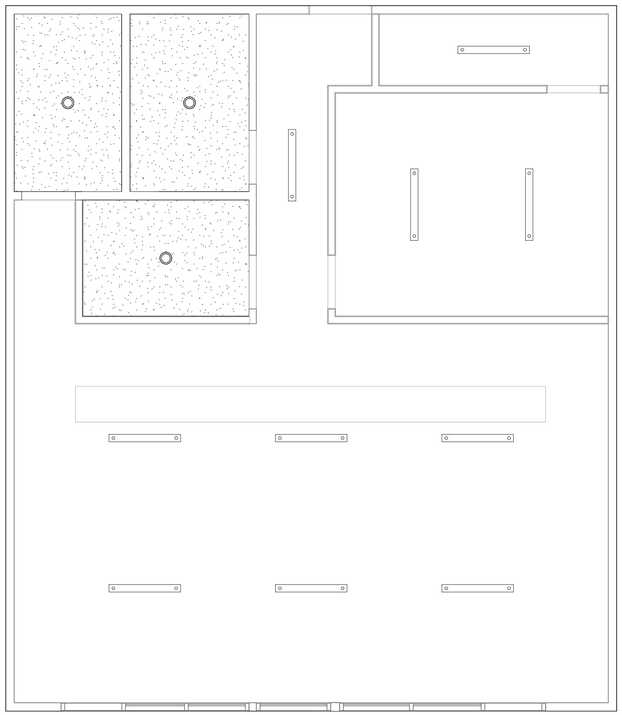
PROJECT NUMBER 23068
DATE: 10/31/2023

REV	DATE	DESCRIPTION

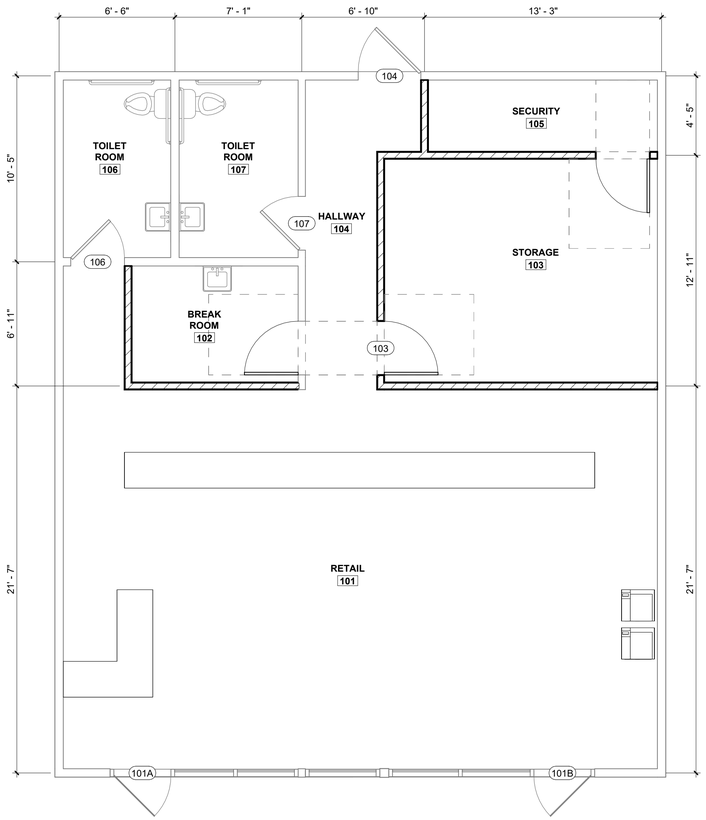
SHEET NO: A003

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EXHIBIT “2”



REFLECTED CEILING PLAN A4
SCALE: 1/4" = 1'-0"



FLOOR PLAN A2
SCALE: 1/4" = 1'-0"

GENERAL PLAN NOTES

1. THIS DRAWING IS PART OF A COORDINATED SET OF DOCUMENTS. DO NOT SEPARATE BOUND SETS. REFER TO SPECIFICATIONS FOR ADDITIONAL REQUIREMENTS.
2. BE ALERT TO DIMENSIONAL DISCREPANCIES, STRUCTURAL SUPPORTS AND OTHER ELEMENTS CONCEALED IN WALLS, NOT SHOWN. REPORT DISCREPANCIES PRIOR TO PROCEEDING.
3. IN THE EVENT OF INCONSISTENCIES BETWEEN ARCHITECTURAL AND CONSULTANT BASE PLANS THE ARCHITECTURAL SHEET SHALL TAKE PRECEDENCE. REPORT DISCREPANCIES PRIOR TO PROCEEDING WITH AFFECTED WORK.
4. THESE DOCUMENTS ARE FOR ALTERATION WORK. VISIT SITE. VERIFY CONDITION AND DIMENSIONS OF THE EXISTING SITE AND STRUCTURE PRIOR TO SUBMITTING BIDS.
5. DO NOT SCALE DRAWINGS FOR CONSTRUCTION DIMENSIONS OR TOLERANCES. WRITTEN DIMENSIONS TAKE PRECEDENCE OVER DRAWINGS. REQUEST CLARIFICATION IN WRITING PRIOR TO PROCEEDING.
6. DIMENSIONS ARE TO FACE OF FRAMING OF NEW ELEMENTS AND FACE OF FINISH OF EXISTING ELEMENTS UNLESS NOTED OTHERWISE.
7. COORDINATE DIMENSIONS ON PLANS AND FIELD VERIFY PRIOR TO CONSTRUCTION. REPORT DISCREPANCIES PRIOR TO PROCEEDING WITH AFFECTED WORK.
8. UNLESS NOTED OTHERWISE, EDGE OF DOOR TO BE LOCATED 5" OFF PERPENDICULAR PARTITION. PROVIDE BACK-TO-BACK OR NESTED 20-GAUGE STUDS AT BOTH SIDES OF ALL NEW DOOR /WINDOW/ JAMBS.
9. UNLESS NOTED OTHERWISE, G.C. TO PREPARE EXISTING FLOOR SLABS FOR INSTALLATION OF SPECIFIED FLOOR FINISHES. PREPARE EXISTING SLAB TO BE SMOOTH AND LEVEL BEFORE INSTALLATION OF FINISH FLOOR MATERIALS , WITH A MAXIMUM DEVIATION OF 1/4" IN 10'-0" . NO FLOOR PREPARATION ALLOWANCES WILL BE ACCEPTED. G.C. SHALL VISUALLY INSPECT EXISTING FLOOR SLAB CONDITIONS TO ENSURE PROPER FLOOR PREPARATION.
10. PROVIDE BACKING IN WALLS PER MANUFACTURERS WALL SUPPORT ELEVATIONS.
11. PROVIDE FULL DEPTH THERMAL INSULATION IN FURRING @ EXTERIOR PARTITIONS. USE RIGID FOAM IN CAVITIES LESS THAN 3-1/2" DEEP.
12. ALL ELECTRICAL SWITCHING AND COMMUNICATION DEVICE COVERS TO BE WHITE.
13. WHERE SHOWN ON THE MECHANICAL AND ELECTRICAL DRAWINGS BUT NOT ON THE ARCHITECTURAL DRAWING, DEVICES SHALL BE UNIFORMLY AND SYMMETRICALLY MOUNTED. VERTICALLY ALIGN DEVICES MOUNTED AT HEIGHTS INDICATED UNLESS SEPARATED HORIZONTALLY BY A MINIMUM OF 24".
14. DEVIATIONS FROM THESE PRINCIPALS WITHOUT PRIOR APPROVAL WILL BE CORRECTED BY THE CONTRACTOR AT NO COST TO THE OWNER.
15. AVOID DEVICE PLACEMENT IN THE CENTER OF WALLS AS PRACTICALLY FEASIBLE.
16. ALL DEVICES TO BE AT 18" A.F.F TO CENTER AT LOW CONDITIONS: DEVICES WITH CONTROLS TO BE AT 48" TO TOP OF DEVICE: HIGH CONDITIONS TO BE AT LEAST 80" OR 6" BELOW CEILING.

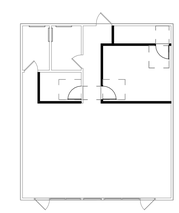
REV **KEYNOTES** IBC REF

WALL TYPE LEGEND

REFER TO SHEET A501 FOR PARTITION DETAILS.

EQUIPMENT SCHEDULE

MARK	DESCRIPTION	QUANTITY
A		



KEY PLAN A1
SCALE: 1/16" = 1'-0"

AG ARCHITECTURAL SOLUTIONS
1776 N SCOTTSDALE RD.#2253
SCOTTSDALE, ARIZONA 85251
480.670.3049

FIELD VERIFICATION
The Contractor shall verify all figured dimensions and conditions at the project site and notify Architect of any dimensional errors, omissions, or discrepancies before beginning or fabricating any work. Do not scale these drawings.

MARICOPA PAPAGO PLAZA DISPENSARY TI
49237 W PAPAGO RD MARICOPA, AZ 85139

PRELIMINARY NOT FOR CONSTRUCTION

PROJECT NUMBER 23068
DATE: 10/06/23

REV	DATE	DESCRIPTION

SHEET TITLE:
ARCHITECTURAL PLANS

SHEET NO:
A111

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EXHIBIT “3”

Neighborhood Meeting Sign In Sheet
Special Use Permit for 49237 W. Papago Road
February 21, 2024

No.	Name	Address	Phone Number and/or Email
1	VERNON & SONYA DOSWELL	42422 W BRAVO DR MARICOPA	sddoswell@gmail.com 206-769-8214
2	Francesca Wikoff	41383 W Crane Drive Maricopa AZ 85138	Francescalever@yahoo.com
3	Stephen Hill	63 N Diamond Trl 85139	602-334-6451 schillphx@gmail.com
4	Ruben Rivera	4993 W. Mayer Blvd.	602-643-9819 crotalus rob@yahoo.com
5	Chris Hawthorn	44262 W Weedy Dr Maricopa AZ 85138	EHawthorn123@outlook.com
6			
7			
8			
9			
10			

EXHIBIT “4”

,

WELLS RICHARD
49005 W JULIE LN
MARICOPA, AZ 85139

SARVER VERONICA
49038 W JULIE LN
MARICOPA, AZ 85139

,

ABELLA ANGEL R & GINA D TR...
5619 S SPYGLASS RD
TEMPE, AZ 85283

DE LEON VALORIE
PO BOX 329
MARICOPA, AZ 85139

,

WHITAKER DEE VERN & A KAY
13681 BASELINE.5 RD SE
MOSES LAKE, WA 98837

ROCK GEORGE EDWARD
48864 W JULIE LN
MARICOPA, AZ 85139

JOHNSON GAGE TREVOR
49495 W JULIE LN
MARICOPA, AZ 85139

GARNER CLIFFORD A & LISA L
49494 W JULIE LN
MARICOPA, AZ 85139

UDELIUS ELAINE D
11420 N WHITE RD
MARICOPA, AZ 85139

BUTTERFIELD MARIA
RR2 ST 14 BOX 6
PONOKA, AB

ORBON ANNELI A TRUST
6104 COSTA DEL REY
LONG BEACH, CA 90803

DELCOTTO ROBERT R & SOPHI...
50010 W JULIE LN
MARICOPA, AZ 85139

MIRANDA MELCHOR FARIAS
49375 W JULIE LN
MARICOPA, AZ 85139

FRANK TYSON ROY
MAIL RETURN
,

AS INVESTMENT PROPERTIES ...
6160 E WOODRIDGE DR
SCOTTSDALE, AZ 85254

LERMA ARTURO O & ADELA O
49285 W JULIE LN
MARICOPA, AZ 85139

SABAL GERARDO C JR TR
317 W CROFTON ST
CHANDLER, AZ 85225

AS INVESTMENT PROPERTIES ...
6160 E WOODRIDGE DR
SCOTTSDALE, AZ 85254

MILLER THAD A & PAULINE F
49215 W JULIE LN
MARICOPA, AZ 85139

YAVITZ ISRAEL J & BROOKE TR...
49214 W JULIE LN
MARICOPA, AZ 85139

JUARDO JOHN SR
220 N MONTE VISTA ST
CHANDLER, AZ 85225

SPUR JOHNSON HORSE PROP...
PO BOX 190
STANFIELD, AZ 85172

SABAL CLAUDIO C & MARIPET
89 BILTMORE EST
PHOENIX, AZ 85016

SANCHEZ FLORENTINO LOPEZ...
257 N COMANCHE DR
CHANDLER, AZ 85224

YARGA LEWIS
49095 W JULIE LN
MARICOPA, AZ 85139

KELLER TIMMY L & KELLER MA...
49074 W JULIE LN
MARICOPA, AZ 85139

BROCK FAMILY TRUST
19217 W ALICE CT
WADDELL, AZ 85355

FERGUSON KELLY L
48839 W PAPAGO RD
MARICOPA, AZ 85139

PALOMINO RANCH PARTNERS ...
11624 SE 5TH ST STE 210
BELLEVUE, WA 98005

CRICKET HOLDINGS LLC
26223 N 17TH DR
PHOENIX, AZ 85085

,

CRICKET HOLDINGS LLC
26223 N 17TH DR
PHOENIX, AZ 85085

URENA LEONARDO RUELAS
49109 W PAPAGO RD
MARICOPA, AZ 85139

CRICKET HOLDINGS LLC
26223 N 17TH DR
PHOENIX, AZ 85085

,

PAPAGO BUTTE DOMESTIC WA...
PO BOX 630
MARICOPA, AZ 85139

EREDIA ANTHONY H & BERMU...
1442A WALNUT ST #470
BERKELEY, CA 94709

PALOMINO RANCH PARTNERS ...
11624 SE 5TH ST STE 210
BELLEVUE, WA 98005

PAPAGO PROPERTIES LLC
1800 RICHMOND RD
LEXINGTON, KY 40502

PALOMINO RANCH PARTNERS ...
11624 SE 5TH ST STE 210
BELLEVUE, WA 98005

VANTAGE RETIREMENT PLANS ...
8742 E VIA DE COMMERCIO
SCOTTSDALE, AZ 85258

PALOMINO RANCH PARTNERS ...
11624 SE 5TH ST STE 210
BELLEVUE, WA 98005

PALOMINO RANCH PARTNERS ...
11624 SE 5TH ST STE 210
BELLEVUE, WA 98005

SALAZAR IGNACIO A
11780 N WHITE RD
MARICOPA, AZ 85139

EXHIBIT “5”

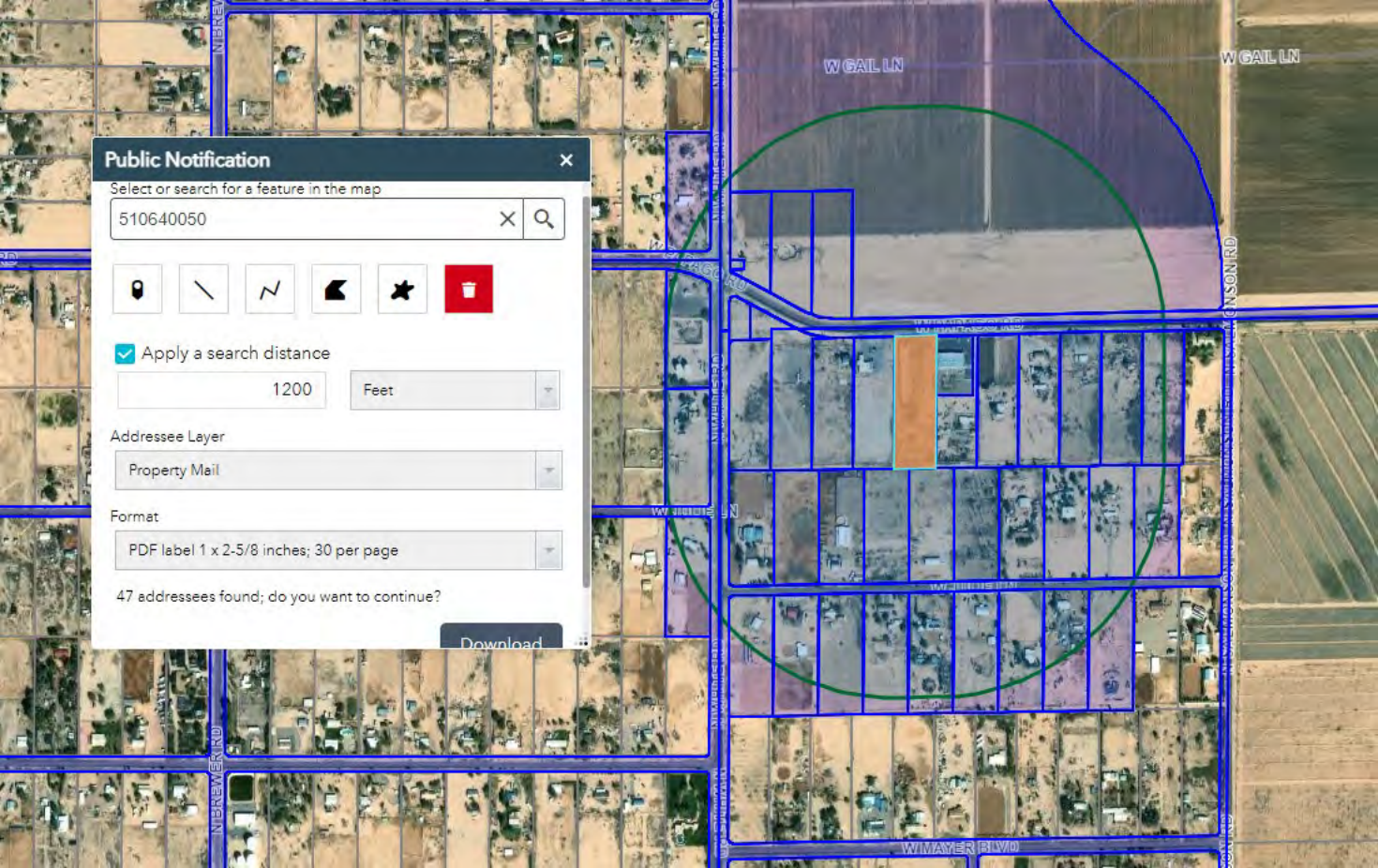

Public Notification
Select or search for a feature in the map
510640050
Apply a search distance
1200
Feet
Addressee Layer
Property Mail
Format
PDF label 1 x 2-5/8 inches; 30 per page
47 addressees found; do you want to continue?
Download
W GAIL LN
W GAIL LN
W WIMAYER BLVD
N BREWER RD

EXHIBIT “6”

Law Offices of
Lazarus & Silvyn, P.C.

February 7, 2024

Dear Property Owner or Neighborhood Association Representative,

The purpose of this letter is to inform you that our client intends to file a request for a use permit to allow a marijuana dispensary in the commercial center located at 49237 W. Papago Road. The Property is zoned CB-2 which allows for this use. There was a dispensary at the same location called Ponderosa Releaf from about 2015 to 2020.

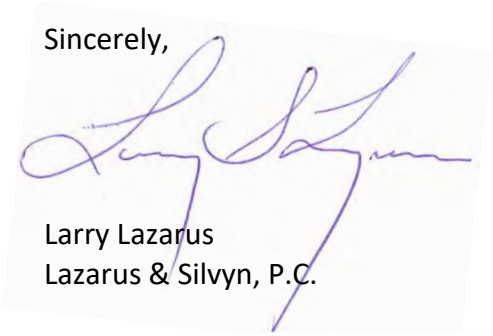
We invite you to attend a neighborhood meeting on **February 21, 2024, at 5:00 pm** at the Raceway Bar located in the same commercial center at 49237 W. Papago Road. We will give a brief presentation and be available to answer any questions you may have.

Following the neighborhood meeting we will make a formal application to the County and the permit will be reviewed by staff, heard by the Planning and Zoning Commission, and then the Board of Supervisors. The dates for these meetings will be determined once we file the application.

We would be happy to answer any questions or hear any comments you may have regarding this proposal. You may reach me at LLazarus@LSLawAZ.com, 602-340-0900 or Michelle Green, Senior Planner at MGreen@LSLawAZ.com, 602-340-0900.

We look forward to seeing you there.

Sincerely,



Larry Lazarus
Lazarus & Silvyn, P.C.

206 E. Virginia Avenue | Phoenix, AZ 85004-1110
602.340.0900 | Fax 602.340.8955

5983 E. Grant Road, Suite 290 | Tucson, AZ 85712-2365
520.207.4464 | Fax 520.300.9662

EXHIBIT “7”



YAVAPAI HERBAL SERVICES INC., DBA: NIRVANA CENTER, 2 N. 35th Ave Phoenix, AZ 85009 Offsite Cultivation Address: 1611 South Reeves Arena Road, Camp Verde, AZ 86322
#00000015DCGC00626237, #00000121ESBM38825533

YAVAPAI HERBAL SERVICES INC., DBA: NIRVANA CENTER, 2330 N 75th Ave, Phoenix, AZ 85035 Offsite Cultivation Address: 3905 Old State Hwy 279, Camp Verde, AZ 86322
#000000012DCJT00224887, #00000111ESTX14447382

TOTAL ACCOUNTABILITY SYSTEMS, DBA: NIRVANA CENTER, 6287 E Copper Hill Drive, Prescott Valley, AZ 86314 OffSite Cultivation Address: 3550 N Sabin Brown Rd, Wickenburg, AZ 85390
#00000009DCYP00763819, #00000110ESBL46708127

LIFE CHANGERS INVESTMENTS, LLC, DBA: NIRVANA CENTER, 2715 South Hardy Drive, Tempe, AZ 85282 #0000156ESTDP70697204

ARIZONA TREE EQUITY 2 DBA NIRVANA CENTER, 105 S. Main St. Florence, AZ
#0000170ESTVQ68678199

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DISPENSARY OPERATIONS

HOURS OF OPERATION

The hours of operation are Monday – Sunday from 8 AM to 10 PM.
(Exception: 105 S. Main Street Florence, AZ 9 AM to 9 PM)
This may be subject to change depending on consumer needs and/or any changes with the local government.

JOB DESCRIPTIONS & QUALIFICATIONS

General Manager

The General Manager has responsibility for compliance with Arizona DHS regulations; leading day-to-day operations; supervising all staff; HR responsibilities; scheduling and timekeeping tasks; developing and managing vendor relationships; analyzing operations for efficiency; lead and support all employees with performance management, including rewards and recognition programs; responsible for inventory quality and reconciliation.

ESSENTIAL DUTIES:

- Direction and oversight of all dispensary/establishments operations
- Performance management goal-setting/reviews of employees
- Implement policies and procedures
- Full P&L responsibility for location, ensuring maximum profitability and sales growth
- Lead weekly Manager Meetings with Assistant Managers and Supervisors
- Lead bi-weekly Employee Meetings with all staff
- Ensure that patients experience excellent care while in our facility

QUALIFICATIONS:

- Leadership experience
- Ability to make informed decisions, complete tasks and problem solve
- Results oriented
- Effective oral and written communication skills
- Computer proficient, can easily learn software

Assistant Manager and Supervisor

The Assistant Manager(s) is responsible for assisting the General Manager with day-to-day operations; reporting directly to the General Manager; scheduling; training; lead and support Supervisors and Patient Consultants. Supervisors are responsible for being 1st responders to the retail floor; report directly to the Assistant Manager(s); lead and support Patient Consultants.

ESSENTIAL DUTIES:

- Money handling, balancing of cash registers
- Opening and closing of dispensary
- Knowledge of P&L and dispensary operations

● Participate in weekly Manager Meetings and Employee Meetings, including educational and training ● Ensure that patients experience excellent care while in our facility

QUALIFICATIONS:

● Leadership experience
● Cash handling experience
● Customer service experience

Inventory Specialist

The Inventory Specialist is responsible for recording all inventory movement into the Inventory Control System (ICS), utilizing Dutchie or BioTrackTHC They ensure all inventory is accurately entered into the ICS, and follow all requirements of the Arizona Department of Health Services, Medical Marijuana Department, Arizona Medical Marijuana Act, and pursuant to Proposition 207.

ESSENTIAL DUTIES:

• Works independently to perform duties with minimal oversight
• Coordinate with different departments to ensure production events are completed in a timely manner. • Manages cycle count process and reconciles the inventory.
• Works with management to reconcile any inventory discrepancies. Communicates inventory adjustments and concerns with management in a timely manner.
• Create inventory processes and reports for new products.
• Ensure all inventory is labeled with the appropriate barcodes for tracking medical or recreational. • Become an expert on inventory compliance requirements governing the industry

Security

The Security Supervisor will be responsible for the following:

- Ensuring that secure areas of the establishment are limited to access by the establishments principal officers, board members, and authorized dispensary/facility agents.
- Ensuring that the dispensary/facility agent only transports marijuana, marijuana plants, and marijuana paraphernalia between the dispensary and:
  - The dispensary's cultivation site,
  - A qualifying patient,
  - Another dispensary, establishment, or a sample to a facility that has a marijuana testing facility license issued by the Department of Health.
- Ensuring that before transportation, a dispensary/facility agent does the following:
  - Complete a trip plan that includes:
  - The name of the dispensary/facility agent in charge of transporting the marijuana.
  - The date and start time of the trip.
  - A description of the marijuana, marijuana plants, or marijuana paraphernalia being transported; ○ The anticipated route of transportation; and record of multiple routes or stops.
  - Provide a copy of the trip plan to the dispensary, establishment, or accredited testing facility.
- Ensuring that during transportation, a dispensary/facility agent does the following:
  - Carry a copy of the trip plan in subsection with the dispensary/facility agent for the duration

of the trip
  - ○ Use a vehicle without any medical marijuana identification
  - ○ Have a means of communication with the establishment
  - ○ Ensure that the marijuana, marijuana plants, or marijuana paraphernalia are not visible.
- ● Ensuring that after transportation, a dispensary/facility agent shall enter the end time of the trip and any changes to the trip plan on the required trip plan.
- ● Ensure that the establishment shall:
  - ○ Maintain the trip plan documents and keep them on file for a minimum of 1 year or until annual inspection with the department.
  - ○ Provide a copy of the trip documents required to the Department for review upon request.
  - ○ Document and report any loss or theft of marijuana or marijuana product from the marijuana establishment's retail site, cultivation site, or manufacturing site to the appropriate law enforcement agency.

QUALIFICATIONS:

- ● Ability to interact effectively with the public, diffusing situations, and resolving complaints ● Physically fit and able to climb stairs, ramps, and ladders
- ● Can work in adverse outdoor weather conditions such as cold, rain, or heat
- ● Ability to convey information clearly to members of the public
- ● Knowledgeable about crime prevention techniques
- ● Experience with security camera systems, preparing incident reports, and taking follow up actions ● Ability to communicate clearly and effectively in all situations
- ● Familiar with local, state, and federal rules regarding Marijuana/marijuana products

Authority & Supervision

Daily, the manager shall verify that the security alarm system is operational. The manager shall be responsible for ensuring that the Patient Care Consultant verifies the eligibility of each consumer to receive cannabis and shall confirm said eligibility with the Department of Health Services. The manager will prepare weekly reports indicating the number of patients seen, the type and quantity of medical marijuana or marijuana dispensed, and the gross revenue generated. All establishment site reports will be submitted electronically to the Directors on a weekly basis. Directors will either be onsite or conduct random site visits at each site to ensure compliance with the stated policies. The General Manager is responsible for supervising the Patient Care Consultants and shall report directly to the Chief Operations Officer of the dispensary. The Cultivation Manager is responsible for supervising Assistant Growers and shall report directly to the chief Operations Officer of Nirvana Center Dispensaries.

Compliance Educational Training (Dual Establishment)

The compliance department will develop and provide training to registered facility agents once a year on the following subjects:

- Guidelines for recognizing the difference between a Medical patient and Recreational Consumer; transactions, allotments and MVP (Money, Verify, Product) practice
- Guidelines for recognizing the difference between Recreational and Medical approved cannabis products; how they must be alloted, sold, and packaged upon purchase
- Guidelines for recognizing the importance for daily cleanliness and sanitation
- Guidelines for product labeling for both FOH and BOH
- Guidelines for understanding Certificate of Analysis, where they are located, and what is considered full panel for each cannabis category: Flower, Concentrate, and/or Edibles
- Guidelines for providing information to qualifying patients related to risks, benefits, and side effects associated with medical marijuana
- Guidelines for providing support to qualifying patients related to the qualifying patient's self-assessment of the qualifying patient's symptoms, including a rating scale for pain, cachexia or wasting syndrome, nausea, seizures, muscle spasms, and agitation
- Recognizing signs and symptoms of substance abuse;
- Guidelines for refusing to provide medical marijuana to an individual who appears to be impaired or abusing medical marijuana
- Employees will be trained thoroughly on how to switch between medical/recreational transactions. Product labeling, packaging, and inventory reconciliation for adult use transactions.
- All facility agents will be trained on the requirements of A.R.S Title 36 Chapter 28.2 When a consumer enters the establishment, they must be checked in with a valid identification card that can be easily scanned into an ID verification system. The employee must also check for the following signs:
  - Use of marijuana with alcohol
  - Use of marijuana with illegal psychoactive drugs
  - Use of marijuana with prescription medications (this can be asked to the patient to reduce the possibility of adverse drug effects)
  - Dose escalation/over-use
  - Consumers purchasing for an underage individual
  - Use of marijuana on establishments property
- If the employee sees a high probability of abuse, the patient should be asked to leave the premises. However, if diversion is admitted, then the employee must also report the description of the event to the Arizona Department of Health Services. When multiple employees are trained at once, attendance sheets will be signed and maintained in the dispensary's record books. The Compliance Department will assist in the development and implementation of review and improvement processes for daily operations; keeping up to date with any changes with DHS rules & regulations.

Performance

Evaluations

All employees are hired on a 90-day probationary period. After their first 90 days of employment, the employee will meet with Management and/or Human Resources for a performance review. After this initial period, the employee's next review would be conducted

annually, unless a new position or promotion is given. Performance evaluations will be based upon patient service, product knowledge, punctuality, and adherence to the company's policies and procedures.

Disciplinary Actions

Disciplinary actions will include verbal warning/coaching, written warning, suspension and potentially discharge for repeat violations. Blatant violations will result in immediate termination. The reason for termination will also be provided to the Arizona Department of Health Services. Actions will be taken for any violations of the company policies and procedures and will be documented with the corresponding section.

Confidentiality

No employee may share patient information with unauthorized personnel. The following people would be considered unauthorized:

- Other Patients/consumers
- Competition
- Vendors
- Third Parties
- Family Members and Friends

Any disclosure of confidential information will result in disciplinary action up to and including discharge. No employee is authorized to speak to the media unless specifically designated by the Directors of the establishment. Only the Directors are authorized to make or approve public statements pertaining to the company or its operations. Establishment employees are prohibited from giving out any confidential information at any time. What is overheard, seen or directly mentioned to them must not be told to others unless it is an issue that must be relayed to a manager. The following security safeguards for maintaining records and confidential information will be followed:

- Identify all forms in which the information will reside and protect accordingly, whether it is an electronic file or other portable media. Restrict access password protection and use file encryption. Label the file and the media "do not copy or reproduce" and maintain a record of files or media in a control log. The information is proprietary and cannot be reproduced in any form without the express approval of the Directors.
- If transmitted, use only internal transmission. Do not transmit on the Internet using an unsecured connection. ● Loss of confidential information at any time will immediately be reported to the Manager and the Executive Director as soon as discovered. A Critical Incident Report (see attached) must also be completed. The form will be given to the Manager for immediate follow-up with the Arizona Department of Health Services.

Marketing

A marijuana establishment may engage in advertising only if the following apply:

- The advertising is authorized only by the marijuana establishment responsible for the content of the advertising by name and license number or registration number.
- Advertising shall use a method to verify that the recipient is twenty-one years of age or older before engaging in that communication or dialogue.
- A marijuana establishment will not advertise delivery of marijuana/marijuana

products to consumers. **Liability**

You are legally liable for anything you write online. Anything that infringes on the rights of employees or patients or could cause a hostile work environment is subject to disciplinary action by Nirvana Center.

Social Media Policy

Guidelines for Representing Nirvana Center on Social Media Websites

If you are an employee of Nirvana Center and are using social media websites that will reference the establishment in any way (including mentioning our products, services, and competitors), you must state that your opinions are yours alone and are not those of the dispensary. You must also identify yourself as an employee of the dispensary. You are not authorized to speak on behalf of the establishment. without express permission from the directors or management team. If you have permission to speak on behalf of the dispensary on such websites, please notify the Marketing Manager that you are writing on social media websites or blogs.

Confidentiality

You are prohibited from writing information on your social media page, blog or website that is considered proprietary or confidential. Confidential or proprietary information can include product information and releases, company or marketing strategies and plans, or any other information that has not already been released to the public. If you are not sure what is considered proprietary and confidential, consult with your supervisor or the management team.

No employee of Nirvana Center is to ever initiate contact with any card holding medical marijuana patient in Arizona using social media. Always assume that any individual posting pictures of cannabis online based in Arizona is a medical marijuana patient to err on the side of caution. If a patient initiates contact and the employee chooses to be receptive, you must disclose your real name and identify yourself as an employee of the dispensary If the contact turns hostile, immediately terminate contact with the patient. Never harass or intimidate anybody online while working at the dispensary.

The dispensary's logos or trademarked items may not be used without prior written authorization from the directors or management team.

Ownership of Social Media Pages

If you create or manage a social media page on behalf of the dispensary, all information contained on the social media page, including friends, contacts, followers, likes, and any other proprietary or sensitive information, will be considered property of the dispensary. No employee will have any ownership rights over such materials. These social media websites include, but are not limited to: Facebook; Twitter; Instagram; MySpace; LinkedIn; YouTube; Pinterest; Google+; and Vine.

Privacy

The contents of your social media page, blog or website should always treat Nirvana Center and its employees and customers with respect. No name calling or negative behavior that will reflect onto the company will be tolerated. Unfounded accusations, name calling or using trademarks or logos without permission are grounds for dismissal. You must consider the privacy rights of your fellow employees. If you are choosing to write about them, you should obtain their permission prior to writing to ensure you are not infringing on their right of privacy.

SECURITY

Authorized Access

The establishment and cultivation site will be always locked unless a principal officer, board member, or authorized dispensary/facility agent is entering or exiting the facility. Nirvana Center will not allow any individual who is not a principal officer, board member, or dispensary/facility agent into the dispensary or cultivation site. Only qualified patients, caregivers, and consumers will be allowed into the retail area after their state-issued cards have been verified in the waiting area. There will be a “No Loitering” sign posted outside the dispensary and cultivation site. Law enforcement will be notified if any suspicious activity is observed. Employees must conduct daily checks of the security cameras and recording system at the start of every shift. If a problem is detected with the electronic monitoring system, it must be logged in the Critical Incident Report under “Alarm/Monitoring”. Employees must activate a panic button when an immediate danger is posed in situations such as a bomb threat, forced intrusion, robbery, hostage situation, active shooter, or another critical incident.

Consumers & Minors

Consumers will be allowed to enter the premises as long as they are 21 and up and their identification has been verified by security upon entry. Identification will be within requirements of A.R.S Title 36 Chapter 28.2. Minors will be allowed in the lobby of the dispensary for both patients and consumers within the following circumstances:

● The patient/consumer is making a **pick up order** and does not need access to the dispensary sales floor. ● The patient/consumer is entering to **use the ATM** to complete their purchase.

● Minors are prohibited to enter the dispensary sales floor at any time. Minors must remain accompanied by their guardian at all times.

Dispensary & Facility Agents

A dispensary/facility agent is required to have the dispensary/facility agents license in immediate possession when the DA/FA is: providing volunteer services at the marijuana establishments retail site, cultivation site, or manufacturing site, and when transporting marijuana/marijuana products.

Facility Agents

Facility agents are required to ensure that they are linked to the establishment, cultivation site, or manufacturing site to be in compliance with the department.

Unauthorized Access

Anyone who does not possess a valid dispensary/facility agent ID will not be authorized into the retail site, cultivation site, or manufacturing site. Anyone without the possession of their DA/FA valid agent card will not be able to provide volunteer services at or on behalf of the marijuana establishment.

A Monitronics alarm system has been installed at the establishment and cultivation site which includes motion detection, door/window sensors, glass break sensors and will provide push notifications to directors’ mobile phones if there is an intrusion. Panic buttons have been installed in key locations and staff will wear wearable panic buttons. Video cameras with motion detection have also been installed in critical locations.

Identification

Staff will be required to always wear badges and will be provided unique access codes to the establishment and cultivation site. Employee only areas are marked and storage areas will be locked at all times. Storage areas may only be accessed under the supervision of the dispensary manager.

Security Equipment

The building will be equipped with the following:

- Cameras and DVR
- Access controls for all necessary doors (e.g. - inventory room).
- Safe for excess money
- Exterior and interior lighting during non-business hours
- State of the art Alarm System

Intrusion Detection

The Monitronics alarm system provides sophisticated alerting for intrusion detection.

Exterior Lighting

- All areas within the dispensary and cultivation site will be properly lit, to include the main lobby, stairwells, hallways and common areas.
- Security lights throughout the building will be lit 24 hours a day.
- All lights, to include emergency lighting, will be maintained in good repair and inspected regularly. ● Lighting that will sufficiently illuminate all portions of the establishment and patron parking areas, consistent with Pinal County Policy for exterior and site lightening
- Lights will be positioned strategically in all establishment and patron parking areas, and will be constructed of vandal resistant light fixtures, all which will be consistent with the Pinal County policy for exterior and site lightening
- All lights will be maintained in good working order and repaired and inspected regularly

Electronic Monitoring

Electronic monitoring is being provided using the Swann D-1 and 10 PRO-536 multi-purpose cameras with a 720x480 resolution. A Monitronics/Alarm.com alarm system with panic buttons that communicates via radio with customer interaction from any computer and most smart phones. Also includes open / close reports and the ability to set alerts and control thermostats. Devices that have been installed include 1 keypad, 2 motion detectors, 3 door contacts and 3 panic buttons. A camera system including at least 8 indoor cameras and 2 exterior cameras to provide coverage of all entrances to and exits from the building. The cameras are positioned to identify any activity occurring in or adjacent to the building. The battery backup to the camera system lasts for 30 minutes. All recorded and live video is web based and can be viewed from any computer and most smart phones.

Camera locations:

- Front of building (exterior)
- Lobby area
- Reception area

● Dispensing area
● Storage room
● Point of Sale
● Back of building (exterior)
● Hallway

Cameras will be distributed in the listed locations with additional cameras being added as necessary at:
● The point of sale- dispensary agents must identify the qualifying patient or caregiver and ensure that they fall within the POS camera's line of sight
● In the storage area – although the cameras are capable of identifying activity occurring within the storage room in low light conditions, employees must ensure that items are not blocking the storage room camera's line of sight. The alarm handler is a feature of the D-1 and includes the following failure notification system that provides an audible and visual notification of any failure in the electronic monitoring system including email and text messaging **Alarm triggers**
• External sensors (dry contacts)
• Motion detection (via VMD)
• Loss of video

Programmable actions
• Alarm verification (pre / post) high resolution video clip send to central station and/or mobile device **Panic Buttons**
The panic buttons are located in the reception area, the dispensing area, and the storage area. There are also three located inside the cultivation site, and all employees are trained on their location. They are to be activated anytime a critical incident occurs.

Conducting Electronic Monitoring

On a daily basis, the manager shall verify that the security alarm system is operational and that each employee is in possession of his or her company issued personal alarm panic button. The Manager shall also check that all cameras are functional.

Use of Panic Buttons
If the following situations occur, panic buttons must be utilized immediately:

- A robbery or invasion of the establishments property or private property
- Bomb threats to company facilities.
- Assaults, attacks, molestation, or threats upon employees while on company property or in the performance of their work.

A CRITICAL INCIDENT REPORT MUST BE FILED FOR ANY SUCH EVENT. SEE EXAMPLE FORM

Name	
Title	
Date	
Date of Incident	
Time	
Time of Incident	
Incident (Circle those that apply and add comments)	
Alarm/Monitoring	
Assault	
Break-In/Burglary	
Confidential Information Breach	
Inventory Loss	
Inebriated Employee	
Fire	
Medical Emergency	
Property Damage	
Sexual Harassment	
Temperature	
Water Leak	
Other	
Theft	

Loitering

There will be a “No Loitering” sign posted outside the establishment and cultivation site. Law enforcement will be notified if any suspicious activity is observed. Employees must conduct daily checks of the security cameras and recording system at the start of every shift.

Verifying Access Privileges

Only employees who have completed a background check and received their dispensary/facility agent cards will be allowed on premises. This will be implemented by providing them a key to the dispensary and a unique code with the Monitronics alarm system.

Transportation

A Facility Agent

Agent may transport marijuana, marijuana plants, and marijuana paraphernalia between the dispensary and:

- The dispensary's cultivation site,
- A qualifying patient
- An Accredited Laboratory for testing purposes, and
- Another establishment/dispensary.

Dutchie has a wholesale module that will allow for shipping manifests and a trip plan that includes this information. **Agent Responsibilities while Transporting or Delivering Marijuana, Marijuana Plants, and/or Marijuana Paraphernalia**

Authorized dispensary/facility agents may transport marijuana, marijuana plants, and marijuana paraphernalia between the dispensary, establishment and the cultivation site, a qualifying patient, an accredited laboratory, and another dispensary/establishment. Before transporting the above items, a dispensary/facility agent must use the shipping module in Dutchie and record the following information to create a trip plan:

● The name of the dispensary/facility agent in charge of transporting the marijuana.
● The date and start time of the trip.
● A description of the marijuana, marijuana plants, or marijuana paraphernalia being transported including the strain, amount (weight/units), number of plants (if applicable) and batch number (if applicable) The dispensary/facility agent must also plan the anticipated route of transportation using Google Maps and provide a copy of the trip plan to his/her supervisor. A copy of the trip plan must also be kept with the dispensary/facility agent transporting the items. Details regarding the trip should not be shared with anyone outside the establishment. The dispensary/establishment shall provide an unmarked vehicle with heavily tinted windows for transportation of the items. Employee vehicles must not be used to transport marijuana, marijuana plants, or marijuana paraphernalia. When loading the items, employees must arrange items in a manner that will not draw attention during the trip. Before beginning the trip, employees must ensure that marijuana, marijuana plants, or marijuana paraphernalia are not visible. Employees will be provided with a dispensary-issued cell phone for the trip and must be reachable for the duration of the trip. It is the employee's responsibility to keep the cell phone charged. If the employee passes through a documented cellular "dead zone", he/she must call the dispensary when cell phone service is available if another employee is trying to contact him or her. Violations of this policy may result in immediate termination of employment.
After the trip has been completed, the employee must document the end time of the trip and any deviations from the original trip plan. If multiple orders were taken each trip plan must reflect the anticipated route and time frame for each delivery stop. The trip plan must then be filed in a manner that makes it easily accessible. If the Arizona Department of Health Services requests a copy of a trip plan, it must be provided within one business day.

Trip Plans (If Applicable)

A dispensary/facility agent must complete a trip plan anytime medical marijuana is being transported to or from the dispensary, establishment or to or from the cultivation site. A trip plan must be used if transporting a sample to an accredited laboratory. The trip plan must include:
1. The name of the dispensary agent in charge of transporting the marijuana
2. The date and start time of the trip
3. A description of the marijuana, marijuana plants, or marijuana edibles being transported 4. The anticipated route of transportation; and if applicable record of multiple stops
5. The dispensary/facility agent must provide a copy of the trip plan to the dispensary, establishment, cultivation, or marijuana laboratory.

Qualified Receivables

1. A transporting dispensary/facility agent from the employed license will ensure the receivable is a licensed dispensary, facility, or laboratory agent for the cultivation, laboratory, or dispensary/establishment front. 2. When submitting samples to a laboratory the laboratory must possess a laboratory registration certificate issued by the department and is approved by the department of health to test for the analyte for which testing is being requested; the dispensary agent is responsible for getting a scanned copy of the lab agents card and signature onto the trip plan or invoice containing the sample information.
3. For transporting medical marijuana to a qualified patient, the dispensary agent will ensure to check the patients' Medical Marijuana card number upon arrival to ensure they are an active patient.

Laboratory Product Testing

Before offering a batch of medical marijuana or marijuana product for sale/dispensing to a qualified patient or designated caregiver, or consumer an establishment shall ensure that each batch of medical marijuana or marijuana products have completed testing for the required analytes.

- All Medical Marijuana/marijuana products prior to being dispensed to patients or consumers will be verified that it follows the department's requirements for analytes. The establishment will not dispense marijuana or a marijuana product to a patient without having accurate passing test results.
- In the event of any acquisition or providing medical marijuana/marijuana products in regard to testing, the establishment will follow these procedures ensuring to request passing test results for all products delivered to and from the dispensary. Rule R9-17-317.01 and the table on pg.22-24 must be met or the product will not be eligible for sale at the establishment.
- A dispensary/facility agent must allow an accredited laboratory agent with a valid department issued ID access to the marijuana or marijuana product to collect samples.

Products eligible for dispensing

To be eligible for sale marijuana/marijuana products must meet the analyte requirements seen in the table (pgs.22-24). Only laboratories able to provide accurate test results per batch that are in compliance with DHS requirements will be offered for sale or dispensing. Upon request, the dispensary will ensure to have test results per batch available for review. A sign will be viewable to all patients to ensure they are aware test results are available for them at any time. The results will include but not limited to the laboratory certification information, a photograph of the marijuana or marijuana plant being tested, and the batch number of the product. The product test results will be tested for all required analytes.

Products not eligible for dispensing

If a producer cannot provide the required test results needed before at time of drop off, then they will not be accepted by the establishment for sale and will be returned to the producer immediately. Marijuana/ Marijuana product that is produced by the dispensary that fails analyte testing will be disposed of using a percentage of kitty litter and vinegar immediately.

Storage for products pending test results

A dispensary shall ensure until the laboratory testing has been completed and the marijuana/ marijuana product has passed the testing requirements. A batch of marijuana or marijuana products is stored in a location away from medical marijuana and marijuana offered for dispensing. Medical Marijuana/Marijuana Products Batches pending test results will be stored off the floor on a rack labeled with parent ID identical to the parent ID/ batch number located on the sample. The flower will be secured in a large turkey bag/ Mylar that will allow the flower to remain fresh. The flower will have a sealed label on the top to eliminate biological/chemical contamination from entering or further tampering.

Procedure for pulling a sample

Only one sample of each batch of medical marijuana or marijuana product is collected for submission. (per batch of medical marijuana, marijuana product) Each batch should have a minimum of 12 grams for submission **Sampling Method:** Medical Marijuana/marijuana products: Star pattern, sampling from top, middle, and bottom of each storage container

Batch: To ensure the product being submitted for testing is the correct product both products will contain the batch # or parent ID that can be tracked in BioTrackTHC. This batch allows you to bring up the custody showing when the product was adjusted out for sampling. The custody will show any changes happening to that specific product and record all changes in BioTrackTHC.

Tampered Label: To ensure the sample remains untampered with, the mylar or prescription bottle will be sealed with a label over the top. If the product is tampered with the seal will be broken, indicating it is now a contaminated product. Tampered product is to be disposed of immediately and not used for sale.

RECORDS

Business Records

Purchases, sales, payroll, and other transactions that have generated supporting documents such as invoices and receipts will be maintained. Supporting documents include sales slips, paid bills, invoices, receipts, deposit slips, and canceled checks. Employees will be required to keep them in an orderly fashion and in a safe place. For instance, organize them by year and type of income or expense.

Employees must keep the following records:

1. Gross receipts:

a.Cash register tapes
b.Bank deposit slips
c. Receipt books
d.Invoices
e.Credit card charge slips
f. Forms 1099-MISC

2. Purchases:

a.Canceled checks
b.Cash register tape receipts
c. Credit card sales slips
d.Invoices

3. Expenses:

a.Canceled checks
b.Cash register tapes
c.Account statements
d.Credit card sales slips
e.Invoices
f. Petty cash slips for small cash payments
g.Travel, Transportation, Entertainment, and Gift Expenses

4. Assets:

a.When and how the assets were acquired
b.Purchase price
c.Deductions taken for depreciation
d.Deductions taken for casualty losses, such as losses resulting from fires or storms
e.How the asset was used.
f. Asset sale price
g.Expenses of sale

Business Records Retention

Method(s)

Business records will be maintained using Dutchie, BioTrack, and Quickbooks, and by scanning and storing original documents. Reconciliation will be done using Microsoft Excel.

Time-Frames

The dispensary shall maintain the documentation required at the dispensary and cultivation site for five years from the date on the document. Inventory transaction history is held securely on redundant servers, and cannot be deleted, even by Admin (Full-Privilege/Access) Users.

If the department performs a surprise inspection and documents that are being requested are not onsite, the manager on duty is to contact the compliance manager to ensure the requested documents get sent to the department.

Qualifying Patient Records

Dutchie will be used to establish and maintain qualified patient records. The dispensary will not deliver medical marijuana to patients and will retain records for inspection by AZDHS using Dutchie.

Authorization

An entity in a qualifying patient record: Is recorded only by a dispensary agent authorized by dispensary policies and procedures to make an entity. Only those agents with specific permissions to modify a patient record may do so. Those permissions are granted to Dispensary Managers and Patient Care Consultants. Permissions are not mutually exclusive, so a Director could also be granted Patient Access if deemed appropriate by store management.

Electronic Records – Limitations

Electronic Records must be dated and signed by the dispensary/facility agent and can't be changed to make the initial entry illegible. All transaction information is electronically time/user stamped and recorded into the system. This includes the dispensary agent's registry identification number, and User/Agent login ID is attached to every action performed on a patient record (Patient History). The registry identification number for the dispensary/facility agent is captured in the user ID record. An entry must be made on the qualified patient record anytime a patient visits the dispensary and enters the dispensing area.

Patient Information

Qualifying patient information that includes:

- The qualifying patient's name and patient ID number;
- The qualifying patient's date of birth;
- The name of the qualifying patient's designated caregiver and ID number, if applicable; This information is captured in the system and must be typed into the Patient File from when creating a new record, or reviewed when validating an existing patient.

Education & Support Materials Provide

Documentation of any patient education and support materials provided to the qualifying patient or the qualifying patient's designated caregiver, including a description of the materials and the date the materials were provided will be recorded; Any services that the patient/caregiver utilizes can be captured in the patient profile. Description of the service can be provided in the product description and date and time stamps are generated and recorded by the completion of an order containing the service. The system can record free of charge items, and the product setup will capture any cost incurred by the dispensary.

Denials of Sale

Patients who do not have a valid card, are over the 2.5 oz/14-day medical marijuana limit, have a card revoked by the Arizona Department of Health Services or seem intoxicated will not be allowed to enter the dispensing area of MMJ Apothecary. All available information such as the patient's name, date of birth, ID card, and Qualifying Patient card ID must be recorded using Dutchie.

For each time the qualifying patient requests and does not obtain medical marijuana or, if applicable, the designated caregiver requests on behalf of the qualifying patient and does not obtain medical marijuana from the dispensary, the following shall be recorded:

1. The date; *The software can be used to capture the date and exact time of any action-taking place in the system.*
2. The name and registry identification number of the individual who requested the medical marijuana; *Registry identification will always be associated with an individual's file once they are initially entered.* 3. The dispensary's reason for refusing to provide medical marijuana. *The administrator or manager has permission to add comments to any order, even after it has been closed. Those comments remain with the record.* **Delivery Method**

A Qualified Medical Marijuana Patient may call in a delivery if they are not able to make it into the dispensary. The order must be called in at least 1 hour before delivery time. Dispensary Agents must complete the order in

the system and check the DHS of the patient before leaving the facility. At the same time the products are being delivered, the Dispensary Agent must enter the amounts for the products into the Arizona Department of Health Card Verification and Limit Eligibility System.

Confidentiality

There are safeguards to prevent unauthorized access, and the system offers Individual User/Agent logins, any of which can be disabled or modified by the admin at any time from any location with Internet access. Dispensary/facility agents will be provided setup coaching regarding disabling web browser password memory and other procedural safeguards. When creating user accounts, the software rates the 'strength' of passwords being associated with the user accounts. These and many other features are required to follow HIPAA guidelines for patient security.

The date and time of an entry in a qualifying patient's file is recorded electronically by an internal clock when the event occurs. Any modification to the patient record or patient status change (record created, patient checked-in, order completed, order canceled, etc.) is currently recorded in 'Patient History' along with a timestamp and the user/agent that performed the action.

Retention

The dispensary shall maintain the documentation required at the establishment for five years from the date on the document. Inventory transaction history is held securely on redundant servers and cannot be deleted, even by Admin (full privilege) users

INVENTORY

Inventory Control System

The dispensary will utilize Dutchie as its inventory control system. It will use the inventory reports in Dutchie to show current inventory levels, which can also be filtered by day. Each day's ending inventory would be the next day's beginning. Each item has a transaction history that shows every sale (sold weight and actual weight), addition, and removal from inventory, as well as providing a date/time stamp of the event and the user id of the person who executed the event. Customizable entries designate reasons for inventory adjustments and varying costs can be associated with these adjustments. Additions can also be made through non-monetary orders with donation information for medical marijuana/marijuana products acquired from qualified patients and caregivers. Purchase orders and invoices will be generated for medical marijuana/marijuana products acquired or provided to another dispensary, establishment, accredited laboratory or cultivation site. All recorded information is visible to users with Admin levels of access only. All purchase transactions are tied to patient records.

The Cultivation Site and infusion kitchen will use Dutchie to perform monthly plant audits and track all inventory items on a daily basis. All harvests, waste, deliveries and transfers will be tracked in Dutchie, and will include an accompanying paper form.

Disposal of Unusable Marijuana

The dispensary will either use Kitten Litter/Vinegar method to dispose of medical marijuana/ marijuana products or provide it to local law enforcement (see attached document). Medical marijuana is considered unusable if it has stem, seed, is moldy, has been returned by a customer, has been packaged incorrectly, or has become stale. The product will be stored in unmarked bags in the safe room of the dispensary. The disposal documentation will include the description of and reason for the marijuana being disposed of including, if applicable, the number of failed or other unusable plants, the date of disposal, and the method of disposal; and the name and registry identification number of the dispensary agent responsible for the disposal.

The Cultivation Site will use the same form but will dispose of unusable marijuana by mulching it with a ratio of kitty litter and bleach to ensure it is fully contaminated. Trimmings, remnants and by products will be stored in black bags that are unidentifiable before waste.

SEE SAMPLE FORM ON NEXT PAGE

Today's Date:	Final Disposal Date:
Dispensary/Facility Agent Name:	
Dispensary/Facility Agent ID:	
Flower being disposed of: _____.	

Plants being disposed: ____	
Reason for disposal:	
Method of disposal:	

Designated Facility Agents

The Inventory Manager and Cultivation Manager are responsible for maintaining the Inventory Control System and will be responsible for documenting when dispensary/facility agents are given access to the Inventory Control system. This documentation will include the date and dispensary/facility agent ID. They must also verify that the administration panel of Dutchie has stored this information.

Methods of Acquiring Marijuana/Marijuana Products

Initially the dispensary/establishment will purchase wholesale marijuana from registered dispensaries, establishments and the Dispensaries' Cultivation Site.

When a qualified patient or caregiver donates medical marijuana to the dispensary, the following steps shall occur: ● The medical marijuana will be inspected for mold and quality

- A Board Member or the Dispensary Manager will be responsible for inspecting the quality of the medical marijuana being donated.
- If the marijuana is determined to meet the efficacy standards of the establishment, the dispensary/facility agent shall document the following using Dutchie:

● A description of the medical marijuana/marijuana products acquired including the amount and strain ● The name and registry identification number of the qualifying patient or designated caregiver who provided the medical marijuana,

- The name and registry identification number of the dispensary/facility agent receiving the medical marijuana on behalf of the dispensary and establishment, and
- The date of acquisition

Using Dutchie and Biotrack to document the process:

Caregivers can be attached/linked to patients in Dutchie and BioTrack. Unlimited supporting documents can be uploaded to a patient profile to provide "hard copy" backup (.pdf,.doc3, jpg and many other formats are allowed). Purchase orders are used to receive inventory from 3rd party vendors, patients or caregivers. The dispensary agent shall attach supporting documentation for these 3rd parties using designated data fields and in scans of uploaded documents, such as state-issued licenses.

When Nirvana Center purchases wholesale marijuana from another dispensary or establishment, the following steps shall occur:

● The medical marijuana/marijuana products will be inspected for mold and quality and must include documentation that full panel testing has been conducted per batch of medical marijuana/ marijuana product. ● A Board Member or the establishment Manager will be responsible for inspecting the quality of the medical

marijuana being donated.

- If the marijuana is determined to meet the efficacy standards of the establishment, the dispensary/facility agent shall document the following using Dutchie:
- A description of the medical or marijuana products acquired including the amount, strain, and batch number; ● The name and registry identification number of the dispensary/establishment providing the medical marijuana or marijuana products.
- The name and registry identification number of the dispensary/facility agent providing the medical marijuana/marijuana product;
- The name and registry identification number of the dispensary/facility agent receiving the medical marijuana on behalf of the dispensary;
- The date of acquisition.
- Accredited laboratory test results per batch of products including the products potency listed in percentage or milligrams.

Dispensary/facility agents must use Dutchie system to generate purchase orders that include the product vendor, as well as product batch ID, ingredients/test results, weight, and other required fields. The batch ID entered from the receiving vendor will follow the marijuana through to the consumer and will always tie back to the source of the product.

Packaging

The Patient Care Consultant will use either jars and sealed Mylar bags to package the medical marijuana or marijuana products using the following steps:

- **Mylar Bags-** A polyester made in extremely thin sheets of tensile strength. These bags protect against light, moisture, and insects. This bag is used to remove oxygen.
- **Glass jars-** Our glass jars contain air sealed lids and are purchased from an accredited provider.

- Qualifying patients or consumers will choose the strain of medical marijuana or marijuana products.
- Patient Care Consultant weighs the medical marijuana using the AZDWM-certified scale if applicable
- Patient Care Consultant records the weight dispensed using Dutchie(Medical)
- Patient Care Consultant attaches label to packaging
- Patient Care Consultant receives payment for marijuana products including all state and local taxes ● Patient Care Consultant records the transaction in the AZDHS transaction system only after payment has been received (Medical)
- Patient Care consultant ensures the consumer has all products in child-resistant packaging upon exit. (Adult Use) **Packaging/Product Restrictions for Adult Use**
- A marijuana establishment may not: Package or label marijuana products in a false or misleading manner.
- A manufacturer may not sell products that resemble the form of a human, animal, insect, fruit, or cartoon.
- Sell or advertise marijuana or marijuana products with names that resemble or imitate food or drink brands marketed to children, or advertise marijuana products to children.

Records Retention

Inventory transaction history, along with all inventory at the Cultivation Site, is held securely on redundant servers and cannot be deleted, even by Admin (full privilege) users. Dutchie provides a DVD backup of any data, which could be submitted to the Department if required. In addition, administrators of the system can produce reports on an ad hoc basis to substantiate any Department request.

Cleaning and Sanitation

General Equipment Maintenance for the Facility

Each Manager will ensure their facility equipment used for production, preparation, packaging, infusion or sale of marijuana products is maintained in a clean and sanitary condition.

A routine daily cleaning will be enforced in all departments ensuring to utilize the 3 step sanitation process with all equipment and surfaces.

Equipment Upkeep

The establishment will ensure all equipment is calibrated accordingly each day before use. Equipment that is broken or malfunctioning will be returned to the corporate equipment manager for further reconciliation.

Employee Handwashing

Each establishment will have 1-2 designated handwashing sinks. Managers will ensure their employees are washing their hands and exposed portion of their arms in the designated handwashing sink during the following: ● Before prepping marijuana or marijuana products including working with equipment, food, and small utensils ● After touching a part of the body other than the hands or exposed arms

- After handling equipment with residue
- After using the toilet room

Protection of Medical Marijuana

Inventory/production managers will ensure that during the production of marijuana/marijuana products the marijuana/marijuana product will remain protected from flies, dust particles, and all other contamination. Production facilities such as cultivations and infusion kitchens will utilize airtight sealable containers. If products are found with any contamination, the product will be disposed of in accordance with the policies & procedures. The infusion kitchens will ensure all edibles awaiting packaging are securely covered and labeled with the date they began sitting.

Employee Clothing

Managers will ensure employees wear clean clothing appropriate for the task at hand. Infusion kitchens and cultivations may be required to wear facility related issued clothing, uniforms, or protective apparel. Hands are to remain covered with gloves when handling any form of production and changed at each point of production.

Reporting Health Conditions

Employees at the facility are to report any health conditions that may affect the safety or quality of any marijuana/ marijuana products that the employee may encounter.

Determination of Health Conditions

Management will be responsible for reporting health conditions that may affect the safety and or quality of the marijuana/ marijuana product, equipment or materials for processing marijuana. The facility manager will then fill out an illness policy if applicable ensuring the employee will not adversely affect the marijuana or marijuana product.

PROCEDURES & DISPENSING

PROCEDURES

For Acquiring Medical Marijuana or marijuana products from a Qualifying patient or Designated Caregiver:

Orders used to receive inventory include the actual weight received, as well as the reported weight and any variance, and map the received product to specific inventory items in Dutchie, which include strain, genetics, organic, grow medium, description, etc.

A. The name and registry identification number of the qualifying patient or designated caregiver, who provided the medical marijuana; Caregivers can be attached/linked to patient profiles in Dutchie. Unlimited supporting documents can be uploaded to a patient profile to provide "hard copy" backup of identification and state licensure (.pdf, .doc, jpg and many other formats are allowed). Orders are used to receive inventory from 3rd party vendors, patients or caregivers. Supporting documentation for these 3rd parties is captured in designated data fields and in scans of uploaded documents, such as state- issued licenses.

B. The name and registry identification number of the dispensary/facility agent receiving the medical marijuana on behalf of the dispensary or establishment.

C. Orders are used to receive inventory from 3rd party vendors, patients or caregivers. Supporting documentation for these 3rd parties is captured in designated data fields and in scans of uploaded documents, such as state-issued licenses. The user ID of the dispensary/facility agent and date/time of a purchase order check-in is captured.

D. The date of acquisition; Receipt of orders and the corresponding increase in inventory levels are all date and time stamped.

For Acquiring Medical Marijuana or Marijuana Products from Another Dispensary/Establishment and the Off-Site Cultivation Facility:

Purchase orders used to receive inventory include the actual weight received, as well as the reported weight and any variance, and map the received product to specific inventory items in Dutchie, which include strain, genetics, organic, grow medium, description, etc. Batch ID is also required when receiving inventory from a 3rd party. That batch ID will then follow the product through to its sale to the patient.

1. The name and registry identification number of the dispensary or establishment providing the medical marijuana;
    a. Purchase orders are used to receive inventory from 3rd party vendors, patients or caregivers. Supporting documentation for these 3rd parties is captured in designated Vendor data fields and in scans of uploaded documents, such as state-issued licenses.
2. The name and registry identification number of the dispensary/facility agent providing the medical marijuana.
    a. Supporting documentation for 3rd party vendors is captured in designated Vendor data fields and in scans of uploaded documents, such as state-issued licenses. The user ID of the dispensary/facility agent checking it in and date/time of a purchase order check-in is captured.
3. The name and registry identification number of the dispensary/facility agent receiving the medical marijuana on behalf of the dispensary or establishment.
    a. The user ID of the dispensary/facility agent checking it in and date/time of a purchase order check-in is captured. The user ID captures personal identification information for the dispensary/facility agent, as well as state issued license numbers and scans of identification, licenses and supporting documentation.
4. Receipt of purchase orders and the corresponding increase in inventory levels are all date and time stamped. *Suggested Supplemental Documentation:*

1) Disposal Form

2) Loss or Theft Report Form

Dispensing Marijuana Products

The dispensary shall dispense marijuana flowers that can be smoked or vaporized and may procure edibles from another dispensary or establishment that is licensed to manufactured infused goods.

Agent Responsibilities

1.Ensure to have a dispensary/facility agent badge visible at any point they are in the facility. 2.At the time of each purchase, verify an individual's status as a qualified patient, caregiver, or consumer with a valid identification card;
3.Have the individual agree not to distribute medical marijuana to non-patients, or underage consumers.
4.Have the individual agree not to use the medical marijuana for other than medical purposes; (medical)
5.Maintain patient/caregiver records on site or have them reasonably available;
6.Track when patients' and caregivers' medical marijuana recommendations and/or identification card expires;
7.Agents are accountable for use of electronic signatures when dispensing medical marijuana. The Dutchie user login that contains the AZDHS DA identifier will serve as the electronic signature.
8.Exclude patients whose identification card or physician recommendation is invalid or has expired, or who are caught diverting medical marijuana for non-medical use;
9.Refuse to transfer medical marijuana to any person or entity, even if legally qualified, if there is reason to believe such person or entity is using medical marijuana for non-medical reasons or is likely to divert such medical marijuana to persons or entities unauthorized to possess it under state law;
10. Monitor transactions and program controls to prevent a patient and/or caregiver from purchasing more than the legal amount of medical marijuana that a patient may receive in a 14-day period.
11. Provide accredited test results to consumers upon request

Electronic Verification System (AZDHS Point of Sale System)

Before a dispensary/facility agent dispenses medical marijuana to a qualifying patient or a designated caregiver, the dispensary agent shall:
1.Verify the qualifying patient's or the designated caregiver's identity;
2.Offer any appropriate patient education or support materials;
3.Enter the qualifying patient's or designated caregiver's registry identification number on the qualifying patient's or designated caregiver's registry identification card into the medical marijuana electronic verification system; 4.Verify the validity of the qualifying patient's or designated caregiver's registry Identification card; 5.Verify that the amount of medical marijuana the qualifying patient or designated caregiver is requesting would not cause the qualifying patient to exceed the limit on obtaining no more than two and one-half ounces of medical marijuana during any 14-calendar-day period; and
6.Enter the following information into the medical marijuana electronic verification system for the qualifying patient or designated caregiver:
   a.The amount of medical marijuana dispensed,
   b.Whether the medical marijuana was dispensed to the qualifying patient or to the qualifying patient's designated caregiver,
   c. The date and time the medical marijuana was dispensed,
   d.The dispensary agent's registry identification number, and
   e.The dispensary's registry identification number.

Verification System: (Recreational)

All recreational consumers will only be dispensed marijuana/marijuana product if:
1.Valid identification card is present at time of check in following the department's guidelines. 2.Consumer transactions will be conducted through Dutchie, and a printed receipt will be given to each consumer to track each purchase.
3.A consumer can only purchase up to 1 Oz, and 5 grams of concentrate within that 1 0z. A consumer will not be sold over their limit per the department.

4.A consumer can also not purchase an infused product over 100mg and must be delineated into 10mg doses

Denial of Sale: (Medical)

A sale shall be denied if the qualified patient, or caregiver demonstrates unacceptable behavior. Unacceptable behavior shall include appearing at the establishment under the influence of alcohol or drugs, failure to comply with a directive issued by a member of the staff or engaging in any other conduct not permitted on the premises.

Upon arrival, patients must show their Qualifying Patient ID and documentation and check in at Reception before entering the Sales Floor. The Patient Care Consultant must verify their ID using the AZDHS Verification System. Patients will wait in line in the line cue until the next Sales Associate is ready to assist them. Patients exit the dispensary at the same door they entered.

Denial of Sale: (Recreational)

A sale shall be denied if the qualified consumer or caregiver demonstrates unacceptable behavior. Unacceptable behavior shall include appearing at the establishment under the influence of alcohol or drugs, failure to comply with a directive issued by a member of the staff or engaging in any other conduct not permitted on the premises. Upon arrival, consumers must show their valid identification document and check in at the reception desk before continuing to the sales floor. The receptionist will verify that the consumer is at least twenty-one years of age before allowing them to make a purchase. Consumers will wait in the line cue until the next sales associate is ready to assist them. A patient consultant will ensure that the consumer is leaving with all products secured in a child-resistant bag before exit.

STEP 1: Greeting

As a consumer approaches your station at the counter, smile, make eye contact, and with great warmth and friendliness, greet them by saying something like, “Hi! Welcome to Nirvana Center! How are you doing today?” When the consumer responds, LISTEN. Be engaged. Sales Associates have one opportunity to make a first impression and this is it! Each staff member’s personal demeanor, smile, tone and level of each voice, the personal touches added to any patient interaction; all make a huge difference in the experience a patient has when they approach the counter.

STEP 2: Selection

In the “Selection” stage, associates should determine what the patient WANTS (type of medicine), NEEDS (quantity), and can AFFORD (price). Use “primer phrases” to begin the selection process. For example: “Have you been here before?” “Do you know what you’re looking for today?” “Are you looking for anything in particular today?”

STEP 3: Purchase

Once all items have been selected, do a final run-through with the patient, checking every item by name and size to assure it's what the patient wanted to purchase. The patient record in Dutchie must be updated with the selection and the AZDHS transaction record must be updated prior to payment.

The sale of marijuana products shall also be denied if the individual appears to be impaired or abusing marijuana. The dispensary/facility agent must first make an assessment based on the signs of impairment as to whether the individual is impaired;

1. As a result of substance abuse, i.e. illegal or excessive use of substances.
2. As a result of a legally prescribed use of a drug used intentionally to control pain with a side effect of impairment.
3. As a result of a medical condition not under the control of the individual.

If it is determined that the individual is sufficiently impaired for any reason so as to be considered a risk to themselves or others, the dispensary/facility agent is to refer the individual to a supervisor for a second opinion. If a denial is warranted the individual is to be gently advised that due to his condition, it has been decided that in the best interests of himself and the public they should not be provided with the marijuana product. At this point they will be asked to leave and welcomed to return when their impairment is under control. A follow-up call of concern may be warranted. If a hostile or at-risk situation is present the establishment may consider a 911 call or

notification of the appropriate law enforcement authorities. If the sale is denied for any reason, this must be recorded in Dutchie.

STEP 4: Payment

Verbally verify the total amount due. When verbally verifying the total, out of respect for patient privacy, use a voice level that does not broadcast the information to others. The orientation of every employee of the establishment will include a training session regarding our right to Involuntarily dis-enroll any patient from our list of qualifying patients for engaging in unacceptable behavior. Unacceptable behavior shall include appearing at the dispensary under the influence of alcohol or drugs, failure to comply with a directive issued by a member of the staff or engaging in any other conduct not permitted on the premises. We may also dis-enroll a patient for "disruptive

behavior." Disruptive behavior is defined as behavior that substantially impairs our ability to arrange or provide care for you or another qualifying patient member. Consumers will be further advised that Nirvana Center may decline your enrollment if you have been dis-enrolled for disruptive behavior.

Suggested Supplemental Documentation:

1) Copy of Qualified Patient Record

Patient Adverse Event and Marijuana Recall

If a patient was subjected to an adverse reaction by a patient, caregiver, or consumer, due to marijuana products sold by Nirvana Center. The Manager will ensure products are quarantined until further testing and or investigation is completed. In an event where marijuana products are concluded to be unsafe, the product will be recalled and handled in the appropriate order.

1. Run a report within the POS system to see the individuals who purchased the
product 2. Coordinate the return/retrieval of the recalled product
3. Coordinate the Remediation if applicable
4. Document recall product, disposal log, and or return log

Notice of Agent Termination

The facility will provide written notice to the Department, including the date of the event within 10 business days. Agents will be automatically notified 90 days before their card is due for renewal. All employees' card dates are checked monthly by management.

Employee Health Policy Agreement

Report Illness if possessing the following Symptoms of Illness

I agree to report to the manager when I have: 1. Diarrhea
2. Vomiting
3. Jaundice
4. Sore throat with fever
5. Infected cuts, wounds, or lesions containing pus on any exposed body part (including boils and infected wounds, however small)

Reporting: When Diagnosed with an illness

I agree to report to the manager when I have: 1. Norovirus
2. Salmonella
3. Shigella spp. Infection
4. E.coli infection
5. Hepatitis A

Note: The manager must report to the Health Department when an employee has one of these illnesses.

Report Exposure of Illness

I agree to report to the manager when I have been exposed to any of the illnesses listed above through: 1. If I possess Norovirus, typhoid fever, Shigella spp. Infection, E. Coli infection, or Hepatitis A. 2. A household member with Norovirus, typhoid fever, Shigella spp. Infection, E, Coli infection, or Hepatitis A 3. A household member attending or working in a setting with an outbreak of Norovirus, typhoid fever, Shigella spp. Infection, E. Coli infection, or hepatitis A.

Returning to Work:

If you are excluded from work for exhibiting symptoms of a sore throat with fever or for having jaundice, norovirus etc. You will not be able to return to work until the Health Department approval is granted.

Agreement:

I understand that I must:
1. Report when I have or have been exposed to the following symptoms or illnesses listed above 2. Comply with work restrictions and or exclusions that are given.
I understand that if I do not comply with this agreement, my job may be at risk.

Employee Printed Name: _____
Employee Signature:_____ Date of signature: _____

Manager Printed Name: _____
Manager Signature:_____ Date of signature: _____

NOTICE OF PUBLIC HEARING BY THE PINAL COUNTY PLANNING AND ZONING COMMISSION AT 9:00 A.M. ON THE **19th DAY OF DECEMBER, 2024**, AT THE PINAL COUNTY, EMERGENCY OPERATIONS CENTER (EOC), 85 N FLORENCE ST, FLORENCE, ARIZONA, TO CONSIDER THE APPLICATION FOR **A SPECIAL USE PERMIT** IN AN UNINCORPORATED AREA OF PINAL COUNTY, ARIZONA:

SUP-009-24 – PUBLIC HEARING/ACTION: Rand Del Cotto, Papago Properties LLC, landowner, Larry Lazarus, Lazarus & Silvyn, P.C., applicant requesting approval of a Special Use Permit to operate a marijuana dispensary on a 3.3± acre parcel in the **Commercial Zoning District (C-3)**; situated in Section 19, Township 5 South Range 3 East of the Gila and Salt River Base and Meridian, Pinal county, Arizona more particularly described as follows: Lot 93, of PAPAGO BUTTES RANCHO UNIT TWO, in Book 18 of Maps and Plats at Page 27, (legal on file) tax parcel 510-64-005 located east of N White Road, and south along W Papago Road in Maricopa, unincorporated Pinal county.

ALL PERSONS INTERESTED IN THIS MATTER MAY APPEAR AND SPEAK AT THE PUBLIC HEARING AT THE DATE, TIME AND PLACE DESIGNATED ABOVE. DOCUMENTS PERTAINING TO THIS CASE CAN BE FOUND ON THE NOTICE OF HEARING PAGE FOR THE P&Z COMMISSION AT:

DATED on the 21st day of October, 2024, Pinal County Planning & Development Dept.

https://www.pinal.gov/236/Notice-of-Hearings

TO QUALIFY FOR FURTHER NOTIFICATION IN THIS LAND USE MATTER YOU MUST FILE WITH THE PLANNING DEPARTMENT A WRITTEN STATEMENT OF SUPPORT OR OPPOSITION TO THE SUBJECT APPLICATION. YOUR STATEMENT **MUST** CONTAIN THE FOLLOWING INFORMATION:

1) Planning Case Number (see above)
2) Your name, address, telephone number, and property tax parcel number **(Print or type)**
3) A brief statement of reasons for supporting or opposing the request
4) Whether or not you wish to appear and be heard at the hearing

PROTESTS TO THE REZONING AND/OR PAD OVERLAY ZONE BY 20% OF THE PROPERTY OWNERS BY AREA AND NUMBER WITHIN 300 FEET OF THE PROPERTY PROPOSED FOR REZONING, WILL REQUIRE AN AFFIRMATIVE VOTE OF THREE-FOURTHS OF ALL MEMBERS OF THE BOARD OF SUPERVISORS FOR APPROVAL.

WRITTEN STATEMENTS MUST BE FILED WITH: PINAL COUNTY COMMUNITY DEVELOPMENT DEPARTMENT, PO BOX 749, FLORENCE, AZ 85132

Contact for this matter: Sangeeta Deokar, Senior Planner,
E-mail Address: Sangeeta.deokar@pinal.gov
Phone # (520) 866-6641

PUBLISHED ONCE:

Pinal Central Dispatch

Pinal Central Dispatch

AFFIDAVIT OF PUBLICATION

State of Pennsylvania, County of Lancaster, ss:

Rachel Cozart, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC, duly authorized agent of Pinal Central Dispatch, a newspaper published at Casa Grande, Pinal County, Arizona,Thursday of each week; that a notice, a full, true and complete printed copy of which is hereunto attached, was printed in the regular edition of said newspaper, and not in a supplement thereto, for 1 issues. The publications thereof having been on the following dates:

PUBLICATION DATES:
Nov. 21, 2024

NOTICE ID: aRQ4LKhgd5p7NZLcVO58
NOTICE NAME: SUP-009-24

(Signed) Rachel Cozart

VERIFICATION

State of Pennsylvania
County of Lancaster

Commonwealth of Pennsylvania - Notary Seal
Nicole Burkholder, Notary Public
Lancaster County
My commission expires March 30, 2027
Commission Number 1342120

Subscribed in my presence and sworn to before me on this: 11/22/2024

Nicole Burkholder

Notary Public
Notarized remotely online using communication technology via Proof.

NOTICE OF PUBLIC HEARING BY THE PINAL COUNTY PLANNING AND ZONING COMMISSION AT 9:00 A.M. ON THE 19th DAY OF DECEMBER, 2024, AT THE PINAL COUNTY, EMERGENCY OPERATIONS CENTER (EOC), 85 N FLORENCE ST, FLORENCE, ARIZONA, TO CONSIDER THE APPLICATION FOR A SPECIAL USE PERMIT IN AN UNINCORPORATED AREA OF PINAL COUNTY, ARIZONA:
SUP-009-24 - PUBLIC HEARING/ ACTION: Rand Del Cotto, Papago Properties LLC, landowner, Larry Lazarus, Lazarus & Silvyn, P.C., applicant requesting approval of a Special Use Permit to operate a marijuana dispensary on a 3.3± acre parcel in the Commercial Zoning District (C-3); situated in Section 19, Township 5 South Range 3 East of the Gila and Salt River Base and Meridian, Pinal county, Arizona more particularly described as follows: Lot 93, of PAPAGO BUTTES RANCHO UNIT TWO, in Book 18 of Maps and Plats at Page 27, (legal on file) tax parcel 510-64-005 located east of N White Road, and south along W Papago Road in Maricopa, unincorporated Pinal county.
ALL PERSONS INTERESTED IN THIS MATTER MAY APPEAR AND SPEAK AT THE PUBLIC HEARING AT THE DATE, TIME AND PLACE DESIGNATED ABOVE. DOCUMENTS PERTAINING TO THIS CASE CAN BE FOUND ON THE NOTICE OF HEARING PAGE FOR THE P&Z COMMISSION AT:
DATED on the 21st day of October, 2024, Pinal County Planning & Development Dept.
https://www.pinal.gov/236/Notice-of-Hearings
TO QUALIFY FOR FURTHER NOTIFICATION IN THIS LAND USE MATTER YOU MUST FILE WITH THE PLANNING DEPARTMENT A WRITTEN STATEMENT OF SUPPORT OR OPPOSITION TO THE SUBJECT APPLICATION. YOUR STATEMENT MUST CONTAIN THE FOLLOWING INFORMATION:
1) Planning Case Number (see above)
2) Your name, address, telephone number, and property tax parcel number (Print or type)
3) A brief statement of reasons for supporting or opposing the request
4) Whether or not you wish to appear and be heard at the hearing
PROTESTS TO THE REZONING AND/OR PAD OVERLAY ZONE BY 20% OF THE PROPERTY OWNERS BY AREA AND NUMBER WITHIN 300 FEET OF THE PROPERTY PROPOSED FOR REZONING, WILL REQUIRE AN AFFIRMATIVE VOTE OF THREE-FOURTHS OF ALL MEMBERS OF THE BOARD OF SUPERVISORS FOR APPROVAL.
WRITTEN STATEMENTS MUST BE FILED WITH: PINAL COUNTY COMMUNITY DEVELOPMENT DEPARTMENT, PO BOX 749, FLORENCE, AZ 85132

Contact for this matter: Sangeeta Deokar, Senior Planner, E-mail Address: Sangeeta.deokar@pinal.gov
Phone # (520) 866-6641
No. of publications: 1: date of publication: Nov 21, 2024

*** as directed by your staff Coordinator**

AFFIDAVIT OF Mailing of Notice of Hearing*

I, Michelle Green, Applicant for case SUP-009-24 (Case number), personally caused 59 mailer(s) to be mailed by first class post regarding the public hearing associated with case SUP-009-24 on 11/25/24 (Date), on a form prescribed by the planning division at least 28 days before the Planning and Zoning Commission Public Hearing, regarding the proposed SUP (Type of application), in unincorporated Pinal County.

The notice(s) and mailing lists were mailed as attached.

Michelle Green
Applicant

STATE OF ARIZONA)
) ss:
COUNTY OF PINAL)

Subscribed and sworn to me by Michelle Green this 5th day of December, 2024.

Mary L Keating
Notary Public
My Commission Expires:

MARY L. KEATING
Notary Public - Arizona
Maricopa County
Commission # 644307
My Commission Expires Jan. 24, 2027

Pinal County
AFFIDAVIT OF POSTING BROADCAST SIGN

I, the applicant's representative for case # PZ-022-24 & SUP-009-24, personally caused at least one sign to be posted in a visible place on or near the proposed project site at 49237 W Papago Rd, at least 28 days before the Planning and Zoning Commission Public Hearing, in Pinal County.

See attached photo exhibit.

Dynamite Signs
Sign Company Name

Meghan Liggett
Sign Company Representative

Subscribed and sworn to be on 11/25/24 by Meghan Liggett.

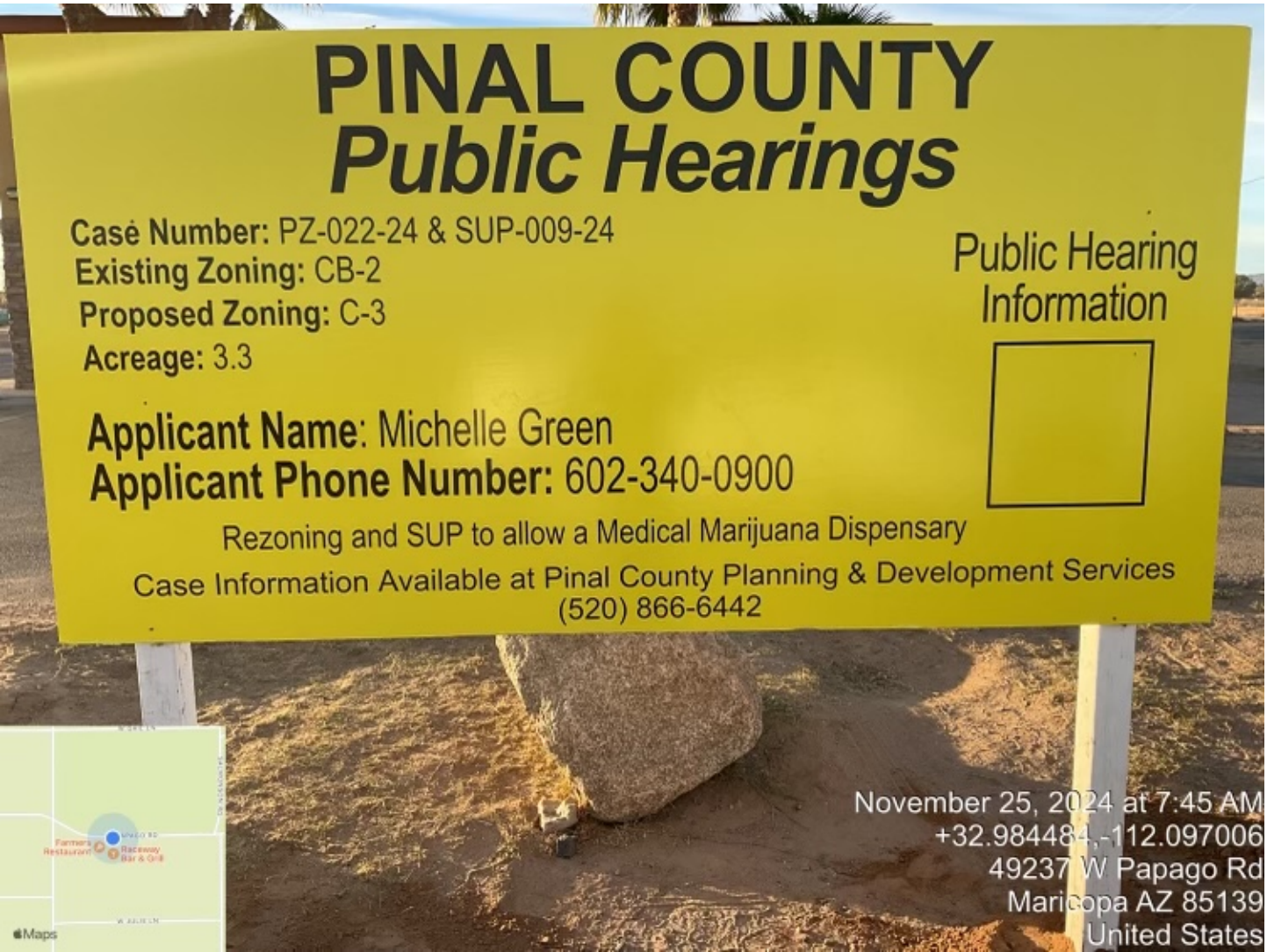
IN WITNESS WHEREOF, I Hereto set my hand and official seal.

Marybeth Conrad
Notary Public

MARYBETH CONRAD
Notary Public - Arizona
Maricopa County
Commission # 673441
My Comm. Expires Oct 25, 2028

My Commission expires: 10-25-28


PINAL COUNTY
Public Hearings
Case Number: PZ-022-24 & SUP-009-24
Existing Zoning: CB-2
Proposed Zoning: C-3
Acreage: 3.3
Public Hearing Information
Applicant Name: Michelle Green
Applicant Phone Number: 602-340-0900
Rezoning and SUP to allow a Medical Marijuana Dispensary
Case Information Available at Pinal County Planning & Development Services
(520) 866-6442
November 25, 2024 at 8:04 AM
+32.984482 -112.096621
49179 W Papago Rd
Maricopa AZ 85139
United States
Maps


PINAL COUNTY
Public Hearings
Case Number: PZ-022-24 & SUP-009-24
Existing Zoning: CB-2
Proposed Zoning: C-3
Acreage: 3.3
Public Hearing Information
Applicant Name: Michelle Green
Applicant Phone Number: 602-340-0900
Rezoning and SUP to allow a Medical Marijuana Dispensary
Case Information Available at Pinal County Planning & Development Services
(520) 866-6442
November 25, 2024 at 7:45 AM
+32.984484,-112.097006
49237 W Papago Rd
Maricopa AZ 85139
United States
Maps