

DEVELOPMENT APPLICATION STAFF REPORT

Case Number:	CUP24-01-01	Request:	Conditional Use Permit
Project Name:	Ryu's Smoke and Vape Shop		
Applicant/Owner:	Numata M. Ryuji Jr		
Project Address:	13011 W Greenway Rd, Suite 10. El Mirage, AZ 85335	Acres	N/A

Considerations	The applicant is requesting the approval of a conditional use permit to open and operate a vape and smoke shop in an existing retail suite currently unoccupied. The proposed location is located in a retail commercial property with a variety of food retailers, personal and medical, marijuana dispensaries, and a religious assembly. There is an elementary K-8 school location 631 feet from the vape and smoke shop, City zoning code does not prohibit the shop from being located near a school or religious assembly. House Bill HB2630 regulates the sales of vape and smoke merchandise and also does not regulate a distance restriction from schools and religious assemblies. If the conditional use permit is granted, the applicant shall obtain tenant improvement building permits, a certificate of occupancy, and maintain a yearly city business license.
General Plan Compliance	The El Mirage 2020 General Plan identifies the site as being in the Neighborhoods Planning Area and follows the plan.
Zoning & Land Use	The property is zoned Urban Corridor (UC) and requires a conditional use permit approval from the City to operate. The property has a designated retail commercial land use with a variety of services and retail shops.
ARS 28-8481 Land Use Compatibility	N/A
City Staff Review	City staff has reviewed the application and finds that it meets the zoning code requirements.
Stipulations:	The applicant shall consent and address the TAC Review comments mentioned in the February 29, 2024, memorandum.
Planning Commission	Recommended approval of the conditional use permit zoning application with a 3-0 unanimous vote at the March 12, 2024, public hearing.
City Council	Staff will present and seek a final action from the City Council at the April 2, 2024, public hearing.
Attachments	Zoning Application, TAC Review Comments, and P&Z Meeting Minutes.
Supportive Documents	N/A