CITY OF EL MIRAGE

PLANNING AND ZONING COMMISSION

AGENDA

Philip Bueno, Chairperson
Janie Garcia, Commissioner
Thomas Gouer, Commissioner
William Mejia, Commissioner
Brian Campbell-Sanderfield, Commissioner
Thomas George, Alternate Commissioner
Jason Mingura, Alternate Commissioner

6:00 PM - Tuesday, September 8, 2026

City Council Chambers
10000 N. El Mirage Road, El Mirage, AZ 85335

This meeting of the El Mirage Planning and Zoning Commission is open to the public. Doors open to the Council Chambers approximately 30 minutes prior to the posted public meeting time. Public access to this meeting is available online using the following links: Watch the Meeting Live or to participate in Public Hearings, or by phone dial 480-561-6082 followed by entering the Conference ID number 304 256 656#. Once you are connected, please place yourself on mute.

1. **CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

2. **ROLL CALL**

3. **ACTION ITEMS**
   Citizens desiring to speak on an agenda item may do so when called upon by the presiding officer. Comments shall be limited to three (3) minutes per person and shall be addressed to the Planning and Zoning Commission as a whole.

   1. Consideration and action to approve the minutes of the July 14, 2026, Planning and Zoning Commission Meeting.

   2. A public hearing, closure of public hearing to review and provide a recommendation to the City Council on a request for a conditional use permit for a retail, smoke/vape shop use in an urban corridor zone at 11713 W Thunderbird Road, El Mirage, AZ 85335.

   3. A public hearing, closure of public hearing to review and provide a recommendation to the El Mirage City Council on a request for a conditional use permit for a public art installation of a large mural on an existing building in a commerce park zoning at 8376 N El Mirage Rd, El Mirage, AZ 85335.

4. **STAFF REPORT -** *The Commission may not discuss or act upon any matter unless the matter is properly noticed for legal action*.

5. **COMMISSIONER COMMENTS -** *The Commission may not discuss or act upon any matter unless the matter is properly noticed for legal action.*

6. **ADJOURNMENT**

The City of El Mirage is committed to providing accessibility for all citizens to its programs, activities, and services, as required by the Americans with Disabilities Act (ADA). A sign language interpreter or alternative format materials are available with 72 hours' notice to the Senior Planner [TDD 623-933-3258]; additional reasonable accommodations will be available to the extent possible within the time of the request. For more information or to view related materials, contact Senior Planner Jose A. Macias at 10000 N. El Mirage Road, El Mirage, Arizona 85335, call 623-876-2996, or email jmacias@elmirageaz.gov.

AFFIDAVIT OF POSTING - PLANNING AND ZONING COMMISSION MEETING AGENDA

I hereby certify that this agenda was posted on September 2, 2026, at the following locations: 1) City of El Mirage exterior bulletin board at 10000 N. El Mirage Road, and 2) the City of El Mirage website at www.elmirageaz.gov.

Corey L Williams

Corey Williams, Sr. Mgt. Clerk Specialist

City of El Mirage Arizona
GRAND HERITAGE. BRIGHT FUTURE!

Request for Planning & Zoning Commission Action

AGENDA ITEM 3. 1.

SUBJECT: Consideration and action to approve the minutes of the July 14, 2026, Planning and Zoning Commission Meeting.	
MEETING DATE: 09/08/2026	**AGENDA SECTION:** Action Items
SUBMITTED BY: Corey Williams, Sr. Management City Clerk Specialist, City Clerk	**DEPARTMENT:** City Clerk

RECOMMENDATION:

I move to approve the July 14, 2026, minutes of the Planning and Zoning Commission meeting.

ATTACHMENTS

Draft Minutes July 14, 2026

D R A F T

REGULAR MEETING OF THE PLANNING & ZONING COMMISSION OF THE CITY OF EL MIRAGE
El Mirage Police Department Blue Honor Room
12401 W. Cinnabar Ave
6:00 PM - TUESDAY, July 14, 2026

Minutes

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1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE - meeting called to order at 6:00 p.m.

2. ROLL CALL

Present: Commissioner Janie Garcia; Commissioner Thomas Gouer; Commissioner William Mejia; Alternate Commissioner Thomas George; Alternate Commissioner Jason Mingura

Absent: P&Z Chairperson Philip Bueno; Commissioner Brian Campbell-Sanderfield

3. ACTION ITEMS

Citizens desiring to speak on an agenda item may do so when called upon by the presiding officer. Comments shall be limited to three (3) minutes per person and shall be addressed to the Planning and Zoning Commission as a whole.

1. Consideration and action to approve the minutes of the February 10, 2026, Planning and Zoning Commission Meeting.

Commissioner Janie Garcia moved to approve the minutes of the February 10, 2026, Planning and Zoning Commission meeting, seconded by Commissioner Gouer.
Motion passed (5/0)

2. A Public Hearing to review and provide a recommendation to the City Council on a request for a conditional use permit for a warehouse and accessory outdoor storage use in a Commerce Park zoning district on 9.42 acres of vacant land at 9105 N El Mirage Road, El Mirage, Arizona 85335.

Jose Macias, Senior Planner, presented a conditional use permit for a warehouse and accessory outdoor storage use in a Commerce Park zoning district on 9.42 acres of vacant land at 9105 N. El Mirage Road, El Mirage, Arizona 85335. The zoning is commerce park, and the site is within the Luke Air Force Base Land Use Capability overlay. The applicant is requesting a conditional permit to allow warehouse use and accessory storage. The development includes a 105,700-square-foot tilt-up warehouse building, 5,000 square feet of office space, loading docks, truck circulation areas, and a secured 3.2-acre outdoor storage yard. Parking and landscaping improvements are consistent with the Commerce Park standards. The structure is a modern tilt-up industrial building consistent with the surrounding industrial development patterns. The landscaping plan includes frontage

enhancements, perimeter screening and plants. Staff and the Technical Advisory Committee have reviewed the application and determined that it is appropriate to proceed with public hearings. The applicant shall consent to the Technical Advisory Committee's stipulations as set forth in the memorandum dated July 6, 2026. Luke Air Force Base provided comments in a letter dated April 9, 2026, with no negative impact. Two public comment inquiries have been received.

Commissioner Mejia opened the public hearing at 6:08 p.m.

Jason Morris presented on behalf of the developer of the proposed conditional use permit. The site for the proposed use is adequate, and the topography accommodates the use. All yards, spaces, walls and fences, parking, loading, and landscaping are adequate to properly relate the use to the land and to uses in the vicinity. The 9.42- acre site adequately accommodates the proposed warehouse and supporting improvements. Screening walls and landscaping buffer adjacent properties and public streets. The proposed use of streets and highways is adequate in width and pavement type to carry the traffic generated by the proposed use. Projected traffic is minimal at approximately 468 daily trips. The proposed use will have no adverse effect upon the abutting property and will be in conformance with the General Plan. The conditions of approval are deemed necessary to protect public health, safety, and general welfare. The project's benefits include: a high-quality industrial warehouse on a currently vacant infill site, meeting all CUP approval criteria and is consistent with the Commerce Park zoning district, providing efficient site design with safe circulation, adequate parking, landscaping, and screening, supporting job creation, strengthening the established industrial corridor and protects health, safety and welfare of surrounding properties through site planning and compliance with city regulations.

Vicky Ogden, a citizen, asked how many employees there would be and whether there would be enough parking. Mr. Morris stated that 97 parking spaces would be provided.

Jorge Gastellum, Development Services Director, stated that any proposed use would be reviewed by city staff to ensure compliance with parking requirements.

Commissioner Gouer asked if there were any potential occupants for the facility. Mr. Morris stated that they can work with the Economic Development Department, which has potential leads for the facility. He believes they can fill this rather quickly.

Tom Doyle, Economic Development Manager, stated there is very high demand from the GPEC for prospect activity. This is a very popular size, and we won't have any problem finding tenants for this building because we don't have anything this size in the city right now.

Commissioner Mejia closed the public hearing at 6:26 p.m.

Commissioner George moved to recommend approval to the City Council on a request for a conditional use permit for a warehouse and accessory outdoor storage use in a Commerce Park zoning district on 9.42 acres of vacant land at 9105 Mirage Road, El Mirage, Arizona 85335, seconded by Commissioner Gouer. Motion passed (4/1) NAY - Commissioner Garcia

4. STAFF REPORT - *The Commission may not discuss or act upon any matter unless the matter is properly noticed for legal action*.

Jose Macias stated that potential meetings are scheduled for this fall, and that 24 projects on the new website should be launched soon.

Thomas Doyle stated that he is currently watching 23 projects. On August 23, 2026, a job fair will be held at the Library from 9:00 a.m. to 1:00 p.m.

Jorge Gastellum will provide a link to the new Capital Improvement Projects (CIP) managed by the engineering division.

5. COMMISSIONER COMMENTS - *The Commission may not discuss or act upon any matter unless the matter is properly noticed for legal action.*

Commissioner Garcia thanked staff for providing the information.

Commissioner Gouer thanked staff for a great presentation.

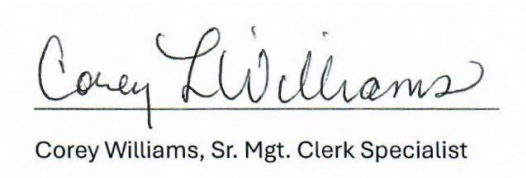
Commissioner George thanked staff for a great presentation.

Commissioner Mejia thanked staff and the residents for participating in the meeting tonight.

6. ADJOURNMENT - meeting adjourned at 6:35 p.m.

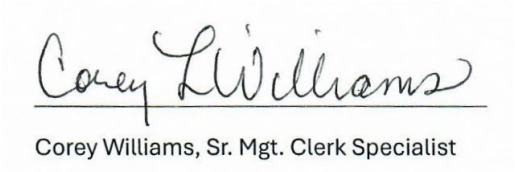
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Philip Bueno, P&Z Chair
ATTEST:



Corey Williams, Sr. Mgt. Clerk Specialist

I hereby certify the aforementioned minutes are a true and accurate record of the Regular P&Z Meeting held on Tuesday, July 14, 2026, and a quorum was present.



Corey Williams, Sr. Mgt. Clerk Specialist

City of El Mirage Arizona
GRAND HERITAGE. BRIGHT FUTURE!

Request for Planning & Zoning Commission Action

AGENDA ITEM 3. 2.

SUBJECT: A public hearing, closure of public hearing to review and provide a recommendation to the City Council on a request for a conditional use permit for a retail, smoke/vape shop use in an urban corridor zone at 11713 W Thunderbird Road, El Mirage, AZ 85335.	
MEETING DATE: 09/08/2026	**AGENDA SECTION:** Action Items
SUBMITTED BY: Jose Macias, Senior Planner, Development Services	**DEPARTMENT:** Development Services

BACKGROUND:

The applicant is requesting approval of a Conditional Use Permit (CUP) to operate a retail tobacco and smoking-accessories store located at 11713 W Thunderbird Road, El Mirage, Arizona 85335. The business will function strictly as a retail establishment, offering tobacco products, cigars, nicotine products, vapor products, smoking accessories, and related merchandise.

Describe the benefit to the organization and/or community. The applicant contributes to the community by activating an existing commercial space, supporting local economic activity, and providing a clean, professionally operated retail environment for adult customers. By complying with all state requirements for age verification, product handling, and responsible retail practices, the business promotes public health and safety while generating sales tax revenue and adding retail diversity within an established commercial corridor. Its strictly retail-only operation, with no on-site consumption, ensures compatibility with neighboring uses and maintains a low-impact presence within the commercial center.

Describe how this item aligns with an operational need, city priority, or strategic goal. The proposed retail use supports key City of El Mirage priorities by strengthening an existing commercial corridor, activating an underutilized tenant space, and contributing to a safe and well-regulated business environment. By operating within an established commercial center and adhering to all state requirements for responsible sales of tobacco and nicotine products, the project upholds city goals related to public safety, economic development, and compatible land use. Its strictly retail-only model minimizes neighborhood impacts, maintains the character of the surrounding commercial area, and advances strategic objectives to enhance local commerce, promote responsible business operations, and support continued investment within the community.

Describe the timing considerations for approval of this item. The timing considerations for approval of this item are tied to ensuring the business can

begin operations within an existing commercial tenant space without delay, while also maintaining full compliance with applicable state regulations governing tobacco and nicotine product sales. Prompt action also aligns with the city's interest in supporting economic activity and ensuring that new businesses operating within the community do so under a complete and compliant regulatory framework.

Describe any anticipated impact this item might have on residents, businesses, or operations. The anticipated impact of this item on residents, businesses, or city operations is expected to be minimal. Habibi Smokers will occupy an existing commercial tenant space and operate solely as a retail establishment with no on-site consumption or lounge activities. It maintains compatibility with surrounding uses and does not introduce noise, traffic, or public nuisance concerns. Nearby businesses may benefit from increased foot traffic within the commercial center, while residents experience no change in neighborhood character due to the store's low-impact retail nature. The business's adherence to state-mandated age-verification, signage, and product-handling regulations ensures continued protection of public health and supports consistent, compliant operations within the community.

Provide statutory requirements, City Code provisions, or other legal mandates, if applicable. The City of El Mirage requires that certain uses—such as tobacco and smoke-shop retail operations—obtain a Conditional Use Permit to ensure compatibility with surrounding land uses and compliance with zoning standards, making CUP approval a necessary step before the business may operate at the proposed location. State law requires retailers to adhere to Arizona's tobacco and nicotine regulations, including prohibiting sales to individuals under 21, enforcing age verification for anyone who appears to be under 30, posting required signage, restricting customer access to products, and selling all items in the original manufacturer's packaging. Retailers must also register each location annually with the Arizona Department of Revenue beginning in 2024 and operate within the statewide regulatory framework that preempts additional local restrictions.

RECOMMENDATION:

A recommendation to the City Council, approval or denial of the conditional use permit for a retail, smoke/vape shop use in an urban corridor zone at 11713 W. Thunderbird Road, El Mirage, AZ 85335.

PROPOSED MOTION:

I move to recommend approval or denial of the conditional use permit for a retail smoke/vape shop use in an urban corridor zone at 11713 W. Thunderbird Road, as presented.

ATTACHMENTS

Staff Report

Project Narrative

TAC Comments

Site Plan

Planning and Zoning Division

Development Services Department

10000 N. El Mirage Road, El Mirage, AZ 85335

623-972-8116; TDD 623-933-3258

www.elmirageaz.gov

STAFF REPORT

Meeting Date: September 8, 2026

ACTION **Zoning Case: CUP260002**

Request to Consider

Consideration and recommendation to the El Mirage City Council on a Conditional Use Permit for a retail vape and smoke shop in an urban corridor zone on a property at 11713 W Thunderbird Rd, El Mirage, Arizona 85335.

Goal/Purpose of Request

The applicant requests approval of a Conditional Use Permit (CUP), as required by zoning code section §154.052, to open and operate a vape and smoke retail shop in an existing 4,413-square-foot building in the urban corridor zoning at the location listed below.

Location

Site Plan indicated by the red parcel outline.
11713 W Thunderbird Rd, El Mirage, AZ 85335



Owner	Applicant
EL-SHIFA INVESTMENT LLC 25907 N 50th Ave Phoenix, AZ 85083	Mustafa Abushanbb 25907 N 50th Ave Phoenix, AZ 85083 habibismokersaz@gmail.com 602-570-9006

Background

Habibi Smokers is requesting approval of a Conditional Use Permit (CUP) to operate a retail tobacco and smoking-accessories store located at 11713 W Thunderbird Road, El Mirage, Arizona 85335. The business will function strictly as a retail establishment, offering tobacco products, cigars, nicotine products, vapor products, smoking accessories, and related merchandise. No on-site consumption, smoking lounge, or entertainment activities are proposed.

The store will operate within an existing commercial tenant space with no major exterior modifications planned. Proposed hours of operation are 10:00 a.m. to 9:00 p.m., seven days a week. Habibi Smokers states that it will maintain a clean, professional, code-compliant, and adult-only retail environment, adhering to all applicable federal, state, and local regulations, including age-verification requirements and tobacco-sales laws. The use is expected to be compatible with the existing commercial center and to generate minimal impact on surrounding businesses and properties.

The regulatory environment for tobacco, alternative nicotine products, and vapor product sales in Arizona has recently been strengthened through HB2630, which establishes uniform statewide standards for retailers. The legislation raises the minimum legal age for purchasing or possessing these products to 21 and imposes strict penalties for violations, including mandatory fines beginning at $1,000 for retailers who sell or furnish products to underage individuals. Retailers are required to verify identification for any customer who appears under 30 and must conduct sales through vendor-assisted methods that prevent direct customer access to tobacco or vapor products. HB2630 also mandates that retailers display state-required signage, sell all products in original manufacturer packaging, and maintain compliance with state registration requirements for each retail location. These provisions ensure consistent regulation across Arizona by preempting conflicting local ordinances and reinforcing statewide public-health standards. Habibi Smokers acknowledges and adheres to these comprehensive requirements, supporting its commitment to operating a compliant, responsible, and professionally managed retail tobacco establishment.

The proposed use is appropriately located within an established commercial center and maintains adequate separation from sensitive land uses such as schools, churches, parks, and residential neighborhoods. The site is situated in a built commercial corridor along Thunderbird Road, ensuring compatibility with surrounding uses and compliance with all applicable City of El Mirage zoning and land-use standards.

General Plan Compliance
The 2020 General Plan Land Use Map identifies the site as part of the Thunderbird Core Park Planning Area and notes that it is compatible with the plan.

Zoning, Land Use & Overlays
The site is zoned Urban Corridor (UC), and the proposed vape/smoke shop requires a conditional use permit approval. The site is located within the Thunderbird Road Overlay District but is not subject to its regulations because it is an existing building prior to the overlay's adoption.

ARS 28-8481 Land Use Compatibility
The site is located outside the Noise Contour Zone of Luke Air Force Base (LAFB) and within the Military Airport Territory Area. As a result, the project is not subject to ARS 28-8481 land use compatibility regulations. Therefore, no review from the base is required for this zoning application. Consequently, the proposed development will experience approximately 170 direct flights overhead each day.

City Staff Review
Staff reviewed the application and determined it is ready for the public hearing.

Stipulations
The applicant shall consent to the Technical Advisory Committee's stipulations as set forth in the memorandum dated August 7, 2026.

Planning Commission
Staff is seeking a review of the zoning application and a recommendation to the El Mirage City Council.

City Council
Staff will present and request a final action from the City Council during the public hearing on October 6, 2026.

Public Comments
No public comments have been received.

Conclusion
If the application is approved, the applicant may submit the final site plan and tenant improvement construction documents for staff review and approval.

Attachments
Zoning Application, TAC Review Comments, and Presentation.

Project Narrative

Conditional Use Permit Application
Project Name: Habibi Smokers

Project Location:
11713 W Thunderbird Road
El Mirage, AZ 85335

Project Description

Habibi Smokers is requesting approval for a Conditional Use Permit to operate a retail tobacco and smoking accessories store at 11713 W Thunderbird Road, El Mirage, Arizona 85335.

The proposed business will operate as a retail establishment offering tobacco products, cigars, nicotine products, smoking accessories, and related retail merchandise. The business is intended for retail sales only. No on-site consumption, smoking lounge, or entertainment activities are proposed.

The business will occupy an existing commercial tenant space within an established commercial center. No significant exterior modifications to the building or site are proposed as part of this project.

Hours of Operation

The proposed hours of operation are:

- Monday through Sunday: 10:00 a.m. to 9:00 p.m.

Operations

Habibi Smokers is designed to provide a clean, professional, and well-maintained retail environment for adult customers. The business will comply with all applicable federal, state, and local laws governing the sale of tobacco and nicotine products, including age-verification requirements.

The proposed use is compatible with the surrounding commercial development and is expected to have minimal impact on neighboring businesses and surrounding properties. Existing parking, drive aisles, and access points are adequate to accommodate customer traffic generated by the business.

Habibi Smokers is committed to maintaining the property in a safe, attractive, and code-compliant manner and will operate in accordance with all applicable City of El Mirage regulations and any conditions of approval established through the Conditional Use Permit process.

Planning and Zoning
Development Services
10000 N. El Mirage Road, El Mirage, AZ 85335
623-972-8116; TDD 623-933-3258
www.elmirageaz.gov

MEMORANDUM

TO: Mustafa Abushanab

FROM: Jose A Macias, Senior Planner

SUBJECT: Conditional Use Permit: CUP260002 Habibi Smokers

DATE: August 7, 2026

Mr. Abushanab,

Please see the El Mirage Technical Advisory Committee (TAC) review comments regarding the Conditional Use Permit Zoning Application for a smoke and vape shop use in an urban corridor zoning at 11713 W Thunderbird Rd, El Mirage, Arizona 85335.

BUILDING & SAFETY – Brigham Bennett, Building Official

1. Provide additional information on accessible parking as well as parking in general.

ECONOMIC DEVELOPMENT – Tom Doyle, Economic Development Manager

2. No comments.

ENGINEERING – Bryce Christo, Asst. City Engineer

3. See the attached memorandum.

FIRE DEPARTMENT – Jason Napier, Fire Marshall

4. No comments.

PLANNING & ZONING – Jose A. Macias, Senior Planner

5. See the attached memorandum.

POLICE DEPARTMENT – Chris Culp, Police Sergeant

6. No comments.

PUBLIC WORKS – Scott Ketchmark, Utilities Superintendent

7. No comments.

PARKS & RECREATION – Sean VonRoenn, Parks & Recreation Director

8. No comments.

If you have any questions about these comments, please feel free to contact my office for a follow-up call or meeting at (623) 876-2996 or jmacias@elmirageaz.gov.

Engineering
Development Services
10000 N. El Mirage Road, El Mirage, AZ 85335
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MEMORANDUM

TO: Jose Macias, Planner/GIS

FROM: Bryce Christo, P.E., Assistant City Engineer

SUBJECT: Habibi Smokers – Condition Use Permit Review - Revised

DATE: 08-31-26

Below are the Engineering Department's comments for the above referenced submittal provided in July 2026.

Narrative

1. None

Site Plan

1. Per Table P of City Code Section 154.104(G), a smoke shop requires 1 space per 300 sf of gross floor area which is 14 spaces (4,200 sf / 300). There appears to be 6 or 7 existing parking spaces at the site. Show all of the existing parcels and proposed parking spaces and drive aisles on the Site Plan with dimensions per City Detail EM-157. Parking spaces shall be striped with a minimum of 4-inch painted lines.
2. Fourteen parking spaces requires one van accessible ADA parking space (8 foot wide parking space with an 8 foot wide aisle or an 11 foot parking space with 5 foot wide aisle) and shall be signed and striped accordingly.
3. ~~Per City Code Section 155.057, all overhead utility lines, 13kV and under, along the west and north property lines and onsite, shall be placed underground. This includes all electrical, communication, cable, etc. facilities. This may require the undergrounding beyond the site boundary to the next convenient power pole or junction element. Relief from these requirements may be considered per City Code Section 152.030.~~
4. A trash enclosure shall be proposed on site per City Detail EM-113.
5. If the site cannot meet any City requirements noted above, a Design Exception may be requested. Each request requires its own form. Approvals of the requests are not guaranteed.

Deed

6. No comments.

The above comments are meant to be general in nature and are not considered to be all inclusive. Additional comments will arise during the formal permit submittal.

Planning and Zoning
Development Services
10000 N. El Mirage Road, El Mirage, AZ 85335
623-972-8116; TDD 623-933-3258
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MEMORANDUM

TO: Mustafa Abushanab

FROM: Jose A Macias, Senior Planner

SUBJECT: Conditional Use Permit: CUP260002 Habibi Smokers

DATE: August 7, 2026

Mr. Abushanab,

Please review the comments from the Planning and Zoning Division regarding the Conditional Use Permit Application submission for a smoke and vape shop use in an urban corridor zoning at 11713 W Thunderbird Rd, El Mirage, Arizona 85335.

APPLICATION FORM

- Property Owner: El-Shifa Investment LLC
- APN: 501-35-051
- Property Address: 11713 W Thunderbird Rd, El Mirage, AZ 85335

ZONING

- El Mirage 2020 General Plan: Thunderbird Core Planning Area
- Zoning: UC Urban Corridor
- Overlay District: Military Airport Territory Vicinity.
- Current Land Use: Vacant Building
- Flood Area: Not Applicable
- Proposed Land Use: Smoke & Vape Shop Retail
- Zoning Application Acton: Conditional Use permit / Site Plan Approval

CONDITIONAL USE PERMIT STIPULATIONS

The Commission and Council shall, in addition to any other conditions, impose the following general conditions upon every conditional use permit granted.

1. The applicant must sign a written acceptance of these conditions prior to the CUP being issued, per §154.157(E)(2)(f)(iv).
2. The right to a use and occupancy permit shall be contingent upon the fulfillment of all general and special conditions imposed by the conditional use permit procedure.
3. All of the special conditions shall constitute restrictions running with the land and shall be binding upon the owner of the land, his or her successors or assigns.
4. All conditions specifically stated under any conditional use listed in this chapter shall apply and be adhered to by the owner of the land, his or her successors or assigns.
5. The applicant shall comply with all state tobacco and vapor product regulations, including age verification, product security, and restricted access requirements.

6. The business shall operate solely as a retail establishment. No on-site consumption, smoking lounge activities, or entertainment uses shall occur.
7. No noise, vibration, odor, or emissions detectable beyond the tenant space shall be produced by the business
8. Operations will be limited to 10:00 a.m. to 9:00 p.m. daily, as proposed by the applicant.
9. Any signage shall comply with the City of El Mirage Sign Code, and no temporary or off-site signs shall be installed without proper permits
10. No exterior building modifications shall occur unless reviewed and approved through the City's building or zoning processes
11. The tenant shall ensure all waste is properly managed and no litter accumulates outside the store
12. It's recommended that a security camera system be maintained to monitor the interior public areas of the store.
13. The applicant acknowledges the City's authority under §154.157 to impose periodic review conditions; however, due to the low-impact nature of the proposed retail use, the applicant respectfully requests approval without recurring inspection or review requirements.
14. If the conditional use permit has been granted, the permit shall be issued upon the signature of the Senior Planner / Zoning Administrator, and any conditions, automatic termination date, or period of review, shall be stated on the permit.
15. The applicant shall obtain a Certificate of Occupancy and maintain the annual City Business License.
16. All of the special conditions shall be consented to in writing by the applicant.

If you have any questions about these comments, please feel free to contact my office for a follow-up call or meeting at (623) 876-2996 or jmacias@elmirageaz.gov.

Conceptual Comprehensive Site Plan

Project: Habibi Smokers
Address: 11713 W Thunderbird Rd, El Mirage, AZ 85335
Use: Retail tobacco and smoking accessories store occupying the entire existing building. No exterior expansion or site modifications are proposed. Existing parking and driveway access will remain.



City of El Mirage Arizona
GRAND HERITAGE. BRIGHT FUTURE!

Request for Planning & Zoning Commission Action

AGENDA ITEM 3. 3.

SUBJECT: A public hearing, closure of public hearing to review and provide a recommendation to the El Mirage City Council on a request for a conditional use permit for a public art installation of a large mural on an existing building in a commerce park zoning at 8376 N El Mirage Rd, El Mirage, AZ 85335.	
MEETING DATE: 09/08/2026	**AGENDA SECTION:** Action Items
SUBMITTED BY: Jose Macias, Senior Planner, Development Services	**DEPARTMENT:** Development Services

BACKGROUND:

The applicant is requesting approval of Conditional Use Permit CUP260004 for the Sonoran Bloom exterior mural project at the Arizona Cannabis Society property in El Mirage, consisting of three coordinated murals on the east-facing wall (18 feet by 50 feet), the entrance pillar (12 feet high, 3-foot diameter), and the south-facing wall (7 feet by 50 feet), all designed around existing architectural features following permit issuance.

Describe the benefit to the organization and/or community. The Sonoran Bloom mural project provides meaningful benefits to both the organization and the surrounding community. By incorporating large-scale artwork inspired by native Arizona flowers and wildlife, the murals enhance the property's visual character and create a more welcoming, aesthetically pleasing environment for visitors and residents. The coordinated designs across multiple building surfaces contribute to overall site beautification and reinforce a positive public-facing identity for the organization, strengthening its connection to the local desert environment. Additionally, the project supports local artistry and promotes cultural enrichment in the City of El Mirage, offering the community a vibrant, unified piece of public art that complements the area's architecture and enhances the city's visual landscape.

Describe how this item aligns with an operational need, city priority, or strategic goal. The Sonoran Bloom mural project aligns with operational needs and city priorities by enhancing the property's visual character, supporting ongoing beautification efforts, and contributing positively to the public-facing environment of El Mirage. The project complements existing architecture and respects all required structural features, reinforcing the city's emphasis on high-quality design and attractive community spaces. Additionally, the project supports the broader objectives of the City of El Mirage General Plan by promoting aesthetic improvements, strengthening community identity, and enhancing the cultural and visual landscape in a manner consistent with long-term community development

goals.

Describe the timing considerations for approval of this item. Timely approval of this item is important because the Sonoran Bloom mural installation is scheduled to occur between October 13 and 26, 2026, and work can only begin after the final design has been approved and the required mural permit has been issued by the City of El Mirage. Ensuring approval in advance of this window allows adequate time to schedule equipment, coordinate materials, and confirm all safety and operational planning required for the installation.

Describe any anticipated impact this item might have on residents, businesses, or operations. The Sonoran Bloom mural project is expected to have a positive impact on nearby residents, local businesses, and general site operations by enhancing the aesthetic character of the property and contributing to overall community beautification. The murals are designed to complement existing architecture. Overall, the project is anticipated to improve the visual environment and support a more welcoming atmosphere without creating adverse operational impacts.

Provide statutory requirements, City Code provisions, or other legal mandates, if applicable. Murals are subject to the City of El Mirage's permitting procedures, including the requirement that the mural cannot be installed until the final design is approved and the City issues the required mural permit. The project's design intentionally complies with operational constraints often found in municipal codes—specifically, not covering windows, lighting, signage, or other required architectural or safety features—which aligns with standard zoning and building code requirements for maintaining visibility, access, and functionality of essential structures.

RECOMMENDATION:

I move to recommend that the El Mirage City Council approve or deny the conditional use permit for a public art installation of a large mural on an existing building in a commerce park zone at 8376 N. El Mirage Rd.

PROPOSED MOTION:

I move to recommend approval or denial of the conditional use permit for a public art installation of a large mural on an existing building in a commerce park zone at 8376 N El Mirage Rd, as presented.

ATTACHMENTS

Staff Report

TAC Review Comments

Zoning Application

Planning and Zoning Division

Development Services Department

10000 N. El Mirage Road, El Mirage, AZ 85335

623-972-8116; TDD 623-933-3258

www.elmirageaz.gov

STAFF REPORT

Meeting Date: September 8, 2026

ACTION **Zoning Case: CUP260004**

Request to Consider

Consideration and recommendation to the El Mirage City Council on a Conditional Use Permit for a public art installation of a large mural on an existing building in an urban commerce park zone on a property at 8376 N El Mirage Rd, El Mirage, Arizona 85335.

Goal/Purpose of Request

The applicant requests approval of a Conditional Use Permit (CUP), as required by zoning code section §154.125.H, to install public art in the form of a large mural on multiple walls of an existing building.

Location

Site Plan indicated by the red parcel outline.
8376 N El Mirage Rd, El Mirage, AZ 85335



Owner

WERNER SCHLECHT PROPERTIES LLC
2224 E Canyon Pl
Chandler, AZ 85240

Applicant

Leah Stughan
1 W Campbell Avenue, APT 2066

Phoenix, AZ 85013
leahstugan@gmail.com
480-570-6775

Background

The Arizona Cannabis Society is proposing the installation of a multi-surface exterior mural titled "Sonoran Bloom" at its El Mirage location. The project consists of three coordinated mural components: an 18-by-50-foot primary mural on the east-facing (street-facing) wall, a fully wrapped cylindrical entrance pillar mural measuring approximately 12 feet in height and 3 feet in diameter, and a 7-by-50-foot mural on the south-facing wall. The mural compositions are designed specifically for the site's architectural features and are intended to enhance the visual character of the property while celebrating native Arizona plant and wildlife themes.

Under the City of El Mirage Zoning Code, public art murals are regulated as exempt from the standard sign regulations but require approval through the Conditional Use Permit (CUP) process. Specifically, §154.127(H) defines murals as *"works of graphic art hand-painted or applied to building walls, which contain no advertising, commercial messages, or logos; and/or that are not displayed in conjunction with a commercial enterprise which may obtain commercial gain from the display"*. Murals meeting this definition must be reviewed and approved through hearings before both the Planning and Zoning Commission and the City Council.

The proposed Sonoran Bloom mural complies with this definition by presenting non-commercial artwork that does not display logos, branding, or advertising elements. The mural design respects existing architectural features and will not cover windows, lighting fixtures, or required building components. Installation will occur following final design approval and issuance of the required permits by the City of El Mirage.

Approval of this CUP would allow the property owner to implement a site-specific public art installation consistent with the intent of the City's sign and aesthetic standards, align with §154.125's community goals of enhancing the appearance of the streetscape, and contribute positively to local character and beautification efforts

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General Plan Compliance
The 2020 General Plan Land Use Map identifies the site as part of the Commerce / Industry Park Planning Area and notes that it is compatible with the plan.

Zoning, Land Use & Overlays
The site is zoned Commerce Park (CP), and the proposed public art mural requires a conditional use permit approval. The site is also located within the Noise Contour Zone of Luke Air Force Base (LAFB) and the Military Airport Territory Area.

ARS 28-8481 Land Use Compatibility
The site is located within the Noise Contour Zone of Luke Air Force Base (LAFB) and the Military Airport Territory Area. As a result, the proposed project will experience approximately 170 direct flights overhead each day. Due to the nature of the applicant's plan to install a mural as public art on an existing building, rather than creating a new use, the zoning application is not subject to review by the base.

City Staff Review
Staff reviewed the application and determined that it is ready for the public hearing.

Stipulations
The applicant shall consent to the Technical Advisory Committee's stipulations as set forth in the memorandum dated August 26, 2026.

Planning Commission
Staff is seeking a review of the zoning application and a recommendation for the El Mirage City Council.

City Council
At the October 6, 2026, public hearing, staff will present and request a final action from the City Council.

Public Comments
Staff received one call from the public inquiring about the application and artwork. No comment in favor or opposition.

Conclusion
If the application is approved, the applicant may proceed with installing the public art mural.

Attachments
Zoning Application, and TAC Review Comments

Planning and Zoning
Development Services
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MEMORANDUM

TO: Leah Stugan

FROM: Jose A Macias, Senior Planner

SUBJECT: Conditional Use Permit: CUP260004 Sonoran Bloom

DATE: August 26, 2026

Mrs. Stugan,

Please see the El Mirage Technical Advisory Committee (TAC) review comments regarding the Conditional Use Permit Zoning Application for a public art mural in the Commerce Park zoning at 8376 N El Mirage Rd, El Mirage, Arizona 85335.

BUILDING & SAFETY – Brigham Bennett, Building Official

1. No comment.

ECONOMIC DEVELOPMENT – Tom Doyle, Economic Development Manager

2. No comment.

ENGINEERING – Bryce Christo, Asst. City Engineer

3. No comment.

FIRE DEPARTMENT – Jason Napier, Fire Marshall

4. No comment.

PLANNING & ZONING – Jose A. Macias, Senior Planner

5. The mural shall remain a noncommercial public art installation consistent with §154.127(H). The artwork shall contain no advertising, logos, branding, or commercial messaging, and shall not be displayed in conjunction with any commercial enterprise in a manner that generates commercial gain
6. The mural must substantially conform to the final design approved by the Planning & Zoning Commission and City Council. Any modification, enlargement, or extension of the artwork will require review and approval consistent with §154.157 and §154.156.
7. The mural is permitted only on the architectural surfaces described in the project narrative:
    a. East-facing wall (approx. 18 ft × 50 ft)
    b. Cylindrical pillar (approx. 12 ft × 3 ft diameter)
    c. South-facing wall (approx. 7 ft × 50 ft)

8. The property owner shall maintain the mural in good condition, free of peeling paint, deterioration, or safety hazards, per the city's general maintenance standards (§154.130(E)). Any required repairs must be completed within the timeframes specified by the Zoning Administrator.
9. Murals approved as public art shall not include illumination, flashing elements, projections, moving parts, or other features prohibited for signs (§154.128), nor shall any lighting be used to convert the mural into an advertisement.
10. All special conditions of approval run with the land and remain binding on the property owner and successors, per CUP rules (§154.157(E)(ii)).
11. All conditions imposed are deemed necessary to ensure the mural does not adversely affect abutting properties, aligns with the General Plan, and meets public health, safety, and welfare standards described in §154.157(E).

POLICE DEPARTMENT – Chris Culp, Police Sergeant

12. No comment.

PUBLIC WORKS – Scott Ketchmark, Utilities Superintendent

13. No comment.

PARKS & RECREATION – Sean VonRoenn, Parks & Recreation Director

14. No comment.

If you have any questions about these comments, please feel free to contact my office for a follow-up call or meeting at (623) 876-2996 or jmacias@elmirageaz.gov.

SONORAN BLOOM

Project Narrative | City of El Mirage, Arizona

Sonoran Bloom is a proposed exterior mural project designed for the Arizona Cannabis Society property in El Mirage, Arizona. The mural will feature a cohesive botanical composition inspired by native Arizona flowers and wildlife and will be incorporated across three exterior architectural surfaces of the property.

The **street-facing (east-facing) wall** will feature the primary mural and measures approximately **18 feet high by 50 feet wide**. A second mural will wrap around the **cylindrical pillar structure located in front of the building entrance**, measuring approximately **12 feet high by 3 feet in diameter**. The **south-facing side wall** will feature an additional mural composition measuring approximately **7 feet high by 50 feet wide**. Together, the three mural areas will create a cohesive visual experience that complements the existing architecture and color palette of the building.

The artwork will feature large-scale illustrations inspired by native desert plant life, including California poppies, desert chicory, fairy dusters, Parry's penstemon, chuparosa, and Coulter's lupine, along with native wildlife. The compositions have been designed specifically for the dimensions and architectural features of each surface.

Installation will begin only after the final design has been approved and the required mural permit has been issued by the **City of El Mirage**. The anticipated installation period is approximately **October 13-26, 2026**.

The artist will provide the materials necessary to complete the mural, including exterior latex paints, brushes, and miscellaneous painting supplies. The artist will also coordinate the rental and use of a scissor lift for areas requiring elevated access and will follow applicable safety and operating procedures while using the equipment.

Upon completion, *Sonoran Bloom* will create a unified, public-facing artwork that celebrates the surrounding desert environment while contributing to the visual character and beautification of the property and the City of El Mirage.

SONORAN BLOOM

Mural Design & Structure Descriptions | City of El Mirage, Arizona

East-Facing Wall Mural

The primary mural on the east-facing, street-facing wall will measure approximately **18 feet high by 50 feet wide**. The design will extend to the right end of the wall and continue toward the left, stopping near the building entrance. The composition is designed to complement the scale and architecture of the facade while creating the main visual focal point of the Sonoran Bloom mural project.

Entrance Pillar Mural

The entrance pillar is approximately **12 feet high and 3 feet in diameter**. Although the submitted mockup is shown as a flat rendering for design-review purposes, the completed mural will wrap around the entire cylindrical pillar. The artwork will cover the full paintable extent of the pillar from top to bottom, creating a continuous 360-degree mural composition.

South-Facing Wall Mural

The south-facing wall mural will measure approximately **7 feet high by 50 feet in length**. The submitted design is presented on a transparent background so the artwork can be accurately transferred and positioned on the existing wall. The mural will begin at the right-side end of the wall and extend toward the left, ending approximately halfway along the overall length of the building's south-facing wall.

Existing Architectural Features

The mural designs are intended to work around all existing and required architectural features. The completed artwork will **not cover windows, light fixtures, existing signage, or other required structures or wall-mounted elements**. Any apparent coverage shown within the submitted mockups is for the purpose of demonstrating the overall design and composition only. During final layout and installation, the artwork will be adjusted around these existing features while maintaining the approved mural design.


PILLAR MURAL
12FT HIGH
X 3FT WIDE
(DIAMETER)
STREET FACING (EAST FACING) WALL MURAL
18FT HIGH X 50FT WIDE
8376
Arizona
CANNABIS SOCIETY
100
OPEN


SIDE WALL (SOUTH FACING WALL) MURAL
APPROXIMATELY 7FT HIGH X 50FT WIDE


2
Arizona
CANNABIS SOCIETY
8376
A7E5
A7E5
A7C5
A7C5
A7C5



