

MINUTES

1. CALL TO ORDER

Chairperson Kelley called the meeting to order at 8:15 AM.

NOTICE OF OPTION TO RECESS INTO EXECUTIVE SESSION

Pursuant to A.R.S. §38-431.02, notice is hereby given to the members of the Board of Adjustment and to the general public that, at this work session, the Board may vote to go into executive session, which will not be open to the public, for legal advice and discussion with the City's attorneys for legal advice on any item listed on the following agenda, pursuant to A.R.S. §38-431.03(A)(3).

2. ROLL CALL

NOTE: One or more Councilmembers may be in attendance telephonically or by other technological means.

PRESENT:

DEVIN KELLY, CHAIR

JED WESTOVER, VICE CHAIR

BOB HARRIS, *P & Z Representative* (virtually)

DEBRA LEWIS

DIANE LORDEN

ABSENT:

ART BABBOTT

JAMES MALONEY

3. APPROVAL OF PRIOR MEETING MINUTES

A. Approval of August 7, 2024 and April 3, 2024 Meeting Minutes Approve Minutes

Moved by Jed Westover, **seconded by** Diane Lorden to approve the meeting minutes of August 7, 2024 and April 3, 2024.

Vote: 5 - 0 - Unanimously

4. PUBLIC COMMENT

At this time, any member of the public may address the Board on any subject within their jurisdiction that is not scheduled before the Board on that day. Due to Open Meeting Laws, the Board cannot discuss or act on items presented during this portion of the agenda. To address the Board on an item that is on the agenda, please wait for the Chair to call for Public Comment at the time the item is heard.

None

5. PUBLIC HEARING

A. PZ-24-00074: An appeal of a Zoning Code Interpretation on Marijuana Establishment Separation Requirements.

Staff recommends that the Board of Adjustment uphold the subject interpretation.

Tiffany Antol, Zoning Code Manager, presented to the Board of Adjustment. Tiffany's presentation reviewed the zoning code interpretation on Marijuana Establishment Separation Requirements.

Attorney Heather Dukes presented on behalf of the Appellant, FLG Industries, LLC, an Arizona limited liability company dba Woodlands Village Day Care.

Attorney Jesse Callahan presented on behalf of the Nirvana Dispensary.

Cameron Artigue spoke in support of the appeal and represented the following people;

- Kayal Reveles
- Michae OBrian
- Kristi Borling
- Kat Spillman
- Paul Stanek
- Kathleen Vittera
- Michael Ischinger
- Elizabeth Aboud
- Ryan Hermansky
- Ryan Hebert

Ry Auruis also spoke in support of the appeal referencing traffic concerns.

Moved by Diane Lorden, **seconded by** Jed Westover to deny the appeal and to uphold the subject interpretation,

Vote: 4 - 1

NAY: Debra Lewis

6. INFORMATIONAL ITEMS TO/FROM BOARD MEMBERS AND STAFF, FUTURE AGENDA ITEM REQUESTS

7. ADJOURNMENT

The meeting of the Board of Adjustment adjourned at 9:45 AM.

CHAIRPERSON