




# CITIZEN PARTICIPATION FINAL REPORT

COMPLETION OF THE FOLLOWING IS NECESSARY FOR FINAL REPORT APPROVAL

<b>SUMMARY / FINAL REPORT</b>			
Total individuals notified:	43	Total Participants:	1
<b>CONCERNS, ISSUES, PROBLEMS EXPRESSED</b>			
None			
<b>HOW CONCERNS WILL BE ADDRESSED?</b>			
To be determined if issues received.			
<b>CONCERNS APPLICANT IS UNWILLING TO ADDRESS</b>			
None.			
<b>HOW THE PROPOSAL HAS BEEN REVISED TO ADDRESS CONCERNS</b>			
No.			
<b>APPLICANT SIGNATURE AND DATE</b>			
September 9, 2021		 _____	
Sean Amirian for Black Rock Venture, LLC			

**REQUIRED ATTACHMENTS:**

- NOTIFICATION AREA MAP already submitted
- NOTIFICATION LETTER AND SITE PLAN already submitted
- ANY OTHER NOTICES, MEETING INVITATIONS, SIGN-IN SHEETS (NONE). N/A
- LIST OF PROPERTY OWNERS WITHIN NOTIFICATION AREA already submitted
- "INTERESTED PARTIES" LIST PROVIDED BY PLANNING already submitted



**NEIGHBORHOOD NOTIFICATION LETTER**

**AFFIDAVIT OF MAILING**

Case No. (if available) Ver 21-07  
MM 21-01

Project Name: Cultivation and Infusion  
Facility 5524 N. 51<sup>st</sup> Ave  
and 5134 W. Missouri Ave.

I, David Dow certify that I am the authorized applicant /

*representative to the City of Glendale for the above application, and do hereby affirm that notice as required for the case noted above has been completed in accordance with the Citizen Participation Process in the City of Glendale's Zoning Ordinance, and a copy of the letter and mailing labels has also been submitted.*

Applicant/Representative Signature: David Dow

**DAVID W. DOW**  
**Attorney**  
**3104 E. Camelback #281**  
**Phoenix, Arizona 85016**  
**602-550-2951**  
**Ddowlaw1@gmail.com**

August 23, 2021

Subject: Variance Application # VAR21-07

Dear Neighbor:

This letter is to inform you that I am applying for a variance application with the City of Glendale. The property is located at 5524 North 51<sup>st</sup> Avenue in the Ocotillo council district.

The project will include modification of the existing structure to allow for growing of marijuana and infusion of marijuana for related products. The building will be approximately 40,676 square feet, lot size of 52,000 square feet and various setbacks as shown in the enclosed drawing. The existing zoning is heavy industrial, M-2 and any and all noise and emissions will be contained in the building. Security will be provided and there will be no traffic increase.

The requested variance is from the minimum distance separation between the proposed facility and an existing marijuana grow facility located at 5246 West Luke Avenue, Glendale, Arizona. The required separation is 5,280 feet and the requested variance is to allow our facility to be 855 feet away.

I have included a site plan and narrative with this letter for your review. Please provide any comments to me by September 7, 2021. Please write, email, or call me at the contact information above. You may also contact Cody White with the City of Glendale at (623) 930-2805.

Sincerely,

David W. Dow  
David W. Dow  
Representative for Black Rock Venture LLC

Encl: Site Plan, Application and Narrative

NARRATIVE FOR ZONING VARIANCE SR21-0134

This narrative is submitted by Sean Amirian for Black Rock Venture, LLC through attorney David W. Dow.

This Request is for approval of use of the property as a marijuana grow and infusion facility at 5524 North 51st Avenue, Glendale, also known as Maricopa County Assessor's Parcel Numbers 144-76-024 and 5134 West Missouri Avenue, Glendale, also known as Maricopa County Assessor's Parcel Numbers 144-76-023.

Applicant will be using the property in compliance with Arizona law and in compliance with other rules and regulations of the City of Glendale. Applicant is converting the existing building, used as storage, warehousing, assembly, and manufacturing for medical equipment, to a grow and infusion facility by changing the interior as set forth in the site plan, any prior approvals or contracts as needed etc. have been obtained.

The Property is zoned M-2, Heavy Industrial and is located at 51<sup>st</sup> Avenue and Missouri. The Property is located in heavy industrial area that includes manufacturing and processing, warehousing, and outdoor storage.

The Application requests the following Variance:

1. A variance from distance from existing grow facility.

Glendale zoning requires all Cultivation and Infusion Facilities to be:

1. In the M-1 (Light Industrial) and M-2 (Heavy Industrial) zoning districts.

The proposed facility is zoned M-2.

2. A proposed facility shall be located a minimum of 5,280 feet (1 mile) from all existing medical marijuana dispensaries, cultivation and infusion facilities.

The proposed facility is 855 feet away from 5246 West Luke Avenue, Glendale, Arizona.

3. No facility shall be located within 1,320 feet of all elementary, secondary or high schools.

The proposed facility is 2000 feet away from the nearest school.

4. No facility shall be located within 1,320 feet of residentially zoned property. This distance shall be measured in a straight line from the exterior walls of the building or portion thereof in which the business is conducted to the property line of the protected use.

The nearest residence is 2330 feet away from the proposed facility.

5. Maximum building size of an off-site cultivation facility is 25,000 square feet.

The existing space to be used in the building is 25,000 square feet.

6. Maximum building size of an infusion or manufacturing facility is 10,000 square feet.

The existing space to be used in the building is 10,000 square feet.

7. All business shall be conducted within an enclosed building.

All business will be in the enclosed building.

In this case, there is a grow facility at 5246 West Luke Avenue, Glendale, Arizona based on the State of Arizona CHAA system. The Application here is for a grow and infusion facility which is needed for the demand of the citizens and there is not the foot or vehicular traffic associated with a dispensary. A grow and infusion facility is needed to address the legal marijuana production and there is only one other grow or infusion facilities in this area. The increase in the need for production based on the new marijuana laws justifies an additional facility.

The facility is zoned M-2 with only heavy industrial uses permitted in the area. There are no residences in the area and the nearest school is 2000 feet away and has Grand Avenue as a divider. The nearest residence is 2330 feet away. The nearest marijuana facility is 855 feet away and is a grow facility. It is believed there are no other "protected uses" that are within the restricted distances of the Property thus there are no concerns about separation requirements from residentially zoned districts, preschools, kindergartens, elementary, secondary or high schools, public parks, community centers, dependent care facilities, homeless shelters, dormitories, youth community centers, and places of worship.

Signage will be minimal as this is not a dispensary and there is no customer foot or vehicle traffic. The building is an existing one and operations will all be internal. Only part of the building will be used for the grow and part for the infusion and it will have no impact on the public as it is an existing building currently being used for storage, warehousing, assembly, and manufacturing for medical equipment. No additional traffic, parking or outside activity will occur beyond the previous use. The property is near and west of Grand Avenue and thus away from downtown Glendale. Security will be in place for the facility once it is converted.

Applicant understand the purpose of a variance and submits this request is due to special circumstances or conditions and restricts Applicant more severely than other properties in the same zoning district. As Arizona voters approved the use of marijuana, it is necessary to produce the product. This building has limited usage especially given the location and the size. The building has been in place for years. No adverse effects will be felt by the community or other businesses around the facility due to the existing building being used for grow and infusion and there has been no showing of adverse effects from the nearby facility.

In 2020, Arizona voters approved the legal use of marijuana.

In 2010, Arizona voters approved the Arizona Medical Marijuana Act and the Department of Health Services regulates the sale and use of Medical Marijuana. There are strict regulations which included dividing the State into 126 different Community Health Analysis Areas, known as "CHAAs." In 2016, DHS issued an additional 31 Medical Marijuana Dispensary licenses to better serve patients.

In addition, the approval is necessary for the property owner to enjoy reasonable and substantial property rights. Prior approvals of similar facilities in the areas have not contributed in a measurable way to the deterioration of the surrounding area nor contributed to the lowering of property values. Approving these Variances will ensure fair and just treatment amongst all Medical Marijuana applicants.

Finally, approval will not be detrimentally impact persons residing or working in the vicinity, to adjacent property, to the neighborhood, or to the public welfare in general.

The Existing Facilities have not contributed to any measurable deterioration of the area or to the lowering of property values. Additionally, it has proven to be compatible with the other heavy industrial and commercial uses in the surrounding area.

## CONCLUSION

The approval of this Application will allow Black Rock Venture LLC to operate the facility pursuant to the strict rules and regulations required and will provide a needed service to the people of City of Glendale.

Dated this 17th day of August, 2021.

By:   
Sean Amirian



# PLANNING

## Development Services Department

Date Stamp

### MASTER APPLICATION

Please check ALL of the applications that you are applying for:

- |                                                 |                                                                               |
|-------------------------------------------------|-------------------------------------------------------------------------------|
| <input type="checkbox"/> Administrative Relief  | <input type="checkbox"/> Glendale Centerline Overlay District                 |
| <input type="checkbox"/> Administrative Review  | <input type="checkbox"/> Preliminary Subdivision Plat/Development Master Plan |
| <input type="checkbox"/> Annexation             | <input type="checkbox"/> Rezoning                                             |
| <input type="checkbox"/> Conditional Use Permit | <input checked="" type="checkbox"/> Variance                                  |
| <input type="checkbox"/> Design Review (Major)  | <input type="checkbox"/> Zoning Interpretation                                |
| <input type="checkbox"/> Design Review (Minor)  | <input type="checkbox"/> Zoning Ordinance Text Amendment                      |
| <input type="checkbox"/> Final Subdivision Plat | <input type="checkbox"/> General Plan Amendment                               |

Project Name: Black Rock Venture LLC

Project Request: Variance to allow Marijuana Grow and Infusion facility

Property Address: 5524 North 51st Avenue Gross Acres: 1.2

Major Cross Streets: Missouri and 51st Avenue APN: 144-76-024

Council District: Ocotillo and Cactus

Current Zoning District: M-2 Current General Plan Designation: Heavy Industrial

### PROPERTY OWNER

Name: Black Rock Venture LLC Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Address: 1060 Griswold Avenue

City: San Fernando State: CA Zip Code: 91202

Email: Ddowlaw1@gmail.com

### TO REPRESENT ME IN THIS APPLICATION, I GIVE AUTHORIZATION TO:

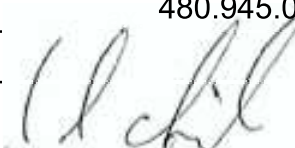
Representative Name: See attached letter David Dow Business Name: Dow Law Office

Address: 3104 E. Camelback Avenue #281

City: Phoenix State: AZ Zip Code: 85016

Phone: 480.776.5039 480.945.0553

Email: Ddowlaw1@gmail.com

Sean Amirian  07/29/21

(Print or type name of owner of record) (Signature of owner of record) (Date)

LANDLORD AUTHORIZATION

As of May 25, 2021, Black Rock Venture LLC, owner of the property and building at 5524 N. 51<sup>st</sup> Avenue, Glendale, AZ 85301, do hereby authorize Attorney David Dow of Dow Law Office, 7272 E. Indian School Road, Suite 111, Scottsdale, AZ and Lobbyist Peter Valenzuela of The Genesis Group LLC, 1 W. 8<sup>th</sup> Place, Mesa, AZ 85201 to represent and advocate all filings, applications and processes required for applying for a Marijuana Use Permit and Zoning Variance from the City of Glendale, AZ.



5/25/21

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Sean Amirian

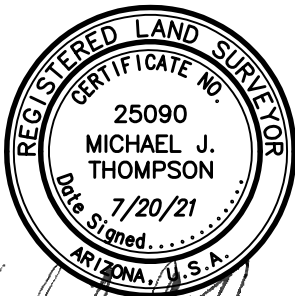
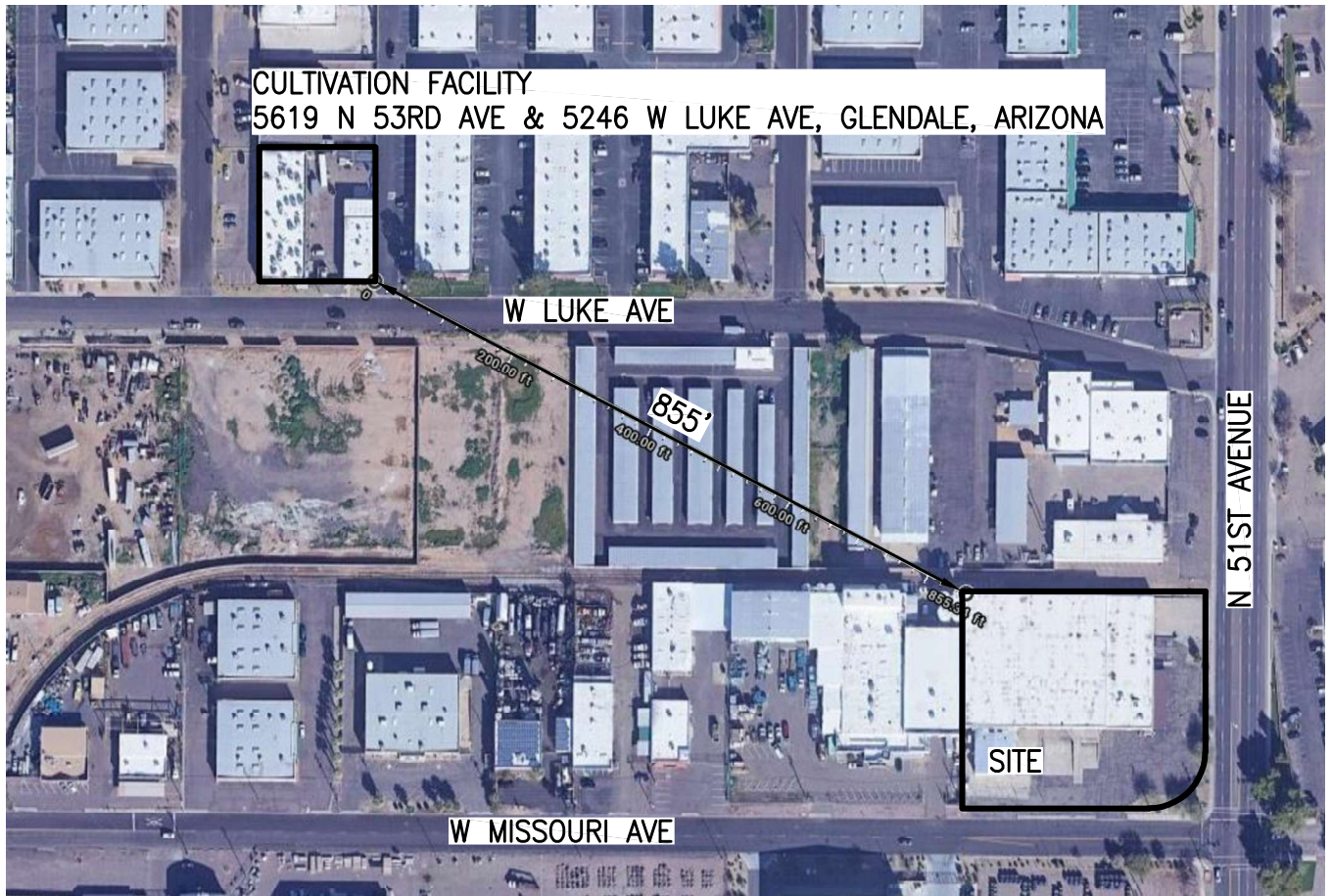
CFO

Black Rock Venture LLC

1060 Griswold Avenue

San Fernando, CA 91340

(818)355-1738



*Michael J. Thompson*  
EXPIRES: 9-30-22



NO SCALE

NOTE: ALL VALUES SHOWN ARE CALCULATED, UNLESS NOTED OTHERWISE.

<b>Helix Engineering, LLC</b> Engineering / Surveying / Consulting 3240 E Union Hills, Suite 113, Phoenix, AZ 85050 (ph) 602-788-2616, www.hxeng.com	<b>MEDICAL MARIJUANA PRODUCTION FACILITY</b> <b>5524 NORTH 51ST AVENUE</b>		
	DRAWN BY: MJT CHECKED BY: TDS	JULY 20, 2021	JOB No.: TBD SHEET 1 OF 1

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