

Project Narrative – Conditional Use Permit (CUP) Appeal

T&T Investment 2 LLC
15410 N. 67th Ave., Suites 13–14
Glendale, AZ 85306

February 4, 2026 (Updated February 22, 2026)

Re: CUP Appeal – Retail Smoke and Vape Shop (Suites 13–14)
Case No.: CUP25-15

To: Planning Staff and City Council

Dear Planning Staff and Council Members

My name is M. Ryan Hurley attorney with Litix Legal, and I am the authorized representative for **Talal Almotawaa and T&T Investment 2 LLC** (“Applicant”). We respectfully submit this project narrative in support of this appeal of the denial of a Conditional Use Permit (“CUP”) application for a retail smoke and vape shop at 15410 N. 67th Avenue, Suites 13–14, Glendale, Arizona 85306 (the “Site”).

1. Applicant, Site, and Project Overview

Applicant: T&T Investment 2 LLC

Authorized Representative: M. Ryan Hurley, Litix Legal

Property Owner: Nass 3 Property LLC

Site Address: 15410 N. 67th Ave., Suites 13–14, Glendale, AZ 85306

The Site is located in an established commercial corridor on the west side of 67th Avenue, just north of Greenway Road. It is part of an existing retail center with direct access to 67th Avenue and Greenway Road, existing circulation patterns, shared parking, and visibility from the main roadway.

The proposal is to repurpose an existing commercial tenant space (Suites 13–14) for a retail-only smoke and vape shop serving adult customers in a controlled, age-restricted environment. No new building, no change in access points, and no changes beyond typical tenant improvements.

The Applicant is an experienced retail operator with numerous locations in the City of Phoenix that have been operating without complaints or incidents for several years with perfect 5.0-star Google ratings from thousands of reviews. In addition, the Applicant, is a valued member of the local community who gives back by offering free meals to those who are in need, particularly at Thanksgiving.

Because this is his first business venture in the City of Glendale, he was unfamiliar with the City’s zoning and licensing requirements which differ significantly from those in Phoenix. The City of Phoenix does not require a business license nor a use permit for this type of business. As such, he was initially unaware of both requirements. However immediately upon learning of the City’s requirements he has been diligently pursuing compliance.

During the Planning Commission hearing it appears the Commission was under the impression that the Applicant willfully ignored the City’s requirements and operated without even obtaining a transaction

privilege tax license. This appears to have been a basis for the Commission's denial of the CUP, but it was based on a mistake of fact. The Applicant indeed applied for and obtained a TPT license prior to opening, and in fact emailed City staff inquiring about zoning compliance and submitting a business license application at the same time. He only learned of the CUP requirement when his business license application was denied 20 days later.

The bottom line is that this Applicant has been pursuing compliance in good faith from the beginning. The Commission's denial of the CUP was based on this mistake of fact, and therefore this appeal is justified and the CUP should be approved.

2. Proposed Use (Retail-Only; Adult Customers; No On-Site Consumption)

The business will provide retail sales of tobacco products (as permitted by law), vape devices, vape accessories, and related merchandise, in compliance with all federal, state, and local regulations.

This CUP request is for a retail storefront only and **does not** include:

- Any lounge or consumption area
- Any on-site consumption or sampling
- Any entertainment use or event-based activity

The intent is to operate as a modern, clean, professional retail tenant that complements surrounding commercial businesses in the center.

3. Hours, Staffing, and Day-to-Day Operations

Proposed hours of operation: 8:00 a.m. to 12:00 midnight, seven (7) days per week.

Staffing: The shop will typically be staffed by two (2) employees who provide customer service, inventory management, and store operations. A manager or responsible person will be reachable during all operating hours to respond to issues check ID's and ensure compliance with all laws and regulations.

Deliveries: Deliveries will occur during off-peak hours when feasible and will use existing circulation and parking/loading practices within the center. Deliveries will not obstruct drive aisles or pedestrian access.

4. Operational Commitments (Compliance and Youth-Access Prevention)

The Applicant commits to operating under strict, documented procedures intended to prevent youth access, deter nuisance activity, and support safe, compliant operation.

4.1 Universal ID Checks and 21+ Compliance

- The business will be **21+ for age-restricted product sales**, consistent with federal and Arizona law.
- The business will implement **universal ID checks**: every customer, every sale, every time, with **no exceptions**.
- ID verification will be performed by visual inspection of a government-issued photo ID and, if

implemented/required, an electronic ID verification system.

- Employees will refuse sales if the customer cannot present valid ID, the ID appears altered or fraudulent, or a straw purchase is suspected.

4.2 Employee Training

All employees will complete training on age verification and legal compliance, identifying fake IDs and straw purchases, refusal and de-escalation protocols, and store safety and emergency procedures. Training will occur before independent shift work, upon hire, and at least annually thereafter.

4.3 No THC/Marijuana; No Vending Machines

The business will not sell marijuana, THC, or cannabis products, and this CUP request does not seek any approval related to such products. No vending machines will be used for any age-restricted products.

4.4 No On-Site Consumption / No Lounge

No on-site consumption, sampling, or “vape lounge” activity will be permitted, and the store will not provide seating or an area intended for product use on-site.

5. Security Measures (Crime Prevention and Site Management)

The Applicant will implement security measures to deter nuisance activity, support safe operations, and assist law enforcement when needed. These measures will include security cameras covering entry/exit points, point-of-sale area, and sales floor and exterior storefront area. Video recordings will be retained for at least 30 days and made available to law enforcement upon lawful request. Further, the Applicant will maintain a monitored alarm system, and adequate exterior and entry lighting to deter loitering and promote visibility.

6. Signage and Marketing Restrictions

The Applicant acknowledges community sensitivity around this use and agrees to operate with restrained, code-compliant marketing consistent with professional retail storefront. All signage will comply with City sign standards and applicable shopping center/landlord requirements. There will be no exterior product displays, and no window signage depicting minors, cartoons, or youth-oriented imagery.

7. Tenant Improvements and Site Impacts

The project scope consists of only interior improvements to the approximately 2500 SF suite, including new shelving, display fixtures, and counter layouts, the Site will otherwise remain unchanged and compliant with the retail center’s current layout and City regulations.

8. Compatibility, Traffic, and Parking

The Site is within a functioning commercial retail center intended to serve the surrounding community with a variety of retail services. The proposed use is compatible with the area because it:

- operates entirely indoors within an existing tenant space;
- does not generate industrial impacts, outdoor activity, odor or event-based traffic;
- is managed as a controlled, age-restricted retail environment with enhanced compliance and security measures; and

- uses existing shared parking and existing driveway access without modifications.

Traffic and Parking: The business is expected to create customer turnover consistent with typical small-to-medium retail uses. Parking will remain shared and consistent with the center's established operation; no changes to ingress/egress or circulation are proposed.

9. Applicant-Offered Conditions of Approval

To support a clear, enforceable approval framework, the Applicant voluntarily agrees that the CUP may include conditions substantially similar to the following:

1. **Retail-Only / No Lounge:** The use shall be limited to retail sales; no on-site consumption, sampling, or lounge use is permitted.
 2. **21+ Compliance:** The business shall comply with all federal and state age-restriction laws and shall not sell age-restricted products to any person under 21.
 3. **Universal ID Checks:** Government-issued photo ID shall be checked for **every customer, every sale, every time**, with no exceptions.
 4. **Electronic Verification:** Implement and use an electronic ID verification system for ID verification.
 5. **Training:** Employees must complete compliance training before independent shifts and at least annually; training records must be maintained on-site.
 6. **No THC/Marijuana:** No marijuana/THC/cannabis products may be sold on-site (this CUP does not authorize such sales).
 7. **Security Cameras:** Maintain camera coverage of entries/exits, POS, sales floor, and storefront exterior; retain recordings for at least 30 days.
 8. **Alarm System:** Maintain a monitored intrusion alarm system.
 9. **Lighting:** Maintain adequate exterior and entry lighting consistent with City requirements and shopping center standards.
 10. **No Loitering / Litter:** Post and enforce no-loitering signage; perform daily litter sweeps of the storefront frontage and immediate adjacent area.
 11. **Signage Restrictions:** All signage must comply with City code; no youth-oriented window imagery; no exterior product displays; no flashing/strobing lighting.
 12. **Deliveries:** Schedule deliveries during off-peak hours when feasible and ensure deliveries do not block drive aisles or pedestrian access.
 13. **Hours:** Hours shall be limited to 8:00 a.m. to 12:00 midnight, or such reduced hours as imposed by the approval
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12. CUP Criteria

The Applicant respectfully submits that, with the commitments and conditions stated above, the CUP can meet applicable approval criteria, including:

- **Consistency with the General Plan and zoning intent:** The Site is located in an established commercial corridor and existing retail center where retail uses are anticipated and appropriate. The project reuses an existing tenant space.
- **Compatibility and harmony with surrounding uses:** The use is indoor, retail-only, and managed with nuisance-prevention, signage restrictions, and security measures that promote compatibility with adjacent tenants and nearby properties.
- **Protection of public health, safety, and welfare:** The Applicant's universal ID policy, training, no-consumption rule, and security and signage commitments reduce risk and support compliance and public safety.
- **Adequate access, utilities, and parking:** Existing access, circulation, utilities, and shared parking already serve the retail center; no new infrastructure is required.
- **No undue traffic, parking, or nuisance impacts:** The use is consistent with normal retail activity and is not expected to create traffic or parking impacts beyond ordinary retail turnover; no exterior noise, odors, or emissions are expected beyond normal retail activity.

13. Conclusion and Request

For the reasons stated above, the Applicant respectfully requests that the Council **grant the appeal and approve the CUP**, subject to reasonable conditions consistent with the operational commitments and Applicant-offered conditions outlined in this revised narrative.

We appreciate your time and consideration and look forward to working with the City of Glendale throughout the review and approval process.

Sincerely,

M. Ryan Hurley on behalf of:

Talal Almotawaa
T&T Investment 2 LLC