

TOWN OF SPRINGERVILLE
PLANNING AND ZONING COMMISSION
AGENDA
TUESDAY, SEPTEMBER 14, 2021 at 6:00 PM
TOWN OF SPRINGERVILLE COUNCIL CHAMBERS

Pursuant to A.R.S. Section 38-431.02, notice is hereby given to the members of the Springerville Planning and Zoning Commission and to the general public, that the Commission will hold a meeting open to the public at the at the Springerville Town Hall Council Chambers, 418 E. Main St., Springerville, Arizona on September 14, 2021 at 6:00 PM.

The Planning and Zoning Commission reserves the right to adjourn into Executive Session in accordance with Arizona Revised Statutes Section 38-431.03 (A)(3) and (4) for legal consultation on any of the following agenda items.

1. **CALL TO ORDER**
2. **ROLL CALL:** Members of the Planning and Zoning Commission or Legal Council that are unable to be present in person at a scheduled meeting may participate in the meeting by telephone.
3. **CONSENT ITEMS:**
 - a. **Consider approval of the August 24, 2021 special Planning and Zoning Commission meeting minutes**
4. **PUBLIC PARTICIPATION:** Non-agenda items presented during the public participation portion of this agenda cannot be acted on at this time by the Commission. Individual commission members may ask questions of the public or ask staff to review the matter, or defend themselves, but are prohibited by State of Arizona Open Meeting Laws from discussing the item among themselves until the item is noticed according to open meeting requirements as an agenda item. The Chair MAY allow public comment on agenda items, and will limit time of discussion to three (3) minutes per person, with no longer than ten (10) minutes per topic.
5. **PUBLIC HEARING:** Discussion and possible action regarding going into a public hearing to take commission and public comments Application to Rezone 364 N. Becker Lake Rd. and Conditional Use Permit Application for 279 S. Mountain Ave.
 - a. **Application to Rezone 364 North Becker Lake Road (Parcel #105-15-004A) from current zone R1-7, Single Family Residential to AR-20, Agricultural Residential**
 - b. **Conditional Use Permit Application for 279 S. Mountain Ave. (Parcel #105-18-025D), applicant is requesting to utilize the property as a marijuana dispensary.**
6. **ZONING ADMINISTRATOR'S REPORT:** Summary reports will be made as necessary. No action will be taken on any matters mentioned unless listed on the agenda.
7. **LIAISON REPORT:** Council Liaison report.
OLD BUSINESS
8. Discussion and possible action regarding Application to Rezone 364 North Becker Lake Road (Parcel #105-15-004A) from current zone R1-7, Single Family Residential to AR-20, Agricultural Residential. If the Commission's decision is to approve the application, their recommendation will be submitted to the Town Council as an agenda item for final approval.

Town of Springerville Application for Rezoning

Martha Sharp

Name of applicant(s)
(Applicant must be the legal owner or show
power of attorney)

P.O. Box 957

Springerville, AZ 85938

Applicant mailing address

~~XXXXXXXXXXXX~~

Applicant telephone number(s)

105-15-004A

Parcel number(s) (attach legal description)

364 N Becker Lake Rd

Property address

R1-7

Current zoning classification

AR-20

Requested zoning classification

See Page 2 for required documentation.

Martha Sharp

Signature of applicant(s)

7-8-21

Date

Fee: \$200.00	01-4007
Received by: <u>KP</u>	
Date: <u>7-8-2021</u>	

Neighborhood meeting: _____
P&Z hearing: _____ Approved: Y___ N___
Council hearing: _____ Approved: Y___ N___
Effective date of change: _____

All documentation requested MUST be submitted before an application is complete.

**Letter of Explanation
TO:
Town of Springerville**

July 8, 2021

Town of Springerville
Community Development
418 E. Main Street
Springerville, AZ 85938

Re: REZONING

To whom it may concern,

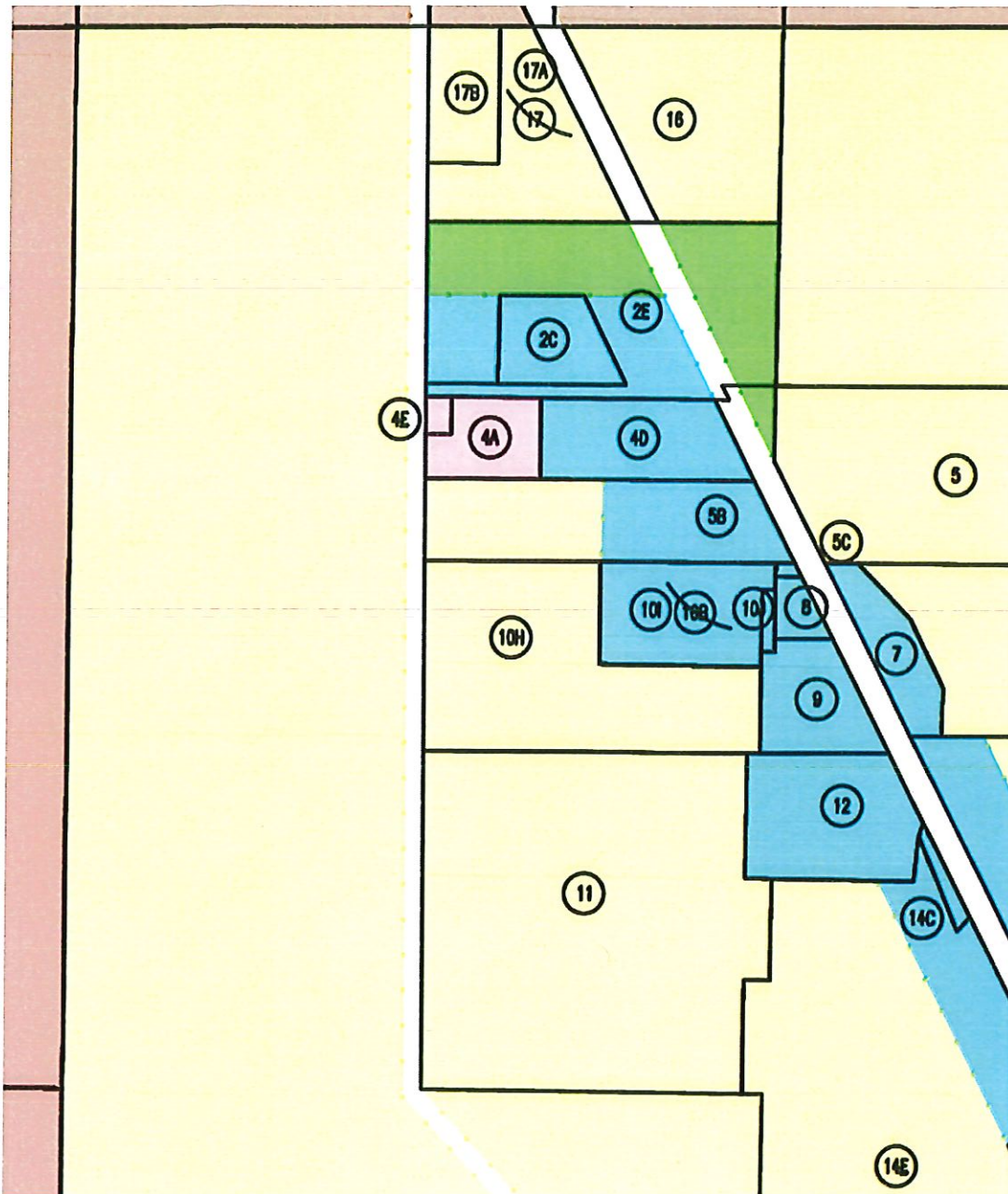
The nature and intent of this letter is to request the rezoning of property located at 364 N. Becker Lake Road, Springerville, AZ 85938 from R1-7 (Single Family Residential) to AR-20 (Agricultural Residential). The above mentioned property consists of 2.47 acres in total. It is also the only property on the road, that consists of over one acre, that is not already zoned as AR-20.

Thank you for your time and consideration.

Martha Sharp

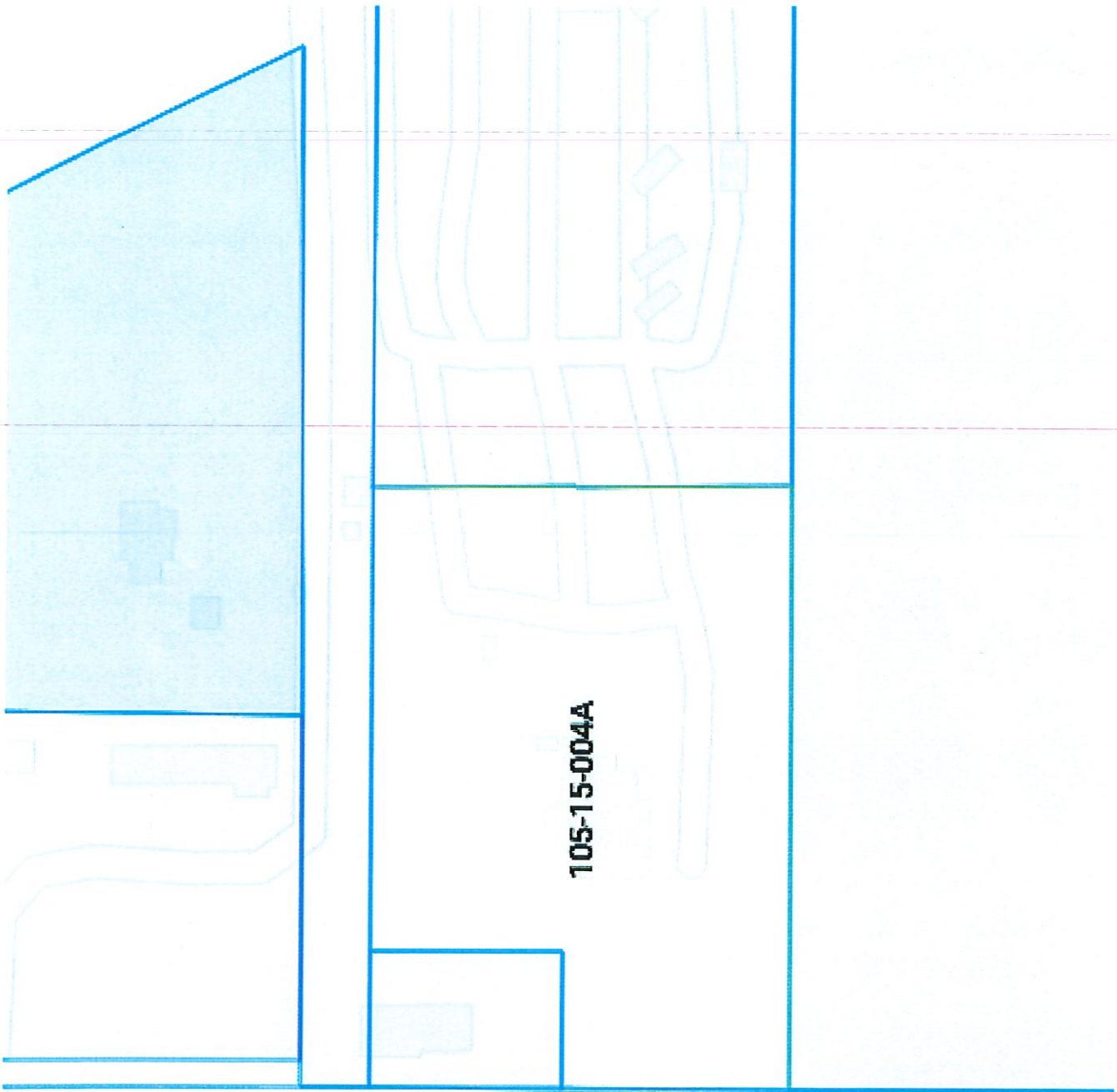
Martha Sharp
Property Owner

~~XXXXXXXXXXXX~~



Zoning Color Key

	(AG Zone) - General Agriculture
	(AR-20 Zone) - Agricultural Residential 20,000 SQ. FT Lots
	(AR-43 Zone) - Agricultural Residential 43,000 SQ. FT Lots
	(C1 Zone) - General Commercial
	(I1 Zone) - Industrial
	(LI Zone) - Light Industrial
	(MP-7 Zone) - Manufactured Residential
	(RI-20 Zone) - Single Family Residential 20,000 SQ. FT Lots
	(RI-7 Zone) - Single Family Residential 7,500 SQ. FT Lots
	(RMH 20 Zone) - Single Family Residential / Mobile & Manufactured Homes 20,000 SQ. FT Lots
	(RMH 7 Zone) - Single Family Residential / Mobile & Manufactured Homes 7500SQ. FT Lots



Becker Lake Rd

Becker Lake Rd

Becker Lake Rd



Wednesday, July 07, 2021

LOCATION

Property Address 364 N Becker Lake Rd
Springerville, AZ 85938

Subdivision

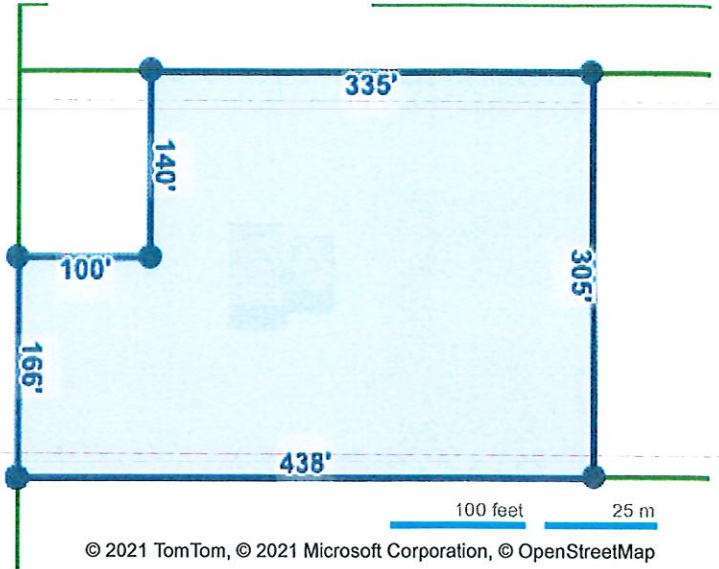
Carrier Route H064
County Apache County, AZ

PROPERTY SUMMARY

Property Type Residential
Land Use Single Family Residence
Improvement Type Single Family Residence
Square Feet 2460

GENERAL PARCEL INFORMATION

Parcel ID/Tax ID 105-15-004A
Alternate Parcel ID
Account Number R0007526
Tax Area
2010 Census Trct/Blk 9705.02/2
Assessor Roll Year 2021



CURRENT OWNER

Name Sharp Martha Dean Danny L
Mailing Address Po Box 957
Springerville, AZ 85938-0957

SCHOOL INFORMATION

These are the closest schools to the property

Round Valley Primary School	2.3 mi
Elementary: Pre K to 5	Distance
Round Valley Middle School	2.9 mi
Primary Middle: 5 to 8	Distance
Round Valley High School	2.2 mi
High: 9 to 12	Distance

SALES HISTORY THROUGH 05/17/2021

Date	Amount	Buyer/Owners	Seller	Instrument	No. Parcels	Book/Page Or Document#
5/14/2003	\$100,000	Sharp Martha Dean Danny L				2003-004244

TAX ASSESSMENT

Appraisal	Amount	Assessment	Amount
Appraisal Year	2021	Assessment Year	2021
Appraised Land		Assessed Land	
Appraised Improvements		Assessed Improvements	
Total Tax Appraisal	\$179,296	Total Assessment	\$17,930
Tax Area		%Improvement	

Exempt Amount

TAXES

Tax Year	City Taxes	County Taxes	Total Taxes
2019			\$622.00
2018			\$622.00
2016			\$707.00
2015			\$716.00
2014			\$725.00

MORTGAGE HISTORY

Date	Loan Amount	Borrower	Lender	Book/Page or Document#
05/14/2003	85,000	Sharp Wallace A Martha L	Michael E Brown	2003-004244

PROPERTY CHARACTERISTICS: BUILDING

Building # 1

Type	Single Family Residence	Condition	Units	1
Year Built	1980	Effective Year	Stories	1
BRs		Baths	Rooms	

Total Sq. Ft. 2,460

Building Square Feet (Living Space)

Ground Floor 2460

Building Square Feet (Other)

Porch 49

Attached Garage 1328

- CONSTRUCTION

Quality	Roof Framing	
Shape	Roof Cover Deck	
Partitions	Cabinet Millwork	
Common Wall	Floor Finish	
Foundation	Interior Finish	
Floor System	Air Conditioning	
Exterior Wall	Heat Type	Electric
Structural Framing	Bathroom Tile	
Fireplace	Plumbing Fixtures	

- OTHER

Occupancy Building Data Source

PROPERTY CHARACTERISTICS: EXTRA FEATURES

No extra features were found for this parcel.

PROPERTY CHARACTERISTICS: LOT

Land Use	Single Family Residence	Lot Dimensions
Block/Lot		Lot Square Feet 107,593
Latitude/Longitude	34.150415°/-109.300334°	Acreage 2.47

PROPERTY CHARACTERISTICS: UTILITIES/AREA

Gas Source	Road Type
Electric Source	Topography
Water Source	District Trend
Sewer Source	Special School District 1
Zoning Code	Special School District 2
Owner Type	

LEGAL DESCRIPTION

Subdivision	Plat Book/Page
Block/Lot	Tax Area
Description	Section: 29 Township: 9N Range: 29E Com Nw 1/16 Cor Sec 29 S 193.64' To Pob E 100' N 140' E 294.33' S 306.37' W 397.76' N 166.85' To Pob.

FEMA FLOOD ZONES

Zone Code	Flood Risk	BFE	Description	FIRM Panel ID	FIRM Panel Eff. Date
D	Undetermined		Areas of undetermined flood hazard where flooding is possible.	04001C4518E	09/28/2007

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 Information Deemed Reliable But Not Guaranteed.

Town of Springerville Community Development
418 E. Main St. • Springerville, AZ 85938
928-333-2656 fax 928-333-5598



Town of Springerville Conditional Use Permit Application

Apache County Dispensary LLC
Name of applicant(s)

4121 E Valley Auto Dr, Ste 120, Mesa, AZ 85208
Mailing address

Telephone number(s)
WANG WEN YANG & STEPHANY F (JT)
Name of property owner(s) (if different)

7745 Tigerwoods Dr, Sacramento, CA 95829
Mailing address

[Redacted]
Telephone number

279 S Mountain Ave, Springerville, AZ 85938
Address of proposed site

105-18-025D

Parcel number

C-1

Zoning classification

Marijuana Establishment

Type of proposed business (if possible, use name/type of business listed in the zoning code)

NOTE: The Springerville Planning and Zoning Commission normally meets at 7 p.m. the second Wednesday of the month, but may, occasionally, change the meeting date. Deadline for applications is twenty (20) calendar days in advance of the meeting date. It is the responsibility of the applicant to verify the meeting date and submit a complete application by 4 p.m. on the deadline day.

[Handwritten Signature]
Signature of applicant(s)

7/9/2021
Date

Authentisign: Wen Y. Wang Authentisign: Stephanye F Wang
Signature of owner(s) (if different) Signature of owner(s) (if different)
07/12/2021 07/12/2021

Date

Fee: \$125.00 01-4007
Received by: KP
Date: 7/12/2021

Approved: Y ___ N ___
Date: _____
Minutes attached: _____

Apache County Dispensary LLC
Conditional Use Permit
Town of Springerville, Arizona

The applicant, Apache County Dispensary LLC, ("applicant") is a state licensed marijuana dispensary with a marijuana establishment license issued by the Arizona Department of Health Services in accordance with Smart and Safe Arizona, also known as Proposition 207. The applicant operates and/or owns multiple state licensed dispensaries, both medical and adult use. The applicant is actively engaged in compliance and leadership with the Arizona Department of Health Services. As an experienced Arizona dispensary operator and business owner with a strong track record of rural dispensary operations, the Town of Springerville will benefit from the applicant's professional, safe, and organized business operations.

The site at 279 S. Mountain Ave., Springerville, Arizona 85938, APN 105-18-025D presents no issues that create a negative potential impact on persons residing or working in the vicinity. The 17,500 square foot lot and 2,592 stand-alone square foot building is located in a retail area of Springerville. The subject property is zoned C-1 general commercial, subject to the requirements outlined in the Town of Springerville Code of Ordinances. The property meets all of the requirements and will not require any variances for its use as a marijuana dispensary. It meets all the required setbacks established by the Town of Springerville in 17.68.030 and its operations are provided for in the Town's Code of Ordinances.

However, two minor variances for ease of business operation are included in this application and the applicant respectfully requests approval to ensure the business will not only operate but thrive to benefit the citizens of Apache County and the community.

The first is a dispensary square footage restriction. The current code provides for 1,000 square feet, gross. Our stand alone building is at 2,592. The increase in square footage from 1,000 to 2,592 is 1,592 square feet. This increase will ensure that our customers can be safely and appropriately distanced in the dispensary during the current health pandemic and beyond. We take great pride in an orderly and organized operation. The Town's Code does not distinguish between the sales area and other dispensary functions. To ensure a thriving business and organized operation, spaces for a secure lobby, manager's office, customer bathroom, employee bathroom, reception desk, staff break room, dedicated employee entrance, and inventory storage and control. The level of professional planning is not required in the current state regulations or in the Town's code. This means that the dispensary could operate in a manner where the public could come into the front door and immediately into the dispensary sales floor space. With the level of experience, the applicant's operators bring to the project, there are significant safety, operational, and staff benefits to a floor plan that includes a secure lobby, manager's office, customer bathroom, employee bathroom reception desk, staff break room,

Apache County Dispensary LLC
Conditional Use Permit
Town of Springerville, Arizona

dedicated employee entrance, and inventory storage and control. These elements enhance the safety and professional operations of the dispensary.

The second variance is related to accessing inventory. The dispensary's operators own a dispensary with a drive through located in another rural community. During the pandemic, it accounts for 1/3 of the business at the dispensary. Elderly customers and those requiring discretion prefer the drive through opportunity at the dispensary. In accordance with the Arizona Department of Health regulations and Arizona law, this is entirely permissible and is a public health and safety solution not just during the pandemic but on an ongoing basis. Customers benefit from 1 to 1 care and attention, while the staff benefits from a barrier during dispensing procedures, limited access to inventory, inventory control, and increased safety for the dispensary and the health of the staff and customers. All activities at the dispensary are under camera, alarm, and recording 24/7 with on and off-site monitoring around the clock. This includes every square inch of the dispensary and its potential drive through at this facility.

The use covered by the permit and manner of conducting the use will not cause a significant increase in traffic, vehicular or pedestrian, in any adjacent residential area and there will be no unusual volume or character of traffic due to the use or nature of this traditional retail business. It will not emit odor, dust, gas, noise, vibration, smoke, heat, or glare and will not contribute to any deterioration or downgrading of property values in any way. The use and premises will comply with the and the law of the Town of Springerville and the State of Arizona. There is no damage, nuisance, noise, smoke, odor, dust, vibration, or illumination from the proposed use of a marijuana dispensary. There are no hazards to persons or property from any possible explosion, contamination, fire, or flood. It is a retail purpose and no manufacturing, or any activities of a related nature would occur on the premises. There are no hazards occasioned by unusual volume or character of traffic due to the use or nature of this traditional retail business. The character of the proposed building and previous site of a former fast-food restaurant are consistent. Furthermore, the site has been vacant over six months.

The marijuana dispensary license was issued for a retail store at this specific location and address as a direct result of a voter initiative that passed in the City limits on a 407 to 408 vote split with one provisional vote. While it was a closer election in Apache County, Proposition 207 was successful on a statewide basis. Further, the only reason that additional licenses were issued through Proposition 207 is because access to marijuana was so severely restricted when licenses originally awarded in 2012 moved away from their original Community Health Analysis Areas and relocated to metro areas such as Phoenix, Scottsdale, and Tucson.

Apache County Dispensary LLC
Conditional Use Permit
Town of Springerville, Arizona

The applicant dispensary operators and owner have a strong track record of rural dispensary operations and have been operating marijuana businesses in a legal and compliant manner in Arizona since Proposition 203 in 2012 was implemented by the Arizona Department of Health Services. The demonstrated need for the use is furthered by the fact that this rural license cannot be moved to a metro area and must open and operate in the county where it was awarded. Therefore, it will be a business and team of operators that will establish a long-term investment in Springerville and intend to be a helpful and engaged community partner. It is projected that fifteen new jobs will be created through the dispensary's operations and sales tax revenue to the Town of Springerville will be significant because every product sold is subject to state, local, and excise taxes per Proposition 207. The economic impact of the tenant improvements to the property and the increased community and business value of an operating business in a currently vacant space will further the Town's economic development interests and further its community plans. The business is highly secure, organized, and structured.

The applicant operators have 9+ years of operating experience in this legal industry and prior experience in law, education, and real estate/construction services. This use and its operations are guided by an experienced team of professionals that will be contributing to the economic development and future growth of business opportunities in the Town of Springerville through this business. All operations are approved and reviewed on an ongoing basis by the Arizona Department of Health Services. The business employs a significant number of professionals dedicated to the ongoing compliance, safety, and professional operations of the use.

The applicant respectfully requests the Town of Springerville approve its Conditional Use Permit. We also respectfully request that the application be approved with the two minor variances of the additional square footage to 2,592 and the drive through at the site. The two minor variances would greatly benefit the business operations and, in turn, the citizens of Apache County, resulting in increased tax revenues, safer operations, and a more professional business environment.

Any additional information can be provided. For more information, please contact Pele Fischer, Attorney, at 602-803-3660 or pele@peacock.legal.

Thank you,
Pele Fischer



MOHAVE CANNABIS COMPANY
 222 SOUTH MOUNTAIN AVE
 SPRINGVILLE
 ARIZONA, AZ 85339

ALDER JAMES
 ARCHITECTURE & INTERIOR DESIGN
 2000 W. WILSON AVE
 PHOENIX, AZ 85015
 TEL: 602.998.1111
 WWW.ALDERJAMES.COM

SITE PLAN GENERAL NOTES

1. CONTRACTOR TO VERIFY ALL REGULATORY AND MANAGEMENT OF EROSION AND ANY OTHER REGULATED AREAS AND OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES AND AGENCIES BEFORE COMMENCING CONSTRUCTION.
2. CONTRACTOR TO VERIFY ALL REGULATORY AND MANAGEMENT OF EROSION AND ANY OTHER REGULATED AREAS AND OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES AND AGENCIES BEFORE COMMENCING CONSTRUCTION.
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4. CONTRACTOR TO VERIFY ALL REGULATORY AND MANAGEMENT OF EROSION AND ANY OTHER REGULATED AREAS AND OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES AND AGENCIES BEFORE COMMENCING CONSTRUCTION.

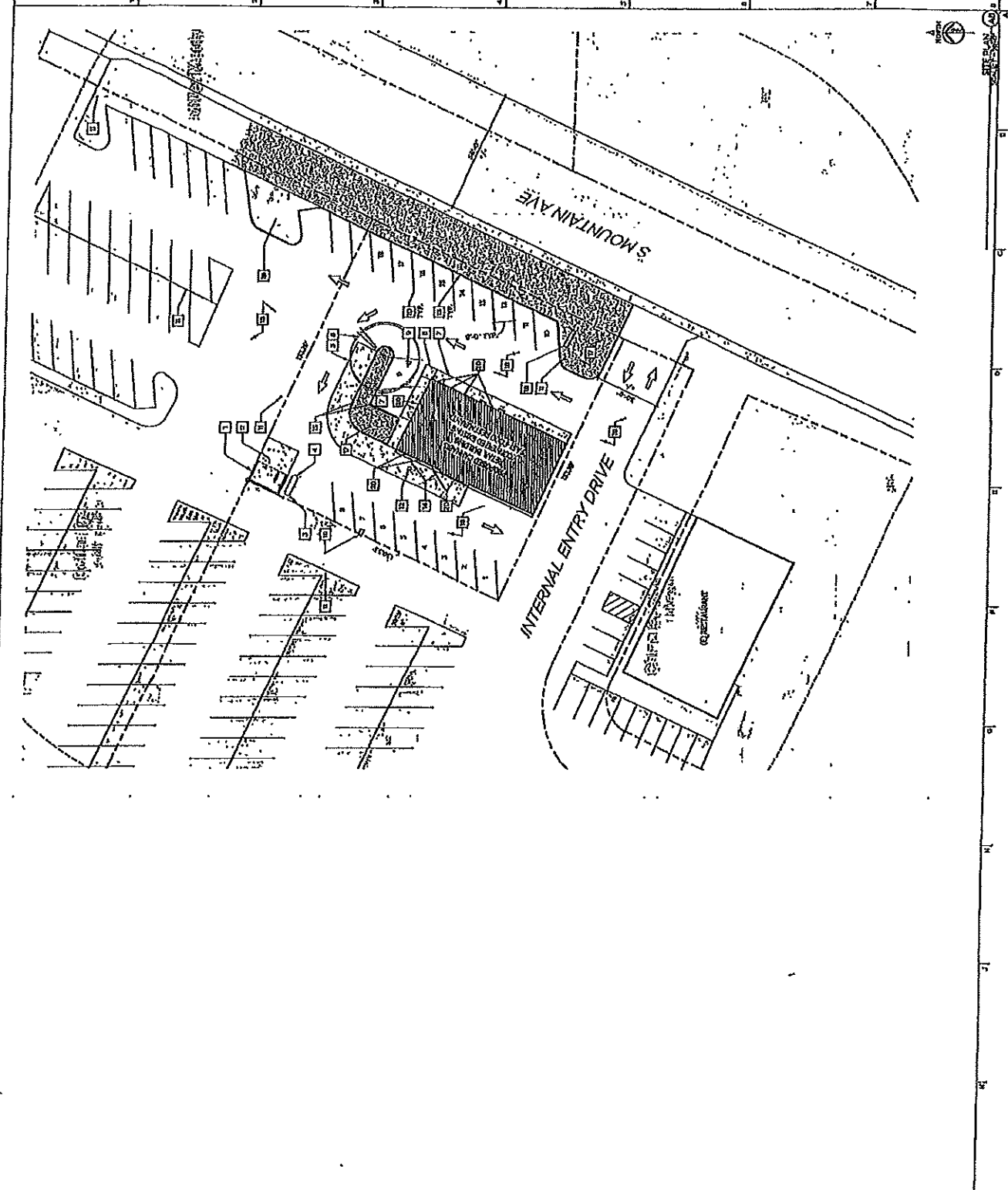


KEYNOTES

1. REMOVE EXISTING CONCRETE TO REPAIR CRACKS AND REINFORCE WITH REBAR.
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PARKING COUNTS

LOADING AREA	LOADING AREA
1. 10 SPALLS	1. 10 SPALLS
2. 10 SPALLS	2. 10 SPALLS
3. 10 SPALLS	3. 10 SPALLS
4. 10 SPALLS	4. 10 SPALLS
5. 10 SPALLS	5. 10 SPALLS
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20. 10 SPALLS	20. 10 SPALLS
21. 10 SPALLS	21. 10 SPALLS
22. 10 SPALLS	22. 10 SPALLS



A101

LEVEL REFERENCE PLAN - GROUND

MOHAVE CANNABIS COMPANY
 239 SOUTH HOUNTAIN AVENUE
 SPRINGVILLE, AZ 85319

PROJECT NO. 2023-0001
 DATE: 11/14/2023



REFERENCE PLAN LEGEND

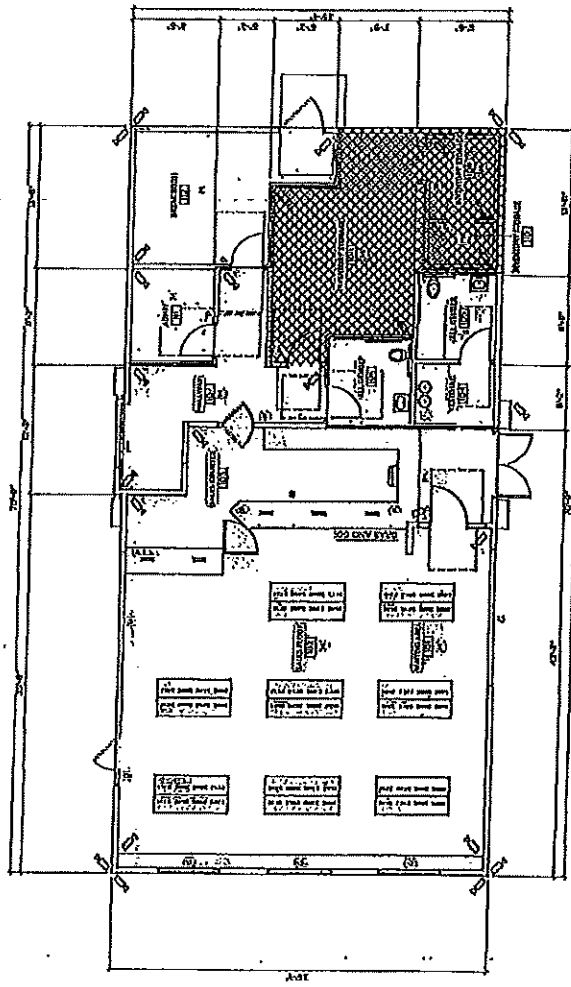
- EXTERIOR WALL
- GLASS CURTAIN WALL
- INTERIOR WALL
- PARTITION WALL
- WINDOW
- DOOR
- CASE
- SIGN



ALDER JAMES
 ARCHITECTS
 2001 N. CENTRAL AVENUE
 TUCSON, AZ 85712
 TEL: 520-882-8000



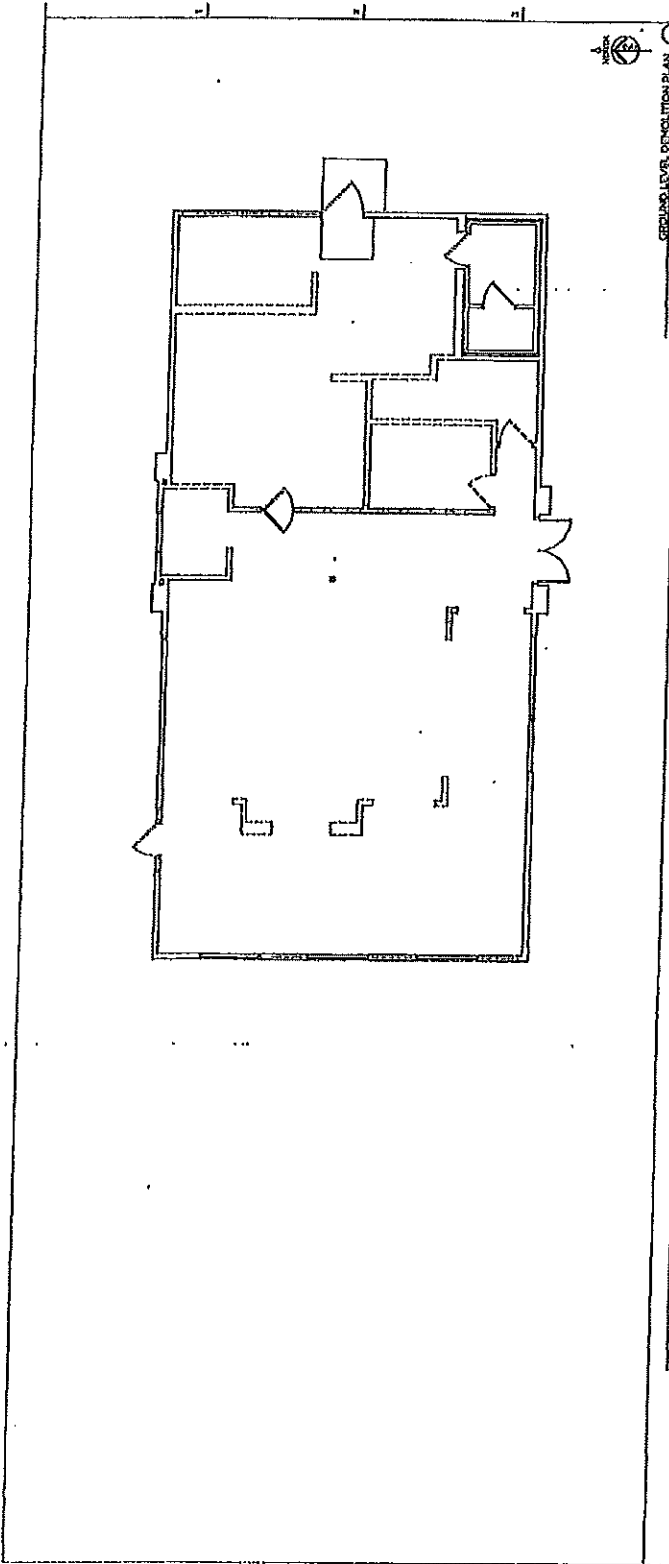
CITY OF SPRINGVILLE



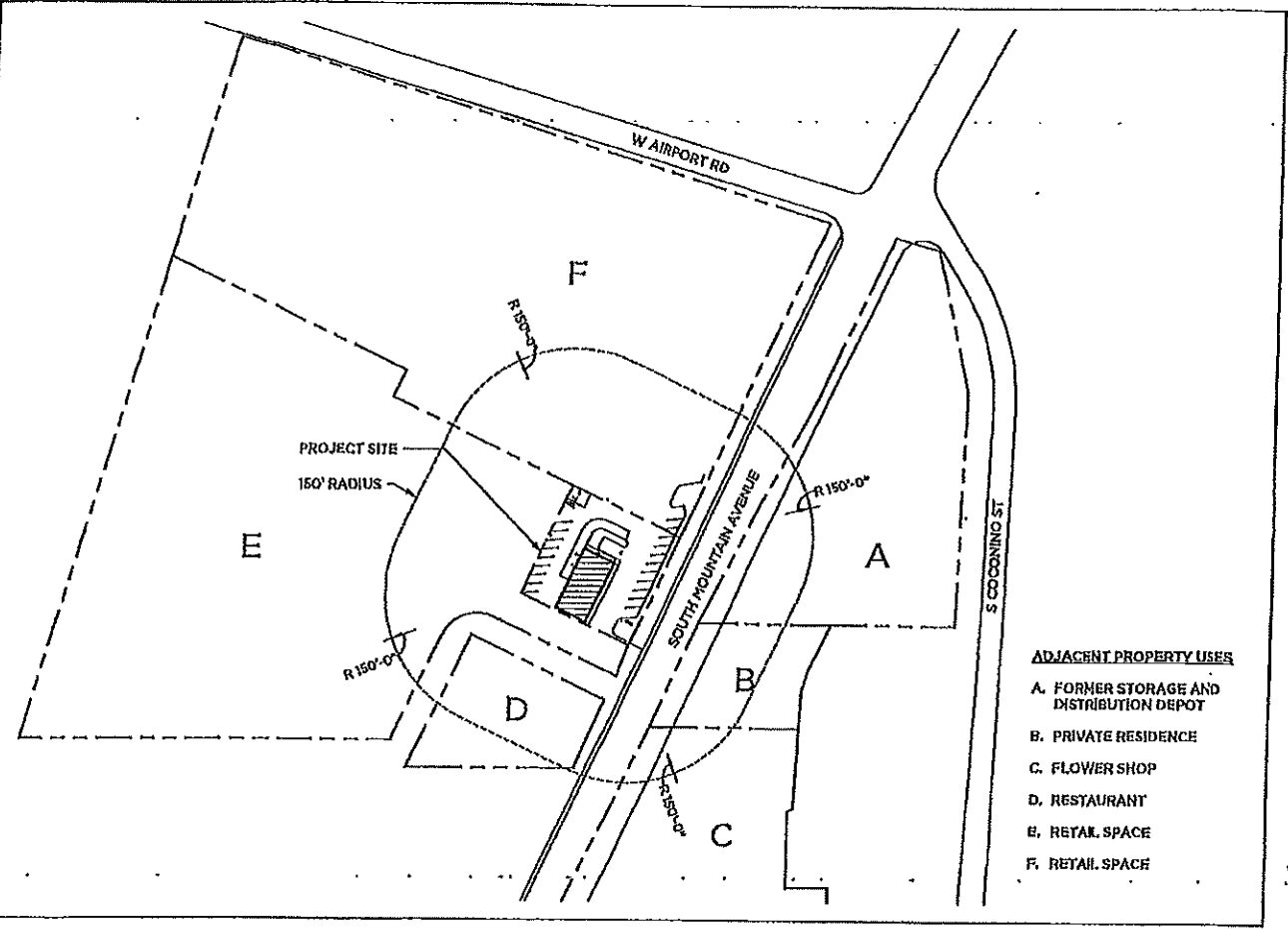
ROOM NO.	ROOM NAME	AREA
01	REAR ENTRY	200 SF
02	REAR BATH	100 SF
03	REAR OFFICE	150 SF
04	REAR STORAGE	100 SF
05	REAR BREAK ROOM	150 SF
06	REAR KITCHEN	100 SF
07	REAR MEETINGS	100 SF
08	REAR HALL	50 SF
09	REAR STAIRS	50 SF
10	REAR OFFICE	150 SF
11	REAR STORAGE	100 SF
12	REAR BREAK ROOM	150 SF
13	REAR KITCHEN	100 SF
14	REAR MEETINGS	100 SF
15	REAR HALL	50 SF
16	REAR STAIRS	50 SF
17	REAR OFFICE	150 SF
18	REAR STORAGE	100 SF
19	REAR BREAK ROOM	150 SF
20	REAR KITCHEN	100 SF
21	REAR MEETINGS	100 SF
22	REAR HALL	50 SF
23	REAR STAIRS	50 SF
24	REAR OFFICE	150 SF
25	REAR STORAGE	100 SF
26	REAR BREAK ROOM	150 SF
27	REAR KITCHEN	100 SF
28	REAR MEETINGS	100 SF
29	REAR HALL	50 SF
30	REAR STAIRS	50 SF

REFERENCE NOTES

1. ALL WALLS SHALL BE CONCRETE OR BRICK OR CMU CONSTRUCTION. ALL EXTERIOR WALLS SHALL BE MINIMUM 8" THICK CONCRETE OR BRICK OR CMU CONSTRUCTION. ALL INTERIOR WALLS SHALL BE MINIMUM 5/8" GYPSONUM BOARD OR 5/8" GYPSONUM BOARD OVER 1/2" GYPSONUM BOARD. ALL PARTITION WALLS SHALL BE MINIMUM 5/8" GYPSONUM BOARD OVER 1/2" GYPSONUM BOARD. ALL WALLS SHALL BE FINISHED WITH 1/2" GYPSONUM BOARD OVER 1/2" GYPSONUM BOARD. ALL WALLS SHALL BE FINISHED WITH 1/2" GYPSONUM BOARD OVER 1/2" GYPSONUM BOARD.
2. ALL FLOORS SHALL BE FINISHED WITH 1/2" GYPSONUM BOARD OVER 1/2" GYPSONUM BOARD.
3. ALL CEILING SHALL BE FINISHED WITH 1/2" GYPSONUM BOARD OVER 1/2" GYPSONUM BOARD.
4. ALL ROOFING SHALL BE FINISHED WITH 2" POLYSTYRENE INSULATION OVER 1/2" GYPSONUM BOARD OVER 1/2" GYPSONUM BOARD.
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9. ALL ROOFING SHALL BE FINISHED WITH 2" POLYSTYRENE INSULATION OVER 1/2" GYPSONUM BOARD OVER 1/2" GYPSONUM BOARD.
10. ALL ROOFING SHALL BE FINISHED WITH 2" POLYSTYRENE INSULATION OVER 1/2" GYPSONUM BOARD OVER 1/2" GYPSONUM BOARD.



ALL RIGHTS RESERVED BY ALDER JAMES ARCHITECTURE, INC. IT IS FORWARDED ONLY FOR THE PROJECT AND NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM.



- ADJACENT PROPERTY USES**
- A. FORMER STORAGE AND DISTRIBUTION DEPOT
 - B. PRIVATE RESIDENCE
 - C. FLOWER SHOP
 - D. RESTAURANT
 - E. RETAIL SPACE
 - F. RETAIL SPACE

ALDER JAMES
 31582 Mar Vista
 Laguna Beach, California
 92651
 T: 949-529-9070
 www.alderjames.com



Revisions

△	

MOHAVE CANNABIS COMPANY
 SPRINGVILLE

DEVINE HOLDINGS
 229 SOUTH MOUNTAIN AVE
 SPRINGVILLE, AZ 85388

Project No. 21-15
 Issue USE PERMIT
 Issue Date 06/24/2021
 Permit No.

VICINITY MAP
CUP-1