

NOTICE OF PUBLIC MEETING ZONING ADJUSTMENT HEARING

Pursuant to A.R.S. Section 38-431.02, notice is hereby given to the members of the **ZONING ADJUSTMENT HEARING OFFICER** and to the general public, that the **CITY OF PHOENIX ZONING ADJUSTMENT HEARING OFFICER** will hold a meeting open to the public on **June 13, 2024 at 9:00 AM (Items 1-8) and 1:30 PM (Items 9-16)**

Meeting will be held virtually. To participate, see instructions outlined below.

OPTIONS TO ACCESS THE MEETING

- **Call-in to listen** to the live meeting: Dial **602-666-0783**. Enter meeting access code **26337083348#**, and press # again when prompted for the attendee ID.
- **Observe the live meeting virtually**, by clicking on the following link and registering to join the meeting online:
<https://cityofphoenix.webex.com/weblink/register/r5e5b472b805e062df024e5873eb25450>
- **Submit a comment** on an agenda item:
 - At: zoning.adjustment@phoenix.gov by 5:00 PM on **June 11, 2024**
 - Indicate: Item Number and Case Number
- **Register to speak** on an agenda item:
- Register for the event by 5:00 PM on **June 11, 2024**, at:
<https://cityofphoenix.webex.com/weblink/register/r5e5b472b805e062df024e5873eb25450>
 - If speaking by phone only, please email zoning.adjustment@phoenix.gov by 5:00 PM on **June 11, 2024**.

Notes:

1. Agenda items may be taken out of order.
2. Comments may be limited due to time constraints and to ensure all viewpoints are heard.

The agenda for the meeting is as follows:

9:00 AM

1. Application #: ZA-261-18-2 (1 Year Review of Use Permit)
 Existing Zoning: A-1 DVAO
 Location: 1720 East Deer Valley Drive, Suite 101
 Quarter Section: 43-31(N9)
 Proposal: Use permit to allow a medical marijuana dispensary facility. Use permit required.

 Ordinance Sections: 627.D.92
 Applicant: Kristen Abelon, KMR Development, LLC
 Representative: Kristen Abelon, KMR Development, LLC
 Owner: Larry Marlin, Landmark Group, LLC
2. Application #: ZA-63-19-8 (1 Year Review of Use Permit)
 Existing Zoning: C-1 HP TOD-1 (Pend. WU T5:2)
 Location: 1110 East Washington Street
 Quarter Section: 10-29(F8)

Proposal: 1) Use permit to allow a microbrewery/winery. Use permit required.
2) Use permit to allow a bar and cocktail lounge. Use permit required.
3) Use permit to allow liquor retail sales. Use permit required.
4) Use permit to allow outdoor dining located within 500 feet of a single-family residential district. Use permit required.
5) Use permit to allow outdoor alcoholic beverage consumption located within 500 feet of a single-family residential district. Use permit required.
6) Use permit to allow outdoor music located within 500 feet of a single-family residential district. Use permit required.

Ordinance Sections: 1306.D.Table 1306.D.Table 1306.D.Table 1306.G.5
1306.G.5 1306.G.6.a(1)

Applicant: Jennifer Herbert, Superstition Meadery
Representative: Jennifer Herbert, Superstition Meadery
Owner: Laara VanLoben Sels

3. Application #: ZA-239-20-4 (1 Year Review of Use Permit)
Existing Zoning: A-2
Location: 3006, 3014, 3022 and 3030 North 30th Avenue
Quarter Section: 15-22(G7)
Proposal: 1) Use permit to allow a medical marijuana cultivation facility. Use permit required.
2) Use permit to allow a medical marijuana infusion facility. Use permit required.
3) Variance to allow a medical marijuana cultivation facility within 5,280 feet of another medical marijuana facility. Minimum 5,280 feet of separation required.
4) Variance to allow a medical marijuana infusion facility within 5,280 feet of another medical marijuana facility. Minimum 5,280 feet of separation required.
5) Variance to allow a medical marijuana cultivation facility within 1,320 feet of a school. Minimum 1,320 feet of separation required.
6) Variance to allow a medical marijuana infusion facility within 1,320 feet of a school. Minimum 1,320 feet of separation required.

Ordinance Sections: 627.D.91.a. 627.D.93.a. 627.D.91.c. 627.D.93.b.
627.D.91.e 627.D.93.d

Applicant: Chris Arnold, ACP Real Estate, LLC
Representative: Brian Greathouse, Burch & Cracchiolo, P. A.
Owner: Chris Arnold, ACP Real Estate, LLC

4. Application #: ZA-243-19-5 (1 Year Review of Use Permit) (Continued from April 25, 2024)
Existing Zoning: C-2
Location: 2601 West Dunlap Avenue
Quarter Section: 26-23(J7)

Proposal: 1) Variance to allow a nonprofit medical marijuana dispensary within 5,280 feet of another medical marijuana facility. Minimum 5,280 feet separation required.
 2) Variance to allow a nonprofit medical marijuana dispensary within 500 feet of a residentially zoned district. Minimum 500 feet separation required.
 3) Use Permit to allow a nonprofit medical marijuana dispensary. Use Permit required.

Ordinance Sections: 623.D.124.e 624.D.124.f 624.D.124.a
 Applicant: David Thomas, Greens Goddess Products, Inc.
 Representative: Benjamin Tate, Withey Morris, PLC
 Owner: MP Dunlap, Inc.

5. Application #: ZA-614-23-6 (Continued from May 2, 2024)
 Existing Zoning: R1-6
 Location: 4135 East Glenrosa Avenue
 Quarter Section: Q17-37(H10)
 Proposal: Variance to reduce the rear yard (south) setback to 1 foot for detached accessory structures. Minimum 3 feet required.

Ordinance Sections: 706.B.3
 Applicant: Daniel Rothenberg and Llissa Lazar
 Representative: Luis Ibarra, Territorial L&L Construction
 Owner: Daniel Rothenberg and Llissa Lazar

6. Application #: ZA-352-24-4
 Existing Zoning: C-2
 Location: 5504 North 7th Avenue
 Quarter Section: Q20-26(I8)
 Proposal: 1) Use permit to allow outdoor dining as an accessory use to a restaurant (The Bar) within 500 feet of a residential zoning district. Use permit required.
 2) Use permit to allow outdoor alcohol consumption as an accessory use to a restaurant (The Bar) within 500 feet of a residential zoning district. Use permit required.

Ordinance Sections: 623.D.157.c, 623.D.157.c
 Applicant: Frank Vairo, Blueprint Hospitality Group
 Representative: Pablo Martinez, RKAA Architects, Inc
 Owner: Ehab Jeff Francis, F & S Management II, LLC

7. Application #: ZA-364-24-4
 Existing Zoning: R-5 TOD-1, C-2 TOD-1
 Location: 220 East Lexington Avenue, 3304, 3306, 3308, 3316 North 3rd Street and 3305, 3309, 3315 North Morris Drive
 Quarter Section: Q15-28(G8)
 Proposal: 1) Use permit to allow outdoor dining or seating as an accessory use to a restaurant with alcoholic beverage consumption. Use permit required.
 2) Use permit to allow an extension of a use (surface parking) which is permitted in a less restricted district (C-2) into a more restricted district (R-5) to a maximum of 25 feet. Use permit required.

3) Variance to allow a 125 foot encroachment into a more restrictive zoning district. Maximum 25 feet encroachment allowed.

4) Variance to reduce the required building frontage along a non-transit street (Morris Drive) to 0%. Minimum 50% building frontage required.

5) Variance to reduce the required building frontage along a non-transit street (Lexington Avenue) to 30%. Minimum 50% building frontage required.

6) Variance to reduce the minimum sidewalk width (Morris Drive) to 6 feet. Minimum 8 feet required.

7) Variance to reduce the minimum sidewalk width (Lexington Drive) to 6 feet. Minimum 8 feet required.

Ordinance Sections: 662.F.1.d 307.A.8 307.A.8 662.I.2.a.Table 2
662.I.2.a.Table 2 662.J.1 662.J.1

Applicant: George Pasquel III, Withey Morris Baugh, PLC

Representative: George Pasquel III, Withey Morris Baugh, PLC

Owner: Ray Zuckerman, Moosedreams Management, LLC and TGRL 3316 LLC/JTR 3316 LLC

8. Application #: ZA-366-24-2
Existing Zoning: R1-18
Location: 5448 East Windstone Trail
Quarter Section: Q53-40(Q11)
Proposal: Use permit for official approval of a home occupation (Federal Firearms License). Use permit required.

Ordinance Sections: 608.E.27.h.(5)

Applicant: Tyler R. Schacter, SPR Defense LLC., SK Armament LLC.

Representative: Tyler R. Schacter, SPR Defense LLC., SK Armament LLC.

Owner: Tyler R. Schacter

1:30 PM

9. Application #: ZA-67-24-8 (SIGN) (Continued from April 25, 2024)
Existing Zoning: C-1
Location: 9170 South 51st Avenue
Quarter Section: Q02-16
Proposal: Use permit to adopt a major amendment to the Dobbins Ranch Shopping Center Comprehensive Sign Plan. Use Permit required.

Ordinance Sections: 705.E.2.d(2)

Applicant: Andrew Chi, Andrew Chi Planning

Representative: Andrew Chi, Andrew Chi Planning

Owner: Eric S. Young, Pacific Western Holdings, LLC

10. Application #: ZA-122-24-8 (SIGN) (Continued from April 25, 2024)
Existing Zoning: A-2 AIO RSIO
Location: 1735 East Maricopa Freeway
Quarter Section: Q7-31(E9)
Proposal: 1) Use permit to rebuild a non-conforming off-premise sign to a height of 60 feet. Use permit required.
2) Use Permit to rebuild two faces of a non-conforming off-premise sign to digital display. Use permit required.

- Ordinance Sections: 705.2.B.4.b 705.2.G.4
Applicant: Paul Hickman, Clear Channel Outdoor
Representative: Taylor C. Earl, Earl & Curley
Owner: Eller Outdoor Advertising, Clear Channel Outdoor
11. Application #: ZA-257-24-6 (SIGN)
Existing Zoning: C-3
Location: 5150 East Van Buren Street
Quarter Section: Q11-39(F11)
Proposal: 1) Variance for a ground sign height of 70 feet. Maximum 18 feet permitted.
2) Variance for a ground sign to increase sign area to 194 square feet. Maximum 130 square feet permitted.
- Ordinance Sections: 705.D.2.d (2) 705.D.2.d (2)
Applicant: James Carpentier, International Sign Association
Representative: James Carpentier, International Sign Association
Owner: Circle K Stores Inc.
12. Application #: ZA-333-24-8 (SIGN)
Existing Zoning: C-2 SP
Location: 4730 East Baseline Road
Quarter Section: Q1-38(D11)
Proposal: Variance to reduce the spacing of a ground sign to 68 feet. Minimum 100 feet allowed.
- Ordinance Sections: 705.D.1 Table-1
Applicant: Stacie Hicks, Vixxo
Representative: David Mikel, Site Enhancement Services
Owner: Gerald Valle, SST VI 4730 E Baseline Rd LLC
13. Application #: ZA-62-24-3 (Continued from May 2, 2024)
Existing Zoning: R1-10
Location: 11011 North 38th Street
Quarter Section: Q29-36(K10)
Proposal: Variance to reduce the side yard (south) setback to 5 feet. Minimum 10 feet required.
- Ordinance Sections: 611.B.Table B
Applicant: David Schwinghamer, Third Dimension Design
Representative: David Schwinghamer, Third Dimension Design
Owner: James Wernau
14. Application #: ZA-166-19-7 (4 Month Review of Use Permit)
Existing Zoning: DTC-West Evans Churchill HP
Location: 1121 North 2nd Street
Quarter Section: 12-28(G8)
Proposal: 1) Use permit to allow a bar (Pemberton House). Use permit required.
2) Use permit to allow outdoor liquor service accessory to a bar. Use permit required.
3) Use permit to allow liquor service accessory to a restaurant. Use permit required.
4) Use permit to allow alcohol sales and service within 300-feet of a church in an entertainment district. Use permit required.

- 5) Use permit to allow outdoor entertainment (amplified music or loudspeakers) between the hours of 7:00 AM and 12:00 AM on Friday through Sunday. Use permit required.
- 6) Use permit to allow outdoor entertainment between the hours of 7:00 AM and 12:00 AM on Friday through Sunday. Use permit required.
- 7) Variance to allow outdoor entertainment Monday through Thursday, between 7:00 AM and 12:00 AM. Outdoor entertainment permitted on Friday through Sunday only.

Ordinance Sections: 1204.D.Table 1204.D.Table 1204.D.Table 307.A.17.a
1204.C.5 1204.C.18 1204.C.16
Applicant: Nick Wood, Snell & Wilmer, LLP
Representative: Nick Wood, Snell & Wilmer, LLP
Owner: True North Holdings, LLC

15. Application #: ZA-210-24-2
Existing Zoning: R1-10
Location: 5874 East Le Marche Avenue
Quarter Section: Q35-41(L11)
Proposal: 1) Use permit for official approval of a home occupation (sales of firearms). Use permit required.
2) Use permit to allow a home occupation to generate traffic. Use permit required.

Ordinance Sections: 608.E.27.h.(5) 608.E.27.h.(1)
Applicant: Chad Finch, Drengers Forge, LLC
Representative: Chad Finch, Drengers Forge, LLC
Owner: Chad Finch

16. Application #: ZA-341-24-2
Existing Zoning: R1-10
Location: 6127 East Carolina Drive
Quarter Section: Q35-42(L12)
Proposal: Revocation of ZA-553-22, use permit to allow a home occupation (cooking school) that generates traffic. Use permit required.

Ordinance Sections: 307.A.7.g
Applicant: City of Phoenix, Planning and Development Department
Representative: City of Phoenix, Planning and Development Department
Owner: Connie Kircher, Love Nest Trust

For further information please call Eric Morales, Planner III, Planning and Development Department at 602-262-7927 or via electronic mail at zoning.adjustment@phoenix.gov. To request a reasonable accommodation, please contact Teleia Galaviz at 602-291-2559, teleia.galaviz@phoenix.gov TTY: Use 7-1-1.

6/12/2024