

**NOTICE OF PUBLIC HEARING
ZONING ADJUSTMENT HEARING**

Pursuant to A.R.S. Section 38-431.02, notice is hereby given 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 **April 19, 2018, at 9:00 a.m. located in Assembly Room C, Phoenix City Hall, 200 West Washington Street, First Floor, Phoenix, Arizona.**

Notes:

1. Agenda items may be taken out of order.
2. Anyone wishing to address an agenda item must complete a speaker card.
3. 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-117-18-4 (Sign)
Existing Zoning: C-2 TOD-1
Location: 3815 North Central Avenue
Quarter Section: 16-28(H8)
Proposal: **1)** Variance to allow a separation of 71 feet between ground signs. Minimum of 100 feet required. **2)** Variance to allow 152 square feet of wall signage. Maximum of 1 square foot for each lineal foot of building elevation to a maximum of 100 square feet for each business. **3)** Variance to exceed the maximum letter height of 12 inches for a wall sign. Maximum of 12 inches permitted for building fronts 30 feet in height or less.
Ordinance Sections: 705.D.1 662.K.1.a 662.K.1.b
Applicant: Scott Mehlhoff, Identity Sign Group, Inc.
Representative: Scott Mehlhoff, Identity Sign Group, Inc.
Owner: MAC Properties, LP
2. Application #: ZA-108-18-8
Existing Zoning: C-1, C-2, Pending C-2 SP HGT/WVR
Location: 2829 East Thomas Road
Quarter Section: 14-34(G10)
Proposal: **1)** Variance to reduce the required setback (2 story or 30 feet) when adjacent to R1-6 zoning to 25 feet. Minimum 50 feet required. **2)** Variance to reduce the required setback (3 story or 42 feet) when adjacent to R1-6 zoning to 50 feet. Minimum 100 feet required. **3)** Variance to eliminate the requirement to provide

landscape planters at the ends of each row of parking. Landscape planters at ends of each row of parking and approximately every 110 feet required. **4)** Variance to reduce the required parking to 12 spaces. Minimum 17 spaces required.

Ordinance Sections: 623.E.4.d 623.E.4.d 623.E.4.e 702.C
Applicant: Rincon Partners, LLC
Representative: Manjula M. Vaz, Gammage & Burnham, PLC
Owner: EJJ Investments, LLC

3. Application #: ZA-114-18-5
Existing Zoning: PSC
Location: 3502 West Glendale Avenue
Quarter Section: 23-20(I6)
Proposal: **1)** Variance to reduce the required building setback (north) from any boundary of the PSC zoning district to 8 feet. Minimum 25 feet required. **2)** Variance to reduce the required building setback (west) from any boundary of the PSC zoning district to 3 feet. Minimum 25 feet required.

Ordinance Sections: 637.C.3 637.C.3
Applicant: Nick Wood, Snell and Wilmer
Representative: Nick Wood, Snell and Wilmer
Owner: Real Estate Holdings of Arizona, LLC

4. Application #: ZA-115-18-7
Existing Zoning: DTC-West Evans Churchill ACSBO
Location: 821 North 2nd Street
Quarter Section: 11-28(F8)
Proposal: **1)** Use permit to allow a bar. Use permit required. **2)** Use permit to allow outdoor alcohol service as an accessory to a bar. Use permit required. **3)** Use permit to allow the outdoor dining area to be 50 percent of the primary building's ground level gross floor area. Use permit required.

Ordinance Sections: 1204. Matrix 1204. Matrix 1207.W.4.b.(1).C)
Applicant: Ian F Likwarz, Inner Revival, LLC
Representative: Ian F Likwarz, Inner Revival, LLC
Owner: Ray Zuckerman, JTR 821 N 2nd St, LLC

5. Application #: ZA-116-18-3
Existing Zoning: C-2, C-3 SP, S-1 and S-1 SP
Location: 1501 West Bell Road
Quarter Section: 36-25(M7)
36-26(M8)
Proposal: Use permit to allow for a temporary use that does not

- meet the requirements of an administrative temporary use permit (Motorcycle races). Use permit required.
- Ordinance Sections: 708.A
 Applicant: Jerry Simms, TP Racing, LLLP
 Representative: Vincent Francia, Turf Paradise Race Course
 Owner: Jerry Simms, TP Racing, LLLP
6. Application #: ZA-364-17-3 (6-month review)
 Existing Zoning: C-2
 Location: 2150 East Sweetwater Avenue
 Quarter Section: 32-32(L9)
 Proposal: **1)** Use Permit to allow a car wash in an open building. Use Permit required. **2)** Variance to reduce the street side (south) setback to 12 feet. Minimum 25 feet required. **3)** Variance to reduce the street side (south) landscape setback to 0 feet. Minimum 25 feet required. **4)** Variance to reduce the landscaping in the parking and maneuvering areas to 0 %. Minimum 10% required. **5)** Variance to reduce the landscape setback (east) adjacent to R-3 zoned property to 0 feet. Minimum 10 feet required.
- Ordinance Sections: 623.D.42 623.E.4.d 623.E.4.e 623.E.4.e
 Applicant: Sean Campbell, Campbell's Car Wash
 Representative: Thomas Hunt, Hunt Architects, Inc.
 Owner: Sean Campbell, Campbell's Car Wash
7. Application #: ZA-111-18-2
 Existing Zoning: C-2
 Location: 21023 North Cave Creek Road
 Quarter Section: 42-33(N9)
 Proposal: **1)** Time extension for ZA-37-17, a variance to expand an existing medical marijuana dispensary within 1,320 feet of a public park. Minimum 1,320-foot separation required. **2)** Time extension for ZA-37-17, a variance to expand an existing medical marijuana dispensary within 1-mile of another medical marijuana facility. Minimum 1-mile separation required. **3)** Time extension for ZA-37-17, a use permit to expand an existing medical marijuana dispensary. Use permit required.
- Ordinance Sections: 623.D.122.g 623.A.122.e 623.D.122.a
 Applicant: Benjamin L. Tate, Withey Morris, PLC
 Representative: Benjamin L. Tate, Withey Morris, PLC
 Owner: Rose Garden Holden, LLC

8. Application #: ZA-444-15-3 (3-month review)
Existing Zoning: C-2
Location: 17201 North 19th Avenue
Quarter Section: 37-25(M7)
Proposal: Use permit to allow a medical marijuana dispensary. Use permit required.
Ordinance Sections: 623.D.122.a
Applicant: Eric Kaufman, Swell Management Systems, LLC
Representative: Ryan Bird, Gilbert Bird Law Firm, PC
Owner: Sue Song Ku Yu Chiau Song AB Living Trust
- 1:30 PM**
9. Application #: ZA-120-18-4
Existing Zoning: C-2
Location: 2632 West Indian School Road
Quarter Section: 17-23(H7)
Proposal: **1)** Time extension of ZA-454-17, a use permit to allow for a carwash in an open building. Use permit required. **2)** Time extension of ZA-454-17, a use permit to allow vacuums as an accessory to a car wash in an open building. Use permit required.
Ordinance Sections: 307.A 307.A
Applicant: Michael Clark, Identity Mutual, LLC
Representative: Michael Clark, Identity Mutual, LLC
Owner: Dharmesh Ahir, Khodiyar, LLC
10. Application #: ZA-22-18-7
Existing Zoning: R1-8
Location: 4112 West St Charles Avenue
Quarter Section: 2-19(D6)
Proposal: Use permit to allow a dependent care facility for up to 12 dependents. Use permit required.
Ordinance Sections: 608.F.2
Applicant: Tyeshia Edwards
Representative: Tyeshia Edwards
Owner: Tyeshia Edwards
11. Application #: ZA-118-18-7
Existing Zoning: DTC ROOS N HP
Location: 50 West Lynwood Street
Quarter Section: 12-27(G8)
Proposal: Variance to reduce the side yard setback (west) to 0 feet. Minimum 3 feet required.
Ordinance Sections: 1218.B.4.b(1)
Applicant: Stephanie Espinoza, SE Studio Architecture
Representative: Stephanie Espinoza, SE Studio Architecture

Owner: Charles Walton

12. Application #: ZA-119-18-7
Existing Zoning: DTC-Roosevelt North HP
Location: 52 West Lynwood Street
Quarter Section: 12-27(G8)
Proposal: Variance to reduce the required side yard setback (east) for an accessory structure to 0 feet. Minimum 3 feet required.
Ordinance Sections: 1218.B.4.b(1)
Applicant: Stephanie Espinoza, SE Studio Architecture
Representative: Stephanie Espinoza, SE Studio Architecture
Owner: Charles Levy

13. Application #: ZA-121-18-8
Existing Zoning: R-3
Location: 3238, 3240 and 3250 East Pinchot Avenue
Quarter Section: 15-35(H10)
Proposal: **1)** Use permit to allow SFA (Single Family Attached) option. Use permit required. **2)** Variance to reduce the front (south) landscape setback to 0 feet. Minimum 10-foot-wide landscape tract or community maintained landscaping required. **3)** Variance to reduce the side (east) landscape setback to 0 feet. Minimum 5 feet required. **4)** Variance to reduce the side (west) landscape setback to 0 feet. Minimum 5 feet required. **5)** Variance to reduce the rear (north) landscape setback to 0 feet. Minimum 5 feet required.
Ordinance Sections: 608.F.6 608.F.6.c.1 608.F.6.c.3 608.F.6.c.3 608.F.6.c.3
Applicant: Massimo Sommacampagna, CIMA Holdings, LLC
Representative: Massimo Sommacampagna, CIMA Holdings, LLC
Owner: Massimo Sommacampagna

14. Application #: ZA-122-18-2
Existing Zoning: R-3
Location: 3044 East Hartford Avenue
Quarter Section: 37-34(M10)
Proposal: **1)** Variance to allow an open projection to project 9 feet into the required front yard setback. Maximum 5 feet projection allowed. **2)** Variance to reduce the setback for an open projection into the side yard (east) to 0 feet. Minimum 3 feet required.
Ordinance Sections: 701.A.3.a.(1).(a) 701.A.3.a.(1).(b)
Applicant: Bruce T Bodemann

- Representative: Bruce T Bodemann
 Owner: Bruce T Bodemann
15. Application #: ZA-125-18-8
 Existing Zoning: R-3
 Location: 6045 South 8th Place
 Quarter Section: 2-29(D8)
 Proposal: Variance to reduce the required lot width for 1 lot to 16 feet. Minimum 60 feet required.
 Ordinance Sections: 615.B.Table B
 Applicant: Kevin Fulkerson, Cornerstone Design
 Representative: DS Family Homes, LLC
 Owner: Kevin Fulkerson, Cornerstone, Design
16. Application #: ZA-145-18-7
 Existing Zoning: DTC - West Evans Churchill
 Location: 801 North 2nd Street
 Quarter Section: 11-28(F8)
 Proposal: Use permit to allow a temporary use for up to 36 months for outdoor entertainment for a restaurant/bar (Cobra Arcade). Use permit required.
 Ordinance Sections: 708.D.1
 Applicant: EQ Second & McKinley, LLC
 Representative: Taylor C. Earl, Earl, Curley & Lagarde, P.C.
 Owner: EQ Second & McKinley, LLC
17. Application #: ZA-207-13-4 (3-month review) (Continued from 3/15/18)
 Existing Zoning: A-2
 Location: 2937 West Thomas Road
 Quarter Section: 14-22(G7)
 Proposal: **1)** Use permit to allow a medical marijuana cultivation facility. Use permit required. **2)** Use permit to allow a medical marijuana infusion production facility. Use permit required. **3)** Variance to allow a medical marijuana cultivation facility to be located within 5,280 feet of the same type of use. Shall not be located within 5,280 feet of the same type of use. **4)** Variance to allow a medical marijuana infusion production facility to be located within 5,280 feet of the same type of use. Shall not be located within 5,280 feet of the same type of use.
 Ordinance Sections: 627.D.91.a. 627.D.93.a. 627.D.91.c. 627.D.93.b.
 Applicant: Lauren Anton, AZ Compassionate Care
 Representative: Lauren Anton, AZ Compassionate Care
 Owner: Harry Rabadi, Real Estate Baby 19

For further information, please call Ed Keyser, Planner II, Planning and Development Department at 602-495-0382, or contact via electronic mail at zoning@phoenix.gov. This electronic mail address will not accommodate zoning enforcement/violation complaints.

This publication can be made available in alternate format upon request. Contact Tamra Ingersoll at (602) 534-6648, TTY: use 7-1-1. To request reasonable accommodations, please contact Tamra Ingersoll at (602) 534-6648, TTY use 7-1-1.

March 19, 2018