

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 **May 3, 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-139-18-6 (Sign)
Existing Zoning: C-2
Location: 5132 East Elliot Road
Quarter Section: 04-39(C11)
Proposal: Variance to increase the height of an off-premise sign to 91 feet. Maximum of 87 feet allowed per ZA-401-17.

Ordinance Sections: 705.2. B.4.b
Applicant: Joseph White, Becker Boards Small, LLC
Representative: William Lally, Tiffany & Bosco
Owner: Nizar J. Somji, ETC10PHX, LLC
2. Application #: ZA-137-18-2
Existing Zoning: S-1 (Approved R-3A PCD)
Location: Northeast corner of 66th Street and Mayo Boulevard
Quarter Section: 39-43(N12)
Proposal: Use permit to allow an assisted living center. Use permit required.

Ordinance Sections: 616.C.2
Applicant: Ed Bull, Burch & Cracchiolo, P.A.
Representative: Ed Bull, Burch & Cracchiolo, P.A.
Owner: Jean Constantine, Camden MB Phoenix, LLC
3. Application #: ZA-138-18-7
Existing Zoning: DTC-West Evans Churchill ACSBO
Location: 218 East Portland Street
Quarter Section: 12-28(G8)
Proposal: Use permit to allow outdoor alcohol service as an accessory use to a restaurant. Use permit required.

- Ordinance Sections: 1204.D. Table
 Applicant: Nate Sonoskey, True North Holdings, LLC
 Representative: Linda Soto, Urban Plough, LLC
 Owner: Jonathon Vento, True North Holdings, LLC
4. Application #: ZA-140-18-3
 Existing Zoning: R-3
 Location: 11007 North 15th Avenue
 Quarter Section: 29-26(K8)
 Proposal: **1)** Variance to reduce the minimum lot width for Parcel 2 and Parcel 3 to 10 feet. Minimum 60 feet required. **2)** Variance to allow a lot with a depth of 74.40 feet (Parcel 1). Minimum 94 feet depth required.
- Ordinance Sections: 615.B. Table B 615.B. Table B
 Applicant: Roben Johnson, The Reserve Cloud 9, LLC
 Representative: Roben Johnson, The Reserve Cloud 9, LLC
 Owner: Roben Johnson, The Reserve Cloud 9, LLC
5. Application #: ZA-141-18-3
 Existing Zoning: R-3
 Location: 11007 North 15th Avenue
 Quarter Section: 29-26(K8)
 Proposal: **1)** Variance to reduce the minimum lot width for Parcel 2 and Parcel 3 to 10 feet. Minimum 60 feet required. **2)** Variance to allow a lot with a depth of 74.40 feet (Parcel 1). Minimum 94 feet depth required.
- Ordinance Sections: 615.B. Table B 615.B. Table B
 Applicant: Roben Johnson, The Reserve at Cloud 9, LLC
 Representative: Roben Johnson, The Reserve at Cloud 9, LLC
 Owner: Roben Johnson, The Reserve at Cloud 9, LLC
6. Application #: ZA-142-18-7
 Existing Zoning: S-1
 Location: 5625 South 51st Avenue
 Quarter Section: 3-17(D5)
 Proposal: **1)** Use permit to allow a disguised wireless communication facility (monopine) within a residentially zoned property that is designated for public or quasi-public space (River Bend Prep Academy). Use permit required. **2)** Use permit to allow a disguised wireless communication facility 53 feet from a property that is zoned for residential purposes. Minimum 150 feet required.
- Ordinance Sections: 715.B.2.a.(3). (a) 715.B.2.a.(2). (a). (i)
 Applicant: Joseph Engbrocks, Lendlease / T-Mobile
 Representative: Joseph Engbrocks, Lendlease / T-Mobile

- Owner: Carol Hansen, West Valley Arts and Technology Academy, Inc.
7. Application #: ZA-144-18-8
 Existing Zoning: S-1, Appr. R-3, C-2
 Location: Southeast corner of 59th Avenue and Baseline Road.
 Quarter Section: 01-15(D5)
 Proposal: Variance to reduce the required side yard setback (southeast) to 30 feet. Minimum 50 feet required.
 Ordinance Sections: 623.E.4.d
 Applicant: Wendy Riddell, Berry Riddell, LLC
 Representative: Wendy Riddell, Berry Riddell, LLC
 Owner: Lewis Hastings, 59th and Baseline, LLC
8. Application #: ZA-581-17-6 (Rescheduled from 3/1/18)
 Existing Zoning: R1-6
 Location: 4201 East Turney Avenue
 Quarter Section: 17-37(H10)
 Proposal: **1)** Variance to allow an open projection to project 12 feet into the required front yard. Maximum 5-foot projection permitted. **2)** Variance to allow required parking for single-family residential to be located within the required front yard.
 Ordinance Sections: 701.A.3.a.(1).(a) 702.F.1.a
 Applicant: Paul Pfeifer, DRS Real Estate Fund, LLC
 Representative: Paul Pfeifer, DRS Real Estate Fund, LLC
 Owner: DRS Real Estate Fund, LLC
- 1:30 PM**
9. Application #: ZA-146-18-1
 Existing Zoning: PSC (pending PSCOD)
 Location: 5050 West Bell Road
 Quarter Section: 37-17(M5)
 Proposal: Use permit to allow a car wash in an open building. Use permit required.
 Ordinance Sections: 659.B.32
 Applicant: Tuck Bettin, Cobblestone Auto Spa
 Representative: Keilah Casillas, PM Design Group, Inc.
 Owner: Craig Christensen, AMRESO Commercial Finance, LLC
10. Application #: ZA-147-18-4
 Existing Zoning: C-2
 Location: 1041, 1051 East Camelback Road and 1042, 1046 East Mariposa Street
 Quarter Section: 18-29(H8)

Proposal: **1)** Use permit to allow outdoor dining as an accessory use to a restaurant. Use permit required. **2)** Use permit to allow outdoor alcoholic beverage consumption as an accessory use to a restaurant. Use permit required. **3)** Variance to allow 70 percent lot coverage. Maximum 50 percent lot coverage permitted. **4)** Variance to reduce the required building setback when adjacent to a street (Camelback Road) to 10 feet. Average 25 feet required with a minimum of 20 feet permitted for up to 50% of the structure. **5)** Variance to reduce the required building setback when adjacent to a street (11th Street) to 0 feet. Average 25 feet required with a minimum of 20 feet permitted for up to 50% of the structure. **6)** Variance to reduce the required parking to 34 spaces. Minimum 59 spaces required. **7)** Variance to reduce the required dimensions of parking spaces to 9x18 feet. Minimum 9-1/2x18 feet is required. **8)** Variance to reduce the drive isles to 22 feet. Minimum 26 feet is required. **9)** Variance to reduce the required landscape setback (Camelback Road) to 10 feet. Average 25 feet required with a minimum of 20 feet permitted for up to 50% of the frontage. **10)** Variance to reduce the required landscape setback (11th Street) to 0 feet. Average 25 feet required with a minimum of 20 feet permitted for up to 50% of the frontage.

Ordinance Sections: 623.D.157.c 623. D.57.c 623. E.4.h 623. E.4.d 623.E4. d 702.C 702. B.2.a.(1). (a) 702. B.4.a 623. E.4.e 623.E4. e

Applicant: Whitney Griffin, Owner
Representative: Jacob E Zonn, Tiffany & Bosco, PA
Owner: Whitney Griffin, Owner

11. Application #: ZA-148-18-2
Existing Zoning: C-2 PCD NBCCPOD
Location: Approximately 500 feet west of the southwest corner of North Valley Parkway and Dove Valley Road

Quarter Section: 56-22(R7)
Proposal: **1)** Use permit to allow for a car wash in an open building. Use permit required. **2)** Use permit to allow vacuums as an accessory to a car wash in an open building. Use permit required.

Ordinance Sections: 623.D.42 623.D.42
Applicant: Reza Amirrezvani, Superstar Car Wash
Representative: Paul Devers, Cawley Architects
Owner: Patrick Evans

12. Application #: ZA-149-18-4
Existing Zoning: PUD
Location: 3320 North 7th Avenue
Quarter Section: 15-26(G8)
Proposal: Use permit to allow retail liquor sales. Use permit required.
Ordinance Sections: 1306.D. Table 1306.1
Applicant: Sprouts Farmers Market #41
Representative: Amy Nations, Arizona Liquor Industry Consultants
Owner: Paul Tuchin, Seventh & Osborn Retail, LLC
13. Application #: ZA-150-18-6
Existing Zoning: RE-35
Location: 5200 East Camelback Road
Quarter Section: 18-39(H11)
18-40(H11)
Proposal: Variance to allow an accessory building 0 feet from the side yard setbacks (north and east) property lines. Minimum 3 feet required.
Ordinance Sections: 706.B.
Applicant: Mina O'Boyle, Gust Rosenfeld, P.L.C.
Representative: Mina O'Boyle, Gust Rosenfeld, P.L.C.
Owner: XHR Phoenix Palms, LLC/Xenia Hotels and Resorts
14. Application #: ZA-151-18-2
Existing Zoning: approved S-2
Location: 4711 East Ashler Hills Drive
Quarter Section: 55-38(Q11)
Proposal: Variance to reduce the setback for a veterinary hospital to 20 feet. Minimum 100 feet required.
Ordinance Sections: 604.A.4
Applicant: Andrew Armstrong, Beus Gilbert, PLLC
Representative: Paul E Gilbert, Beus Gilbert, PLLC
Owner: Ashler Hills Investment Group, LLC
15. Application #: ZA-152-18-3
Existing Zoning: R-4
Location: 9630 and 9634 North 13th Avenue
Quarter Section: 27-26(J8)
Proposal: **1)** Variance to create 2 lots with a width of 52.5 feet each. Minimum 60 feet required. **2)** Variance to reduce the required side yard setback (south of southern lot) to 6 feet. Minimum 10 feet required. **3)** Variance to reduce the required side yard setback (north of northern lot) to 8 feet. Minimum 10 feet required.

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| Ordinance Sections: | 617.B. Table B 617.B. Table B 617.B. Table B |
| Applicant: | Joe Collins, City of Phoenix Housing Department |
| Representative: | Joe Collins, City of Phoenix Housing Department |
| Owner: | Joe Collins, City of Phoenix Housing Department |
16. Application #: ZA-153-18-8
Existing Zoning: R-3
Location: 2940 and 2946 North 37th Street
Quarter Section: 15-36(G10)
Proposal: Use permit to use the SFA development option of Table B. Use permit required
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| Ordinance Sections: | 615.B. Table B |
| Applicant: | Lorne Wallace, RAS Development, Inc. |
| Representative: | Lorne Wallace, RAS Development, Inc. |
| Owner: | Paul Roetto, Jr. |
17. Application #: ZA-48-18-4
Existing Zoning: C-2-TOD-1
Location: 2027 West Bethany Home Road
Quarter Section: 20-24(17)
Proposal: **1)** Use permit to allow a medical marijuana dispensary. Use permit required. **2)** Variance to allow a medical marijuana dispensary within 500 feet of a residentially zoned district. 500-foot separation is required between residential zoned districts and medical marijuana dispensary.
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| Ordinance Sections: | 623.D.124.a 623. D.124.f |
| Applicant: | Curtis Devine, Devine Herbal Healing, Inc. |
| Representative: | Larry S. Lazarus, Lazarus, Silvyn & Bangs, P.C. |
| Owner: | Joseph Knochel, Knochel Family, LLC |

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.

April 12, 2018