

**NOTICE OF PUBLIC HEARING
ZONING ADJUSTMENT HEARING**

**Revised 5/2/19*

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 16, 2019, 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-160-19-2 (SIGN)
 Existing Zoning: CP/GCP
 Location: 3055 East Rose Garden Lane
 Quarter Section: 41-34(N10)
 Proposal: Use permit to establish the Rose Garden / 51 Business Center Comprehensive Sign Plan. Use permit required.

 Ordinance Sections: 705.E.2
 Applicant: Chris Scherf, Epic Sign Group
 Representative: Pamela Collins, Chamberlain Enterprises, LLC
 Owner: Rose Garden/51, LLC

2. Application #: ZA-161-19-2 (SIGN)
 Existing Zoning: CP/GCP PCD
 Location: 16220 North Scottsdale Road
 Quarter Section: 36-44(M12)
 Proposal: Use permit for a major amendment to the Max at Kierland Comprehensive Sign Plan. Use permit required.

 Ordinance Sections: 705.E.2
 Applicant: Julie Kulka, Airpark Signs & Graphics
 Representative: Julie Kulka, Airpark Signs & Graphics
 Owner: Marie Dunn, Artis REIT, c/o AX MAXK, LP

3. Application #: ZA-167-19-7 (SIGN)
 Existing Zoning: DTC - Downtown Gateway ACOD
 Location: 800 North Central Avenue
 Quarter Section: 11-27(F8)
 Proposal: Use permit to establish The Stewart Comprehensive Sign Plan. Use permit required.

 Ordinance Sections: 705.E.2
 Applicant: Anthony Chumita, Christy Signs

- Representative: Anthony Chumita, Christy Signs
 Owner: Geoffrey Jacobs, The Stewart, LLC
4. Application #: ZA-170-19-7 (SIGN)
 Existing Zoning: A-1
 Location: 110 North 59th Avenue
 Quarter Section: 10-14(F5)
 Proposal: Use Permit to rebuild a nonconforming off-premise sign to non-digital. Use Permit required.
 Ordinance Sections: 705.2.G.5
 Applicant: Jim Jemsek, The Lark Group Limited
 Representative: David Cisiewski, Esq., Law Office of David Cisiewski
 Owner: Jim Jemsek, The Lark Group Limited
5. * Application #: ZA-132-19-4
 Existing Zoning: R1-6
 Location: 1838 East Cypress Street
 Quarter Section: 13-31(G9)
 Proposal: **1)** Variance to reduce the required rear yard setback (north) to 0 feet. Minimum 25 feet required. **2)** Variance to reduce the required side yard setback (east) to 2 feet. Minimum 10 feet required.
 Ordinance Sections: 613.B.Table B 613.B.Table B
 Applicant: Rod Jarvis, Earl, Curley & LaGarde, PC
 Representative: Rod Jarvis, Earl, Curley & LaGarde, PC
 Owner: Dane "Lucky" Kreiner, New Dimensions in Recovery, Inc.
6. Application #: ZA-164-19-3
 Existing Zoning: C-3
 Location: 710 East Dunlap Avenue
 Quarter Section: 27-29(J8)
 Proposal: **1)** Variance to reduce the required streetscape landscape setback (Cave Creek Road) to 10 feet. Average 25 feet, minimum 20 feet permitted for up to 50% of the frontage. **2)** Variance to reduce the required streetscape landscape setback (Dunlap Avenue) to 10 feet. Average 25 feet, minimum 20 feet permitted for up to 50% of the frontage.
 Ordinance Sections: 623.E.4.e 623.E.4.e
 Applicant: Neil Feaser, RKAA Architects, Inc.
 Representative: Neil Feaser, RKAA Architects, Inc.
 Owner: Tony Christofellis, 7 Figures 710, LLC
7. Application #: ZA-165-19-6
 Existing Zoning: C-2 MR
 Location: 5005 East Chandler Boulevard
 Quarter Section: 011-39(A11)
 Proposal: **1)** Use permit to allow outdoor dining accessory to a restaurant (Cold Beer and Cheeseburgers) within 500

feet of a residential district. Use permit required. **2)** Use permit to allow outdoor alcoholic beverage consumption accessory to a restaurant (Cold Beer and Cheeseburgers) within 500 feet of a residential district. Use permit required.

Ordinance Sections: 623.D.157.c. 623.D.157.c
Applicant: Ron Ault, c/o The Ault Companies
Representative: Dean Munkachy, Suite 6 Architecture + Planning, Inc.
Owner: Old Lobo 50C, LLC, c/o The Ault Companies

8. Application #: ZA-531-17-4 (1 year review of use permit)
Existing Zoning: A-2
Location: 2902 West Virginia Avenue
Quarter Section: 14-22(G7)
Proposal: **1)** Use permit to allow a medical marijuana infusion facility. Use permit required. **2)** Variance to allow a medical marijuana infusion facility within 960 feet of another facility. Minimum 5280 feet separation required.

Ordinance Sections: 627.D.91.a 627.D.93.c
Applicant: Pat Carrigan, American Green, Inc.
Representative: Jenifer Corey, Zoning Strategies, LLC
Owner: S and S Holdings, LLC

1:30 PM

9. Application #: ZA-172-19-6 (SIGN)
Existing Zoning: C-2
Location: 6031 North 16th Street
Quarter Section: 21-31(I9)
Proposal: Use permit to establish the 16 North Comprehensive Sign Plan. Use permit required.

Ordinance Sections: 705.E.2
Applicant: Andy Gibson, Bootz and Duke Sign, Co.
Representative: Andy Gibson, Bootz and Duke Sign, Co.
Owner: Ashley Nye, Point B 16 North, LLC

10. Application #: ZA-145-19-7
Existing Zoning: R-3
Location: 2144 West Maricopa Street
Quarter Section: 9-24(F7)
Proposal: Use permit to allow public assembly-residential (church) with vehicular access on a local or minor collector street. Use permit required.

Ordinance Sections: 608.E.6.
Applicant: Martin Sandino, Martin Sandino Architecture and Planning
Representative: Martin Sandino, Martin Sandino Architecture and Planning
Owner: Maximo/Moises Lopez

11. Application #: ZA-171-19-7
Existing Zoning: DTC-Business Core
Location: 1 North 1st Street
Quarter Section: 10-28(F8)
Proposal: **1)** Variance to reduce the required sidewalk width (west) to 6 feet. Minimum 10 feet required. **2)** Variance to reduce the required sidewalk width (south) to 8 feet. Minimum 10 feet required. **3)** Variance to reduce the streetscape requirement (west) to 0 feet. Minimum 6 feet required. **4)** Variance to reduce the streetscape requirement (south) to 0 feet. Minimum 6 feet required.
Ordinance Sections: 1209.D.Table 1209.D.Table 1209.D.Table 1209.D.Table
Applicant: Linda Soto, Urban Plough, LLC
Representative: Aaron Forbes, Urban Plough, LLC
Owner: Kyle Frazey, Three E One North First Investment Co., LLC
12. Application #: ZA-174-19-7
Existing Zoning: DTC-West Evans Churchill
Location: 903 North 2nd Street
Quarter Section: 11-28(F8)
Proposal: **1)** Use permit to allow a bar (Punch Bowl). Use permit required. **2)** Use permit to allow outdoor liquor service as an accessory use to a bar. Use permit required. **3)** Use permit to allow outdoor liquor service as an accessory use to a restaurant. Use permit required. **4)** 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. **5)** Use permit to allow outdoor entertainment between the hours of 7:00 AM and 12:00 AM on Friday through Sunday. Use permit required. **6)** Variance to allow outdoor entertainment on Monday through Thursday, between 7:00 AM and 12:00 AM. Outdoor entertainment permitted Friday through Sunday only. **7)** Variance to reduce the required parking to 7 spaces. Minimum 15 parking spaces required.
Ordinance Sections: 1204.D. 1204.D. 1204.D. 1204.C.5 1204.C.18 1204.C.16 1206.C.1.b(1)
Applicant: Nick Wood, Esq., Snell & Wilmer, LLP
Representative: Nick Wood, Esq., Snell & Wilmer, LLP
Owner: RO2 903, LLC
13. Application #: ZA-175-19-6
Existing Zoning: R1-6
Location: 3433 East Sells Drive
Quarter Section: 17-35(H10)

- Proposal: **1)** Variance to reduce the side yard setback to 8 feet. Minimum 10 feet required. **2)** Variance to increase the lot coverage to 43%. Maximum 40% required.
- Ordinance Sections: 613.B.Table B 613.B.Table B
 Applicant: Adam Baugh, Withey Morris, PLC
 Representative: Adam Baugh, Withey Morris, PLC
 Owner: Woodglen Opportunities, Inc., c/o Joe Cook
14. Application #: ZA-178-19-1
 Existing Zoning: C-1
 Location: 4220 West Northern Avenue, Suite 103-104
 Quarter Section: 25-19(J6)
 Proposal: Use permit to allow the sale of alcoholic beverages accessory to a restaurant (Ocho Rios Jerk Spot). Use permit required.
- Ordinance Sections: 622.D.150.a
 Applicant: Theresa Miller, Ocho Rios Jerk Spot
 Representative: Theresa Miller, Ocho Rios Jerk Spot
 Owner: Mahendra Kardani, Foothills Village
15. Application #: ZA-180-19-4
 Existing Zoning: WU T4:3 SL
 Location: 1617 West Colter Street
 Quarter Section: 19-25(H7)
 Proposal: Variance to reduce the required landscape tract (north) to 10 feet. Minimum 15 feet required.
- Ordinance Sections: 608.F.8.c.(2)
 Applicant: Christian Solorio, Architectural Resource Team. Inc.
 Representative: Christian Solorio, Architectural Resource Team. Inc.
 Owner: Glenn Karlson, TCD, LLC
16. Application #: ZA-182-19-6
 Existing Zoning: C-2, C-3
 Location: 2611 East Indian School Road
 Quarter Section: 16-33(H9)
 Proposal: **1)** Use permit to allow a pet care facility. Use permit required. **2)** Variance to reduce the required setback from a residential district to 1-foot for a pet care facility. Minimum 100 feet required.
- Ordinance Sections: 622.D.131.a 622.D.131.d
 Applicant: Carolyn Oberholtzer, Bergin, Frakes, Smalley, & Oberholtzer
 Representative: Carolyn Oberholtzer, Bergin, Frakes, Smalley, & Oberholtzer
 Owner: ATFC, LLC
17. Application #: ZA-68-16-1 (1 year review of use permit)
 Existing Zoning: C-2

Location: 4244 West Dunlap Avenue
Quarter Section: 27-19(J6)
Proposal: **1)** Use permit to allow a medical marijuana dispensary facility. Use permit is required. **2)** Variance to allow a medical marijuana dispensary within 1320 feet of a preschool. Minimum of 1320 feet of separation required.
Ordinance Sections: 623.D.122.a 623.D.122.g
Applicant: DRH Enterprises
Representative: Withey Morris, PLC
Paul Conant, Conant Law Offices
Owner: Angal Dunlap Properties, LLC

For further information, please call Eric Morales, Planner II, Planning and Development Department at 602-262-7927, 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. To request a reasonable accommodation, please contact Tamra Ingersoll at the Planning and Development Department at 602.534-6648, TTY: Use 7-1-1.

May 3, 2019