

**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 30, 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-166-19-7
 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

2. Application #: ZA-168-19-7
 Existing Zoning: DTC-West Evans Churchill
 Location: 817 North 2nd Street
 Quarter Section: 11-28(F8)
 Proposal: **1)** Use permit to allow a bar (Brother's Pub). 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 events between the hours of 7:00 AM and 12:00 AM on Friday through Sunday. 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 liquor service as an accessory use to a restaurant. 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.

Ordinance Sections: 1204.D.Table 1204.D.Table 1204.C.18 1204.C.5
1204.D.Table 1204.C.16

Applicant: Nick Wood, Snell & Wilmer, LLP
Representative: Nick Wood, Snell & Wilmer, LLP
Owner: RO2 817, LLC

3. Application #: ZA-169-19-7
Existing Zoning: DTC-West Evans Churchill HP
Location: 1025 North 2nd Street
Quarter Section: 12-28(G8)
Proposal: **1)** Use permit to allow a bar (Knipe House). Use permit required. **2)** Use permit to allow outdoor liquor service as accessory to a bar. Use permit required. **3)** Use permit to allow outdoor liquor service as accessory 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)** Use permit to allow alcohol sales and service within 300-feet if a church in an entertainment district. Use permit required.

Ordinance Sections: 1204.D.Table 1204.D.Table 1204.D.Table 1204.C.5
1204.D.C.18 1204.C.16 307.A.17.a

Applicant: Nick Wood, Snell & Wilmer, LLP
Representative: Nick Wood, Snell & Wilmer, LLP
Owner: RO2 Knipe House, LLC

4. Application #: ZA-173-19-7
Existing Zoning: DTC- West Evans Churchill
Location: 1109 and 1115 North 2nd Street

Quarter Section: 12-28(G8)
Proposal: **1)** Use permit to allow a bar (The Godfrey). Use permit required. **2)** Use permit to allow outdoor liquor service accessory to a bar. Use permit required. **3)** Use permit to allow outdoor 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 to 12:00 AM on Friday through Sunday. Use permit required. **6)** Use permit to allow outdoor entertainment between the hours of 7:00 AM to 12:00 AM on Friday through Sunday. Use permit required. **7)** Variance to allow outdoor entertainment on Monday through Thursday, between 7:00 AM and 12:00 AM. Outdoor entertainment permitted Friday through Sunday only. **8)** Variance to increase the side yard (south) wall height up to 12 feet. Maximum 6 feet permitted.

Ordinance Sections: 1204.D.Table 1204.D.Table 1204.D.Table 307.A.17.a
1204.C.5 1204.C.18 1204.C.16 1215.B.6.a

Applicant: Nick Wood, Esq, Snell & Wilmer, LLP
Representative: Nick Wood, Esq, Snell & Wilmer, LLP
Owner: Manorshare, LLC

5. Application #: ZA-176-19-7
Existing Zoning: DTC-West Evans Churchill HP
Location: 1009, 1015 and 1029 North 2nd Street
Quarter Section: 12-28(G8)
Proposal: **1)** Use permit to allow a bar (Knipe Office). Use permit required. **2)** Use permit to allow alcohol sales and service within 300-feet of a church in an entertainment district. Use permit required. **3)** Use permit to allow outdoor liquor service as an accessory use to a bar. Use permit required. **4)** Use permit to allow outdoor entertainment 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 (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 liquor service as an accessory use to a restaurant. Use permit required. **7)** Variance to allow outdoor entertainment on Monday through Thursday, between 7:00 AM and 12:00 AM. Outdoor entertainment permitted Friday through Sunday only.

Ordinance Sections: 1204.D.Table 307.A.17.a 1204.D.Table 1204.C.18
1204.C.5 1204.D.Table 1204.C.16

Applicant: Nick Wood, Snell & Wilmer, LLP

- Representative: Nick Wood, Snell & Wilmer, LLP
 Owner: City of Phoenix
6. Application #: ZA-177-19-7
 Existing Zoning: DTC-Downtown Gateway
 Location: 1001 North Central Avenue
 Quarter Section: 12-28(G8)
 Proposal: **1)** Use permit to allow a bar (Ten-O-One). Use permit required. **2)** Use permit to allow outdoor liquor service as accessory to a bar. Use permit required. **3)** Use permit to allow outdoor liquor service as accessory 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)** Use permit to allow alcohol sales and service within 300-feet if a church in an entertainment district. Use permit required. **7)** Variance to allow outdoor entertainment on Monday through Thursday, between 7:00 AM and 12:00 AM. Outdoor entertainment permitted Friday through Sunday only.
- Ordinance Sections: 1204.D.Table 1204.D.Table 1204.D.Table 1204.C.5
 1204.C.18 307.A.17.a 1204.C.16
- Applicant: Nick Wood, Snell & Wilmer, LLP
 Representative: Nick Wood, Snell & Wilmer, LLP
 Owner: RO2 Central Roosevelt, LLC
7. Application #: ZA-205-19-8
 Existing Zoning: R-2
 Location: 2604 North 27th Street
 Quarter Section: 14-32(G9)
 Proposal: Variance to allow an over height wall (8 feet) within the required perimeter setback (south). Maximum 6 feet permitted.
- Ordinance Sections: 703.A.2.c
 Applicant: Wendy Riddell, Berry Riddell, LLC
 Representative: Wendy Riddell, Berry Riddell, LLC
 Owner: Joseph Risi, Arcadia 1, LLC
8. Application #: ZA-197-19-5
 Existing Zoning: A-2
 Location: 4210 North 39th Avenue
 Quarter Section: 17-19(H6)
 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 the same type use or medical marijuana dispensary or infusion facility. Minimum 5,280 foot separation required. **4)** Variance to allow a medical marijuana cultivation facility within 1,320 feet of a place of worship. Minimum 1,320 foot separation required. **5)** Variance to allow a medical marijuana infusion facility within 5,280 feet of the same type of use or cultivation facility. Minimum 5,280 foot separation required. **6)** Variance to allow a medical marijuana infusion facility within 1,320 feet of a place of worship. Minimum 1,320 foot separation required.

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

Applicant: Taylor C. Earl, Earl, Curley & Lagarde, P.C.

Representative: Taylor C. Earl, Earl, Curley & Lagarde, P.C.

Owner: Brian W. Leecing, SCF Properties, LLC

1:30 PM

9. Application #: ZA-107-19-8
 Existing Zoning: S-1
 Location: 6250 and 6202 South 23rd Avenue
 Quarter Section: 2-23(D7)
 Proposal: **1)** Use permit to allow public assembly-residential with vehicular access on a local street (23rd Avenue). Use permit required. **2)** Variance to increase the lot coverage to 20%. Maximum 10% required.

Ordinance Sections: 608.E.6 603.B.4

Applicant: Abdul A. Slatewala, Architecture All & Associates

Representative: Abdul A. Slatewala, Architecture All & Associates

Owner: Jain Center of Greater Phoenix

10. Application #: ZA-184-19-7
 Existing Zoning: DTC-Business Core
 Location: 110 North Central Avenue
 Quarter Section: 10-27(F8)
 Proposal: **1)** Variance to reduce the required building setback (east) to 0 feet. Minimum 5 feet required. **2)** Variance to reduce the required streetscape zone width (east) to 0 feet. Minimum 6 feet required.

Ordinance Sections: 1209.D.Table 1209.D.Table

Applicant: Rachel McAuley, Zen Thai Restaurant

Representative: James Easton, James Easton Architect, PLLC

Owner: 108-110 N. Central Properties, LLC

11. Application #: ZA-198-19-5
 Existing Zoning: PSC
 Location: 8210 West Indian School Road

- Quarter Section: 17-9(H3)
 Proposal: Use permit to allow a kiosk (ATM) of no more than 250 square feet in size. Use permit required.
- Ordinance Sections: 637.A.1.c.
 Applicant: Stephanie Parker, JLL/Bank of America
 Representative: Seth Good, Gensler
 Owner: Venancia Macias, Indian School & 82, LLC
12. Application #: ZA-199-19-8
 Existing Zoning: C-1, R-4
 Location: Southeast corner of North 32nd Street and East Roosevelt Street
 Quarter Section: 11-35(F10)
 Proposal: **1)** Variance to reduce the required parking to 67 spaces. Minimum 89 spaces required. **2)** Variance to reduce the required landscape setback (east) for the C-1 zoned portion of the property to 0 feet. Minimum 10 feet required. **3)** Variance to reduce the required landscape setback (north) for the C-1 zoned portion of the property to 10 feet. Average 25 feet required, minimum 20 feet permitted for up to 50% of the frontage. **4)** Variance to reduce the required landscape setback (west) for the C-1 zoned portion of the property to 15 feet. Average 25 feet required, minimum 20 feet permitted for up to 50% of the frontage.
- Ordinance Sections: 702.C.Table 622.E.4.e. 622.E.4.e. 622.E.4.e.
 Applicant: Taylor Earl Greg Loper, Earl, Curley & Lagarde, PC
 Representative: Taylor Earl Greg Loper, Earl, Curley & Lagarde, PC
 Owner: Jay Francis Gerald Haan, GA Haan Development, LLC
13. Application #: ZA-200-19-7
 Existing Zoning: R-5 RI
 Location: 813, 817, 821, 825 and 829 North 11th Avenue
 Quarter Section: 11-26(F8)
 Proposal: Use permit to allow the Planned Residential Development option. Use permit required.
- Ordinance Sections: 618.B.TableB
 Applicant: Derek Stebner, Langstan Management, LLC
 Representative: Edmir Dzudza, E-Project LLC
 Owner: Derek Stebner, Langstan Management, LLC
14. Application #: ZA-201-19-2
 Existing Zoning: C-2, R-2 SP
 Location: Southeast corner of Cave Creek Road and Contention Mine Road
 Quarter Section: 37-33(M9)
 Proposal: Variance to reduce the required landscape setback (west) to 15 feet. An average of 25 feet is required, minimum of 20 feet is permitted for up to 50% of the frontage.

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| | Ordinance Sections: | 623.E.4.e.Table |
| | Applicant: | Greg Zimmerman, GM Zimmerman-Architect |
| | Representative: | Greg Zimmerman, GM Zimmerman-Architect |
| | Owner: | Mako's, LLC |
| 15. | Application #: | ZA-202-19-6 |
| | Existing Zoning: | R1-6 |
| | Location: | 4024 North 33rd Place |
| | Quarter Section: | 16-35(H10) |
| | Proposal: | Variance to reduce the required side yard setback (north) to 8 feet. Minimum 10 feet required. |
| | Ordinance Sections: | 613.B.Table B |
| | Applicant: | Daniel Fox, RAA Southwest Builders, LLC |
| | Representative: | Alysia Kaczmarek, Realty Asset Advisors |
| | Owner: | Daniel Fox, RAA Southwest Builders, LLC |
| 16. | Application #: | ZA-203-19-1 |
| | Existing Zoning: | C-2 |
| | Location: | 3425 West Greenway Road |
| | Quarter Section: | 34-21(L6) |
| | Proposal: | Use permit to allow a drive-through facility as an accessory use to a restaurant (Salad and Go) with a queuing lane less than 300-feet from a residential district zoning line. Use permit required. |
| | Ordinance Sections: | 623.D.157.d.(2) |
| | Applicant: | Beau Woodring, Southwest General Development |
| | Representative: | Beau Woodring, Southwest General Development |
| | Owner: | WPC Greenway Storage, 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 15, 2019