

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 **January 7, 2021 at 9:00 AM (Items 1-8) and 1:30 PM (Items 9-16)**

Per the most recent social distancing guidelines from the federal government, no residents will be allowed to attend the meeting in-person.

OPTIONS TO ACCESS THE MEETING

- **Call-in to listen** to the live meeting: Dial **602-666-0783**, Enter meeting access code **1265337076#**, 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://cityofphoenixpdd.webex.com/cityofphoenixpdd/onstage/g.php?MTID=e034c111f76cd5229974b43939bf85b79>
- **Submit a comment** on an agenda item:
 - At: zoning.adjustment@phoenix.gov
 - Indicate: Item Number and Case Number
- **Register to speak** on an agenda item:
 - At: zoning.adjustment@phoenix.gov
 - By: **48 hours prior to the start of the hearing**. Staff will make every effort to accommodate requests to speak submitted beyond the 48-hour period. Due to the added demands of facilitating the virtual environment for the public, applicants and other staff members, we cannot consider any request less than 6 business hours before the start of the meeting / hearing.
 - Indicate: Item Number and Case Number

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-298-12-7 (1-year review of use permit)
Existing Zoning: A-1
Location: 2620 West Encanto Boulevard
Quarter Section: 14-23(G7)
Proposal: Time extension for ZA-74-12, Use Permit to allow a medical marijuana cultivation facility. Use Permit to allow a medical marijuana dispensary facility. Use Permit required.
Ordinance Sections: 627.D.91.a., 627.D.92.a.
Applicant: Encanto Green Cross Dispensary
Representative: Lindsay Schube, Gammage & Burnham, PLC
Owner: Jim Boland, Encanto Green Cross Dispensary

2. Application #: ZA-459-12-8 (1-year review of use permit)
Existing Zoning: A-1
Location: 4116 East Superior Avenue, Suites 1, 2, 3 B
Quarter Section: 6-37(E10)
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 within 5,280 feet of another medical marijuana facility. A medical marijuana cultivation facility shall not be located within 5,280 feet of another medical marijuana facility. **4)** Variance to allow a medical marijuana infusion production facility within 5,280 feet of another medical marijuana facility. A medical marijuana infusion production facility shall not be located within 5,280 feet of another medical marijuana facility.
Ordinance Sections: 627.D.91.a. 627.D.93.a. 627.D.91.c. 627.D.93.b.
Applicant: Theodore C. Pappas, N+A Enterprises, LLC
Representative: David W. Dow, Law Offices of David W. Dow
Owner: Superior Industrial Center, LLC
3. Application #: ZA-54-13-7 (1-year review of use permit)
Existing Zoning: A-1
Location: 2439 West McDowell Road
Quarter Section: 12-23(G7)
Proposal: **1)** Use permit to allow a Medical Marijuana Cultivation Facility. Use permit required. **2)** Use permit to allow a Medical Marijuana Dispensary Facility. Use permit required. **3)** Use permit to allow a Medical Marijuana Infusion Production Facility. Use permit required. **4)** 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. **5)** Variance to allow a Medical Marijuana Dispensary 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. **6)** 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.92.a 627.D.93.a 627.D.91.c 627.D.92.d 627.D.93.b
Applicant: Mark Steinmetz, Nature's AZ Medicines Inc
Representative: Lindsay C. Schube, Gammage & Burnham, PLC
Owner: World Enterprises
4. Application #: ZA-370-13-3 (1-year review of use permit)
Existing Zoning: A-1
Location: 2046 West Ironwood Drive
Quarter Section: 28-24(K7)
Proposal: Use permit to allow a medical marijuana cultivation facility. Use permit required.
Ordinance Sections: 627.D.91.a.

Applicant: Nolan Ryan
Representative: Nolan Ryan
Owner: Nolan Ryan

5. Application #: ZA-442-13-7 (1-year review of use permit)
Existing Zoning: A-1
Location: 2620, 2626, 2632 West Encanto Boulevard
Quarter Section: 14-23(G7)
Proposal: **1)** Use permit to expand an approved medical marijuana cultivation facility. Use Permit required. **2)** Use permit to expand an approved medical marijuana infusion facility. Use Permit required. **3)** Variance to allow a medical marijuana cultivation facility within 5,280 feet of any medical marijuana facility. **4)** Variance to allow a medical marijuana infusion facility within 5,280 feet of any medical marijuana facility.

Ordinance Sections: 627.D.91.a 627.D.93.a 627.D.91.c 627.D.93.b
Applicant: Jim Boland, Encanto Green Cross Dispensary, LLC
Representative: Lindsay Schube, Gammage & Burnham, PLC
Owner: 2620, LLC

6. Application #: ZA-543-14-8 (1-year review of use permit)
Existing Zoning: A-1
Location: 4116 East Superior Avenue, Suite D
Quarter Section: 6-37(E10)
Proposal: **1)** Use permit to allow a medical marijuana cultivation facility. Use permit required. **2)** Variance to allow a medical marijuana cultivation facility within 5,280 feet of another medical marijuana facility. A medical marijuana cultivation facility shall not be located within 5,280 feet of another medical marijuana facility.

Ordinance Sections: 627.D.91.a 627.D.91.c
Applicant: Theodore C. Pappas, N & A Enterprises
Representative: David Dow, David Dow Law Office
Owner: Superior Industrial Center

7. Application #: ZA-174-15-7 (1-year review of use permit)
Existing Zoning: A-1
Location: 211 South 57th Drive
Quarter Section: 10-15(F5)
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 1-mile of a similar type of use. Minimum separation of 5,280 feet required. **4)** Variance to allow a medical marijuana infusion facility within 1-mile of a similar type of use. Minimum separation of 5,280 feet required.

Ordinance Sections: 627.D.91.a 627.D.93.a 627.D.91.c 627.D.93.b
Applicant: AZ Med, Inc, - Operator
Representative: Ryan Hurley, Rose Law Group, PC
Owner: 203-211 Shapiro, LLC

8. Application #: ZA-117-16-7 (1-year review of use permit)
Existing Zoning: A-1
Location: 211 South 57th Drive
Quarter Section: 10-15(F5)
Proposal: **1)** Use permit to allow a medical marijuana dispensary. Use permit required. **2)** Variance to allow a medical marijuana dispensary within 5280 feet of another medical marijuana facility. Minimum of 5280 feet separation required.

Ordinance Sections: 627.D.92.a. 627.D.92.d.
Applicant: Superior Organics
Representative: Lindsay Schube, Gammage & Burham, PLC
Owner: 203-211 Shapiro, LLC

1:30 PM

9. Application #: ZA-702-20-6
Existing Zoning: R1-10 ACSPD
Location: 4509 East Calle Ventura
Quarter Section: 18-38(H11)
Proposal: Use permit to allow a closed projection to project 15 feet into the required rear yard. Use permit required.

Ordinance Sections: 701.A.3.a.(2).(d).
Applicant: Natasha Hartrick, NHM Designs, PLLC
Representative: Natasha Hartrick, NHM Designs, PLLC
Owner: Scott & Natalie Patten

10. Application #: ZA-703-20-7
Existing Zoning: C-3 ACOD
Location: 1114 Grand Avenue
Quarter Section: 11-26(F8)
Proposal: Use permit to allow a disguised wireless communication facility within 150 feet of a property zoned for residential purposes. Use permit required.

Ordinance Sections: 715.B.2.a.(2).(a).(i)
Applicant: Declan Murphy, Coal Creek Consulting for T-Mobile/Tower
Representative: Declan Murphy, Coal Creek Consulting for T-Mobile/Tower
Owner: 1120 Grand, LLC

11. Application #: ZA-704-20-5
Existing Zoning: C-2
Location: 1901 West Glendale Avenue
Quarter Section: 22-24(I7)
Proposal: **1)** Variance to reduce the building setback (east) to 10 feet. Minimum 25 feet required. **2)** Variance to reduce the streetscape landscape setback along 19th Avenue (east) to 10 feet. An average of 25 feet for structures not exceeding two stories or 30 feet, minimum 20 feet permitted for up to 50 percent of the frontage.

Ordinance Sections: 623.E.4.d 623.E.4.e
Applicant: David Richert, Richert & Associates
Representative: David Richert, Richert & Associates
Owner: Walt Broom, WNDG, LLC

12. Application #: ZA-705-20-8
Existing Zoning: R1-6
Location: 3502 East McKinley Street
Quarter Section: 11-35(F10)
Proposal: Variance to reduce the required side yard setback (west) to 0 feet. Minimum 10 feet required.

Ordinance Sections: 613.B.Table B
Applicant: Celestino and Antoinette Trevizo
Representative: Celestino and Antoinette Trevizo
Owner: Celestino and Antoinette Trevizo
13. Application #: ZA-706-20-6
Existing Zoning: R1-6
Location: 1520 East San Miguel Avenue
Quarter Section: 20-30(I9)
Proposal: Variance to reduce the required side yard setback (east) to 7 feet. Minimum 10 feet required.

Ordinance Sections: 613.B.Table B
Applicant: David Ross, Ross Design Group Architecture
Representative: David Ross, Ross Design Group Architecture
Owner: Luis Busani, and Sarah Spencer
14. Application #: ZA-718-20-3
Existing Zoning: C-3
Location: 9015 and 9019 North 3rd Street, 306-334 East Caron Street

Quarter Section: 27-28(J8)
Proposal: **1)** Variance to reduce the streetside building setback (Caron Street) to 15 feet. An average of 25 feet is required, minimum of 20 permitted for up to 50 percent, including projections. **2)** Variance to reduce the streetside building setback (3rd Street) to 20 feet. An average of 25 feet is required, minimum of 20 permitted for up to 50 percent, including projections. **3)** Variance to reduce the streetscape landscape setback (Caron Street) to 15 feet. An average of 25 feet is required, minimum of 20 permitted for up to 50 percent, including projections. **4)** Variance to reduce the streetscape landscape setback (3rd Street) to 20 feet. An average of 25 feet is required, minimum of 20 permitted for up to 50 percent, including projections.

Ordinance Sections: 624.E.4.d. 624.E.4.d. 624.E.4.e. 624.E.4.e.
Applicant: Wendy Riddell, Berry Riddell, LLC
Representative: Wendy Riddell, Berry Riddell, LLC
Owner: John C. Lincoln Health Network
15. Application #: ZA-699-20-6
Existing Zoning: C-2
Location: 1040 East Camelback Road
Quarter Section: 19-29(H8)
Proposal: **1)** Use permit to allow a medical marijuana dispensary facility. Use permit required. **2)** Variance to allow a medical marijuana dispensary facility within 5,280 feet of another medical marijuana use. Minimum 5,280 feet of

separation required. **3)** Variance to allow a medical marijuana dispensary facility within 500 feet of a residentially zoned district. Minimum 500 feet of separation required. **4)** Variance to allow a medical marijuana dispensary facility within 1,320 feet of a preschool. Minimum 1,320 feet of separation required. **5)** Variance to allow a medical marijuana dispensary facility within 1,320 feet of a place of worship. Minimum 1,320 feet of separation required.

Ordinance Sections: 623.D.124.a 623.D.124.e 623.D.124.f 623.D.124.g
623.D.124.h

Applicant: Steve Cottrell, Curaleaf
Representative: Larry Lazarus, Lazarus & Silvyn, P.C.
Owner: James Kaufman, 1040 ECCR, LLC

16. Application #: ZA-700-20-8
Existing Zoning: C-2
Location: 4730 South 48th Street
Quarter Section: 4-38(E11)
Proposal: Use permit to allow a medical marijuana dispensary facility. Use permit required.
Ordinance Sections: 623.D.124.a
Applicant: Larry Lazarus, Lazarus & Silvyn, P.C.
Representative: Larry Lazarus, Lazarus & Silvyn, P.C.
Owner: Bennet Lebherz, Shoppes at Cotton Center, LLC

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

12/22/2020