

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 **October 6, 2022 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 [25576607140#](tel:25576607140), 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=edf181db0ef2506dd994ef2d61ee1b165>
- **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-604-17-7 (1 Year Review of Use Permit)
Existing Zoning: RSC
Location: 2330 North 75th Avenue
Quarter Section: 14-10(G4)
Proposal: **1)** Use permit to allow a medical marijuana dispensary. Use permit required. **2)** Variance to allow a medical marijuana dispensary within 5,280 feet of another medical marijuana facility. Minimum 5,280 feet required.
Ordinance Sections: 623.D.124.a 623.D.124.e
Applicant: Sheraz Warraich, SSW Investments I, LLC

- Representative: Benjamin Graff, Quarles & Brady, LLP One Renaissance Square
 Owner: Parkway 2001, LLC
2. Application #: ZA-384-22-3
 Existing Zoning: R1-10
 Location: 1002 West Port Au Prince Lane
 Quarter Section: 34-26(L8)
 Proposal: **1)** Variance to allow an over height (7.5 feet) fence located in the side yard (west). Maximum 6 feet allowed. **2)** Variance to allow an over height (7.5 feet) fence located in the side yard (east). Maximum 6 feet allowed. **3)** Variance to allow an over height (7.5 feet) fence located in the rear yard (north). Maximum 6 feet allowed.
 Ordinance Sections: 703.A.2.c 703.A.2.c 703.A.2.c
 Applicant: Jeffrey J Quatrone, Jeffrey J. Quatrone Living Trust
 Representative: Jeffrey J Quatrone, Jeffrey J. Quatrone Living Trust
 Owner: Jeffrey J Quatrone, Jeffrey J. Quatrone Living Trust
3. Application #: ZA-389-22-8
 Existing Zoning: C-3
 Location: 4700 East Van Buren Street
 Quarter Section: 11-38(F11)
 Proposal: **1)** Use permit to allow for outdoor dining as an accessory use to a restaurant (Paco's Tacos & Sip) within 500 feet of a residential district. Use permit required. **2)** Use permit to allow outdoor alcohol consumption accessory to a restaurant (Paco's Tacos & Sip) within 500 feet of a residential district. Use permit required. **3)** Use permit to allow outdoor recreation (music speakers) as an accessory use to a restaurant (Paco's Tacos & Sip) within 500 feet of a residential district. Use permit required.
 Ordinance Sections: 624.D.112.c 624.D.112.c 624.D.112.c
 Applicant: Francisco Javier Perez-Tapia, Pacos Tacos & Sip
 Representative: Theresa June Morse, Avant Garde Alcohol Training & Education
 Owner: Troy McNaughton, Sound, LLC
4. Application #: ZA-390-22-5
 Existing Zoning: C-2
 Location: 7355 West Indian School Road
 Quarter Section: 16-11(H4)
 Proposal: Use permit to allow the sales of package liquor as an accessory to a convenience market within 300 feet of a residential zoning district. Use permit required.
 Ordinance Sections: 622.D.102.a
 Applicant: Francisco Alexander Menendez-Argueta
 Representative: Theresa June Morse, Avant Garde Alcohol Training & Education
 Owner: Andrew Tavakoli, Phoenix Plaza 75, LLC

5. Application #: ZA-392-22-6
Existing Zoning: R-4
Location: 2535, 2537, 2545, and 2549 East Clarendon Avenue
Quarter Section: 16-33(H9)
Proposal: **1)** Time Extension for ZA-112-21, Variance to allow maneuvering in the right-of-way (Clarendon Avenue). Maneuvering must be located on private property. **2)** Time Extension for ZA-112-21, Variance to allow maneuvering in the right-of-way (26th Street). Maneuvering must be located on private property. **3)** Time Extension for ZA-112-21, Variance to reduce the landscape setback (north) adjacent to a public street right-of-way to 0 feet. Minimum 20 feet required. **4)** Time Extension for ZA-112-21, Variance to reduce the average landscape setback (east) adjacent to a public street right-of-way to 6 feet. Minimum 10 feet required. **5)** Time Extension for ZA-112-21, Variance to reduce interior perimeter landscape setback (west) to 4 feet. Minimum 5 feet required.
Ordinance Sections: 702.A.1.b 702.A.1.b 703.B.3.a 703.B.3.a 703.B.3.b.(3)
Applicant: Dennis Newcombe, Gammage & Burnham, PLC
Representative: Lindsay Schube, Gammage & Burnham, PLC
Owner: Nicholas Affronti, Brooklyn AZ Properties, LLC
6. Application #: ZA-385-22-6
Existing Zoning: C-2
Location: 1040 East Camelback Road
Quarter Section: 19-29(H8)
Proposal: Revocation of ZA-579-15, a use permit to allow a medical marijuana dispensary facility.
Ordinance Sections: 307.A.7.g
Applicant: Luke Flood, Curaleaf
Representative: Larry Lazarus, Lazarus & Silvyn, P.C.
Owner: James Kaufman, 1030 ECBR, LLC/1040 ECBR, LLC
7. Application #: ZA-386-22-4
Existing Zoning: C-2 TOD-1, P-1 TOD-1
Location: 2918 North Central Avenue
Quarter Section: 15-27(G8)
Proposal: **1)** Use Permit to allow a Medical Marijuana Dispensary. Use Permit required. **2)** Variance to allow a Medical Marijuana Dispensary to be located within 500 feet of a residentially zoned district. Minimum 500 foot separation required. **3)** Variance to allow a Medical Marijuana Dispensary within 5,280 feet of another Medical Marijuana Dispensary. Minimum 5,280 foot separation required.
Ordinance Sections: 623.D.124.a 623.D.124.f 623.D.124.e
Applicant: Luke Flood, Catalina Hills Botanical Care, Inc.
Representative: Larry Lazarus, Lazarus & Silvyn, Inc.
Owner: Larry Furlong, PAMALA, Inc.

8. Application #: ZA-388-22-7
Existing Zoning: A-2
Location: 2325 West Cypress Street
Quarter Section: 13-23(G7)
Proposal: **1)** Time Extension for ZA-344-21, use permit to allow a medical marijuana cultivation facility. Use permit required. **2)** Time Extension for ZA-344-21, use permit to allow a medical marijuana infusion facility. Use permit required. **3)** Time Extension for ZA-344-21, variance to allow a medical marijuana cultivation facility within 5,280 feet of another medical marijuana facility. Minimum 5,280 feet of separation required. **4)** Time Extension for ZA-344-21, variance to allow a medical marijuana cultivation facility within 1,000 feet of a residentially zoned district. Minimum 1,000 feet of separation required. **5)** Time Extension for ZA-344-21, variance to allow a medical marijuana cultivation facility within 1,320 feet of a public school. Minimum 1,320 feet of separation required. **6)** Time Extension for ZA-344-21, variance to allow a medical marijuana cultivation facility within 1,320 feet of a homeless shelter. Minimum 1,320 feet of separation required. **7)** Time Extension for ZA-344-21, variance to allow a medical marijuana infusion facility within 5,280 feet of another medical marijuana facility. Minimum 5,280 feet of separation required. **8)** Time Extension for ZA-344-21, variance to allow a medical marijuana infusion facility within 1,000 feet of a residentially zoned district. Minimum 1,000 feet of separation required. **9)** Time Extension for ZA-344-21, variance to allow a medical marijuana infusion facility within 1,320 feet of a public school. Minimum 1,320 feet of separation required. **10)** Time Extension for ZA-344-21, variance to allow a medical marijuana infusion facility within 1,320 feet of a homeless shelter. Minimum 1,320 feet of separation required.

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

Applicant: Jennifer Hall, Rose Law Group, PC
Representative: Jennifer Hall, Rose Law Group, PC
Owner: David Gwyther, American Green, Inc.

1:30 PM

9. Application #: ZA-293-22-6 (Continued from August 11, 2022)
Existing Zoning: R1-6
Location: 7718 North 13th Place
Quarter Section: 24-30(J9)
Proposal: Variance to reduce the rear yard (north) setback to 3 feet. Minimum 25 feet required.

Ordinance Sections: 613.B.Table B

Applicant: James Meringer, Meripack, Inc.
Representative: James Meringer, Meripack, Inc.
Owner: Julia Blubaugh Blake

10. Application #: ZA-312-22-8 (Continued from August 25, 2022)
Existing Zoning: R-5 HP
Location: 1510 East Portland Street
Quarter Section: 12-30(G9)
Proposal: Variance to allow maximum building height of 5 stories and 58 feet. Maximum 4 stories or 48 feet permitted.
Ordinance Sections: 618.B.Table B
Applicant: Reid Butler, Butler Housing Company, Inc.
Representative: Reid Butler, Butler Housing Company, Inc.
Owner: 1110 North 16th Street, LLC, CBC Financial Company
11. Application #: ZA-387-22-8
Existing Zoning: A-2 RSIOD
Location: 2501 East Magnolia Street
Quarter Section: 6-33(E9) 7-33(E9)
Proposal: Variance to reduce the required parking to 254 spaces. Minimum 390 parking spaces required.
Ordinance Sections: 702.C.Table
Applicant: David Danglard, K1 Speed, Corp.
Representative: Paul Klukas, Planning Systems
Owner: 2501 East Magnolia Investor Company, LLC
12. Application #: ZA-391-22-4
Existing Zoning: C-3 TOD-1, P-1 TOD-1
Location: 4240 North Central Avenue
Quarter Section: 17-27(H8)
Proposal: Use permit to allow temporary events (outdoor events) for up to 36 months. Use permit required.
Ordinance Sections: 708.D.1
Applicant: David Wimberley, George and Dragon Pub
Representative: David Wimberley, George and Dragon Pub
Owner: David Lee Wimberley, Wimberley Investments
13. Application #: ZA-395-22-8
Existing Zoning: C-3 CCSIOD
Location: 1541 West Grant Street
Quarter Section: 9-25(F7)
Proposal: **1)** Variance to reduce the landscape setback adjacent to a public street (Grant Street) to 20 feet. Minimum 25 feet required. **2)** Variance to reduce front setback to 20 feet (north). Minimum 25 feet required
Ordinance Sections: 703.B.3.a 615.Table B
Applicant: Virginia Senior, CCBG Architects
Representative: Virginia Senior, CCBG Architects
Owner: Deborah Mateen
14. Application #: ZA-397-22-3
Existing Zoning: C-1
Location: 1675 East Bell Road

Quarter Section: 36-31(M9)
 Proposal: **1)** Variance to reduce the streetscape landscape (north) to 17 feet. Minimum 25 feet required. **2)** Variance to reduce the streetscape landscape (east) to 7 feet. Minimum 25 feet required. **3)** Variance to reduce the building setback on a public street (17th Street) to 10 feet. Minimum 25 feet required. **4)** Variance to allow maneuvering in the right-of-way (alley). Maneuvering must be located on private property. **5)** Variance to reduce required parking to 26 spaces. Minimum 54 parking spaces required.

Ordinance Sections: 622.E.4.e 622.E.4.e 622.E.4.d 702.A.1.b 702.C
 Applicant: Brian Vaccaro, Earl & Curley
 Representative: Taylor Earl, Earl & Curley
 Owner: Octavian Belostecinic

15. Application #: ZA-398-22-8
 Existing Zoning: DTC-Warehouse
 Location: Northwest corner of 7th Street and Grant Street
 Quarter Section: 9-28(F8)
 Proposal: Variance to allow 65 percent stucco finish of all facades visible from off site. Maximum 25 percent permitted.

Ordinance Sections: 1222.C.7.c
 Applicant: Seth Mendelsohn, Silver Hills Development, Inc.
 Representative: Matthew Sommer, Dimit Architects, LLC
 Owner: Barbara Lloyd, Board of Regents of Arizona State University

16. Application #: ZA-399-22-1
 Existing Zoning: CP/GCP DVAOD
 Location: 2350 West Corporate Center Drive
 Quarter Section: 45-23(O7)
 Proposal: **1)** Variance to allow a building height of 38 feet at 64 feet of setback from a perimeter line (east). Minimum 90 feet of setback required. **2)** Variance to reduce the streetscape landscape setback (east) along 23rd Avenue to 20 feet. An average of 30 feet is required.

Ordinance Sections: 626.H.1.Table 626.H.2.b
 Applicant: Josh Tracy, Ryan Companies US, Inc.
 Representative: Garry D. Hays, Law Offices of Garry D. Hays
 Owner: Josh Tracy, Ryan Companies US, Inc.

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 Leslie Scott at 602-376-3981, leslie.scott@phoenix.gov TTY: Use 7-1-1.