

## 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 **December 1, 2022 9:00 AM (Items 1-8) and 1:30 PM (Items 9-16)**

**Meeting will be held virtually. To participate, see instructions outlined below.**

### OPTIONS TO ACCESS THE MEETING

- **Call-in to listen** to the live meeting: Dial **602-666-0783**, Enter meeting access code [25501459118#](tel:25501459118), 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=e36e1a6249773ae74eb3de215e9fe2553>
- **Submit a comment** on an agenda item:
  - At: [zoning.adjustment@phoenix.gov](mailto:zoning.adjustment@phoenix.gov)
  - Indicate: Item Number and Case Number
- **Register to speak** on an agenda item:
  - At: [zoning.adjustment@phoenix.gov](mailto: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-386-22-4 (Continued from October 6, 2022)  
              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.
2. Application #: ZA-494-22-8  
 Existing Zoning: R1-6  
 Location: 2215 East Palm Lane  
 Quarter Section: 13-32(G9)  
 Proposal: Variance to reduce the required lot width to 55 feet (Lot 1 & Lot 2). Minimum 60 feet required.  
 Ordinance Sections: 613.B.Table B  
 Applicant: Efrain Verduzco, Job 867 Investments, LLC  
 Representative: Efrain Verduzco, Job 867 Investments, LLC  
 Owner: Job 867 Investments, LLC
3. Application #: ZA-496-22-8  
 Existing Zoning: DTC Warehouse  
 Location: 600 West Lincoln Street  
 Quarter Section: 9-27(F8)  
 Proposal: Variance to allow an over height wall (8 feet) in a dooryard frontage type along the 7th Avenue Frontage (west). Maximum 6 feet permitted.  
 Ordinance Sections: 1205.E.3  
 Applicant: Taylor Earl, Earl and Curley, PC  
 Representative: Taylor Earl, Earl and Curley, PC  
 Owner: Alta Warehouse LLC
4. Application #: ZA-497-22-1  
 Existing Zoning: S-1  
 Location: 3762 West Pinnacle Vista Drive  
 Quarter Section: 50-20(P6)  
 Proposal: **1)** Variance to reduce the side yard (west) setback for an accessory structure (pool ramada and covered sunken pool bar) to 5 feet. Minimum 50 feet required. **2)** Variance to reduce the side yard (west) setback for an accessory structure to 40 feet. Minimum 50 feet required.  
 Ordinance Sections: 603.B.3 603.B.3  
 Applicant: Robert Long, Design Profile, Inc.  
 Representative: Robert Long, Design Profile, Inc.  
 Owner: Dylan Mougel
5. Application #: ZA-500-22-7  
 Existing Zoning: DTC - Gateway  
 Location: 721 North Central Avenue  
 Quarter Section: 11-28(F8)  
 Proposal: **1)** Variance to reduce the required combined depth of the parking space and the drive aisle to 60 feet for a double loaded drive aisle. Minimum 62 feet required. **2)** Variance to reduce the required combined depth of the parking

space and the drive aisle to 42 feet for a single loaded drive aisle. Minimum 43 feet required. **3)** Variance to reduce the required parking stall width for non-residential uses to 8.5 feet. Minimum 9.5 feet required. **4)** Variance to reduce the width of tandem parking spaces to 9 feet 3 inches. Minimum 9 feet 6 inches required.

Ordinance Sections: 702.B.2.b.5 702.B.2.b.5 702.B.2.a.(1).(a) 702.B.2.a.(1).(c)  
Applicant: Nick Benjamin, Vela Development Partners  
Representative: Nick Wood, Esq., Snell & Wilmer  
Owner: 701 N Central Owner, LLC

6. Application #: ZA-501-22-4  
Existing Zoning: C-2  
Location: 4326 West Thomas Road  
Quarter Section: 15-18(G6)  
Proposal: Use permit to allow an assembly/banquet hall of less than 25,000 square feet in gross floor area. Use permit required.

Ordinance Sections: 623.D.9.a  
Applicant: Mark Phillips, Arrowhead Plaza Enterprises, LLC  
Representative: William F. Allison, Withey Morris, PLC  
Owner: Mark Phillips, Arrowhead Plaza Enterprises, LLC

7. Application #: ZA-505-22-4  
Existing Zoning: C-3  
Location: 3227 West McDowell Road  
Quarter Section: 12-21(G6)  
Proposal: **1)** Variance to reduce the landscape setback to 10 feet along McDowell Road (north). Average 25 feet for structures not exceeding two stories or 30 feet, minimum 20 feet permitted for up to 50% of the frontage. **2)** Variance to reduce the landscape setback to 10 feet along 33rd Avenue (west). Average 25 feet for structures not exceeding two stories or 30 feet, minimum 20 feet permitted for up to 50% of the frontage. **3)** Variance to reduce the landscape setback (south) not adjacent to a street to 0 feet. Minimum 10 feet required.

Ordinance Sections: 624.E.4.e 624.E.4.e 624.E.4.e  
Applicant: Jorge Diaz, Major Auto Sales, LLC  
Representative: Miguel Berastequi, DS3 Architecture  
Owner: Jorge Diaz, Major Auto Sales, LLC

8. Application #: ZA-506-22-3  
Existing Zoning: R1-10 PCD  
Location: 4735 East Voltaire Avenue  
Quarter Section: 32-38(L11)  
Proposal: **1)** Variance to reduce the side yard (west) setback for an open carport to 0 feet. Minimum 3 feet required. **2)** Variance to allow an over height (7 feet) fence located in the side yard (west) setback. Maximum 6 feet allowed.

Ordinance Sections: 701.A.3.a.(1).(b) 703.A.2.c  
Applicant: Steve Hoffmann  
Representative: Steve Hoffmann  
Owner: Steve Hoffmann

**1:30 PM**

9. Application #: ZA-453-22-7 (SIGN)  
Existing Zoning: C-1; R1-6  
Location: 722 West Southern Avenue  
Quarter Section: 3-26(E8)  
Proposal: Use permit to allow an electronic message display (EMD) on a ground sign. Use permit required.

Ordinance Sections: 705.C.13  
Applicant: Chris Totton, Bootz and Duke Sign Company  
Representative: Kristi Trisko, Bootz and Duke Sign Company  
Owner: NASS2 Property, LLC

10. Application #: ZA-461-22-1 (SIGN)  
Existing Zoning: C-2 Intermediate Commercial  
Location: 3510 West Cactus Road  
Quarter Section: 3-26(D8)  
Proposal: **1)** Use permit to rebuild a nonconforming off-premise sign to a height of 48 feet and convert two faces of a nonconforming off-premise sign to digital. Use permit required. **2)** Use permit to rebuild a nonconforming off-premise sign 350 feet from a residential district and use where 500 feet is required. Use permit required.

Ordinance Sections: 705.2.G.4 705.2.A.5  
Applicant: Brent Wood, Outfront Media, LLC  
Representative: William Allison, Withey Morris, PLC  
Owner: Paulies Family Car Wash, Inc.

11. Application #: ZA-469-22-8 (SIGN)  
Existing Zoning: C-2  
Location: 2841 North 28th Place  
Quarter Section: 14-34(G10)  
Proposal: **1)** Use permit to rebuild a non conforming off-premise sign to a height of 37 feet. Use permit required. **2)** Variance to reduce required spacing between off-premise signs to 802 feet. Minimum 1,000 foot spacing required. **3)** Use permit to reduce required spacing of a nonconforming off-premise sign from a residential district or use from 80 feet to 78 feet. Use permit required.

Ordinance Sections: 705.2.G.5 705.2.B.2 705.2.A.5  
Applicant: Jacob Zonn, Becker Boards Small, LLC  
Representative: Jacob Zonn, Becker Boards Small, LLC  
Owner: Sun Valley Stereo, Inc.

12.       Application #:           ZA-471-22-8 (SIGN)  
Existing Zoning:           A-1  
Location:                   3232 South 48th Street  
Quarter Section:         6-38(E11)  
Proposal:                  **1)** Use permit to increase the height of an off-premise sign to 70 feet. Use permit required. **2)** Use permit to convert two faces of a non-conforming off-premise sign to digital. Use permit required. **3)** Variance to reduce spacing between off-premise structures to 250 feet. Minimum 1,000 feet required.
- Ordinance Sections:   705.2.B.4.b 705.2.G.4 705.2.B.2  
Applicant:                Outfront Media, LLC  
Representative:         Cassandra Ayres, Berry Riddell, LLC  
Owner:                    VWP 48th St Owner, LLC
13.       Application #:           ZA-654-20-8 (1-Year Review of Use Permit)  
Existing Zoning:           A-2 RSIOD ANIZO  
Location:                   2424 South 24th Street  
Quarter Section:         7-32(E9)  
Proposal:                  **1)** Use permit to allow Medical Marijuana Cultivation facility. Use permit required. **2)** Use permit to allow Medical Marijuana Infusion facility. Use permit required. **3)** Use permit to allow Medical Marijuana Dispensary. Use permit required. **4)** Variance to allow a medical marijuana cultivation facility within 5,280 feet of another medical marijuana facility. Minimum 5,280 feet of separation required. **5)** Variance to allow a medical marijuana infusion facility within 5,280 feet of another medical marijuana facility. Minimum 5,280 feet of separation required. **6)** Variance to allow a medical marijuana dispensary facility within 5,280 feet of another medical marijuana facility. Minimum 5,280 feet of separation required.
- Ordinance Sections:   627.D.91.a 627.D.92.a 627.D.93.a 627.D.91.c 627.D.91.d 627.D.93.b  
Applicant:                A&R Consultants, LLC  
Representative:         Lindsay Schube, Gammage & Burnham, PLC  
Owner:                    A&R Consultants, LLC
14.       Application #:           ZA-495-22-3  
Existing Zoning:           C-1 RPSPD  
Location:                   701 West Dunlap Avenue  
Quarter Section:         26-26(J8)  
Proposal:                  **1)** Variance to reduce the landscape setback (north) adjacent to a public street (Dunlap Avenue) to 10 feet. Minimum 25 feet required. **2)** Variance to reduce the landscape setback (east) adjacent to a public street (7th Avenue) to 10 feet. Minimum 25 feet required. **3)** Variance to reduce the landscape setback (south) to 4 feet. Minimum 10 feet required. **4)** Variance to reduce the

landscape setback (west) to 5 feet. Minimum 10 feet required. **5)** Variance to increase parapet height to allow 6 feet. Maximum 5 feet permitted if the roof height is 20 feet or less. **6)** Use permit to allow outdoor dining as an accessory to a restaurant (Dunkin'). Use permit required. **7)** Use permit to allow a drive-through facility accessory to a restaurant (Dunkin') within 300 feet from a residential zoning district. Use permit required.

Ordinance Sections: 622.E.4.e 622.E.4.e 622.E.4.e 622.E.4.e 507 Tab A.II.B.2.(2.2) 622.D.150.d 622.D.150.e.(2)

Applicant: Tim Rasnake, Archicon Architecture & Interiors, L.C.

Representative: Tim Rasnake, Archicon Architecture & Interiors, L.C.

Owner: Atlas BL Dunlap, LLC, Atlas BL Dunlap, LLC

15. Application #: ZA-498-22-8  
Existing Zoning: App. C-2 HR and C-3  
Location: 938, 1010, and 1020 East Van Buren Street and 316 and 318 North 11th Street

Quarter Section: 11-29(F8)

Proposal: **1)** Variance to reduce the front yard setback (north) along Polk Street to 9 feet. Minimum 35 feet required.

**2)** Variance to reduce the front yard setback (south) along Van Buren Street to 13 feet. Minimum 35 feet required.

Ordinance Sections: 701.D.2.a 701.D.2.a

Applicant: Ian Swiergol, Alliance Residential Company

Representative: Nick Wood and Noel Griemsmann, Snell & Wilmer, LLP

Owner: Dharam Ahir Investments of Arizona, Inc

16. Application #: ZA-507-22-4  
Existing Zoning: C-3 and A-1  
Location: 1845 Grand Avenue  
Quarter Section: 12-25(G7)

Proposal: **1)** Variance to reduce the street side (19th Avenue) building setback to 0 feet. An average of 25 feet is required, minimum of 20 permitted for up to 50 percent, including projections. **2)** Variance to reduce the street side (Grand Avenue) building setback to 0 feet. An average of 25 feet is required, minimum of 20 permitted for up to 50 percent, including projections. **3)** Variance to reduce the street side (19th Avenue) landscape setback to 0 feet. An average of 25 feet is required, minimum of 20 permitted for up to 50 percent, including projections. **4)** Variance to reduce the street side (Grand Avenue) landscape setback to 0 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: Andrew Hinderliter, Motley Design Group, LLC

Representative: Andrew Hinderliter, Motley Design Group, LLC

Owner: Chad Christison, Grateful 4, 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 Leslie Scott at 602-376-3981, [leslie.scott@phoenix.gov](mailto:leslie.scott@phoenix.gov) TTY: Use 7-1-1.

11/16/2022