

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 **May 25, 2023 9:00 AM (Items 1-6) and 1:30 PM (Items 7-8)**

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 **24563334314#**, 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://cityofphoenix.webex.com/weblink/register/rb1e40c75691cb2e9a977e475e9071c86>
- **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:
 - Register for the event by 5:00 PM on May 23, 2023, at: <https://cityofphoenix.webex.com/weblink/register/rb1e40c75691cb2e9a977e475e9071c86>
 - If speaking by phone only, please email zoning.adjustment@phoenix.gov by 5:00 PM on May 23, 2023.

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-267-15-3 (1-Year Review of Use Permit)
 Existing Zoning: C-2
 Location: 12620 North Cave Creek Road, Suite #10
 Quarter Section: 31-32(K9)
 Proposal: Use permit to allow non-profit medical marijuana dispensary. Use permit required.

 Ordinance Sections: 623.D.122.a
 Applicant: Tom Deschamps, Fort Consulting, LLC DBA Müv Dispensary

 Representative: Tom Deschamps, Fort Consulting, LLC DBA Müv Dispensary

 Owner: Roseann Chiulli, rjchiulli@q.com
2. Application #: ZA-367-21-8 (1-Year Review of Use Permit)
 Existing Zoning: R-5, C-3, A-1

Location: 2305 East Jefferson Street
 Quarter Section: 10-32(F9)
 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. Minimum 5,280 feet of separation required. **3)** Variance to allow a medical marijuana cultivation facility within 1,000 feet of a residentially zoned district. Minimum 1,000 feet of separation required. **4)** Variance to allow a medical marijuana cultivation facility within 1,320 feet of a school. Minimum 1,320 feet of separation required. **5)** Use permit to allow a medical marijuana infusion facility. Use permit required. **6)** Variance to allow a medical marijuana infusion facility within 5,280 feet of another medical marijuana facility. Minimum 5,280 feet of separation required. **7)** Variance to allow a medical marijuana infusion facility within 1,000 feet of a residentially zoned district. Minimum 1,000 feet of separation required. **8)** Variance to allow a medical marijuana infusion facility within 1,320 feet of a school. Minimum 1,320 feet of separation required.

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

Applicant: RCH Wellness Center
 Representative: Lindsay C. Schube, Gammage & Burnham, PLC
 Owner: Power Equipment, LLC

3. Application #: ZA-148-23-3
 Existing Zoning: C-1
 Location: 1512 West Bell Road
 Quarter Section: 37-25(M7)
 Proposal: Use permit to allow a drive-through facility as an accessory to a restaurant (Scooter’s Coffee) within 300 feet from a residential zoning district. Use permit required.

Ordinance Sections: 622.D.150.e.(2)
 Applicant: Dan Hendrick
 Representative: Michele McCoy, FM Group, Inc.
 Owner: Bell Center, LLC

4. Application #: ZA-154-23-8
 Existing Zoning: R1-6
 Location: 7857 South 4th Avenue
 Quarter Section: 01-27(D8)
 Proposal: Variance to allow an over height wall (8 feet) in the rear yard setback (east) and side yard setback (south). Maximum 6 feet allowed.

Ordinance Sections: 703.A.2.c
 Applicant: Carlos A. De La Cruz, W/K Land Company
 Representative: Peter Abraham
 Owner: Rex Walker, W/K Land Company

5. Application #: ZA-155-23-4
 Existing Zoning: R-3

Location: 1731 East Earll Drive
Quarter Section: 15-31(G9)
Proposal: **1)** Variance to reduce the side setback (east) to 1 foot. Minimum 3 feet required. **2)** Variance to reduce the side setback (east) for a detached accessory structure to 1 foot. Minimum 3 feet required.
Ordinance Sections: 615.B.Table B 706.B
Applicant: Brendan Beggs
Representative: Brendan Beggs
Owner: Brendan Beggs

6. Application #: ZA-156-23-8
Existing Zoning: R-3 and R1-6
Location: 7850 and 8034 South Central Avenue
Quarter Section: 01-27(D8) 01-28(D8)
Proposal: **1)** Use permit to allow an extension of a use which is permitted in a less restricted district into a more restricted district to a maximum of 25 feet. Use permit required. **2)** Variance to allow an extension of a use which is permitted in a less restricted district into a more restricted district to a maximum of 32 feet. Maximum 25 feet permitted.
Ordinance Sections: 307.A.8 307.A.8
Applicant: Lauren Proper Potter, Huellmantel & Affiliates
Representative: Lauren Proper Potter, Huellmantel & Affiliates
Owner: Nick Kerstner, Elevation Townhomes, LLC

1:30 PM

7. Application #: ZA-472-22-8 (SIGN)
Existing Zoning: A-2
Location: 2544 East University Drive
Quarter Section: 7-33(E9)
Proposal: **1)** Use permit to increase the height of an off-premise sign to 65 feet. Use permit required. **2)** Use permit to convert one face of an off-premise sign to digital. Use permit required. **3)** Variance to reduce spacing between off-premise signs to 926 feet. Minimum 1,000 feet required.
Ordinance Sections: 705.2.B.4.b 705.2.E.3 705.2.B.2
Applicant: Outfront Media, LLC
Representative: Cassandra Ayres, Berry Riddell, LLC
Owner: Airport Office Park, LLC
8. Application #: ZA-146-23-7 (SIGN)
Existing Zoning: C-2
Location: 5921 West McDowell Road
Quarter Section: 12-14(G5)
Proposal: Use permit to rebuild a nonconforming off-premise sign to a height of 48 feet and adding two digital faces. Use permit required.
Ordinance Sections: 705.2.G.4
Applicant: Wendy Riddell, Berry Riddell, LLC
Representative: Wendy Riddell, Berry Riddell, LLC
Owner: Autozone Parts, Inc.

For further information please call Eric Morales, Planner III, Planning and Development Department at 602-262-7927 or to request a reasonable accommodation, please contact Angie Holdsworth at 602-495-5622, angie.holdsworth@phoenix.gov TTY: Use 7-1-1.

5/9/2023