

NOTICE OF RESULTS
ZONING ADJUSTMENT HEARING
**Revised January 9, 2025*

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** held a meeting open to the public on **December 5, 2024, at 9:00 AM. (Items 1-6) and 1:30 PM (Items 7-8). Located in Assembly Room C, Phoenix City Hall, 200 West Washington Street, First Floor, Phoenix, Arizona**

The results of the meeting were as follows:

RESULTS

Continued

9:00 AM

1. Application #: ZA-36-13-7 (1 Year Review of Use Permit)
Existing Zoning: A-1
Location: 2836 South 49th Avenue
Quarter Section: 6-17(E5)
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.
Ordinance Sections: 627.D.91.a 627.D.93.a
Applicant: The Holistic Center
Representative: James D. Harrison, Harrison Properties
Owner: James D. Harrison, Harrison Properties

Continued to January 16, 2025 at 9:00 AM.

**Approved
w/stips**

2. Application #: ZA-70-13-7 (1 Year Review of Use Permit)
Existing Zoning: A-2
Location: 2111 West McDowell Road
Quarter Section: 12-24(G7)
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 facility within 5,280 feet of another medical marijuana facility. Minimum separation of 5,280 feet.
Ordinance Sections: 627.D.91.a. 627.D.93.a. 623.D.122.e
Applicant: Steven Shapiro
Representative: Steven Shapiro
Owner: Steven Shapiro

Stipulations:

- 1) The Use Permit shall be reviewed within 365 days of the issuance of the dispensary certificate for a medical marijuana use or approval to operate the cultivation and/or infusion from the Arizona Department of Health Services.
- 2) The applicant has 1 year to apply and pay for building permits.
- 3) Obtain a certificate for medical marijuana use from the Arizona Department of Health Services or approval to operate. If no certificate or approval to operate is granted within 18 months of the approval of this Variance/Use Permit, the Zoning Administrator shall

schedule a revocation hearing for this Use Permit.

- 4) The applicant shall submit a security plan provided to the Arizona Department of Health Services to the Planning and Development Department.
- 5) The applicant shall notify in writing the area's Police Precinct Commander of establishing such facility. Notice of this contact shall be submitted in writing to the Planning and Development Department.
- 6) Applicant shall install and maintain per manufacturer's specifications an odor control system within 1 year of today's hearing. Applicant shall submit an odor control plan identifying contact person for odor complaints to the Planning and Development Department.
- 7) Applicant shall notify the Planning and Development Department in writing within 30 days of when there is a change in the operator or entity's name.

***Approved
w/stips**

3. Application #: ZA-564-19-3 (1 Year Review of Use Permit)
Existing Zoning: C-2
Location: 12401 North Cave Creek Road
Quarter Section: 31-32(K9)
Proposal:
1) Use permit to allow a medical marijuana dispensary. Use permit required.
2) Variance to allow a medical marijuana dispensary within 500 feet of a residentially zoned district. Minimum 500 feet of separation required.
3) Variance to allow a medical marijuana dispensary within 1,320 feet of a park. Minimum 1,320 feet of separation required.
4) Variance to allow a medical marijuana dispensary within 5,280 feet of the same type of use. Minimum 5,280 feet of separation required.
Ordinance Sections: 623.D.124.a 623.D.124.f 623.D.124.g 623.D.124.e
Applicant: William Petron, Alternative Medical Enterprises, LLC
Representative: Heather Dukes, Lazarus, Silvyn & Bangs PC
Owner: Arizona Federal Credit Union

Taken out from under advisement and on January 9, 2025 and approved with stipulations:

- 1) The Use Permit shall be reviewed within 365 days of the issuance of the dispensary certificate for a medical marijuana use or approval to operate the cultivation and/or infusion from the Arizona Department of Health Services.
- 2) The applicant has 1 year to apply and pay for building permits.
- 3) Obtain a certificate for medical marijuana use from the Arizona Department of Health Services or approval to operate. If no certificate or approval to operate is granted within 18 months of the approval of this Variance/Use Permit, the Zoning Administrator shall schedule a revocation hearing for this Use Permit.
- 4) The applicant shall submit a security plan provided to the Arizona Department of Health Services to the Planning and Development Department.
- 5) The applicant shall notify in writing the area's Police Precinct Commander of establishing such facility. Notice of this contact shall

be submitted in writing to the Planning and Development Department.

- 6) Applicant shall install and maintain per manufacturer's specifications an odor control system within 1 year of today's hearing. Applicant shall submit an odor control plan identifying contact person for odor complaints to the Planning and Development Department.
- 7) Applicant shall notify the Planning and Development Department in writing within 30 days of when there is a change in the operator or entity's name.

**Approved
w/stips**

4. Application #: ZA-707-24-4 (Continued from October 31, 2024)
Existing Zoning: C-2 SAUMSO
Location: 4301 North 7th Avenue
Quarter Section: Q17-26(H8)
Proposal: 1) Use permit to allow outdoor dining as an accessory use to a restaurant (Boycott Bar) within 500 feet of a residential district zoning line. Use permit required if located within 500 feet of a residential zoning district.
2) Use permit to allow outdoor alcoholic beverage consumption as an accessory use to a bar (Boycott Bar) within 500 feet of a residential zoning district. Use permit required if located within 500 feet of a residential zoning district.
Ordinance Sections: 623.D.157.c 623.D.157.c
Applicant: Mark Lewis, Insight Design, LLC
Representative: Mark Lewis, Insight Design, LLC
Owner: Keystone Point, LLC
Stipulations:
1) 1 year to apply for and obtain building permits.
2) Per the size and location of the patio area as shown on the site plan date stamped September 24, 2024.
3) Hours of operation for the patio will be 7:00 AM to 10:00 PM Sunday – Thursday and 7:00 AM to 12:00 AM on Fridays and Saturdays.

**Approved
w/stips**

5. Application #: ZA-730-24-1
Existing Zoning: RE-43
Location: 4626 West Tonopah Road
Quarter Section: Q41-18(N6)
Proposal: Use permit to allow a public assembly-residential use (place of worship) with vehicular access on a local street. Use permit required.
Ordinance Sections: 605.A.21
Applicant: Brian Fracasse, NCARB, AIA, Taylor Fracasse Architecture, Inc
Representative: Brian Fracasse, NCARB, AIA, Taylor Fracasse Architecture, Inc
Owner: Dan Brodeur, Imagineations Church Phoenix, LLC
Stipulations:
1) 2 years to apply for and obtain building permits.
2) Per the access as shown on site plan date stamped October 31, 2024.

Approved w/stips	6.	Application #:	ZA-765-24-8
		Existing Zoning:	R-5 RSIOD
		Location:	1627 East Wood Street
		Quarter Section:	Q5-31(E9)
		Proposal:	1) Time extension for ZA-615-23, variance to reduce the open space requirement to 1 percent. Minimum 5 percent required. 2) Time extension for ZA-615-23, variance to reduce the required open space area width to 14 feet. Minimum 20 feet required.
		Ordinance Sections:	703.B.4.a.(1) 703.B.4.a.(2)
		Applicant:	Nicholas Blincoe, The Wallace Group
		Representative:	Virginia Senior, Vida Architects
		Owner:	The Wallace Group, 18th & Raymond PL LLC
		Stipulations:	1) 1 year to apply for and obtain building permits. 2) Per the open space reductions as shown on site plan date stamped November 6, 2024.
		1:30 PM	
Approved w/stips	7.	Application #:	ZA-751-24-2
		Existing Zoning:	PSC
		Location:	13802 North Scottsdale Road, Suite 161
		Quarter Section:	Q33-44(L12)
		Proposal:	Use permit to allow outdoor dining as an accessory use to a restaurant (Bowls and Brews). Use permit required.
		Ordinance Sections:	622.D.150.d
		Applicant:	Jeremy Lear, Evolution Design, Inc.
		Representative:	Jeremy Lear, Evolution Design, Inc.
		Owner:	Scottsdale Towne Square, LLC, Woodbury Corporation
		Stipulations:	1) 1 year to apply for and obtain building permits. 2) Hours of operation for the patio will be limited to 6:00 AM to 10:00 PM Sunday – Thursday and 6:00 AM to 12 AM Friday and Saturday. 3) Per the location and size of the patio area as shown on site plan date stamped October 31, 2024.
Approved w/stips	8.	Application #:	ZA-774-24-8
		Existing Zoning:	R1-8
		Location:	6713 South 40th Avenue
		Quarter Section:	Q2-19(D6)
		Proposal:	Use permit for official approval of a home occupation (Federal Firearms License). Use permit required.
		Ordinance Sections:	608.E.27.h.(5)
		Applicant:	Jules Christian Ko, KOmbat Solutions, LLC
		Representative:	Taylor Earl, Earl & Curley, PC
		Owner:	Jules Christian Ko, KOmbat Solutions, LLC

Stipulations:

- 1) 6 months to commence the use.
- 2) Location of home occupation operations are limited to location as shown on site plan date stamped October 28, 2024.

ZONING ADJUSTMENT HEARING OFFICER: CAROL BERRY
PLANNER: DOMINIC AMODIO, PLANNER II

For further information please call Eric Morales, Planner III, Planning and Development Department at 602-262-7927 or via electronic mail at zoning.adjustment@phoenix.gov. To request a reasonable accommodation, please contact Teleia Galaviz at 602-291-2559, teleia.galaviz@phoenix.gov TTY: Use 7-1-1.

January 9, 2025