

**NOTICE OF RESULTS
ZONING ADJUSTMENT HEARING**

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 **February 6, 2025, at 9:00 AM. (Items 1-4) and 1:30 PM (Items 5-6). Located in Assembly Room C, Phoenix City Hall, 200 West Washington Street, First Floor, Phoenix, Arizona 85003**

The results of the meeting were as follows:

**RESULTS
Approved
w/stips**

9:00 AM

1. Application #: ZA-538-17-6 (1 Year Review of Use Permit)
Existing Zoning: C-2
Location: 1616 East Glendale Avenue
Quarter Section: 23-31(I9)
Proposal: 1) Use Permit to allow a medical marijuana dispensary in the C-2 zoning district. Use Permit required.
2) Variance to allow a medical marijuana dispensary facility within 500 feet of residentially zoned property. Minimum 500 feet separation required.
3) Variance to allow a medical marijuana dispensary facility within 1320 feet of a place of worship. Minimum 1320 feet separation required.
Ordinance Sections: 623.D.124.a 623.D.124.f 623.D.124.h
Applicant: John Haugh, Sunday Goods / The Pharm
Representative: Heather N. Dukes Esq.
Owner: IIP-AZ 2, LLC

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/stip 2. Application #: ZA-833-24-5 (Continued from January 2, 2025)
Existing Zoning: C-3
Location: 4130 North 83rd Avenue, Suite 8-9
Quarter Section: Q17-8(H3)
Proposal: 1) Use permit to allow a pawn shop (Mod Pawn). Use permit required.
2) Variance to allow a pawn shop less than 500 feet from a residential district. Minimum 500 feet of separation required.
Ordinance Sections: 623.D.134.a 623.D.134.b
Applicant: Herrold Perez, Mod Pawn
Representative: Herrold Perez, Mod Pawn
Owner: Farida Family Trust

Stipulation:

1) 12 months to commence the use.

Approved w/stips 3. Application #: ZA-917-24-6
Existing Zoning: R1-6
Location: 1631 East Palo Verde Drive
Quarter Section: Q20-31(I9)
Proposal: Variance to reduce the required side yard setback (west) to 1 foot. Minimum 3 feet required.
Ordinance Sections: 613.B.Table B
Applicant: Darrin Harris
Representative: Darrin Harris
Owner: Darrin Harris and Marion Holmes

Stipulations:

1) 12 months to apply for and obtain building permits.
2) Per the reduction as shown on site plan date stamped December 31, 2024.

Approved w/stips 4. Application #: ZA-3-25-4
Existing Zoning: A-1
Location: 2601 West Holly Street
Quarter Section: Q13-23(G7)
Proposal: 1) Time extension of ZA-576-22, variance to allow a medical marijuana cultivation facility within 5,280 feet of the same type of use. Minimum 5,280 feet of separation required.
2) Time extension of ZA-576-22, use permit to allow a medical marijuana cultivation facility. Use permit required.
3) Time extension of ZA-576-22, variance to allow a medical marijuana infusion facility within 5,280 feet of the same type of use. Minimum 5,280 feet of separation required.

4) Time extension of ZA-576-22, use permit to allow a medical marijuana infusion production facility. Use permit required.

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

Applicant: Carsten Loelke, Natural Relief Clinic Inc.

Representative: Dwayne Morris, Natural Relief Clinic Inc.

Owner: Project PH, LLC

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/stip**

5.

1:30 PM

Application #: ZA-910-24-6
Existing Zoning: R1-6
Location: 5131 East Virginia Avenue
Quarter Section: Q14-39
Proposal: Variance to allow a minimum lot width of 16 feet.
Minimum lot width of 60 feet required.
Ordinance Sections: 613.B.Table B
Applicant: Ivan Pemberton, IJP Development, LLC
Representative: Manjula Vaz, Gammage & Burnham, PLC
Owner: IJP Development LLC

Stipulation:

- 1) 90 days to finalize the lot split process.

**Approved
w/stips**

6.

Application #: ZA-13-25-6
Existing Zoning: C-2
Location: 4855 East Warner Road
Quarter Section: Q07-38(B11)

Proposal: Use permit to allow a temporary event (outdoor event with amplified music) for up to 36 months. Use permit required.

Ordinance Sections: 708.D.1

Applicant: Barry Clark, Philly's on Warner

Representative: Jeffrey Miller, Arizona Liquor Industry Consultants

Owner: David Maltzman, Maltzman Ahwatukee, LLC

Stipulations:

- 1) Limited to 3 events per year: Cornhole tournament, Cinco De Mayo, and Oktoberfest.
- 2) Events are permitted Friday – Sunday only 1 day per event.
- 3) No live entertainment, amplified sound / DJ only.
- 4) Hours of event are limited to 11:00 AM – 6:00 PM.
- 5) Set up permitted starting at 9:00 AM. Take down must be completed by 8:00 PM.
- 6) All amplified sound will shut down by 6:00 PM.
- 7) Per the event area as shown on site plan date stamped January 9, 2025.

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.

February 6, 2025