

**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 20, 2025, at 9:00 AM. (Items 1-4) and 1:30 PM (Items 5-11). 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/stip**

9:00 AM

1. Application #: ZA-879-24-1 (Continued from January 16, 2025)
Existing Zoning: RE-43 DVAO
Location: 2850 West Williams Drive
Quarter Section: Q44-22(O7)
Proposal: 1) Use Permit to allow public assembly residential uses with vehicular access on local or minor collector streets. Use permit required.
2) Variance to reduce the required parking to 78 spaces. Minimum 94 spaces required.
Ordinance Sections: 608.E.22; 702.C.Table
Applicant: LeRoy Livingston II, Living Design Construction
Representative: Mary Lozevski, MPC Sveti Arhangel Mihail
Owner: Mary Lozevski, MPC Sveti Arhangel Mihail
Stipulation:
1) 1 year to commence the use.

**Approved
w/stips**

2. Application #: ZA-195-14-7 (1 Year Review of Use Permit)
Existing Zoning: A-1
Location: 3333 South Central Avenue
Quarter Section: 6-28(E8)
Proposal: 1) Use permit to allow a medical marijuana cultivation facility in A-1 zoning district. Use permit is required.
2) Use permit to allow a medical marijuana infusion facility in A-1 zoning district. Use permit is required.
3) Variance to allow a medical marijuana cultivation facility within 5,280 feet of another medical marijuana facility.
4) Variance to allow a medical marijuana infusion facility within 5,280 feet of another medical marijuana facility.
Ordinance Sections: 627.D.91.a 627.D.93.a 627.D.91.c 627.D.93.b
Applicant: Luke Flood, Curaleaf
Representative: Larry Lazarus, Lazarus & Silvyn, P.C.
Owner: Luke Flood, Curaleaf
Walter Gilbert Esq., Gilbert Bird Law Firm

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-567-15-7 (1 Year Review of Use Permit)
Existing Zoning: A-1 RSIOD
Location: 3333 South Central Avenue, 14 and 18 East Victory Street
Quarter Section: 6-28(E8)
Proposal: 1) Use permit to allow a medical marijuana dispensary facility. Use permit required.
2) Variance to allow a medical marijuana dispensary within 5,280 feet of another medical marijuana facility. Minimum of 5,280 feet separation required.
Ordinance Sections: 627.D.92.a 627.D.92.d
Applicant: Steve Cottrell, Curaleaf President of AZ Operations
Representative: Steve Cottrell, Curaleaf President of AZ Operations
Larry Lazarus, Lazarus & Silvyn, P.C.
Owner: Walter Gilbert Esq., Gilbert Bird Law Firm

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.

**Under
Advisement**

4. Application #: ZA-891-24-1
 Existing Zoning: R1-8
 Location: 3214 West Voltaire Avenue
 Quarter Section: Q32-21(L6)
 Proposal: Variance to allow the required parking within the required front yard setback (south). Required parking not permitted within the front yard setback.
 Ordinance Sections: 702.F.1.a
 Applicant: Nathaniel King, Copperhead Homes, LLC
 Representative: Nathaniel King, Copperhead Homes, LLC
 Owner: Nathaniel King, Copperhead Homes, LLC

**Approved
w/stips**

- 1:30 PM**
5. Application #: ZA-397-23-3 (SIGN) (1 Year Review of Use Permit)
 Existing Zoning: C-3
 Location: 533 East Dunlap Avenue.
 Quarter Section: Q26-28(J8)
 Proposal: Use permit to convert the east face of a nonconforming off-premise sign to digital. Use permit required.
 Ordinance Sections: 705.2.G.4
 Applicant: Paul Hickman, Clear Channel
 Representative: Taylor C. Earl, Earl & Curley, P.C.
 Owner: CubeSmart Self Storage

Stipulations:

- 1) Install Planning and Development Department design-approved vertical louvers on the digital sign face that effectively reduces digital image visibility for areas outside of westbound Dunlap Road, southbound Cave Creek Road, and southbound 7th Street traffic. Prior to final inspection of the digital sign face, effectiveness of vertical louvers to be verified via a nighttime sign inspection performed by Planning and Development Department (PDD) staff.
- 2) Install a Planning and Development Department design-approved, decorative pole cover on the rebuilt sign. Any access ladder, if included, shall be on the west or south side of the pole cover and concealed from southbound traffic.
- 3) If an opening in the required decorative pole cover for electrical service is necessary, said opening shall be on the west or south side of the pole cover.
- 4) The applicant shall have 12 months to apply and pay for permits for the subject sign.

Continued

6.	Application #:	ZA-701-24-1 (SIGN)
	Existing Zoning:	R1-6
	Location:	2915 West Greenway Road
	Quarter Section:	Q34-22(L7)
	Proposal:	1) Variance to increase the area of two wall signs to 40 square feet each. Maximum 30 square feet each allowed. 2) Variance to increase the height of the sign to 25 feet. Maximum 15 feet allowed.
	Ordinance Sections:	705.D.1 Table D-1
	Applicant:	Aaron Phetteplace, Jesus Church of Arizona
	Representative:	Luis Alcantara, Just In Time Signs and Printing dba Kwik Sign Letters
	Owner:	Aaron Phetteplace, Jesus Church of Arizona

Continued to April 3, 2025 at 1:30 PM.

Under Advisement

7.	Application #:	ZA-4-25-4
	Existing Zoning:	R-4A
	Location:	1818 West Earll Drive
	Quarter Section:	Q15-25(G7)
	Proposal:	1) Use permit to allow Community Residence Center. Use permit is required. 2) Variance to increase lot coverage to 37%. Maximum 25% allowed. 3) Variance to reduce required open space to 2,221 square feet. 3,200 square feet required. 4) Variance to allow vehicular access from a local street. Vehicular access from an arterial or collector street required.
	Ordinance Sections:	608.E.14 608.E.14.d 608.E.14.e 608.E.14.f
	Applicant:	Estil Wallace, Cornerstone Healing Center
	Representative:	Michael Maerowitz, Snell & Wilmer, LLP

		Owner:	Madison at Encanto LLC
Approved w/stips	8.	Application #: Existing Zoning: Location: Quarter Section: Proposal: Ordinance Sections: Applicant: Representative: Owner: Stipulations: 1) 180 days to commence the use. 2) Hours of operations will be no later than 7:00 PM daily.	ZA-31-25-6 C-O 3200, 3202, and 3230 East Camelback Road Q19-35(H10) Use permit to allow the sales of alcoholic beverages as an accessory use to a restaurant (Cultivate). Use permit required. 621.B.1.h.(5)(a) Mark Tarbell Jason Morris, Withey Morris Baugh, PLC 3200 East Camelback Road, LP
Approved	9.	Application #: Existing Zoning: Location: Quarter Section: Proposal: Ordinance Sections: Applicant: Representative: Owner:	ZA-33-25-1 A-1 DVAO 24905 North 7th Avenue Q46-27(O8) Revocation of ZA-210-14, use permit to allow a Medical Marijuana Dispensary. Use permit required. 307.A.7.g City of Phoenix, Planning and Development Department City of Phoenix, Planning and Development Department Renewa Scatter Wash, LLC
Continued	10.	Application #: Existing Zoning: Location: Quarter Section: Proposal: Ordinance Sections: Applicant: Representative: Owner:	ZA-34-25-6 R1-10 ACSPD 4634 East Calle Tuberia Q18-38(H11) Variance to reduce the front yard setback (south) to 5 feet. Minimum 25 feet required. 611.B.Table B Zach Mykytiuk, Rezio LLC Zach Mykytiuk, Rezio LLC Matthew Julia Continued to April 3, 2025 at 1:30 PM.
Approved w/stip	11.	Application #: Existing Zoning: Location: Quarter Section: Proposal:	ZA-35-25-8 R-3 RI 1018, 1020, 1022 East Pierce Street Q11-29(F8) Variance to reduce the required lot width (Lots 86 and 87) to 50 feet. Minimum 60 feet required.

Ordinance Sections: 615.B.Table B
Applicant: Glenn Karlson, Trellis Community Development
Representative: Glenn Karlson, Trellis Community Development
Owner: City of Phoenix, Neighborhood Services
Department

Stipulation:

- 1) 18 months to complete lot split/combination process.

**ZONING ADJUSTMENT HEARING OFFICER: MICHAEL WIDENER
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 Saneeya Mir, 602-686-6461, Saneeya.Mir@phoenix.gov TTY: Use 7-1-

February 21, 2025