

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

Pursuant to A.R.S. Section 38-431.02, notice is hereby given to 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 **May 8, 2025, at 9:00 AM (Items 1-6) and 1:30 PM (Items 7-11) 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/stips**

9:00 AM

- | | | |
|----|---------------------|--|
| 1. | Application #: | ZA-103-14-8 (1 Year Review of Use Permit) |
| | Existing Zoning: | A-2 RSIOD |
| | Location: | 2315 South 15th Avenue |
| | Quarter Section: | 7-26(E8) |
| | Proposal: | 1) Variance to allow a medical marijuana cultivation facility within 5,280 feet of the same type of use. Variance required.
2) Use Permit to allow a medical marijuana cultivation facility. Use Permit required. |
| | Ordinance Sections: | 627.D.91.c 627.D.91.a |
| | Applicant: | Fred Petermann, Cold Fusion Lighting |
| | Representative: | Fred Petermann, Cold Fusion Lighting |
| | Owner: | Maschmeier Fuels, 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.

*Withdrawn	2.	Application #: ZA-170-23-8 (1 Year Review of Use Permit) Existing Zoning: A-1 Location: 4201 and 4205 East University Drive Quarter Section: 6-37(E10) 6-37(E10) Proposal: 1) Variance to reduce the required side yard (west) setback to 4 feet. Minimum 25 feet required. 2) Use permit to allow a medical marijuana cultivation facility. Use permit required. 3) Variance to allow medical marijuana cultivation facility within 5,280 feet of another medical marijuana facility. Minimum 5,280 feet of separation required. 4) Use permit to allow a medical marijuana infusion facility. Use permit 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) Use permit to allow a medical marijuana dispensary facility. Use permit required. 7) 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: 701.D.3.c 627.D.91.a 627.D.91.c 627.D.93.a 627.D.93.b 627.D.92.a 627.D.92.d Applicant: Brian Greathouse, Burch & Cracchiolo, P.A. Representative: Brian Greathouse, Burch & Cracchiolo, P.A. Owner: Cottontails LLC November 10, LLC
Approved w/stips	3.	Application #: ZA-742-24 (6 Month Review of Use Permit) Existing Zoning: S-1 SP Location: 10710 West Camelback Road Quarter Section: Q19-2(I2,H2,H1) Proposal: Use permit to allow a temporary use (lantern and lights festival) for up to 36 months. Use permit required. Ordinance Sections: 708.D.1 Applicant: Tianyu Arts & Culture Inc Representative: Steve Pump, Camelback Spring Training, LLC Owner: Steve Pump, City of Glendale Stipulations: 1) Deletion of Stipulation 1. 2) Deletion of Stipulation date of January 6, 2025. 3) Approved for the following dates: - October 20, 2025 to January 6, 2026 - October 20, 2026 to January 6, 2027 4) Hours of operation will be from 5:00 PM. to 11:00 PM. daily. 5) Per the location of the proposed exhibits as shown on site plan date stamped October 17, 2024. 6) No live entertainment.

Denied	4.	Application #: ZA-18-25-3 Existing Zoning: R1-10 PCD Location: 5102 East Larkspur Drive Quarter Section: Q31-39(K11) Proposal: Use permit to allow a game court light. Use permit required. Ordinance Sections: 608.E.34 Applicant: James Roche, 312 Architect and Design Representative: Kilian Gordon, Hoste, LLC Owner: Tariq Awan and Lisa Awan
Approved w/stips	5.	Application #: ZA-127-25-8 Existing Zoning: CP/BP Location: 5005 South 40th Street Quarter Section: Q4-37(E10) Proposal: Time extension for ZA-621-23, variance to reduce the minimum parking requirement to 482 spaces. Minimum 515 spaces required. Ordinance Sections: 702.C.Table Applicant: Laboratory Corporation of America Holdings a Delaware Corporation Representative: Heidi Short, Womble Bond Dickinson US, LLP Owner: Laboratory Corporation of America Holdings a Delaware Corporation Stipulations: 1) 2 years to apply and pay for building permits. 2) Per the parking reduction shown on the site plan date stamped February 11, 2025.
Approved w/stips	6.	Application #: ZA-250-25-1 Existing Zoning: PSC Location: 4930 West Bell Road Quarter Section: Q37-17(M5) Proposal: 1) Time extension of ZA-232-24, variance to reduce building setbacks on the east side to 41 feet from residential zoning. Minimum 75 feet required. 2) Time extension of ZA-232-24, variance to reduce building setbacks on the north side to 48 feet from residential zoning. Minimum 75 feet required. 3) Time extension of ZA-232-24, variance to allow 296 square feet (13%) of accessory outdoor dining floor area (Building B). Maximum 233 square feet (10%) allowed. 4) Time extension of ZA-232-24, variance to allow 579 square feet (24%) of accessory outdoor dining floor area (Building C). Maximum 245 square feet (10%) allowed. 5) Time extension of ZA-232-24, use permit to allow outdoor dining as accessory to three restaurants (Buildings A, B, C). Use permit required.

6) Time extension of ZA-232-24, use permit to allow drive-through facilities as accessories to restaurants (Buildings A, B, and C) within 300 feet from a residential zoning district. Use permit required.

Ordinance Sections: 637.C.3 637.C.3 637.A.3 637.A.3 622.D.150.d; 622.D.150.e

Applicant: Patrick Hallman, C & H Associates, LLC

Representative: Patrick Hallman, C & H Associates, LLC

Owner: Robert Garrett, Talon 1 Properties, LLC

Stipulations:

- 1) 2 years to apply and pay for building permits.
- 2) Employees must have unobstructed views into the patio area or be present.
- 3) Patio area will have adequate lighting.
- 4) Police Precinct Commander or designee may require licensed security guards or off-duty police at their discretion after periodic reviews of activities at the businesses.
- 5) No outdoor entertainment.
- 6) Per the setback reductions and locations of the patios and drive-throughs per the site plan date stamped April 3, 2024.
- 7) Request 4 approved for 400 square feet.

1:30 PM

**Approved
w/stips**

7. Application #: ZA-200-25-8 (SIGN)
Existing Zoning: C-1 M-R; C-2
Location: 2834 North 44th Street
Quarter Section: Q14-37(G10)
Proposal: Use permit to allow an electronic message display (EMD) on an existing ground sign. Use permit required.

Ordinance Sections: 705.C.13

Applicant: Tristan Bails, Signarama Chandler

Representative: Chris Gunkle, Signarama Chandler

Owner: Ron Broatch, KRAF, Inc.

Stipulations:

- 1) Sign design and general sign location shall be in accordance with the sign drawings submitted to the Hearing Officer and date-stamped May 8, 2025.
- 2) The maximum sign height shall be 15 feet.
- 3) The maximum EMD square footage shall be no greater than 15 square feet.
- 4) Sign illumination shall be automatically shut off daily at 10:00 PM via an automatic dimming device.
- 5) 12 months to obtain sign permits for the EMD sign.

Continued

8. Application #: ZA-203-25-7 (SIGN)
Existing Zoning: C-2
Location: 5046 South Central Avenue
Quarter Section: Q4-27(E8)
Proposal: Variance to increase the height of a ground sign up to a height of 24 feet. Maximum 20 feet permitted.

Ordinance Sections: 705.D.1 Table D-1
Applicant: Jon Zamora, Royal Sign Company
Representative: Jon Zamora, Royal Sign Company
Owner: Jose Antonio Casillas, La Bodega Furniture
Continued to June 26, 2025 at 1:30 PM.

**Approved
w/stips**

9. Application #: ZA-223-25-7
Existing Zoning: C-1, C-2
Location: 8259 and 8275 West Lower Buckeye Road
Quarter Section: Q6-9(E3)
Proposal: 1) Use permit to allow outdoor alcoholic beverage consumption as an accessory use to a restaurant (Pad F) within 500 feet of a residential zoning district. Use permit required.
2) Use permit to allow outdoor dining as an accessory use to a restaurant (Pad E, Pad F, Pad G) within 500 feet of a residential zoning district. Use permit required.
3) Use permit to allow a drive through facility accessory to a restaurant (Pad E, Pad F, Pad G) within 300 feet from a residential zoning district. Use permit required.
- Ordinance Sections: 623.D.157.c 623.D.157.c 623.D.157.d.(2)
Applicant: Cassandra Ayres, Berry Riddell, LLC
Representative: Cassandra Ayres, Berry Riddell, LLC
Owner: Crossroads Commons, LLC
Stipulations:
1) 2 years to apply and pay for building permits.
2) Per the site plan date stamped April 7, 2025.

**Approved
w/stips**

10. Application #: ZA-231-25-2
Existing Zoning: C-2 M-R PCD
Location: 15213 North Kierland Boulevard
Quarter Section: Q34-44(L12)
Proposal: 1) Time extension of ZA-37-23, variance to reduce the required front yard setback (Northwest, Kierland Boulevard) to 10 feet. Minimum 25 feet required.
2) Time extension of ZA-37-23, variance to reduce the front yard landscape setback (Northwest) to 10 feet. Minimum 25 feet required.
3) Time extension of ZA-37-23, variance to reduce the interior side yard landscape setback (Southwest) to 0 feet. Minimum 5 feet required.
4) Time extension of ZA-37-23, variance to reduce the interior side yard landscape setback (East) to 0 feet. Minimum 5 feet required.
5) Time extension of ZA-37-23, variance to reduce the required open space to 3%. Minimum 5% open space required.
- Ordinance Sections: 701.D.2.b 703.B.3.a 703.B.3.b.3 703.B.3.b.3 703.B.4.a.1
Applicant: David Breen, Streetlights Residential

Representative: Benjamin Graff, Quarles & Brady LLP
Owner: PHXAZ Kierland Common,s LLC, The Macerich Company

Stipulations:

- 1) 2 years to apply and pay for building permits.
- 2) Per the site plan date stamped April 7, 2025.

**Approved
w/stips**

11. Application #: ZA-232-25-2
Existing Zoning: C-2 M-R PCD
Location: 15213 North Kierland Boulevard
Quarter Section: Q34-44(L12)
Proposal: Time extension of ZA-268-23, variance to allow 18% open space of a project's total net area with appropriate landscaping and other pedestrian-oriented amenities. Minimum 30% open space required.

Ordinance Sections: 634.B.2.g.
Applicant: David Breen, Streetlights Residential
Representative: Benjamin Graff, Quarles & Brady LLP
Owner: PHXAZ Kierland Common,s LLC, The Macerich Company

Stipulations:

- 1) 2 years to apply and pay for building permits.
- 2) Per the site plan date stamped April 7, 2025.

ZONING ADJUSTMENT HEARING OFFICER: BETTY DRAKE
PLANNER: GREGORY HARMON, 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 7-1-1.

May 9, 2025