

**NOTICE OF RESULTS
ZONING ADJUSTMENT HEARING**

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 22, 2025, at 9:00 AM (Items 1-8) and 1:30 PM (Items 9-11) 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-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: Ronnie Kassab, JARS Cannabis/ Wickenburg Alternative Me

Representative: Ronnie Kassab, JARS Cannabis/ Wickenburg Alternative Me

Owner: Roseann Chiulli, rjchiulli@q.com

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**

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

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.

- Continued** 3. Application #: ZA-661-23-3 (1 Year Review of Use Permit)
(Continued from March 27, 2025)
Existing Zoning: C-2
Location: 13805 North 19th Avenue
Quarter Section: Q33-25(L7)
Proposal: Use permit to allow package liquor sales accessory to a convenience market (M & M Convenience Store) located within 300 feet of a residential zoning district. Use permit required.

Ordinance Sections: 622.D.102.a
Applicant: Alvin Orah
Representative: Alvin Orah
Owner: Moon Mountain Plaza, LLC
Continued to July 3, 2025 at 9:00 AM.
- Continued** 4. Application #: ZA-306-24-5 (1 Year Review of Use Permit)
Existing Zoning: C-2
Location: 7550 West Indian School Road
Quarter Section: Q17-10(H4)
Proposal: Use permit to allow a temporary use (Farmers Market) for up to 36 months. Use permit required.

Ordinance Sections: 708.D.1
Applicant: Jose M. Cazarez
Representative: Jose M. Cazarez, Legends Event Center
Owner: Jose M. Cazarez
Continued to July 3, 2025 at 1:30 PM.
- Approved w/stips** 5. Application #: ZA-179-25-8
Existing Zoning: R-4 RSIO
Location: 927 East Jones Avenue
Quarter Section: Q5-29(E8)
Proposal: 1) Variance to reduce the required parking to 33 spaces. Minimum 38 parking spaces required.
2) Variance to allow landscape planters for trees in parking lots to be a minimum of 4 feet wide. Minimum 5 feet wide required.
3) Variance to reduce the required landscape setback (east) to 3 feet. Minimum 5 feet required.

Ordinance Sections: 702.C 507 Tab A.II.A.6.1.2 703.B.3.b.(3)
Applicant: Luke Crosthwaite, Rain Maker Consulting
Representative: Richard Norris, Norris Architects
Owner: Joel Fernebok, 927 Jones Apartments, LLC
Stipulations:
1) Per the site plan date stamped April 14, 2025.
2) 12 months to apply and pay for permits.

Approved w/stip	6.	Application #:	ZA-278-25-4
		Existing Zoning:	R-5 RI
		Location:	320 East Virginia Avenue
		Quarter Section:	Q14-28(G8)
		Proposal:	Time extension for ZA-111-23, variance to increase lot coverage to 73%. Maximum 50% coverage allowed.
		Ordinance Sections:	618.B.Table B
		Applicant:	Lorne Wallace, 320 Virginia LP, RAS Developments, Inc.
		Representative:	Lorne Wallace, 320 Virginia LP, RAS Developments, Inc.
		Owner:	Lorne Wallace, 320 Virginia LP, RAS Developments, Inc.
		Stipulation:	
			1) 18 months to apply and pay for permits.
Approved w/stips	7.	Application #:	ZA-297-25-6
		Existing Zoning:	C-2
		Location:	4909 East Chandler Boulevard, Suite 502
		Quarter Section:	Q011-39(A11)
		Proposal:	1) Variance to allow a tobacco-oriented retailer Snoop's Smoke Shop) to be located within 1,320 feet of a school. Minimum 1,320 feet separation required. 2) Variance to allow a tobacco-oriented retailer Snoop's Smoke Shop) to be located within 1,320 feet of two churches. Minimum 1,320 feet separation required. 3) Variance to allow a tobacco-oriented retailer Snoop's Smoke Shop) to be located within 1,320 feet of two daycares. Minimum 1,320 feet separation required.
		Ordinance Sections:	623.D.194.b 623.D.194.b 623.D.194.b
		Applicant:	Amein Ahmad, Snoop's Smoke Shop
		Representative:	Amein Ahmad, Snoop's Smoke Shop
		Owner:	AHP Plaza, LLC, Michael Merriman, BPMTB Investments, LLC
		Stipulations:	
			1) 12 months to apply and pay for permits. 2) Per site plan date stamped April 18, 2025.
Approved w/stips	8.	Application #:	ZA-299-25-2
		Existing Zoning:	R1-8
		Location:	19843 North 30th Street
		Quarter Section:	Q40-34(N10)
		Proposal:	1) Variance to reduce the minimum lot width (Lot A) to 55 feet. Minimum 70 feet required. 2) Variance to reduce the minimum lot width (Lot B) to 55 feet. Minimum 70 feet required.
		Ordinance Sections:	612.Table.B 612.Table.B
		Applicant:	Amitai Garcia, Arizona KSG Properties, LLC
		Representative:	Amitai Garcia, Arizona KSG Properties, LLC

Owner: Arizona KSG Properties, LLC

Stipulations:

- 1) 12 months to apply and pay for permits.
- 2) Per site plan date stamped May 12, 2025.

**Approved
w/stips**

- 1:30 PM**
9. Application #: ZA-100-25-1 (SIGN)
Existing Zoning: PUD Mixed Use
Location: 25100 North 22nd Lane
Quarter Section: Q47-24(O7)
Proposal: Use permit to adopt the AC Element Hotel Comprehensive Sign Plan and amend the boundary of the USAA Norterra Campus CSP. Use permit required.
Ordinance Sections: 705.E.2
Applicant: Jared Segel, Associated Sign Company
Representative: Jared Segel, Associated Sign Company
Owner: JH Norterra Hotel, LLC
- Stipulations:**
- 1) Sign design shall be in general conformance with the sign drawings submitted to the Hearing Officer date-stamped May 22, 2025.
 - 2) All wall signs attached to the 3rd floor (Sign Type D/F) and 4th floor (Sign Type C/E) shall be automatically dimmed to a maximum of 80 Nits luminance at 10:30 PM daily until sunrise.
 - 3) Submittal of a revised 'final' version of the CSP document to the Planning and Development Department incorporating any ZAH0 stipulations of approval and related changes to sign designs contained in the CSP, and any staff comments/corrections within 60 days from the date of the hearing and prior to the issuance of any sign permits for the project.
 - 4) With 'final' version mentioned above include City of Phoenix stamped approved site plan showing the entire property and updated Elevations with labels identifying the top of the sign band height above ground for all types of signs.
 - 5) 12 months to pay for and obtain sign permits.

**Withdrawn
to Amend**

10. Application #: ZA-248-25-3 (SIGN)
Existing Zoning: C-2 SP
Location: 8833 North Black Canyon Highway
Quarter Section: Q26-23(J7)
Proposal: 1) Use permit to increase the height of nonconforming off-premise sign to 70 feet. Use permit required.
2) Use permit to reduce off-premise sign separation from a residential district and residential use to 200 feet. Use permit required.
3) Variance to reduce required spacing between off-premise signs to 270 feet. Minimum 1,000 foot spacing required.
4) Variance to increase 672 square feet of sign area by adding a static north face (14 feet by 48 feet). The area of the sign may not be increased per Section 705.2.G.2.

	Ordinance Sections:	705.2.B.4.b 705.2.A.5.c 705.2.B.2 705.2.G.2
	Applicant:	Brent Wood, Outfront Media
	Representative:	Cassandra Ayres, Berry Riddell, LLC
	Owner:	Denise Caleb Kaugman, Outfront Easement
#1 Withdrawn	11. Application #:	ZA-194-25-1
	Existing Zoning:	C-2
	Location:	2860 West Peoria Avenue
#2, 3, 4, 5 Approved w/stips	Quarter Section:	Q29-22(K7)
	Proposal:	1) Use permit to allow outdoor alcohol consumption as an accessory use to a restaurant (Dave's Hot Chicken) within 500 feet of a residential district. Use permit required. 2) Use permit to allow outdoor dining as an accessory use to a restaurant (Dave's Hot Chicken) within 500 feet of a residential district. Use permit required. 3) Use permit to allow a drive through facility accessory to a restaurant (Dave's Hot Chicken) within 300 feet from a residential zoning district. Use permit required. 4) Variance to reduce the streetscape landscape setback (west) to 7 feet. Average 25 feet, minimum 20 feet permitted for up to 50% of the frontage required. 5) Variance to reduce the streetscape landscape setback (south) to 17 feet. Average 25 feet, minimum 20 feet permitted for up to 50% of the frontage required.
	Ordinance Sections:	623.D.157.c 623.D.157.c 623.D.157.d.(2) 623.E.4.e 623.E.4.e
	Applicant:	Devon Wesselink, Coast to Coast Commercial, LLC
	Representative:	Heather Roberts, Kimley-Horn and Associates
	Owner:	Phil Guida, 2860 Metro Center LLC
	Stipulations:	1) 18 month to apply and pay for permits. 2) Per site plan date stamped April 18, 2025.

**ZONING ADJUSTMENT HEARING OFFICER: CAROL BERRY
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 22, 2025