

NOTICE OF RESULTS
ZONING ADJUSTMENT HEARING
**Revised May 19, 2026*

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 **April 30, 2026, at 9:00 AM. (Items 1-6) and 1:30 PM (Items 7-13). 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-116-26-8
Existing Zoning: A-1 TOD-2
Location: 2312 East Washington Street
Quarter Section: Q10-32(F9) Q10-32(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 1,320 feet of a school. Minimum 1,320 feet of separation required.
 - 3) Variance to allow a medical marijuana cultivation facility within 1,320 feet of a dependent care facility. Minimum 1,320 feet of separation required.
 - 4) Variance to allow a medical marijuana cultivation facility within 1,000 feet of a residential zoning district. Minimum 1,000 feet of separation required.
 - 5) Variance to allow a medical marijuana cultivation facility within 5,280 feet of another medical marijuana facility. Minimum 5,280 feet of separation required.
- Ordinance Sections: 627.D.91.a 627.D.91.e 627.D.91.d 627.D.91.c
- Applicant: 2312 Washington, LLC
- Representative: Blake Gunn, The Real Estate Investors Law Firm, LLC
- Owner: 2312 Washington, LLC

Taken out from under advisement on May 19, 2026 and approved with the following 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.

Denied	2.	Application #: ZA-140-26-6 Existing Zoning: R1-10 Location: 132 East Tuckey Lane Quarter Section: Q22-28(I8) Proposal: Variance to reduce the front yard (south) setback to 15 feet. Minimum 25 feet required. Ordinance Sections: 611.B.Table 611.1. Applicant: Nicole Brown, Copper Star Drafting, LLC Representative: Randy Barnes, RBA Architecture Owner: Dustin and Elizabeth Kredit
Approved w/stips	3.	Application #: ZA-227-26-1 Existing Zoning: C-2 Location: 2915 West Bell Road Quarter Section: Q36-22(M7) Proposal: Use permit to allow a drive-through facility as an accessory use to a restaurant (7 Brew) within 300 feet of a residential district. Use permit required. Ordinance Sections: 623.D.157.d.(2) Applicant: Delight Restaurant Group, Delight 7B AZ 1, LLC Representative: Benjamin Tate, Withey Morris Baugh, PLC Owner: Steve Kanner, BSD Partners, LLC Stipulations: 1) 18 months to apply and pay for building permits. 2) Per the location of the drive-through as shown on site plan date stamped March 27, 2026.
Approved w/stips	4.	Application #: ZA-228-26-8 Existing Zoning: C-2 Location: 7442 South 48th Street Quarter Section: Q1-38(D11) Proposal: Use permit to allow a drive-through facility as an accessory use to a restaurant (7 Brew) within 300 feet of a residential use. Use Permit required. Ordinance Sections: 623.D.157.d.(2) Applicant: Delight Restaurant Group, Delight 7B AZ 1, LLC Representative: Benjamin Tate, Withey Morris Baugh, PLC Owner: Donald Emas, Emas Family Trust Stipulations: 1) Per the location of the drive-through as shown on site plan date stamped March 27, 2026.

2) 18 months to apply and pay for building permits.

**Approved
w/stips**

5. Application #: ZA-1-16-7 (1 Year Review of Use Permit)
Existing Zoning: A-2
Location: 2 North 35th Avenue
Quarter Section: 10-20(F6)
Proposal: 1) Use permit to allow a medical marijuana cultivation facility. Use permit is required.
2) Use permit to allow a medical marijuana dispensary facility. Use permit is required.
3) Use permit to allow a medical marijuana infusion facility. Use permit is required.
4) Variance to allow a medical marijuana cultivation facility within 750 feet of a residentially zoned district. 1,000 feet separation is required between cultivation facility and residentially zoned districts.
5) Variance to allow a medical marijuana infusion facility within 750 feet of a residentially zoned district. 1,000 feet is required between infusion facility and residentially zoned districts.
Ordinance Sections: 627.D.91.a 627.D.92.a 627.D.93.a 627.D.91.d 627.D.93.c
Applicant: Giovanni M. Dolleton, Esq., Nirvana Center Dispensaries
Representative: Benjamin Graff, Quarles & Brady, LLP
Owner: Yavapai Herbal Services, Inc.

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.

**Review
Withdrawn**

6. Application #: ZA-232-24-1 (2 Year Review of Use Permit)
Existing Zoning: PSC
Location: 4930 West Bell Road
Quarter Section: Q37-17(M5)
Proposal: 1) Variance to reduce building setbacks on the east side to 41 feet from residential zoning.
2) Variance to reduce building setbacks on the north side to 48 feet from residential zoning.
3) Variance to allow 296 square feet (13%) of accessory outdoor dining floor area (Building B).
4) Variance to allow 579 square feet (24%) of accessory outdoor dining floor area (Building C).
5) Use permit to allow outdoor dining as accessory to three restaurants (Buildings A, B, C).
6) Use permit to allow drive-through facilities as accessories to restaurants (Buildings A, B, and C) within 300 feet from a residential zoning district.
- 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

**Approved
w/stips**

- 1:30 PM**
7. Application #: ZA-206-26-4
Existing Zoning: C-1, C-1 TOD-1 MH, P-2, R-5 HP SP, R-5 SP
Location: 2301 North Central Avenue
Quarter Section: Q14-28(G8)
Proposal: 1) Use permit to allow sales of alcoholic beverages as an accessory to restaurant (Heard Museum). Use permit required.
2) Use permit to allow outdoor dining as an accessory use to a restaurant (Heard Museum). Use permit required.
3) Use permit to allow outdoor alcoholic beverage consumption as an accessory use to a restaurant (Heard Museum). Use permit required.
4) Use permit to allow outdoor recreation (outdoor speakers) as an accessory use to a restaurant (Heard Museum). Use permit required.
- Ordinance Sections: 622.D.150.a 622.D.150.d 622.D.150.d 622.D.150.d
- Applicant: Heard Museum
Representative: Snell & Wilmer, LLP
Owner: Heard Museum

Stipulations:

- 1) 1 year to apply and pay for building permits.
- 2) Per the location of the patio and restaurant as shown on site plan date stamped March 23, 2026.
- 3) Amplified sound and live entertainment will end by 9:00 PM.
- 4) No live entertainment with amplified sound permitted. Live entertainment shall be limited to one (1) acoustic performer.
- 5) The existing café on site shall close within 30 days of the opening

of the new restaurant.

- Approved w/stips**
8. Application #: ZA-214-26-2
Existing Zoning: PUD PCD
Location: 7000 East Mayo Boulevard
Quarter Section: Q39-44(M12)
Proposal: Use permit to allow outdoor cooking as an accessory to a restaurant (Caldwell County BBQ). Use permit required.
Ordinance Sections: 623.D.157.f.(1)
Applicant: Travis Taylor, Caldwell County BBQ at Scottsdale, LLC
Representative: Travis Taylor, Caldwell County BBQ at Scottsdale, LLC
Owner: 101 & Scottsdale, LLC, YAM Properties
Stipulations:
1) 9 months to apply and pay for building permits.
2) Per the location of the outdoor cooking area as shown on site plan date stamped March 25, 2026.
3) Except for Thursday and Friday nights, no smoking between 9:00 PM and 6:00 AM.
- Approved**
9. Application #: ZA-220-26-7
Existing Zoning: A-1
Location: 2836 South 49th Avenue
Quarter Section: Q6-17(E5)
Proposal: 1) Revocation of Zoning Adjustment Case No. ZA-36-13, Use permit to allow a Medical Marijuana Cultivation Facility. Use permit required.
2) Revocation of Zoning Adjustment Case No. ZA-36-13, Use permit to allow a Medical Marijuana Infusion Production Facility. Use permit required.
Ordinance Sections: 307.A.7.g 307.A.7.g
Applicant: City of Phoenix, Planning and Development Department
Representative: City of Phoenix, Planning and Development Department
Owner: Tempe Broadway Partners, LLC, Harrison Properties, LLC
- Approved w/stip**
10. Application #: ZA-224-26-7
Existing Zoning: R-3 SPVTABDO
Location: 5617 South Montezuma Street
Quarter Section: Q3-27(D8)
Proposal: Time extension of ZA-675-25, use permit to utilize the Single-Family Infill (SFI) development option. Use permit required.
Ordinance Sections: 608.F.6
Applicant: Robert Lepore, RLeporeArchitecture, LLC
Representative: Robert Lepore, RLeporeArchitecture, LLC
Owner: Wolff Wholesale, LLC, Wolff Development
Stipulation:
1) 6 months to apply and pay for building permits.

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 7-1-1.

May 19, 2026