

NOTICE OF PUBLIC MEETING ZONING ADJUSTMENT HEARING

Pursuant to A.R.S. Section 38-431.02, notice is hereby given to the members of the **ZONING ADJUSTMENT HEARING OFFICER** and to the general public, that the **CITY OF PHOENIX ZONING ADJUSTMENT HEARING OFFICER** will hold a meeting open to the public on **December 8, 2022 9:00 AM (Items 1-8) and 1:30 PM (Items 9-16)**

Meeting will be held virtually. To participate, see instructions outlined below.

OPTIONS TO ACCESS THE MEETING

- **Call-in to listen** to the live meeting: Dial **602-666-0783**, Enter meeting access code [25586016422#](tel:25586016422), and press # again when prompted for the attendee ID.
- **Observe the live meeting virtually**, by clicking on the following link and registering to join the meeting online:
<https://cityofphoenixpdd.webex.com/cityofphoenixpdd/onstage/g.php?MTID=e123f2ce7e8999d361520f9c122ef46d9>
- **Submit a comment** on an agenda item:
 - At: zoning.adjustment@phoenix.gov
 - Indicate: Item Number and Case Number
- **Register to speak** on an agenda item:
 - At: zoning.adjustment@phoenix.gov
 - By: **48 hours prior to the start of the hearing**. Staff will make every effort to accommodate requests to speak submitted beyond the 48-hour period. Due to the added demands of facilitating the virtual environment for the public, applicants and other staff members, we cannot consider any request less than 6 business hours before the start of the meeting / hearing.
 - Indicate: Item Number and Case Number

Notes:

1. Agenda items may be taken out of order.
2. Comments may be limited due to time constraints and to ensure all viewpoints are heard.

The agenda for the meeting is as follows:

9:00 AM

1. Application #: ZA-36-13-7 (1-Year Review of Use Permit)
Existing Zoning: A-1
Location: 2836 South 49th Avenue
Quarter Section: 6-17(E5)
Proposal: **1) Use permit to allow a Medical Marijuana Cultivation Facility. Use permit required. 2) Use permit to allow a Medical Marijuana Infusion Production Facility. Use permit required.**
Ordinance Sections: 627.D.91.a 627.D.93.a
Applicant: The Holistic Center
Representative: James D. Harrison, Harrison Properties
Owner: James D. Harrison, Harrison Properties

2. Application #: ZA-70-13-7 (1-Year Review of Use Permit)
Existing Zoning: A-2
Location: 2111 West McDowell Road
Quarter Section: 12-24(G7)
Proposal: **1)** Use permit to allow a medical marijuana cultivation facility. Use permit required. **2)** Use permit to allow a medical marijuana infusion production facility. Use permit required. **3)** Variance to allow a medical marijuana facility within 5,280 feet of another medical marijuana facility. Minimum separation of 5,280 feet.
Ordinance Sections: 627.D.91.a. 627.D.93.a. 623.D.122.e
Applicant: Steven Shapiro
Representative: Steven Shapiro
Owner: Steven Shapiro
3. Application #: ZA-493-22-6
Existing Zoning: RE-24 ACSPD
Location: 4227 North Jokake Drive
Quarter Section: 17-42(H12)
Proposal: **Variance to allow 28 percent lot coverage. Maximum of 25 percent lot coverage permitted.**
Ordinance Sections: 606.B.5
Applicant: Andrew Yancey, Bergin, Frakes, Smalley & Oberholtzer
Representative: Adam Pruett, Bergin, Frakes, Smalley & Oberholtzer
Owner: Justin Brandt
4. Application #: ZA-508-22-1
Existing Zoning: S-1
Location: 23428 North 64th Avenue
Quarter Section: 45-13(O4)
Proposal: Variance to reduce the required rear yard setback (west) to 30 feet for a detached accessory structure. Minimum 50 feet required.
Ordinance Sections: 603.B(3)
Applicant: Daniel Istrate, Kontexture, LLC
Representative: Daniel Istrate, Kontexture, LLC
Owner: Daniel Budure
5. Application #: ZA-510-22-6
Existing Zoning: R-4
Location: 1003 East Pasadena Avenue and 5020 North 10th Place
Quarter Section: 19-29(H8)
Proposal: **1)** Use permit to utilize the Single-Family Attached development option. Use permit required. **2)** Variance to allow the required covered parking spaces to front on street right-of-way (Pasadena Avenue). Required covered parking spaces shall not front on street rights-of-way. **3)** Variance to allow parking in the (east) side landscape setback. Minimum 15-foot landscape setback required.

Ordinance Sections: 608.F.8 608.F.8.b.(2) 608.F.8.c.(2)
Applicant: Andrew Nametz, Pasadena 1 Zero, LLC
Representative: William F. Allison, Withey Morris PLC
Owner: Brian R. Puziss

6. Application #: ZA-511-22-5
Existing Zoning: C-2
Location: 3602 West Camelback Road
Quarter Section: 19-20(H6)
Proposal: **1)** Variance to reduce the building setback (east) to 11 feet. Average 25 feet required, minimum 20 feet permitted for up to 50% of the structure. **2)** Variance to reduce the landscape setback (east) to 8 feet. Average 25 feet required, minimum 20 feet permitted for up to 50% of the structure. **3)** Variance to reduce the building setback (south) to 21 feet. Average 25 feet required, minimum 20 feet permitted for up to 50% of the structure. **4)** Variance to reduce the landscape setback (south) to 21 feet. Average 25 feet required, minimum 20 feet permitted for up to 50% of the structure.

Ordinance Sections: 623.E.4.d 623.E.4.e 623.E.4.d 623.E.4.e
Applicant: Richard Moore, RMA Design Group, LLC
Representative: Heather Roberts, Kimley Horn
Owner: Peterson and Burge, LLC

7. Application #: ZA-512-22-8
Existing Zoning: R-3 SPVTABDO
Location: 1326 East Wier Avenue
Quarter Section: 4-30(E9)
Proposal: Use permit to use the Planned Residential Development option in Table B. Use permit required.

Ordinance Sections: 608.B.3
Applicant: Ryan Senters, Friends of Ohana
Representative: Christian Solorio, Architectural Resource Team
Owner: Ryan Senters, Friends of Ohana

8. Application #: ZA-514-22-2
Existing Zoning: R1-10
Location: 4058 East Vista Drive
Quarter Section: 34-37(L10)
Proposal: Use permit to allow over height retaining walls (7 feet) within 50 feet of a subdivision perimeter. Use permit required.

Ordinance Sections: 703.A.4.c
Applicant: Mary Anne Kelaghan
Representative: Stephen L. Weber, Weber Law Firm, PLLC
Owner: Mary Anne Kelaghan

1:30 PM

9. Application #: ZA-472-22-8 (SIGN)
Existing Zoning: A-2
Location: 2544 East University Drive
Quarter Section: 7-33(E9)
Proposal: **1)** Use permit to relocate and rebuild an off-premise sign to 65 feet in height. Use permit required. **2)** Use permit to convert the west face of a nonconforming off-premise sign to digital. Use permit required. **3)** Variance to reduce spacing between off-premise signs to 926 feet. Minimum 1,000 feet required.

Ordinance Sections: 705.2.B.4.b 705.2.G.4 705.2.B.2
Applicant: Outfront Media, LLC
Representative: Cassandra Ayres, Berry Riddell LLC
Owner: Airport Office Park, LLC
10. Application #: ZA-474-22-8 (SIGN)
Existing Zoning: C-2 HP; P-1 HP
Location: 440 North 32nd Street
Quarter Section: 11-34(F10)
Proposal: Use permit to adopt the Celebrity Theater Comprehensive Sign Plan. Use permit required.

Ordinance Sections: 705.E.2
Applicant: Jared Segel, Associated Sign Company
Representative: Jared Segel, Associated Sign Company
 Corey Shano, Associated Sign Company
Owner: Celebrity Theater, LLC
11. Application #: ZA-485-22-4 (SIGN)
Existing Zoning: WU T6: Walkable Urban Code
Location: 3150 North Central Avenue
Quarter Section: 15-27(G8)
Proposal: Use permit for a major amendment to the Park Central Comprehensive Sign Plan. Use permit required.

Ordinance Sections: 705.2.E.2.d(2)
Applicant: Fayth Hospitality Group, LLC
Representative: Bill Allison, Withey Morris, PLC
Owner: HPPC II, LLC
12. Application #: ZA-488-22-8 (SIGN)
Existing Zoning: A-2
Location: 330 East Maricopa Freeway
Quarter Section: 7-28(E8)
Proposal: Time extension for ZA-601-21, use permit to rebuild a nonconforming off-premise sign on the west side of the parcel to a height of 70 feet. Use permit required.

Ordinance Sections: 705.2.B.4.b
Applicant: Patrick Lyons, Premier Media, LLC

- Representative: William Lally, Tiffany & Bosco PA
 Owner: Phoenix E-Z 8 Motel Limited Partnership
13. Application #: ZA-473-22-8
 Existing Zoning: C-2
 Location: 2611 North 7th Street
 Quarter Section: 14-29(G8)
 Proposal: Use permit to allow a tattoo shop (Twin Suns Tattoo Studio). Use permit required.
 Ordinance Sections: 623.D.187
 Applicant: Christopher Kelm, Twin Suns Tattoo Studio
 Representative: Christopher Kelm, Twin Suns Tattoo Studio
 Owner: Hussam Alyousef, Yousef Team, LLC
14. Application #: ZA-513-22-5
 Existing Zoning: C-2
 Location: 2647 West Glendale Avenue
 Quarter Section: 22-23(I7)
 Proposal: Use Permit to allow a temporary environmental remediation facility within 300 feet of a residential zoning district. Use permit required.
 Ordinance Sections: 622.D.168
 Applicant: Josh Campbell, Arizona Department of Environmental Quality
 Representative: Arianne Godwin, Pinyon Environmental, Inc.
 Owner: Elio Espino, E. Espino Investments, LLC
15. Application #: ZA-515-22-1
 Existing Zoning: R1-8
 Location: 19231 North 44th Drive
 Quarter Section: 39-18(M6)
 Proposal: Variance to reduce the rear yard (east) setback to 2 feet for a detached accessory structure. Minimum 3 feet required.
 Ordinance Sections: 706.B
 Applicant: Stewart & Brenda Moore
 Representative: Stewart & Brenda Moore
 Owner: Stewart & Brenda Moore
16. Application #: ZA-516-22-6
 Existing Zoning: C-2
 Location: 4001 East Indian School Road
 Quarter Section: 16-37(H10)
 Proposal: Use permit to allow outdoor dining as an accessory use to a restaurant (Eat Up) within 500 feet of a residential district. Use permit required.
 Ordinance Sections: 623.D.157.c
 Applicant: David R. Richert, Richert & Associates
 Representative: David R. Richert, Richert & Associates
 Owner: Ryan Schubert, Eat Up, LLC

For further information please call Eric Morales, Planner II, Planning and Development Department at 602-262-7927 or to request a reasonable accommodation, please contact Les Scott at 602-376-3981, leslie.scott@phoenix.gov TTY: Use 7-1-1.

12/2/2022