

**NOTICE OF PUBLIC MEETING
ZONING ADJUSTMENT HEARING
Revised February 9, 2022*

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 **February 24, 2022 9:00 AM (Items 1-6) and 1:30 PM (Items 7-14)**

Per the most recent social distancing guidelines from the federal government, no residents will be allowed to attend the meeting in-person.

OPTIONS TO ACCESS THE MEETING

- **Call-in to listen** to the live meeting: Dial **602-666-0783**, Enter meeting access code **[25525702337#](https://cityofphoenixpdd.webex.com/cityofphoenixpdd/onstage/g.php?MTID=e9a5e116fba75c5d00f4fab8f2b77b602)**, 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=e9a5e116fba75c5d00f4fab8f2b77b602>
- **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-686-21-6
 Existing Zoning: C-2
 Location: 2815, 2821, and 2827 East Indian School Road
 Quarter Section: 16-34(H10)
 Proposal: **1) Use Permit to allow for a drive-through as an accessory use to a restaurant (Al Pastor Drive-Thru Restaurant) when the queuing lane is within 300-feet of a residential district. Use permit required. 2) Use permit to allow outdoor dining as an accessory use to a restaurant (Al**

Pastor Drive-Thru Restaurant) within 500 feet of a residential district. Use permit required. **3)** Use permit to allow outdoor consumption of alcoholic beverages as an accessory use to a restaurant (Al Pastor Drive-Thru Restaurant) within 500 feet of residential zoning. Use permit required. **4)** Variance to reduce the perimeter landscape setback (west) not adjacent to a street to 0 feet. Minimum 10 feet required.

Ordinance Sections: 623.D.157.d.(2) 623.D.157.c 623.D.157.c 623.E.4.e
Applicant: James Greaves, G2 Al Pastor
Representative: Dorota Grodzinska, Aline Architecture Concepts, LLC
Owner: James Greaves, G2 Al Pastor

2. Application #: ZA-690-21-6
 Existing Zoning: R1-14 ACSPD
 Location: 6140 East Calle Tuberia
 Quarter Section: 16-42(H12)
 Proposal: Variance to allow a closed projection to encroach 8 feet into the required front yard (south) setback. Maximum 5 foot projection for no more than one-half of the maximum width of the structure permitted.

 Ordinance Sections: 701.A.3.a.(2).(c)
 Applicant: Christopher J. Pela, Studio Pela, PLLC
 Representative: Christopher J. Pela, Studio Pela, PLLC
 Owner: Carl and Samantha Woszczynski
3. Application #: ZA-691-21-4
 Existing Zoning: R1-6 HP
 Location: 1111 and 1121 West Heatherbrae Drive
 Quarter Section: 17-26(H8)
 Proposal: Variance to reduce the side yard setback (west) to 3 feet. Minimum 10 feet required.

 Ordinance Sections: 613.B.Table B
 Applicant: Travis Bradley, E5 Design Build
 Representative: Travis Bradley, E5 Design Build
 Owner: David Coon
4. Application #: ZA-692-21-7
 Existing Zoning: A-2
 Location: 1510 North 21st Avenue
 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 facility. Use permit required. **3)** Variance to allow a medical marijuana cultivation facility within 5,280 feet of another medical marijuana facility. Minimum 5,280 feet of separation required. **4)** Variance to allow a medical marijuana infusion 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.93.a 627.D.91.c 627.D.93.b
Applicant: Nick Labadie, Rose Law Group, PC
Representative: Nick Labadie, Rose Law Group, PC
Owner: Phoenix Freeway Partners, LLC

5. Application #: ZA-696-21-4
Existing Zoning: A-2
Location: 3422 West Clarendon Avenue
Quarter Section: 16-21(H6)
Proposal: **1)** Use Permit to allow a medical marijuana cultivation facility. Use permit required. **2)** Use permit to allow a medical marijuana infusion facility. Use permit required. **3)** Variance to allow a medical marijuana cultivation facility within 5,280 feet of another medical marijuana facility. Minimum 5,280 feet of separation required. **4)** Variance to allow a medical marijuana infusion 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.93.a 627.D.91.c 627.D.93.b
Applicant: Jamie Meyer, Great White Farms, LLC
Representative: Jamie Meyer, Great White Farms, LLC
Owner: HCZ Custom Homes, Inc.

6. Application #: ZA-697-21-8
Existing Zoning: A-1
Location: 4116 East Superior Avenue
Quarter Section: 6-37(E10)
Proposal: **1)** Time extension of ZA-692-20, use permit to allow a medical marijuana cultivation facility. Use permit required. **2)** Time extension of ZA-692-20, 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)** Time extension of ZA-692-20, variance to allow a medical marijuana cultivation facility within 1,320 feet of a place of worship. Minimum 1,320 feet of separation required.
Ordinance Sections: 627.D.91.a. 627.D.91.c. 627.D.91.f.
Applicant: Theodore C. Pappas, N&A Enterprises, LLC
Representative: David Dow, David Dow Law Office
Owner: 4116 Superior LLC

1:30 PM

7. 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: Steve Cottrell, Curaleaf President of AZ Operations
- Representative: Steve Cottrell, Curaleaf President of AZ Operations
- Owner: Walter Gilbert Esq., Gilbert Bird Law Firm
8. 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
- Owner: Walter Gilbert Esq., Gilbert Bird Law Firm
9. Application #: ZA-693-21-2
- Existing Zoning: C-2 NBCC, R-4 NBCC, R-3 NBCC
- Location: 2800 West Sonoran Drive
- Quarter Section: 55-22(Q7)
- Proposal: **1)** Use permit to allow outdoor dining as an accessory use to a restaurant (PAD A, Shops A, PAD B, Shops B) within 500 feet of a residential zoning district. Use permit required. **2)** Use permit to allow a drive-through facility as an accessory use to a restaurant (PAD A, PAD B, Shops B) within 300 feet of a residential district zoning line. Use permit required.
- Ordinance Sections: 623.D.157.c 623.D.157.d.(2)
- Applicant: Wendy Riddell, Berry Riddell, LLC
- Representative: Wendy Riddell, Berry Riddell, LLC
- Owner: Britmet Ventures, LLC
10. Application #: ZA-694-21-7
- Existing Zoning: C-2
- Location: 2675 South 67th Avenue
- Quarter Section: 7-13(E4)

- | | | |
|-----|---------------------|-----------------------------------------------------------------------------------------------------------------------------|
| | Proposal: | Use permit to allow a car wash in an open building. Use permit required. |
| | Ordinance Sections: | 623.D.41 |
| | Applicant: | Mr. Truck Bettin, Cobblestone Auto Spa |
| | Representative: | Jesse Macias, M3 Design |
| | Owner: | Ms. Tina Kelty, GDC 25th & Peoria, LLC |
| 11. | Application #: | ZA-699-21-8 |
| | Existing Zoning: | R-5 HP |
| | Location: | 1510 East Portland Street |
| | Quarter Section: | 12-30(G9) |
| | Proposal: | Use permit to reduce parking for special needs population to 60 spaces. Minimum 168 spaces required. |
| | Ordinance Sections: | 702.E.6 |
| | Applicant: | Reid Butler, Butler Housing Company, Inc. |
| | Representative: | Reid Butler, Butler Housing Company, Inc. |
| | Owner: | James P. Danaher, 1110 N. 16th St., LLC |
| 12. | Application #: | ZA-701-21-6 |
| | Existing Zoning: | R-3 |
| | Location: | 4129 East Sandia Street |
| | Quarter Section: | 07-37(B10) |
| | Proposal: | Variance to reduce the rear yard setback (west) to 8 feet. Minimum 15 feet required. |
| | Ordinance Sections: | 615.B.Table B.(b) |
| | Applicant: | Kevin and Deborah Creegan |
| | Representative: | Kevin and Deborah Creegan |
| | Owner: | Kevin and Deborah Creegan |
| 13. | Application #: | ZA-702-21-8 |
| | Existing Zoning: | R-5 SPVTABDO FCOD |
| | Location: | 2511, 2515, 2527, 2531, 2539 and 2535 East Broadway Road |
| | Quarter Section: | 4-33(E9) |
| | Proposal: | Variance to allow an over height fence (6 feet) within the front yard setback (north). Maximum 40 inches permitted. |
| | Ordinance Sections: | 703.A.2.a |
| | Applicant: | George Alper, Ringo Holdings, Co., LLC |
| | Representative: | Ethan Brunson, 511 Design |
| | Owner: | George Alper, Ringo Holdings Co., LLC |
| 14. | Application #: | ZA-700-21-3 |
| | Existing Zoning: | A-1 |
| | Location: | 2017, 2011, and 2001 West Peoria Avenue |
| | Quarter Section: | 28-24(K7) |
| | Proposal: | 1) Use permit to allow a medical marijuana dispensary facility. Use permit required. 2) Use permit to allow a |

medical marijuana infusion facility. Use permit required.
3) Variance to allow a medical marijuana dispensary facility within 5,280 feet of a similar use. Minimum 5,280 feet of separation required. **4)** Variance to allow a medical marijuana infusion facility within 5,280 feet of a similar use. Minimum 5,280 feet of separation.

Ordinance Sections:	627.D.92.a 627.D.93.a 627.D.92.d 627.D.93.b
Applicant:	Jesse Francoeur, Harvest of Phoenix - North Mountain
Representative:	Larry Lazarus, Lazarus & Silvyn, P.C.
Owner:	Jeff Oursland, FAPM Holdings, 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, les.scott@phoenix.gov TTY: Use 7-1-1.

2/14/2022