

**NOTICE OF PUBLIC HEARING
ZONING ADJUSTMENT HEARING**

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** will hold a meeting open to the public on **December 6, 2016, at 9:00 a.m. located in Conference Room 10E, Phoenix City Hall, 200 West Washington Street, Tenth Floor, Phoenix, Arizona.**

The agenda for the meeting is as follows:

9:00 AM

1. Application #: ZA-427-11-7 (1-year review)
Existing Zoning: A-1
Location: 1434 North 26th Avenue
Quarter Section: 12-23(G7)
Proposal: Use Permit to allow a medical marijuana caregiver cultivation facility. Use Permit required.

Ordinance Sections: 627.D.91.a
Applicant: Compassion First Caregiver Circle, Inc.
Representative: Adam Baugh, Withey Morris, PLC
Owner: Velocity Commercial Capital, LLC

2. Application #: ZA-319-12-7 (1-year review for Use Permit)
Existing Zoning: C-2
Location: 6260 South 35th Avenue
Quarter Section: 2-20(D6)
Proposal: **1)** Variance to allow a Medical Marijuana dispensary to be located within 1,320 feet from a preschool, kindergarten, elementary, secondary or high school (Sun Valley Charter). Medical Marijuana dispensary shall not be located within 1,320 feet from a preschool, kindergarten, elementary, secondary or high school **2)** Variance to allow a Medical Marijuana dispensary to be located within 250 feet from a residentially zoned district. Medical Marijuana dispensary shall not be located within 250 feet from a residentially zoned district. **3)** Variance to allow a Medical Marijuana dispensary to be located within 5,280 feet of the same type of use. Medical Marijuana dispensary shall not be located within 5,280 feet from the same type of use. **4)** Use permit to allow a medical marijuana dispensary. Use permit required.

Ordinance Sections: 623.D.121.g 623.D.121.f 623.D.121.e 623.D.121.a
Applicant: Patrick B. Romo

- Representative: Larry Lazarus, Lazarus, Silvyn & Bangs, P.C
 Owner: Dennis Johnson, PWDAF 35th and Southern, LLC
3. Application #: ZA-298-12-7 (1-year review)
 Existing Zoning: A-1
 Location: 2620 West Encanto Boulevard
 Quarter Section: 14-23(G7)
 Proposal: Time extension for ZA-74-12, Use Permit to allow a medical marijuana cultivation facility; Use Permit to allow a medical marijuana dispensary facility. Use Permit required.
 Ordinance Sections: 627.D.91.a., 627.D.92.a.
 Applicant: Encanto Green Cross Dispensary
 Representative: Nick Kriaris, Encanto Green Cross Dispensary
 Owner: Nick Kriaris, Encanto Green Cross Dispensary
4. Application #: ZA-442-13-7 (1-year review for Use Permit)
 Existing Zoning: A-1
 Location: 2620 West Encanto Boulevard
 Quarter Section: 14-23(G7)
 Proposal: **1)** Use permit to expand an approved medical marijuana cultivation facility. Use Permit required. **2)** Use permit to expand an approved medical marijuana infusion facility. Use Permit required. **3)** Variance to allow a medical marijuana cultivation facility within 5,280 feet of any medical marijuana facility. **4)** Variance to allow a medical marijuana infusion facility within 5,280 feet of any medical marijuana facility.
 Ordinance Sections: 627.D.91.a 627.D.93.a 627.D.91.c 627.D.93.b
 Applicant: Encanto Green Cross Dispensary
 Representative: Ryan Hurley, Rose Law Group PC
 Owner: 2620, LLC
5. Application #: ZA-54-13-7 (1-year review for Use Permit)
 Existing Zoning: A-1
 Location: 2439 West McDowell Road
 Quarter Section: 12-23(G7)
 Proposal: **1)** Use permit to allow a Medical Marijuana Cultivation Facility. Use permit required. **2)** Use permit to allow a Medical Marijuana Dispensary Facility. Use permit required. **3)** Use permit to allow a Medical Marijuana Infusion Production Facility. Use permit required **4)** Variance to allow a Medical Marijuana Cultivation Facility to be located within 5,280 feet of the same type of use. Shall not be located within 5,280 feet of the same type of use. **5)** Variance to allow a Medical

Marijuana Dispensary Facility to be located within 5,280 feet of the same type of use. Shall not be located within 5,280 feet of the same type of use. **6)** Variance to allow a Medical Marijuana Infusion Production Facility to be located within 5,280 feet of the same type of use. Shall not be located within 5,280 feet of the same type of use.

Ordinance Sections: 627.D.91.a 627.D.92.a 627.D.93.a 627.D.91.c
627.D.92.d 627.D.93.b

Applicant: Mark Steinmetz, Nature's AZ Medicines Inc.

Representative: Adam Baugh, Esq. Withey Morris, PLC

Owner: World Enterprises

6. Application #: ZA-94-13-5 (1-year review for Use Permit)
Existing Zoning: C-3
Location: 4126 West Indian School Road
Quarter Section: 17-19(H6)
Proposal: **1)** Use permit to allow a nonprofit medical marijuana dispensary facility. Use permit required. **2)** Variance to allow a nonprofit medical marijuana dispensary facility to be located within 5,280 feet of the same type of use or a medical marijuana facility. Shall not be located within 5,280 feet of the same type of use.

Ordinance Sections: 623.D.122.a 623.D.122.e

Applicant: James Kramer, Herbal Wellness Center Inc.

Representative: Taylor Earll, Earl, Curley & Lagarde, P.C

Owner: William Jachimek, Indian Building, LLC

7. Application #: ZA-207-13-4 (1-year review for Use Permit)
Existing Zoning: A-2
Location: 2937 West Thomas Road
Quarter Section: 14-22(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 cultivation facility to be located within 5,280 feet of the same type of use. Shall not be located within 5,280 feet of the same type of use. **4)** Variance to allow a medical marijuana infusion production facility to be located within 5,280 feet of the same type of use. Shall not be located within 5,280 feet of the same type of use.

Ordinance Sections: 627.D.91.a. 627.D.93.a. 627.D.91.c. 627.D.93.b.

Applicant: Lauren Anton, AZ Compassionate Care

Representative: Lauren Anton, AZ Compassionate Care

- Owner: Harry Rabadi, Real Estate Baby 19
8. Application #: ZA-36-13-7 (1-year review)
 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: Adam Baugh, Withey Morris PLC
 Owner: James D. Harrison, Harrison Properties
9. Application #: ZA-150-13-7 (1-year review for Use Permit)
 Existing Zoning: A-2
 Location: 1101 North 21st Avenue
 Quarter Section: 12-24(G7)
 Proposal: **1)** Use permit to allow medical marijuana cultivation facility. Use permit required. **2)** Variance to allow medical marijuana cultivation facility within 3,800 feet of another medical marijuana cultivation facility. Minimum of 5,280 feet of separation required.
 Ordinance Sections: 627.D.91.a 627.D.91.c
 Applicant: James Harrison Jr., Phoenix Freeway Partner
 Representative: David Dow
 Owner: James Harrison Jr., Phoenix Freeway Partner
10. Application #: ZA-441-13-4 (1-year review for Use Permit)
 Existing Zoning: A-2
 Location: 2639 North 31st Avenue
 Quarter Section: 14-22(G7)
 Proposal: **1)** Use Permit to allow a medical marijuana cultivation facility in the A-2 zoning district **2)** Use Permit to allow a medical marijuana infusion facility in the A-2 zoning district **3)** Variance to allow a medical marijuana cultivation facility within 5,280 feet of another medical marijuana facility.
 Ordinance Sections: 627.D.91.a 627.D.93.a 627.D.91.c
 Applicant: Capital Care Connections
 Representative: Withey Morris, PLC
 Owner: Tenbar Inc
11. Application #: ZA-70-13-7 (1-year review for 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

12. Application #: ZA-287-15-4 (1-year review for Use Permit)
Existing Zoning: A-2
Location: 3030 North 30th Avenue
Quarter Section: 15-22(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 5280 feet of another medical marijuana facility. Minimum 5,280 feet separation required. **4)** Variance to allow a medical marijuana infusion facility within 5280 feet of another medical marijuana facility. Minimum 5,280 feet separation required.
Ordinance Sections: 627.D.91.a 627.D.93.a 627.D.91.c 627.D.93.b
Applicant: Nature's Wonder, Inc.
Representative: Tory Beardsley, Withey Morris PLC
Owner: Son of Bakala, LLC, Harry Ross Industries

13. Application #: ZA-159-15-7 (1-year review)
Existing Zoning: A-1
Location: 4301 West Buckeye Road
Quarter Section: 8-18(F6)
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.
Ordinance Sections: 627.D.91 627.D.93
Applicant: Michael Macchiaroli, True Harvest, LLC
Representative: Michael Macchiaroli, True Harvest, LLC
Owner: MSCP, LLC

For further information, please call Ed Keyser, Planner II, Planning and Development Department at 602-495-0382, or contact via electronic mail at zoning@phoenix.gov. This electronic mail address will not accommodate zoning enforcement/violation complaints.

For reasonable accommodations, call Elaine Noble at Voice/602-495-0256 or TTY use 7-1-1 as early as possible to coordinate needed arrangements.

November 8, 2016