



April 27, 2021

Re: Zoning Adjustment Application –ZA-167-21

Dear Property Owner or Neighborhood Association President:

This firm represents Recoleta Homeware LLC DBA Buena Vida Bodega, (the "Owner") regarding its proposed bodega on C-1 HP zoned land at 1002 E Pierce N Suite 101, Phoenix (the "Property"). Please see the enclosed aerial parcel map at **Exhibit 1**, which identifies the Property. The purpose of this letter is to inform you that we recently filed a zoning adjustment application for a use permit approval through the zoning adjustment public hearing process, as detailed below.

The Owner proposes to develop a bodega in a suite within the historic Brown's Pharmacy building at the northeast corner of 10th Street and Pierce Street in the Garfield neighborhood. The current zoning on the site is C-1 HP, which allows a convenience market/bodega. The proposed use is for a bodega to sell food, specialty gifts, goods, and package liquor sales, such as wine and beer. The adjacent corners at 10th Street and Pierce have neighborhood commercial uses including restaurants and retail. There is residentially zoned property (R-5 RI HP) located directly north of the property, and within 300 feet, which triggers the need for a use permit. The Owner wants to establish a unique bodega experience that is carefully designed and curated to be an asset to the Garfield neighborhood. See **Exhibit 2** for the floor plan.

This application requests one use permit, as follows:

Use permit to allow Liquor, Package Retail Sales at a convenience market if the lot or parcel on which the use is conducted is less than three hundred (300) feet from a residential district, including undeveloped or residentially developed R-5 property. Use permit required. *Phoenix Zoning Ordinance §622.D.102.a*

A public hearing on the application is scheduled for Thursday, May 13, 2021 at 1:30 p.m. The hearing will be held virtually. To participate in the hearing, please see the instructions on the agenda available on Phoenix' Public Meeting Notices website: <https://www.phoenix.gov/cityclerk/publicmeetings/notices>. Information will also be posted on signs on the Property. You may attend the hearing to learn about the case and to share your thoughts about it. You may also share your thoughts about the case by writing the Phoenix Planning & Development Department, 200 West Washington, 2nd Floor, Phoenix, Arizona 85003 or emailing zoning.adjustment@phoenix.gov. Please include the application number to ensure your input is included in the case file and shown to the hearing officer. You may also call the Planning & Development Department at 602.262.7131, Option 6.

Hannah Blean of this office and I would also be happy to answer any questions you have about the two applications. Our contact information is below.

Very truly yours,

WITHEY MORRIS P.L.C.

By 

Jason B. Morris

Enclosures





City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

APPLICATION FOR ZONING ADJUSTMENT

APPLICATION NO: ZA-167-21

CASE TYPE: Use Permit
DATE FILED: 3/25/2021

COUNCIL DISTRICT: 8
CASE STATUS: Pending

EXISTING ZONING: C-1 HP
FILING STAFF: 078321

Fee	Fee Waived	Fee Date	Receipt	Purpose
\$1,380.00	\$0.00	03/25/2021		Original Filing Fee

HEARING DATES

ZA: 05/13/2021 1:30 PM LOCATION: Meeting will be held virtually.

BOA:

PROPERTY LOCATION: 1002 East Pierce Street

LEGAL DESCRIPTION: See attached

CONTACT INFORMATION

NAME	ADDRESS	PHONE	FAX	EMAIL
Jason Morris Withey Morris PLC (Applicant, Representative)	2525 E Arizona Biltmore Circle, A-212 Phoenix AZ 85016	(602) 230-0600		hannah@witheymorris.com
EQ Tenth and Pierce LLC (Owner)	PO BOX 1810 Scottsdale AZ 85252			

If, during the course of review of a pending application, the applicant submits one or more additional applications that are related to the pending application, then and in such event, the substantive review time frame shall be reset on all related applications. In this event there shall be one applicable substantive review time for all of the related applications and the time frame shall be revised to be the longest substantive review time frame that was applicable to any one of the related applications. As a result, the entire substantive review time frame for the related applications shall start over, and a fee may be charged.

An applicant may receive a clarification from the city of its interpretation or application of a statute, ordinance, code or authorized substantive policy statement. To request clarification or to obtain further information on the application process and applicable review time frames, please call 602-262-7131 (option 6), email zoning.mailbox@phoenix.gov or visit our website at <http://phoenix.gov/pdd/licensetimes.html>.

In making this application, I understand that the filing of this application and payment of fees does not entitle me to the relief requested. (See Sec. 307 of City of Phoenix Zoning Ordinance for standards by which the hearing officer will review the application.) I understand the approval of this request does not replace the need for acquiring the appropriate building permits, site plan approval, liquor license or any other licenses required by governmental agencies. I also understand that in the case of liquor request approval of a use permit does not guarantee the CITY OF PHOENIX will recommend approval of the liquor license.

APPLICANT'S SIGNATURE: _____

DATE: 3-25-21

NOTE TO APPLICANT: SUCH USE PERMITS AND VARIANCES AS ARE GRANTED BY THE ZONING ADMINISTRATOR SHALL BE VOID IF THE USE IS NOT COMMENCED OR IF A BUILDING PERMIT IS NOT OBTAINED 60 DAYS OF SUCH GRANTING OR WITHIN THE TIME STIPULATED BY THE ADMINISTRATOR.

APPEALS OF DECISIONS OF THE ZONING ADMINISTRATOR MAY BE MADE BY ANY PERSON TO THE BOARD OF ADJUSTMENT WITHIN 15 DAYS AFTER THE DATE OF ACTIONS.

REQUEST

1. Use permit to allow packaged liquor sales at a convenience store within 300 feet of a residential district. Use permit required.

ZONING ORD. SECTIONS
622.D.102.a

GEOGRAPHIC INFORMATION

APN: 116-27-056

Qtr Section(Map Index): 11-29(F8)

PROPERTY ADDRESS:
1002 E. Pierce N Suite 101
Phoenix, AZ 85006

