



Village Planning Committee Meeting Summary

Z-TA-7-24-8

Date of VPC Meeting	February 10, 2025
Request	Amend Section 1203.C and 1203.D (Downtown Code, Land Use Matrix) of the Phoenix Zoning Ordinance to amend the Land Use Matrix to permit "Tobacco Oriented Retailer" as an accessory use to a restaurant within the Evans Churchill East Character Area, subject to conditions
Location	Evans Churchill East Character Area
VPC Recommendation	Approval, per the staff recommendation
VPC Vote	10-0

VPC DISCUSSION:

Jordan Greenman declared a conflict of interest, bringing quorum to 10 members (eight needed for a quorum).

No members of the public registered to speak on this item.

STAFF PRESENTATION

Samuel Rogers, staff, presented the request to add Tobacco Oriented Retailers (TORs) as an accessory use to a restaurant within the Evans Churchill East Character Area. Mr. Rogers provided an overview of the location, policy context, community input, staff's recommendation, and next steps.

APPLICANT PRESENTATION

Michael Maerowitz, representing the applicant with Snell & Wilmer, introduced the team and gave a presentation. Mr. Maerowitz explained that text amendments (TAs) are not property-specific but apply to the entire character area. Mr. Maerowitz provided background on the subject site and discussed Samsara Restaurant, which serves Persian cuisine, where it is common to include hookah as part of the cultural experience. Mr. Maerowitz emphasized the restaurant's desire to share Persian culture, explained that TORs are currently not allowed under the downtown code, described the request, and summarized the outreach efforts.

QUESTIONS FROM COMMITTEE

Committee Member Janey Pearl Starks asked for details on outreach numbers.

Mr. Maerowitz stated that the team met with various neighborhood and community groups with many attendees and stated that there was one attendee for the neighborhood meeting.

PUBLIC COMMENTS

None.

MOTION

Committee Member Rachel Frazier Johnson made a motion to recommend approval of Z-TA-7-24-8 per the staff recommendation. **Committee Member Ali Nervis** seconded the motion.

VOTE

10-0; Motion to recommend approval of Z-TA-7-24-8 per the staff recommendation passed; Committee Members Burns, Burton, Frazier Johnson, Nervis, Panetta, Sonoskey, Starks, Vargas, Martinez, and Gaughan in favor.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.



Village Planning Committee Meeting Summary

Z-TA-7-24-8

INFORMATION ONLY

Date of VPC Meeting	January 13, 2025
Request	Amend Section 1203.C and 1203.D (Downtown Code, Land Use Matrix) of the Phoenix Zoning Ordinance to amend the Land Use Matrix to permit "Tobacco Oriented Retailer" as an accessory use to a restaurant within the Evans Churchill East Character Area, subject to conditions
Location	Evans Churchill East Character Area

VPC DISCUSSION:

STAFF PRESENTATION

Michael Maerowitz, representing the applicant with Snell & Wilmer, presented on behalf of Samsara and provided an overview of the request, explained that the location was formerly Bliss Bar and is planned to be a Persian restaurant, stated that serving hookah with food is common in Persian restaurants, explained that the request includes offering hookah, which qualifies as a Tobacco-Oriented Retail (TOR) use, explained that TORs are not currently allowed under the Downtown Code, and that the proposed amendment would allow TORs in the Evans Churchill Neighborhood. Mr. Maerowitz stated that outreach efforts received positive feedback, with many community members believing TORs were already permitted and explained that the proposal aligns with the vision of an eclectic business district in the character area.

QUESTIONS FROM COMMITTEE

Committee Member Edward Vargas stated that a new hookah lounge recently opened. **Mr. Maerowitz** explained that the new lounge would not be permitted under the current regulations.

Committee Member Vargas asked whether children would be present and if operations would take place during the day. **Mr. Maerowitz** presented the site plan and explained that a significant portion of the business is outdoors, stated hookah consumption is permitted both indoors and outdoors, and stated that indoor smoking laws do not apply to hookah.

Committee Member Rachel Frazier Johnson shared that she was at a location where hookah was being smoked and, despite being sensitive to smoke, she was not bothered by it. Committee Member Frazier Johnson noted that it is common for children to be around hookah.

Committee Member Faith Burton stated that there are already two places within a block that serve hookah. **Mr. Maerowitz** stated that other operators had encountered similar issues and were unaware that hookah uses required specific approvals.

Committee Member Patrick Panetta asked whether the amendment would only apply to the Evans Churchill East Character Area. **Mr. Maerowitz** confirmed that the amendment would apply only to that area.

Committee Member Nate Sonoskey asked whether this amendment would apply to another operator that does not serve food. **Mr. Maerowitz** stated that the amendment would not apply in that case.

Committee Member Sonoskey inquired whether there had been discussions about including additional areas in the amendment. **Mr. Maerowitz** explained that expanding the amendment was discussed, but the consensus was to start with Evans Churchill and consider expansion in the future.

Committee Member Sonoskey stated that opportunity zone boundaries created artificial limitations. **Mr. Maerowitz** explained that the character area supports eclectic businesses, including hookah lounges and stated that if there were strong community support to expand this allowance, they would not necessarily oppose it.

PUBLIC COMMENTS

None.