



# City of Phoenix

PLANNING & DEVELOPMENT DEPARTMENT

## APPLICATION NO: ZA-84-26-3

**CASE TYPE:**  
Non Sign  
**DATE FILED:**  
02/05/2026

**COUNCIL DISTRICT:**  
3

**EXISTING ZONING:**  
C-2, C-3

**PROPERTY LOCATION** 10 East Dunlap Avenue  
**PROPERTY ADDRESS** 10 E DUNLAP AVE PHOENIX AZ 85020-2821

### HEARING INFORMATION

Hearing Type	Hearing Date	Hearing Time	Hearing Location
Zoning Adjustment Hearing	03-12-2026	9:00 AM	200 West Washington Street, 1st Floor, Assembly Room C, Phoenix, AZ 85003

### GEOGRAPHIC INFORMATION

APN	Quarter Section
159-47-300	Q27-28

### CONTACT INFORMATION

Name	Relationship Type	Address	Phone	Fax	Email
William Finch / MFG CRE, LLC, MFG 10 Dunlap, LLC	Owner	6990 East Main Street Scottsdale AZ 85251			
George Willett, LASCO Development Corporation	Applicant	1207 Antoine Drive Houston TX 77055	7139610280		gwillett@lascocodevelopment.com
William Allison, Withy Morris Baugh, PLC	Representative	2121 East Highland Avenue Phoenix AZ 85016	(602) 346-4615		bill@wmbattorneys.com

### REQUEST

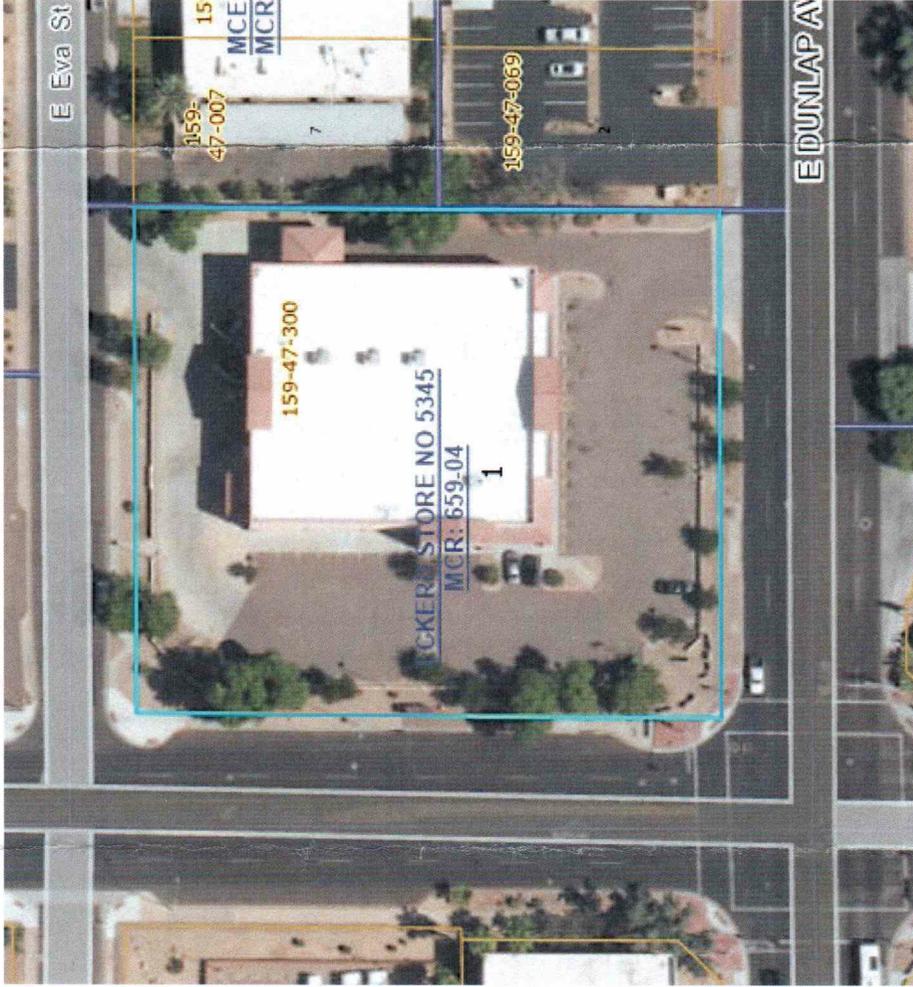
- 1) Variance to reduce the landscape setback (west) adjacent to a public street (Central Avenue) to 14.5 feet. Average 25 feet required, minimum 20 feet permitted for up to 50% of the frontage.
- 2) Variance to reduce the landscape setback (south) adjacent to a public street (Dunlap Avenue) to 18 feet. Average 25 feet required, minimum 20 feet permitted for up to 50% of the frontage.
- 3) Variance to reduce the landscape setback (south) adjacent to a public street (Dunlap Avenue) to 18 feet. Average 25 feet required, minimum 20 feet permitted for up to 50% of the frontage.
- 4) Variance to reduce the landscape setback (north) adjacent to a public street (Eva Street) to 10 feet. Average 25 feet required, minimum 20 feet permitted for up to 50% of the frontage.

### ZONING ORD. SECTIONS

- 623.E.4.e
- 623.E.4.e
- 624.E.4.e
- 623.E.4.e

200 W. Washington St., 2<sup>nd</sup> floor, Phoenix, AZ 85003 • 602-262-7131

For more information or for a copy of this publication in an alternate format, contact Planning & Development at 602-262-7811 voice or TTY use 7-1-1.



10 E Dunlap Ave, Phoenix – Maricopa County APN 159-47-300



WITHEY  
MORRIS  
BAUGH

February 20, 2026

Re: Use Permit Application – ZA-84-26-3 – 10 East Dunlap Avenue

Dear Property Owner or Neighborhood Association President:

This firm represents MFG 10 Dunlap, LLC ("Owner"), and LASCO Development Corporation ("Applicant") regarding their proposal to redevelop the C-2 and C-3 zoned parcel at 10 East Dunlap Avenue, Phoenix, which is also known as Maricopa County APN 159-47-300 (the "Property"). See the enclosed Vicinity and Aerial Photograph and Close View of the Property. The redevelopment project is a gas station/convenience market. As explained herein, standards in the Phoenix Zoning Ordinance require landscape setback variance relief along the three street frontages of the Property for the project to be built.

The Property is a 1.34 +/- acre parcel with three street frontages – Dunlap Avenue, Central Avenue, and Eva Street. After being used for what appears to have been an auto service/repair facility for many years, the Property was redeveloped with a pharmacy in 2003. The site has changed little in the past 23 years. The CVS/pharmacy closed in October 2023; the building on the Property has been vacant since that closure.

Through the years, the Property never met the city's landscape setback requirements. When the pharmacy was constructed in 2003, the Zoning Ordinance required an average landscape street setback of 20 feet with a minimum depth of 15 feet. The site, due to parking and maneuvering areas located in the setback area, did not approach meeting either the then required landscape setback or the current requirement of an average setback of 25 feet with a minimum depth of 20 feet. The CVS was built without variances to landscape standards as, at the time of its construction, parking and maneuvering were permitted in landscape setbacks. The CVS could not be built today without variance relief. The size of the Property and the three street frontages prohibit satisfaction of Ordinance requirements.

The Applicant proposes to redevelop the Property with a gasoline station and convenience market. As shown on the enclosed site plan, the store will be on the east portion of the lot; the gas pumps and canopy will be in the middle/west portion of the parcel. Access to the site will remain at the driveways from Dunlap Avenue and Eva Street used for the former CVS/pharmacy. Customer parking will be adjacent to the building, away from the north, west, and south property lines; those areas contained most of the pharmacy parking. Vehicle circulation, including gas delivery trucks, will be in the west half of the site, which is consistent with the traffic patterns from the pharmacy use. Given the small size of the Property, the proposed landscape is below the current standard. As with the prior use, development of the parcel is not possible if the landscape setback requirements are satisfied. A copy of the zoning adjustment application is enclosed.

This application requests the following zoning adjustment actions:

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P: 602.230.0600  
F: 602.212.1787

wmbattorneys.com  
info@wmbattorneys.com

2121 E Highland Ave  
Phoenix, AZ 85016

1. Variance to reduce the landscape setback (west) adjacent to a public street (Central Avenue) to 14.5 feet. Average 25 feet required; minimum 20 feet permitted for up to 50% of the frontage. Phoenix Zoning Ordinance §623.E.4.e.
2. Variance to reduce the landscape setback (south) adjacent to a public street (Dunlap Avenue) to 18 feet. Average 25 feet required; minimum 20 feet permitted for up to 50% of the frontage. Phoenix Zoning Ordinance §623.E.4.e.
3. Variance to reduce the landscape setback (south) adjacent to a public street (Dunlap Avenue) to 18 feet. Average 25 feet required; minimum 20 feet permitted for up to 50% of the frontage. Phoenix Zoning Ordinance §624.E.4.e.
4. Variance to reduce the landscape setback (north) adjacent to a public street (Eva Street) to 10 feet. Average 25 feet required; minimum 20 feet permitted for up to 50% of the frontage. Phoenix Zoning Ordinance §623.E.4.e.
5. Variance to reduce the landscape setback (north) adjacent to a public street (Eva Street) to 10 feet. Average 25 feet required; minimum 20 feet permitted for up to 50% of the frontage. Phoenix Zoning Ordinance §624.E.4.e.

A public hearing on the application is scheduled for March 12, 2026 at 9:00 a.m. The hearing will be held in person at Phoenix City Hall, 200 West Washington Street, 1<sup>st</sup> Floor, Assembly Room C, Phoenix. **There is no virtual option for a zoning adjustment hearing. The hearing agenda will be posted 15 days before the hearing on the 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 to the Phoenix Planning & Development Department, 200 West Washington, 2nd Floor, Phoenix, Arizona 85003 or emailing [zoning.adjustment@phoenix.gov](mailto:zoning.adjustment@phoenix.gov). Please include the application number and hearing date to ensure your input is included in the case file and shown to the hearing officer and to expedite a response from staff. You may also call the Planning & Development Department at 602.262.7131, Option 6.

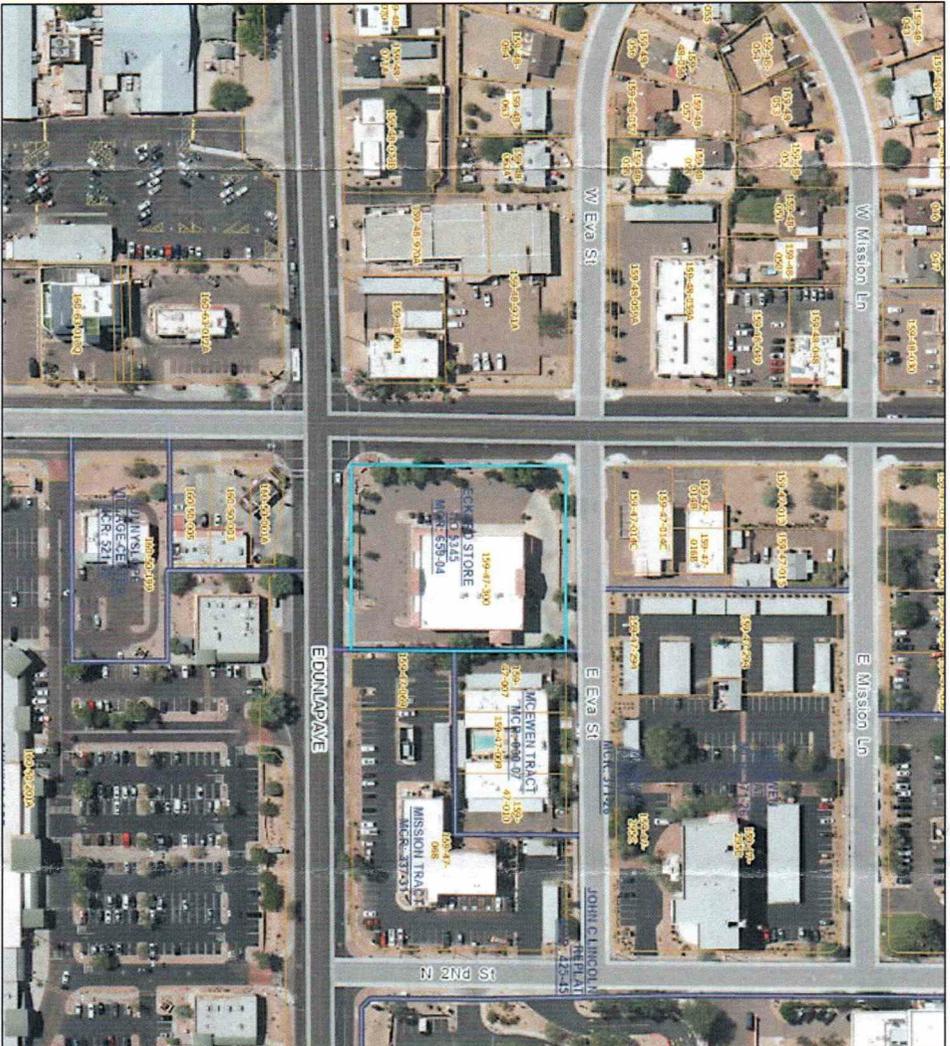
I would also be happy to answer any questions you have about the application.

Very truly yours,

WITHEY MORRIS BAUGH P.L.C.

By   
William F. Allison

Enclosures



10 E Dunlap Ave, Phoenix – Maricopa County APN 159-47-300



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@phoenix.gov or visit our website at <https://www.phoenix.gov/pddsite/Pages/pddlicensetimes.aspx>

**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.**

SIGNATURE:  DATE: 2-9-26

**FEE INFORMATION**

Fee	Fee Waived	Fee Date	Fee Type
\$1,380.00	\$0.00	02/05/2026	Zoning Adjustment

**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.**

5) Variance to reduce the landscape setback (north) adjacent to a public street (Eva Street) to 10 feet. Average 25 feet required, minimum 20 feet permitted for up to 50% of the frontage.

624.E.4.e