

Hearing Officer APRIL 6, 2010

Harry E. Mitchell Government Center
Tempe City Hall - City Council Chambers
31 E. 5th Street, Tempe, AZ 85281
1:30 PM

1. **CONSIDERATION OF MEETING MINUTES: March 16, 2010**

2. Hold a public hearing for a request by the **PIRAINO RESIDENCE (PL090281)** (Robert Klob/Robert Klob Designs Inc., applicant; Chris Piraino, property owner) located at 7736 South Willow Drive in the R1-10, Single Family Residential District for:
 - ZUP09121** Use permit to allow an accessory structure (RV garage) above fifteen (15) feet in height (actual structure height is 21 feet 4 inches).
 - VAR09010** Variance to reduce the south street side yard setback from fifteen (15) feet to five (5) feet.
 - VAR09011** Variance to reduce the on-site driveway length from twenty (20) feet to five (5) feet.

STAFF REPORT: [HOr_PirainoRes_040610.pdf](#)

3. Hold a public hearing for a request by **CLEARWIRE – SHALIMAR COUNTRY CLUB (PL100005)** (Rulon Anderson, applicant; Shalimar Country Club, property owner) located at 2000 East Golf Avenue in the AG, Agricultural District for:
 - ZUP10019** Use permit to allow a sixty-two foot (62') high monopole (monopine).

STAFF REPORT: [HOr_ClearwireShalimar_040610.pdf](#)

4. Hold a public hearing for a request by **RIO SALADO CENTER - TEEN DANCE CLUB (PL100060)** (Thomas George, applicant; Rio Salado Center LLC, property owner) located at 1290 North Scottsdale Road, Suite Nos. 120 – 122 in the PCC-1, Planned Commercial Center Neighborhood District for:
 - ZUP10020** Use permit to allow a teen dance hall with live indoor entertainment (live bands, DJ).

CONTINUED TO APRIL 20, 2010 HEARING OFFICER

5. Hold a public hearing for a request by the **KAVAZANJIAN RESIDENCE (PL100067)** (Kenny Martin/Martin Construction & Remodeling, applicant; Edward Kavazanjian, property owner) located at 1415 South Oakley Place in the R1-6, Single Family Residential District for:
 - VAR10003** Variance to reduce the north side yard setback from five feet (5') to three feet two inches (3' 2") for an existing garage/carport extension.

STAFF REPORT: [HOr_KavazanjianRes_040610.pdf](#)

6. Hold a public hearing for a request by the **FINAL ROUND (PL100066)** (Jesse Feller, applicant; Presson Corporation, property owner) located at 5030 South Mill Avenue in the GID, General Industrial District for:

ZUP10021 Use permit to allow a bar with a Series 6 liquor license.

STAFF REPORT: [HOr_FinalRound_040610.pdf](#)

ABATEMENT CASES

7. Hold a public hearing for a request by the City of Tempe – Code Compliance Department to abate public nuisance items in violation of the Tempe City Code for the **ZENNER PROPERTY (PL100047/ABT10001/CE095675)** (Julie Scofield, Inspector; Benedictine Zenner, property owner) located at 1527 East El Parque Drive in the R-2, Multi-Family Residential District.

WITHDRAWN BY CODE COMPLIANCE DEPARTMENT

REVOCAION CASES

8. Review of the following for possible revocation of the use permit per the City of Tempe Attorney office's direction due to non-compliance with the Condition of Approval No. 5, which reads, "All permits and clearances required by the Building Safety Division shall be obtained prior to the use permit becoming effective."

Request by **CAFE ISTANBUL (PL080075)** (Mahmoud Ayashe, applicant; City of Tempe, property owner) located at 1310 East Apache Boulevard, Suite No. 204, in the CSS, Commercial Shopping and Services District for:

ZUP08085 Use permit to allow a hookah lounge/tobacco retailer.
(Use permit was approved by the Hearing Officer at the June 3, 2008 HO hearing.)

STAFF REPORT: [HOr_CafelstanbulRevoc_040610.pdf](#)

9. Review of the following for possible revocation of the use permit per the City of Tempe Attorney office's direction due to non-compliance with the Condition of Approval No. 4, which reads, "All permits and clearances required by the Building Safety Division shall be obtained prior to the use permit becoming effective."

Request by **SUNSTOP PLAZA – URBAN CAFE (PL080094)** (Mohamed Elghalayini, applicant; Royal West Investments LLC, property owner) located at 1212 East Apache Boulevard, Suite No. 102, in the CSS, Commercial Shopping and Services District for:

ZUP08063 Use permit to allow a hookah lounge/tobacco retailer.
(Use permit was approved by the Hearing Officer at the May 6, 2008 HO hearing.)

STAFF REPORT: [HOr_UrbanCafeRevoc_040610.pdf](#)

10. Review of the following for possible revocation of the use permit per the City of Tempe Attorney office's direction due to non-compliance with the Condition of Approval No. 4, which reads, "All permits and clearances required by the Building Safety Division shall be obtained prior to the use permit becoming effective."

Request by **MEMO'S CAFE (PL080109)** (Ramez Rabata/Memos Cafe, applicant; Red Mountain Retail Group, property owner) located at 1845 East Broadway Road, Suite No. 9, in the CSS, Commercial Shopping and Services District for:

ZUP08045 Use permit to allow a hookah lounge/tobacco retailer.
(Use permit was approved by the Hearing Officer at the April 15, 2008 HO hearing.)

STAFF REPORT: [HOr_MemosCafeRevoc_040610.pdf](#)

11. Review of the following for possible revocation of the use permit per the City of Tempe Attorney office's direction due to non-compliance with the Condition of Approval No. 4, which reads, "All permits and clearances required by the Building Safety Division shall be obtained prior to the use permit becoming effective."

Request by **KING TUT CAFE – MISHA'S SHEESHAS (PL080122)** (Kareem Kassel, applicant; Kassel Corporation, property owner) located at 1125 East Apache Boulevard, in the CSS, Commercial Shopping and Services District for:

ZUP08064 Use permit to allow a hookah lounge/tobacco retailer.
(Use permit was approved by the Hearing Officer at the May 6, 2008 HO hearing.)

STAFF REPORT: [HOr_KingTutRevoc_040610.pdf](#)

<p>The City of Tempe endeavors to make all public meetings accessible to persons with disabilities. With 48 hours advance notice, special assistance is available at public meetings for sight and/or hearing-impaired persons. Please call 350-8331 (voice) or 350-8400 (TDD) to request an accommodation to participate in a public meeting.</p>
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E-Mailed Tuesday, 16 March 2010, 3 PM

Advertised Monday, 22 March 2010

Modified Thursday, 01 April 2010, 3 PM – Zenner Res Abatement withdrawn; Teen Dance Club continued to 4/20/10 HO