FINAL REVISED MODIFIED PUBLIC HEARING AGENDA

Tempe

Hearing Officer
DECEMBER 6, 2011

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: November 15, 2011** **MINUTES APPROVED**

2. Hold a public hearing for a request by the **ARKULES-SAINT VINCENT PROPERTY (PL100228)** (Patricia St. Vincent, applicant; Arkules-Saint Vincent, property owners) located at 902 South Ash Avenue in the R-3, Multi-Family Residential Limited District for:

   VAR11008 Variance to waive the required masonry wall between the properties developed for multi-family and single family.

   VARIANCE APPROVED

3. Hold a public hearing for a request by **RIO SALADO SHOPPING CENTER - ARIZONA EXOTIC BIRD RESCUE INC. (PL110360)** (Curt Scarberry & Tyler Odekirk, applicants; P J Properties, property owner) located at 1290 North Scottsdale Road, Suite No. 130 in the PCC-1, Planned Commercial Center Neighborhood District for:

   ZUP11091 Use permit to allow the overnight boarding of small animals (birds) **and outdoor retail display**. **CONTINUED FROM NOVEMBER 2, 2011 HEARING OFFICER**

   USE PERMIT APPROVED

4. Hold a public hearing for a request by **MILL AVENUE SHOPS - BAJA COVE BAR & GRILL (PL110365)** (Rick Anekgerb/ADR Associates LLC, applicant; Mill Avenue Shops, property owner) located at 414 South Mill Avenue, Suite No. 118 in the CC, City Center District for:

   ZUP11101 Use permit to allow live entertainment.

   USE PERMIT APPROVED

5. Hold a public hearing for a request by **SHALIMAR PLAZA - CASH FOR GOLD (PL110382)** (Esfira Uvaydov, applicant; Susan Colunga/Shalimar Plaza, property owner representative) located at 2060 East Southern Avenue in the CSS, Commercial Shopping & Services District for:

   ZUP11102 Use permit to allow a resale retailer (precious metal buy business).

   USE PERMIT APPROVED

6. Hold a public hearing for a request by **RIO SALADO CENTER – CTR GUNS (PL110387)** (John Webster, applicant; P J Properties, property owner) located at 1290 North Scottsdale Road, Suite No. 129 in the PCC-1, Planned Commercial Center Neighborhood District for:

ZUP11103 Use permit to allow gun sales.

USE PERMIT APPROVED

7. Hold a public hearing for a request by **HACIENDA PARK - GD JIU JITSU LLC (PL110391)** (Gustavo Dantas, applicant; Colliers International**,** property owner representative) located at 1848 East University Drive, Suite Nos. 106 – 108, in the GID, General Industrial District for:

ZUP11104 Use permit to allow a fitness facility in the GID, General Industrial District.

USE PERMIT APPROVED

8. Hold a public hearing for a request by **ALAMEDA INDUSTRIAL CENTER – I AM FUNDAMENTALS (PL110394)** (Oscar Garcia/Infinite Abundance Mentality LLC, applicant; Deyus Industrial SPE Financed Portfolio LLC, property owner) located at 1130 West Alameda Drive in the GID, General Industrial District for:

ZUP11105 Use permit to allow a fitness facility/personal trainer business in the GID, General Industrial District.

USE PERMIT APPROVED

9. Hold a public hearing for a request by **TEMPE SQUARE - TURN STYLE ~~SPORTS~~ STORES INC. (PL110399)** (Lewis Kennedy/Consignment Ventures Inc., applicant; Keith Moser, property owner) located at 6426 South McClintock Drive, Suite No. 104 in the PCC-1, Planned Commercial Center Neighborhood District for:

ZUP11106 Use permit to allow resale retail (consignment).
CORRECTED BY COMMUNITY DEVELOPMENT STAFF

USE PERMIT APPROVED

10. Hold a public hearing for a request by **THE BRICK YARD - ANTARS SPORTS BISTRO (PL110404)** (Greg Davis/Antars Sports Bistro LLC, applicant; ASU, property owner) located at 699 South Mill Avenue, Suite No. 201 in the CC, City Center District for:

ZUP11107 Use permit to allow a Series 6 bar with live entertainment.

CONTINUED TO DECEMBER 20, 2011 HEARING OFFICER BY COMMUNITY DEVELOPMENT

11. Hold a public hearing for a request by **ATC GUADALUPE - CRICKET COMMUNICATIONS - PHX 232 (PL110405)** (Doug Kearney, applicant; City of Tempe, property owner) located at 735 West Carver Road in the GID, General Industrial and SWOD, Southwest Overlay Districts for:

ZUP11108 Use permit to increase the height of an existing monopole from 85 ft. to 95 ft.

CONTINUED TO JANUARY 2012 HEARING OFFICER BY COMMUNITY DEVELOPMENT

12. Hold a public hearing for a request by **BROADWAY MARKET PLACE – ARIZONA #1 GOLD BUYERS (PL100172)** (Roman Babayev, applicant; Weingarten Nostat Inc., property owner) located at 2105 South Rural Road in the PCC-1, Planned Commercial Center Neighborhood District for:

ZUP10137 Use permit to allow a pawn shop at an existing gold buyer establishment.

Review of compliance with Conditions of Approval as assigned by the Hearing Officer at the December 7, 2010 Hearing.

USE PERMIT RE-APPROVED – NO INCIDENTS ACCORDING TO TEMPE POLICE DEPARTMENT

13. Hold a public hearing for a request by **RIO SALADO CENTER - TEEN DANCE CLUB (PULSE) (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).

Review of compliance with Conditions of Approval as assigned by the Hearing Officer at the June 7, 2011 Hearing.

APPLICANT LOCKED OUT OF LEASE SPACE BY PROPERTY MANAGER – STAFF TO SCHEDULE HEARING FOR REVOCATION OF USE PERMIT

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.

E-Mailed Thursday, 17 November 2011, 2:30 PM
Advertised Monday, 21 November 2011; Modified Tuesday, 29 November 2011 to indicate continued cases
Revised modification, 02 December 2011 – Teen Dance Club (Pulse) retained on the agenda