

Staff Summary Report



Hearing Officer Hearing Date: January 5, 2010

Agenda Item Number: 5

SUBJECT: This is a public hearing for a request by the **GOLD EXCHANGE (PL090465)** located at 1730 East Apache Boulevard, Suite No. 113, for one (1) use permit.

DOCUMENT NAME: 20100105dssl01 **PLANNED DEVELOPMENT (0406)**

COMMENTS: Request by the **GOLD EXCHANGE (PL090465)** (Camille Massih, applicant; Western American Investments, property owner) located at 1730 East Apache Boulevard, Suite No. 113 in the CSS, Commercial Shopping and Services District for:

ZUP09172 Use permit to allow a resale retailer (precious metal buyer).

PREPARED BY: Sherri Lesser, Senior Planner (480-350-8486)

REVIEWED BY: Steve Abrahamson, Planning & Zoning Coordinator (480-350-8359) *SEA*

LEGAL REVIEW BY: N/A

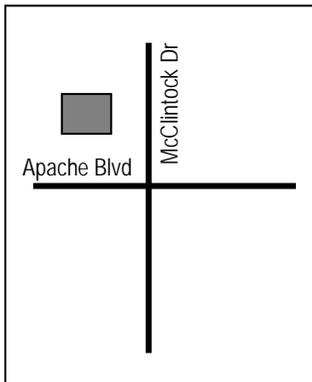
DEPARTMENT REVIEW BY: N/A

FISCAL NOTE: N/A

RECOMMENDATION: Staff – Approval, subject to conditions

ADDITIONAL INFO:

The Gold Exchange is requesting approval of a use permit to allow a second hand retailer (precious metal buying business). The proposed business will be located at 1730 East Apache Boulevard, Suite No. 113 in the CSS, Commercial Shopping and Services District. They also retail gold, diamonds and silver. Staff is recommending approval of the request with conditions. To date, staff has received no public input regarding this request.



PAGES:

1. List of Attachments
2. Comments; Reasons for Approval
3. Conditions of Approval; History & Facts/Description; Zoning & Development Code Reference

ATTACHMENTS:

1. Location Map(s)
2. Aerial Photo(s)
3. Letter of Intent
4. Site plan
5. Staff Photograph(s)

COMMENTS:

The Gold Exchange is requesting approval of a use permit to allow a second hand retailer (precious metal buying business). The proposed business will be located at 1730 East Apache Boulevard, Suite No. 113 in the CSS, Commercial Shopping and Services District. The proposed business buys precious metal i.e. gold and silver. They also retail gold, diamonds and silver. They provide jewelry repair and cleaning services.

To date, staff has received no public input regarding this request.

Use Permit

The Zoning and Development Code requires a second hand retailer to obtain a use permit in the CSS, Commercial Shopping and Services District. This use permit request meets all applicable tests in the following manner:

Evaluating the use permit, the proposal appears to pass the use permit test listed below:

- a. Any significant increase in vehicular or pedestrian traffic in adjacent areas;
 - There should be no significant increase in vehicular or pedestrian traffic in adjacent areas.
- b. Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat, or glare at a level exceeding that of ambient conditions;
 - This is a commercial use and should not have any associated nuisances.
- c. Contribution to the deterioration of the neighborhood or to the downgrading of property values which is in conflict with the goals, objectives or policies for rehabilitation, redevelopment or conservation as set forth in the City's adopted plans, or General Plan;
 - The proposed use should not contribute to neighborhood deterioration or downgrade property values;
- d. Compatibility with existing surrounding structures and uses;
 - The proposed use appears to be compatible with the surrounding uses.
- e. Adequate control of disruptive behavior both inside and outside the premises, which may create a nuisance to the surrounding area or general public:
 - The proposed use requires the creation of a security plan with the Tempe Police Department to address transactions of precious metals and management of the establishment.

Conclusion

Staff recommends approval of the use permit, subject to the conditions.

REASONS FOR APPROVAL:

1. No apparent nuisance resulting from noise, smoke, odor, dust, vibration, or glare.
2. No apparent hazards to persons or property from possible explosion, contamination, fire or flood.
3. Traffic generated by this use should not be excessive.
4. The use appears to be compatible with the building, site and adjacent property.
5. Approval of the use permit will not be materially detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood or the public welfare in general.

SHOULD THE HEARING OFFICER ELECT TO TAKE AFFIRMATIVE ACTION ON THE REQUEST, THE FOLLOWING CONDITIONS OF APPROVAL SHOULD APPLY.

CONDITIONS OF APPROVAL:

1. The use permit is valid for The Gold Exchange and may be transferable to successors in interest through an administrative review with the Development Services Manager, or designee.
2. All permits and clearances required by the Building Safety Division for tenant improvements shall be obtained prior to the use permit becoming effective.
3. Any expansion or intensification of the use will require a new use permit.
4. If there are any complaints arising from the use permit that are verified by a consensus of the complaining party and the City Attorney's office, the use permit will be reviewed by city staff to determine the need for a public hearing to re-evaluate the appropriateness of the use permit.
5. All business signs shall receive a Sign Permit. Please contact Planning staff at 480-350-8331.
6. A sales tax license from the City of Tempe Tax and License Division shall be obtained prior to the use permit becoming effective.
7. The applicant shall work with the Tempe Police Department to create a Security Plan for the business. Contact the Crime Prevention Department at 480-858-6330.

HISTORY & FACTS: None pertinent to this business.

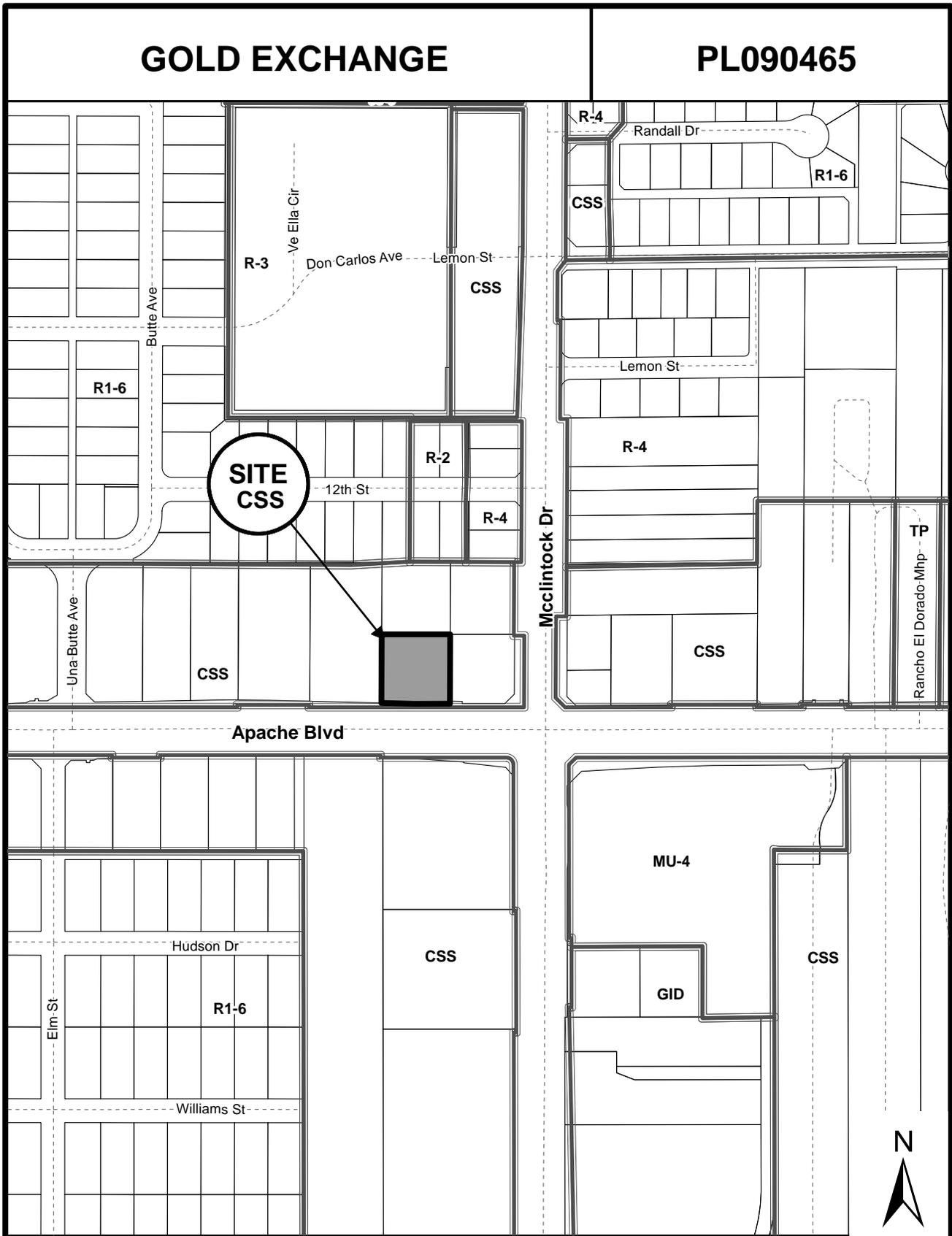
DESCRIPTION: Owner – Western American Investments
Applicant – Camille Massih
Existing Zoning – CSS, Commercial Shopping & Services District
Lot Size Area – 31,493 s.f. / .723 acres
Tenant Space Area – 1,494 s.f.
Required Parking – 5 spaces
Provided Parking – 33 spaces

ZONING AND DEVELOPMENT

CODE REFERENCE: Part 3, Chapter 2, Section 3-202 – Permitted Uses in Commercial and Mixed-Use Districts
Part 6, Chapter 3, Section 6-308 – Use Permit
Part 6, Chapter 3, Section 6-313 – Security Plan

GOLD EXCHANGE

PL090465



Location Map



GOLD EXCHANGE (PL090465)

JC Jewelry Inc. dba Gold Exchange
1730 E. Apache Blvd, Suite 111
Tempe, AZ 85281

November 22, 2009

Sherrri Lesser
Senior Planner
City of Tempe
PO Box 5002
Tempe AZ 85280

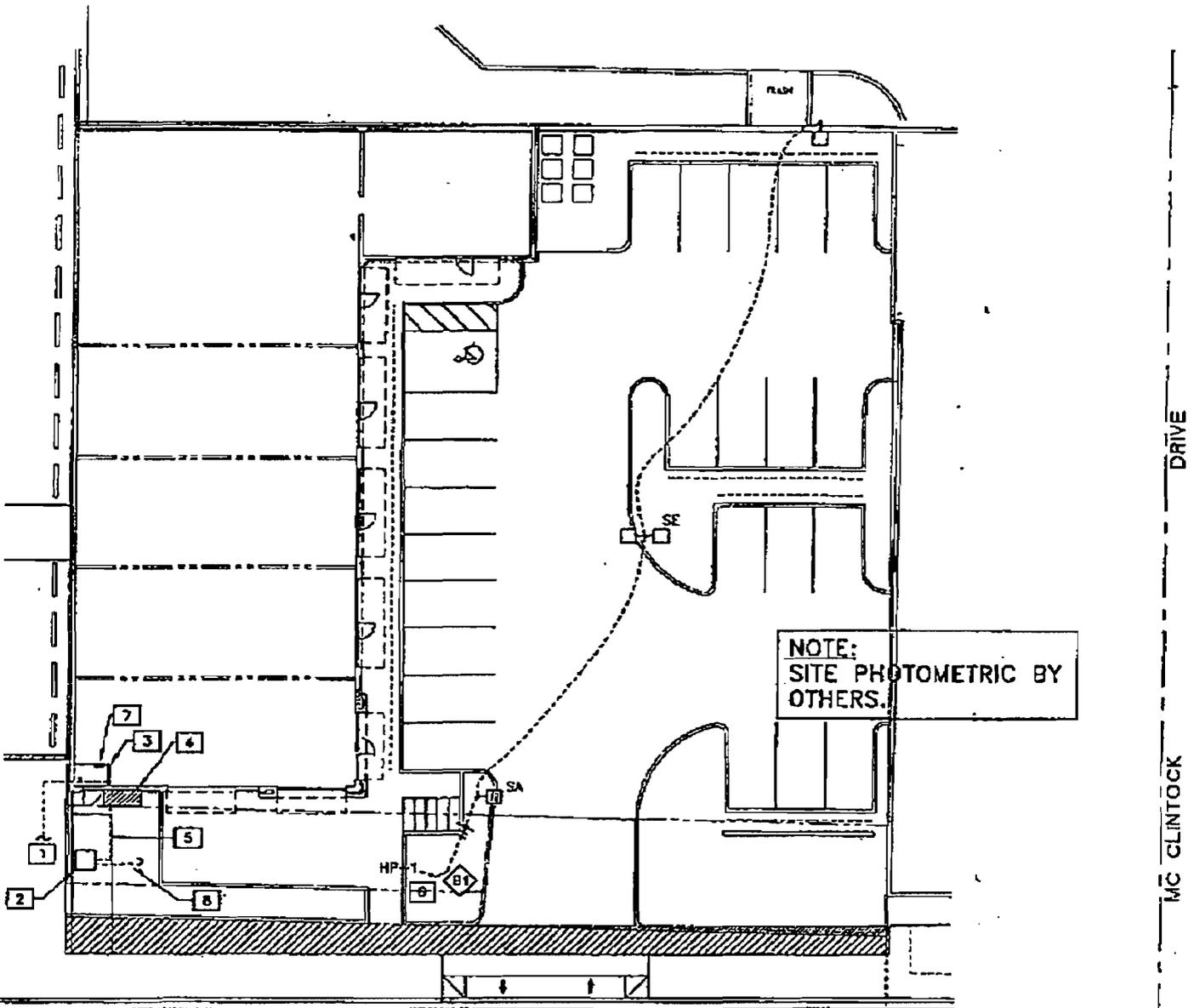
RE: Development Services – Letter of Explanation Tempe License NO. 121269

Dear Ms. Lesser,

The establishment is a jewelry store that buys and sells gold, diamonds, and silver. We take repairs and offer jewelry cleaning services. If you require additional information please give me a call at 480-966-0052.

Sincerely,

Camille Massih



ELECTRICAL SITE PLAN

SCALE: 1" = 20'-0"





GOLD EXCHANGE

1730 E APACHE BLVD., SUITE NO. 113

PL090465

FRONT OF BUSINESS

