

**FINISHED**  
**SECOND MODIFIED**  
**PUBLIC HEARING AGENDA**

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**Hearing Officer**  
**APRIL 20, 2010**

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

1. **CONSIDERATION OF MEETING MINUTES: April 6, 2010**

2. Hold a public hearing for a request by **TEMPE CORPORATE CENTER - CLEARWIRE – AZ-PHX0725E (PL090492)** (Rulon Anderson/Realand Consulting; Wilshire Enterprises Inc., property owner) located at 4515 South McClintock Drive in the CSS, Commercial Shopping and Services District for:

ZUP10024 Use permit to allow a sixty foot (60 ft) monopole (monopalm).

**CONTINUED TO MAY 4, 2010 HEARING OFFICER**

3. Hold a public hearing for a request by **ROYAL PALMS PLAZA - CLEARWIRE – AZ-PHX0538E (PL100008)** (Rulon Anderson/Realand Consulting; Pollack Enterprises Inc., property owner) located at 1805 East Elliot Road in the PCC-1, Planned Commercial Center Neighborhood District for:

ZUP10025 Use permit to allow a sixty foot (60 ft) monopole (monopine).

STAFF REPORT: [HOr\\_ClearwireRoyalPalms\\_042010.pdf](#)

**APPROVED**

4. Hold a public hearing for a request by the **CITY OF TEMPE – WATER TREATMENT PLANT (PL100023)** (Phil Brown/City of Tempe Engineering Department, applicant; City of Tempe, property owner) located at 6600 South Price Road in the AG, Agricultural District for:

VAR10004 Variance to increase the maximum building height from thirty feet (30 ft) to sixty feet (60 ft) for a carbon silo.

STAFF REPORT: [HOr\\_COTWTP\\_042010.pdf](#)

**APPROVED**

5. 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 FROM APRIL 6, 2010 HEARING OFFICER**

STAFF REPORT: [HOr\\_TeenDanceClub\\_042010.pdf](#)

**CONTINUED TO MAY 4, 2010 HEARING OFFICER**

6. Hold a public hearing for a request by **TEMPE PALMS APARTMENTS (PL100082)** (Michelle Sarina/Tempe Palms LLC, applicant; Tempe Palms LLC, property owner) located at 1026 East Spence Avenue in the R-4, Multi-Family Residential General District for:

**ZUP10026** Use permit to allow a fraternity.

**ADMINISTRATIVELY TRANSFERRED TO THE MAY 11, 2010 DEVELOPMENT REVIEW COMMISSION**

#### 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 **DOEDE RESIDENCE (PL100071/ABT10002/CE100251)** (Brandy Zedlar, Inspector; Douglas Doede, property owner) located at 1028 West Cornell Drive in the R1-6, Single Family Residential District.

STAFF REPORT: [HOr\\_DoedeResAbate\\_042010.pdf](#)

**APPROVED**

8. 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 **TOTH PROPERTY (PL100084/ABT10003/CE100355)** (Jody Benson, Inspector; Greg Toth, property owner) located at 3332 South Ventura Drive in the R1-6, Single Family Residential District.

STAFF REPORT: [HOr\\_TohtPropAbate\\_042010.pdf](#)

**APPROVED**

9. 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 **FREAND RESIDENCE (PL100085/ABT10004/CE096451)** (Jody Benson, Inspector; Lee Roy Freand, property owner) located at 3120 South Dromedary Drive in the R1-6, Single Family Residential District.

STAFF REPORT: [HOr\\_FreandResAbate\\_042010.pdf](#)

**CONTINUED TO MAY 19, 2010 HEARING OFFICER**

#### REVOCATION CASES

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. Since smoking will be permitted on the premises, the owner/management is responsible to adhere to the 2003 International Mechanical Code."

Request by **HAREM NIGHTS (PL090148)** (Kahlil Abulaban, applicant; 1630 Apache LLC, property owner) located at 1630 East Apache Boulevard, Suite No. 103, in the CSS, Commercial Shopping and Services District for:

**ZUP09063** Use permit to allow a hookah lounge.

(Use permit was approved by the Hearing Officer at the May 19, 2009 HO hearing.)

**CONTINUED TO MAY 19, 2010 HEARING OFFICER**

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 **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.)

**CONTINUED FROM APRIL 6, 2010 HEARING OFFICER**

STAFF REPORT: [HOr\\_UrbanCafeRevoc\\_042010.pdf](#)

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, 01 April 2010, 1PM

Advertised Monday, 05 April 2010

Modified Thursday, 01 April 2010, 3 PM – Teen Dance Club case continued from April 6, 2010.

Modified Friday, 02 April 2010, 9:30 AM – corrected address & property owner for Agenda Item No. 9.

Modified Wednesday, 07 April 2010, 12 Noon – Added cont Revocation Case(s) from 4/6 HO & cont Harem Nights to 5/19 HO.

Modified Thursday, 08 April 2010, 4 PM – Agenda Item No. 2 – Tempe Corporate Center – Clearwire – continued to 5/4 HO

Modified Tuesday, 13 April 2010, 4:30 PM – Tempe Palms Apartments – Agenda Item No. 6 – transferred to 5/11/10 DRC