

**Hearing Officer
AUGUST 19, 2008**

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: August 5, 2008

2. Hold a public hearing for a request by **BASHAS VALLEY PLAZA CENTER - SHALL WE DANCE PHOENIX (PL080227)** (Mona Brandt Arvidson, applicant; Weingarten Nostat Inc., property owner) located at 3163 South McClintock Drive in the PCC-1, Planned Commercial Center Neighborhood District for:

- a. Reconsideration of the July 15, 2008 Hearing Officer's approval due to invalid property owner authorization.
- b. If reconsideration is approved, then rehear:

ZUP08105 Use permit for an entertainment establishment (offering DJ, dancing, private functions) in conjunction with a dance studio.

STAFF REPORT: [HOr_ShallWeDance_Reconsider_081908.pdf](#)

DENIED THE USE PERMIT.

3. Hold a public hearing for a request by the **HUGHES RESIDENCE (PL080236)** (John Hughes, applicant/property owner) located at 116 East Concorda Drive in the R1-10, Single Family Residential District for:

ZUP08109 Use permit to allow an accessory building (pergola-trellis structure).

ZUP08118 Use permit standard to reduce the east side yard setback by twenty (20) percent from ten (10) feet to eight (8) feet.

CONTINUED FROM AUGUST 5, 2008 HEARING OFFICER

STAFF REPORT: [HOr_HughesResidence_081908.pdf](#)

APPROVED

4. Hold a public hearing for a request by the **MUILENBERG RESIDENCE (PL080250)** (Eric Muilenberg, applicant/property owner) located at 1101 East Warner Road, No. 132, in the R1-15, Single Family Residential District for:

ZUP08119 Use permit to allow an accessory structure (ramada).

VAR08018 Variance to reduce the rear yard (east) setback from thirty (30) feet to fifteen (15) feet six (6) inches.

VAR08019 Variance to reduce the south side yard setback from fifteen (15) feet to seven (7) feet six (6) inches.

STAFF REPORT: [HOr_MuilenbergRes_081908.pdf](#)

APPROVED

5. Hold a public hearing for a request by **HOME DEPOT – BEHIND THE SCENES (PL080268)** (Heather Freestone, applicant; Street Eats Limited/Home Depot, property owner) located at 1330 West Baseline Road in the PCC-1, Planned Commercial Center Neighborhood District for:

ZUP08121 Use permit to allow outdoor retailing (hot dog vendor).

STAFF REPORT: [HOr_BehindtheScenes_081908.pdf](#)

APPROVED

6. Hold a public hearing for a request by the **BRADLEY PROPERTY (PL080272)** (Gary Bradley, applicant; **Ellen Bradley**, property owner) located at 1225 East Warner Road, Lot No. 20, in the R1-15, Single Family Residential District for:

ZUP08123 Use permit to allow an accessory building (pool house).

STAFF REPORT: [HOr_BradleyProperty_081908.pdf](#)

APPROVED

7. Hold a public hearing for a request by **PARK PLAZA – UP IN SMOKE (PL080275)** (William Grue, applicant; BYS Company/ property owner) located at 23 West Baseline Road, Suite No. 2, in the CSS, Commercial Shopping and Services District for:

ZUP08124 Use permit to allow a tobacco retailer.

STAFF REPORT: [HOr_UplnSmoke_081908.pdf](#)

APPROVED

ABATEMENT CASES

8. Hold a public hearing for a request by the City of Tempe – Neighborhood Enhancement Department to abate public nuisance items in violation of the Tempe City Code for the **WINGERSKY PROPERTY (PL080264/ABT08016)** (Mike Wingersky, property owner) Complaint CE071664 located at 1616 South Roosevelt Street in the R1-6, Single Family Residential District.

STAFF REPORT: [HOr_WingerskyPropAbate_081908.pdf](#)

APPROVED

9. Hold a public hearing for a request by the City of Tempe – Neighborhood Enhancement Department to abate public nuisance items in violation of the Tempe City Code for the **GMAC MORTGAGE LLC PROPERTY (PL080265/ABT08017)** (GMAC Mortgage LLC, property owner) Complaint CE074231 located at 111 South Hardy Drive in the R-3, Multi-Family Residential Limited District.

STAFF REPORT: [HOr_GMACMortgPropAbate_081908.pdf](#)

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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 350-8241 (voice) or 350-8400 (TDD) to request an accommodation to participate in a public meeting.

Advertised 04 August 2008