

## PUBLIC HEARING AGENDA

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### Hearing Officer DECEMBER 16, 2008

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: December 2, 2008
2. 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. 8, which reads, "Smoking will not be permitted within this establishment."

Request by **WALGREENS PLAZA – HB PLACE TOBACCO (PL060676)** (Anis Ben Harzallah, applicant; Commercial Properties LLC, property owner) located at 53 East Broadway Road in the CSS, Commercial Shopping and Services District for:

**ZUP06088** Use permit to allow a tobacco retailer.

(Use permit was approved by the Hearing Officer at the December 19, 2006 HO hearing.)

STAFF REPORT: [HOr\\_HBPITobacco\\_121608.pdf](#)

3. Hold a public hearing for a request by **TEMPE CHURCH OF CHRIST - SUNNYDALE SENIOR CENTER (PL080322)** (Darryl Starling, applicant; Tempe Church of Christ/property owner) located at 2424 South Mill Avenue in the R1-6, Single Family Residential District for:

**ZUP08175** Use permit to allow a freestanding accessory building (storage).

STAFF REPORT: [HOr\\_SunnydaleSeniorCenter\\_121608.pdf](#)

4. Hold a public hearing for a request by **ARIZONA MILLS (PL080395)** (Todd Olson, applicant; Simon Property Group Inc., property owner) located at 5000 Arizona Mills Circle in the RCC, Regional Commercial Center District for:

**ZUP08166** Use permit to allow outdoor retailing (periodic auto sales) events.

CONTINUED FROM DECEMBER 2, 2008 HEARING OFFICER

STAFF REPORT: [HOr\\_AZMills\\_121608.pdf](#)

5. Hold a public hearing for a request by **BROADWAY INDUSTRIAL PARK – STAR OF INDIA (PL080425)** (Randy Horton, applicant/property owner) located at 1038 West Southern Avenue in the GID, General Industrial District for:

**ZUP08176** Use permit to allow outdoor retail/display.

**STAFF REPORT:** [HOr\\_StarofIndia\\_121608.pdf](#)

6. Hold a public hearing for a request by the **AIRPORT BUSINESS CENTER (PL080429)** (John Guzman/Victoria Properties Management LLC, applicant; G. W. Williams Company, property owner) located at 627 South 48<sup>th</sup> Street in the GID, General Industrial District for:

**VAR08023** Variance to increase the height of the flagpole from thirty-five (35) feet to forty (40) feet.

**STAFF REPORT:** [HOr\\_AirportBusinessCenter\\_121608.pdf](#)

7. Hold a public hearing for a request by the **HEMMINGS RESIDENCE (PL080432)** (David Ullrich/Cornerstone Remodeling Corporation, applicant; Shawn Hemmings, property owner) located at 5508 South El Camino Drive in the R1-6, Single Family Residential District for:

**VAR08024** Variance to reduce the front yard setback for an open structure from fifteen (15) feet to eight (8) feet.

**CONTINUED TO THE JANUARY 6, 2009 HEARING OFFICER**

8. Hold a public hearing for a request by the **DENGLER RESIDENCE (PL080434)** (Sean Dengler, applicant/property owner) located at 1658 East Del Rio Drive in the R1-6, Single Family Residential District for:

**VAR08025** Variance to reduce the east side yard setback from five (5) feet to three (3) feet.

**VAR08026** Variance to reduce the west side yard setback from five (5) feet to three (3) feet.

**STAFF REPORT:** [HOr\\_DenglerRes\\_121608.pdf](#)

9. Hold a public hearing for a request by **PRANKSTERS GAR AND BRILL (PL080439)** (Perry Bolster, applicant/property owner) located at 1024 East Broadway Road in the CSS, Commercial Shopping and Services District for:

**ZUP08177** Use permit to allow a (Series 6) bar.

**STAFF REPORT:** [HOr\\_Pranksters\\_121608.pdf](#)

#### **ABATEMENT CASES**

10. 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 **EMC MORTGAGE CORPORATION PROPERTY (PL080433/ABT08041)** (EMC Mortgage Corporation, property owner) Complaint CE086318 located at 3300 South Terrace Road in the R1-6, Single Family Residential District.

**STAFF REPORT:** [HOr\\_EMCMortgAbate\\_121608.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 350-8241 (voice) or 350-8400 (TDD) to request an accommodation to participate in a public meeting.

E-Mailed Tuesday, 25 November 2008, 10:30 AM

Advertised Monday, 1 December 2008

Modified, Tuesday, 9 December 2008, 1:30 PM, Hemmings Residence (PL080432) continued to 6 January 2009 Hearing Officer