

**Hearing Officer
NOVEMBER 6, 2007**

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: October 16, 2007**

2. Hold a public hearing for a request by **WEISS GUYS CAR WASH (PL070340)** (Michael Scarbrough/3K1Consulting Services LLC, applicant; TCE Kyrene Nineteenth LLC, property owner) located at 7425 South Kyrene Road in the GID, General Industrial District for:

ZUP07159 Use permit to allow expansion of existing car wash (express wash bays).
ADMINISTRATIVELY WITHDRAWN BY DEVELOPMENT SERVICES DEPARTMENT

3. Hold a public hearing for a request by the **LEWIS PROPERTY (PL070403)** (Joseph Lewis, applicant/property owner) located at 241 East 15th Street in the R1-6, Single Family Residential District for:

VAR07024 Variance to reduce the front yard setback from twenty (20) feet to ten (10) feet two (2) inches.
VAR07025 Variance to reduce the required driveway from twenty (20) feet to ten (10) feet two (2) inches.

STAFF REPORT: [HOr LewisProperty 110607.pdf](#)
CONTINUED TO DECEMBER 3, 2007 MEETING.

4. Hold a public hearing for a request by **TEMPE VILLAGE - LUCKY MAN PRODUCTIONS LLC (PL070412)** (Stephen Duncan, Esquire/applicant; White Knight Investments, ACC /property owner) located at 5004 South Price Road in the PCC-1, Planned Commercial Center Neighborhood District for:

ZUP07146 Use permit to allow a bar (Series 6).
ZUP07153 Use permit to allow live entertainment (venue).
**CONTINUED FROM OCTOBER 16, 2007 HEARING OFFICER
CONTINUED TO NOVEMBER 20, 2007 HEARING OFFICER**

5. Hold a public hearing for a request by **WARNER RANCH PLAZA - FRY'S FOOD AND DRUG STORE NO. 627 (PL070435)** (Mary Addington, applicant; Fry's Food & Drug Store, property owner) located at 9900 South Rural Road in the PCC-2, Planned Commercial Center General District for:

ZUP07160 Use permit to allow outdoor retail display.

STAFF REPORT: [HOr Frys627 110607.pdf](#)
APPROVED

6. Hold a public hearing for a request by **COLLEGE PARK SHOPPING CENTER - FRY'S FOOD AND DRUG STORE NO. 607 (PL070436)** (Mary Addington, applicant; Fry's Food & Drug Store, property owner) located at 5100 South McClintock Drive in the PCC-1, Planned Commercial Center Neighborhood District for:

ZUP07161 Use permit to allow outdoor retail display.

STAFF REPORT: [HOr_Frys607_110607.pdf](#)

APPROVED

7. Hold a public hearing for a request by **FRY'S FOOD AND DRUG STORE NO. 124 (PL070437)** (Mary Addington, applicant; Fry's Food & Drug Store, property owner) located at 3255 South Rural Road in the PCC-1, Planned Commercial Center Neighborhood District for:

ZUP07162 Use permit to allow outdoor retail display.

STAFF REPORT: [HOr_Frys124_110607.pdf](#)

APPROVED

8. Hold a public hearing for a request by **FRY'S FOOD AND DRUG STORE NO. 101 (PL070438)** (Mary Addington, applicant; Fry's Food & Drug Store, property owner) located at 3232 South Mill Avenue in the CSS, Commercial Shopping and Services District for:

ZUP07163 Use permit to allow outdoor retail display.

STAFF REPORT: [HOr_Frys101_110607.pdf](#)

APPROVED

9. Hold a public hearing for a request by **SOUTH POINT PLAZA - FRY'S FOOD AND DRUG STORE NO. 43 (PL070439)** (Mary Addington, applicant; Fry's Food & Drug Store, property owner) located at 2700 West Baseline Road in the PCC-1, Planned Commercial Center Neighborhood District for:

ZUP07164 Use permit to allow outdoor retail display.

STAFF REPORT: [HOr_Frys43_110607.pdf](#)

APPROVED

10. Hold a public hearing for a request by **PUEBLO ANOZIRA CENTER - FRY'S FOOD AND DRUG STORE NO. 22 (PL070440)** (Mary Addington, applicant; Fry's Food & Drug Store, property owner) located at 1835 East Guadalupe Road in the PCC-1, Planned Commercial Center Neighborhood District for:

ZUP07165 Use permit to allow outdoor retail display.

STAFF REPORT: [HOr_Frys22_110607.pdf](#)

APPROVED

11. Hold a public hearing for a request by the **ABOUCAR RESIDENCE (PL070442)** (Christopher Abouchar, applicant/property owner) located at 30 East Bishop Drive in the R1-10, Single Family Residential District for:

VAR07027 Variance to reduce the rear yard setback from twenty-five feet (25') to twelve feet (12') for a patio cover.

STAFF REPORT: [HOr_AboucharRes_110607.pdf](#)

APPROVED

12. Hold a public hearing for a request by **LOST DUTCHMAN COFFEE ROASTERS (PL070446)** (Victor Kessler, applicant; Third Street Commerce Center LLC, property owner) located at 1920 East 3rd Street in the GID, General Industrial District for:

ZUP07166 Use permit to allow coffee roasting.

STAFF REPORT: [HOr_LostDutchmanCoffee_110607.pdf](#)

APPROVED

13. Hold a public hearing for a request by **TEMPE POLICE DEPARTMENT SOUTH SUBSTATION – MOTOROLA (PL070447)** (Alan Wawrzyniak/Patriot Tower, applicant; City of Tempe, property owner) located at 8201 South Hardy Drive in the GID, General Industrial District for:

ZUP07167 Use permit to allow communication antennas on an existing one-hundred-fifty foot (150') monopole.

STAFF REPORT: [HOr_TPDMotorola_110607.pdf](#)

APPROVED

14. Hold a public hearing for a request by **CROSSROAD'S PLAZA – RILEY'S RUFF HOUSE (PL070448)** (Jennifer Chavanne, applicant; McClintock & Elliot LLC, property owner) located at 1730 East Elliot Road, Suite Nos. 1-3 in the PCC-1, Planned Commercial Center Neighborhood District for:

ZUP07168 Use permit to allow the expansion of a pet day care facility to include overnight boarding.

STAFF REPORT: [HOr_RileysRuffHouse_110607.pdf](#)

APPROVED

15. Hold a public hearing for a request by the **NORBERG RESIDENCE (PL070449)** (Mike Norberg, applicant/property owner) located at 2513 West Vineyard Road in the R1-6, Single Family Residential District for:

ZUP07169 Use permit standard to reduce the rear yard setback by twenty percent (20%) from fifteen feet (15') to twelve feet (12').

STAFF REPORT: [HOr_NorbergRes_110607.pdf](#)

APPROVED

16. Hold a public hearing for a request by the **IANNELLA RESIDENCE (PL070454)** (Monica Lisa Iannella, applicant/property owner) located at 641 West La Donna Drive in the R1-6, Single Family Residential District for:

ZUP07157 Use permit to allow parking in the front yard setback.

ZUP07158 Use permit to allow the parking of a boat in the front yard setback.

STAFF REPORT: [HOr_IannellaRes_110607.pdf](#)

APPROVED ZUP07157

DENIED ZUP07158

ABATEMENT CASES

17. 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 **BARRIGA RESIDENCE (PL070396/ABT07026)** (Miguel & Hilda Barriga, property owners) Complaint CE072943 located at 1139 East Weber Drive in the R-2, Multi-Family Residential District.

CONTINUED FROM OCTOBER 2, 2007 HEARING OFFICER

STAFF REPORT: [HOr_BarrigaResAbate_110607.pdf](#)

CONTINUED TO DECEMBER 3, 2007 MEETING

<p>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.</p>
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E-mailed Agenda, 10/18/07, 12:30 PM

Advertised Monday, 10/22/07

Modified 10/25/07; Deleted Weiss Guys PL070340 – Item No. 2