

Staff Summary Report



Hearing Officer Hearing Date: June 17, 2008

Agenda Number: 8

SUBJECT: This is a public hearing for a request by **ABC BARTENDING SCHOOL (PL080186)** located at 5024 South Ash Avenue, Suite Nos. 108 and 109 for one (1) use permit.

DOCUMENT NAME: 20080617dssd03

PLANNED DEVELOPMENT (0406)

SUPPORTING DOCS: Yes

COMMENTS: Hold a public hearing for a request by **BASELINE BUSINESS PARK – ABC BARTENDING SCHOOL (PL080186)** (Sharon Watts, applicant; Walston CWAZ Baseline 80 LLC, property owner) located at 5024 South Ash Avenue, Suite Nos. 108 and 109 in the GID, General Industrial District for:

ZUP08095 Use permit to allow a vocational school (bartending, casino academy).

PREPARED BY: Shawn Daffara, Planner II (480-858-2284)

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

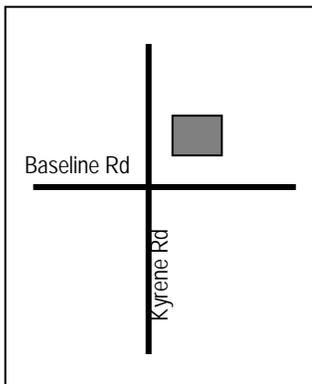
A handwritten signature in black ink, appearing to be 'S.A.', located to the right of the 'REVIEWED BY' text.

LEGAL REVIEW BY: N/A

FISCAL NOTE: N/A

RECOMMENDATION: Staff – Approval subject to Conditions 1-7

ADDITIONAL INFO: ABC Bartending School is requesting a use permit to allow a vocational school in the GID, General Industrial District located at 5024 South Ash Avenue. The site is at the northeast corner of Baseline Road and Kyrene Road. Staff is recommending approval of the request with conditions. To date staff has received no public input.



PAGES:

1. List of Attachments
2. Comments;
3. Reasons for Approval; 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. Floor Plan
6. Staff Photograph(s)

COMMENTS:

ABC Bartending School has been operating since 2000 at the Baseline Business Park. ABC Bartending School offers bartending and casino dealing programs to its students. The school averages six (6) students per week with one (1) instructor. Classes are held between 10:00 am and 9:00 pm Monday through Friday. ABC Bartending School has been in operation since 2000 and was not aware a use permit was required. The school has operated without complaints or concerns, thus staff recommends approval of the use permit.

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

Use Permit

The Zoning and Development Code requires a use permit for a vocational school in the GID, General Industrial District. This use permit request meets all applicable tests in the following manner:

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

- a. Any significant increase in vehicular or pedestrian traffic in adjacent areas;
 - There doesn't appear to be a 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;
 - It appears that the proposed use will not create any nuisances on the surrounding area.
- 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 would not contribute to neighborhood deterioration or downgrade property values. This use permit request is consistent with the General Plan 2030's Land Use Element. The requested use permit will not be detrimental to the surrounding area, but will further the General Plan Land Use Element Goals and Strategies.
- d. Compatibility with existing surrounding structures and uses;
 - The proposed use appears to be compatible with existing surrounding uses. There will be no exterior changes made to the building.
- 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 does not appear to be disruptive or a nuisance to the surrounding area or general public.

Conclusion

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

REASON(S) FOR APPROVAL:

1. There doesn't appear to be a significant increase in vehicular or pedestrian traffic in adjacent areas.

2. It appears that the proposed use will not create any nuisances on the surrounding area.
3. The proposed use appears to be compatible with existing surrounding uses.

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

**CONDITION(S)
OF APPROVAL:**

1. The use permit is valid for ABC Bartending School and may be transferable upon Development Services Staff review.
2. All permits and clearances required by the Building Safety Division shall be obtained prior to the use permit becoming effective.
3. 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 set to re-evaluate the appropriateness of the use permit.
4. Entrance and Exit doors shall require five (5) foot candles at the door ways and two (2) foot candles within a 15' radius. Details to be reviewed by city staff.
5. Rear exit doors shall require a lexan vision panel installed. Details to be reviewed by city staff.
6. Any expansion or intensification of the use shall require a new use permit to be approved.
7. All business signs shall be approved through Development Review, and permits obtained.

HISTORY & FACTS: None pertinent to this request.

DESCRIPTION: Owner – Walston CWAZ Baseline 80 LLC
Applicant – Sharon Watts
Existing Zoning – GID, General Industrial District
Lot Area – 299,213 s.f. / 6.85 acres
Tenant Space – 2,800 s.f.
Parking Required for School – 14 spaces
Total Parking Required – 295 spaces
Total Parking Provided – 300 spaces

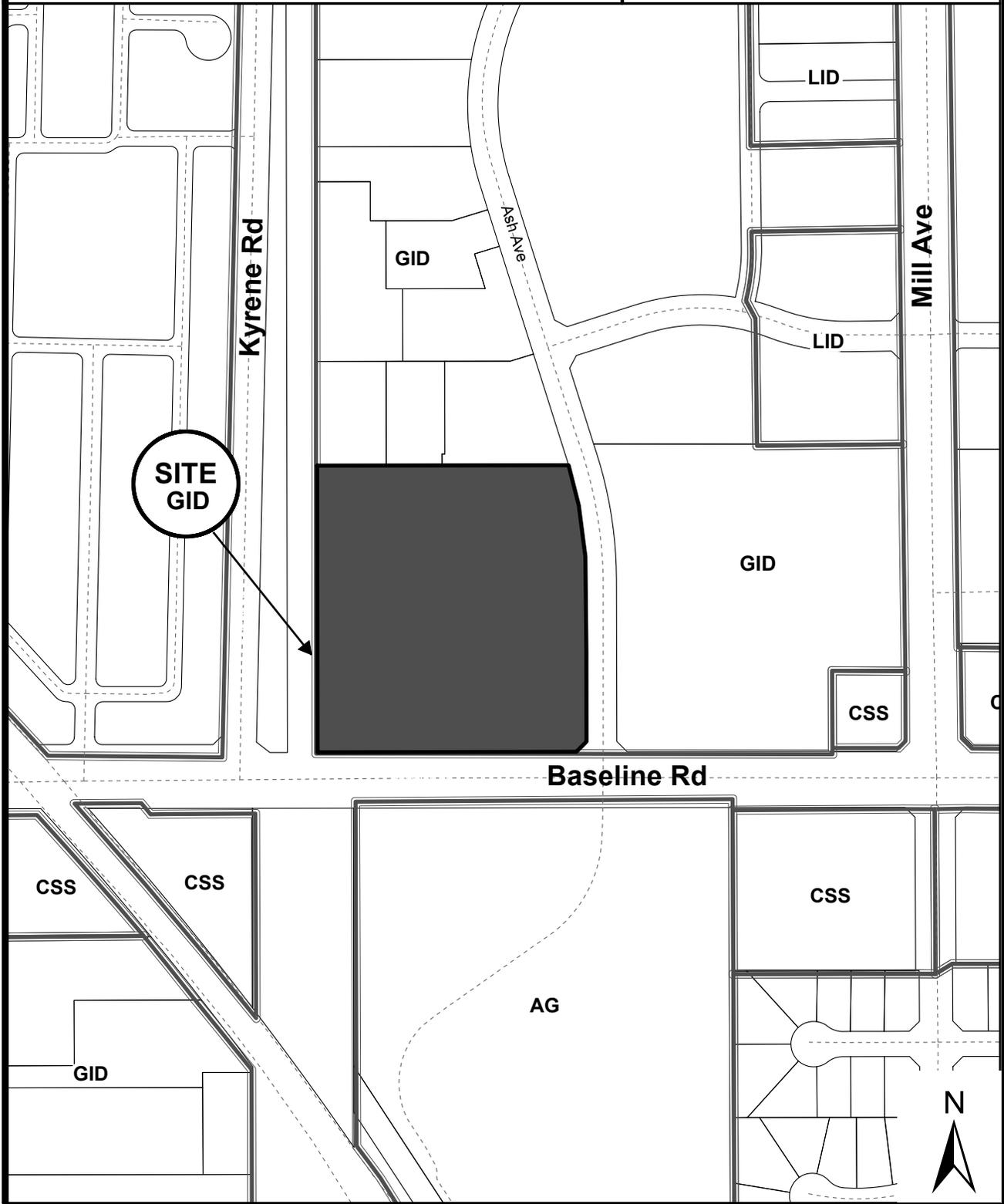
**ZONING AND
DEVELOPMENT
CODE REFERENCE:**

Part 3, Chapter 3, Section 3-302
Permitted Uses in Office/Industrial District

Part 6, Chapter 3, Section 6-308
Use Permit

**ABC BARTENDING SCHOOL -
BASELINE BUSINESS PARK**

PL080186



Location Map



BASELINE BUSINESS PARK - ABC BARTENDING SCHOOL (PL080186)

Sharon Watts
ABC Bartending and Casino School
5024 S. Ash Suite 108 & 109
Tempe, AZ 85282
FAX: 480-777-7398
EMAIL: stronthonel@aol.com

ATTENTION: Shawn Daffara

5/20/2008

To Whom It May Concern:

ABC Bartending And Casino School has been doing business in the Baseline Business Park located at 5024 S. Ash in Tempe, Arizona 85282 since 2000. There is NO Build-Out required at this time.

The bartending school averages 6 students per week. There is no alcohol on the premises. The casino school also averages 6 students per week. There is NO gambling on the premises.

Both of these schools are "mock" settings for "hands-on" training in the field of Casino Dealing and Bartending.

I have enclosed the appropriate fee and documents. I am hoping to get scheduled on the June 17, 2088 agenda.

Respectfully,



Sharon Watts

ABC Bartending And Casino School

480-777-3333

10:00 Am - 9:00 pm



BASELINE BUSINESS PARK TEMPE, ARIZONA

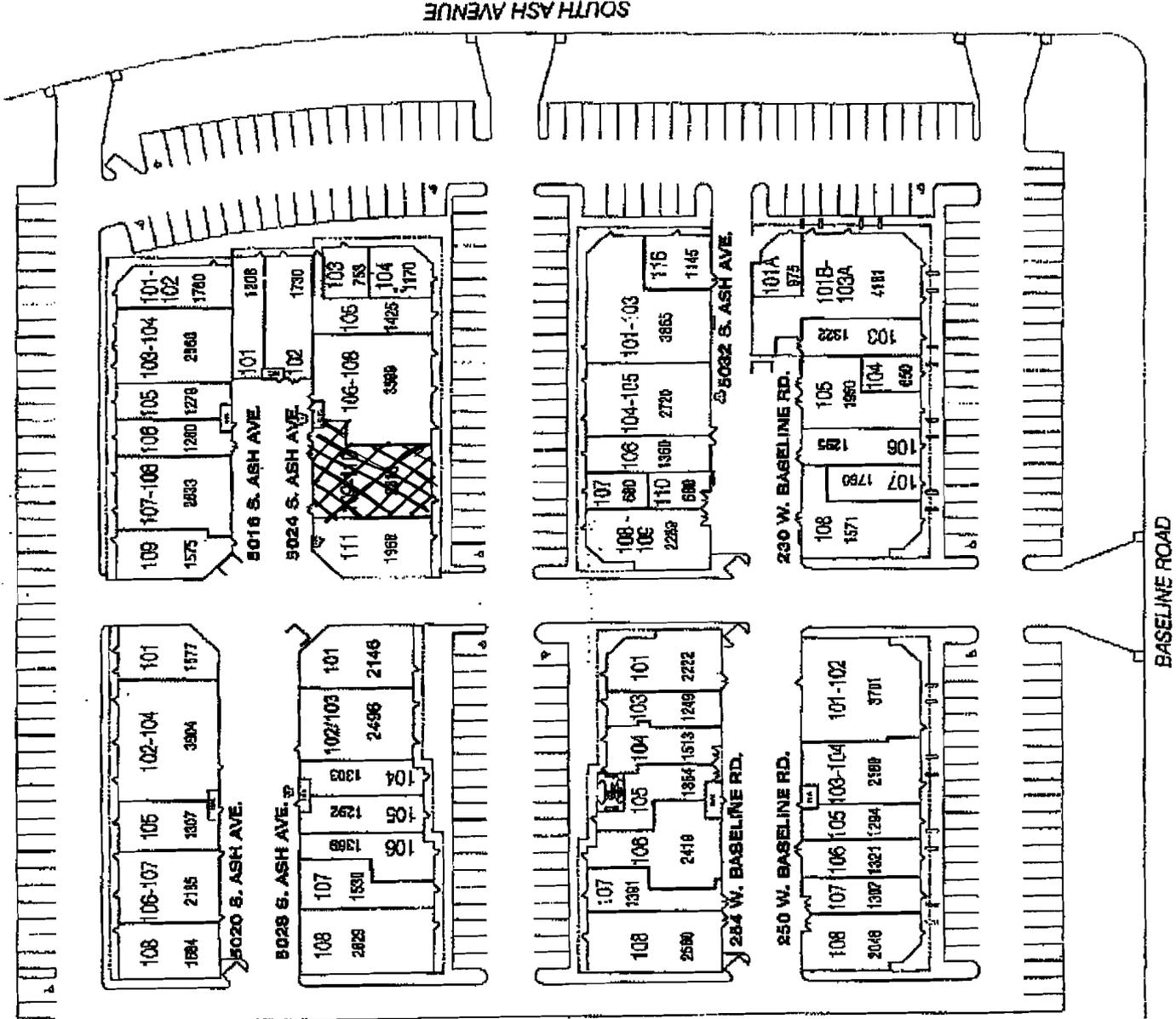
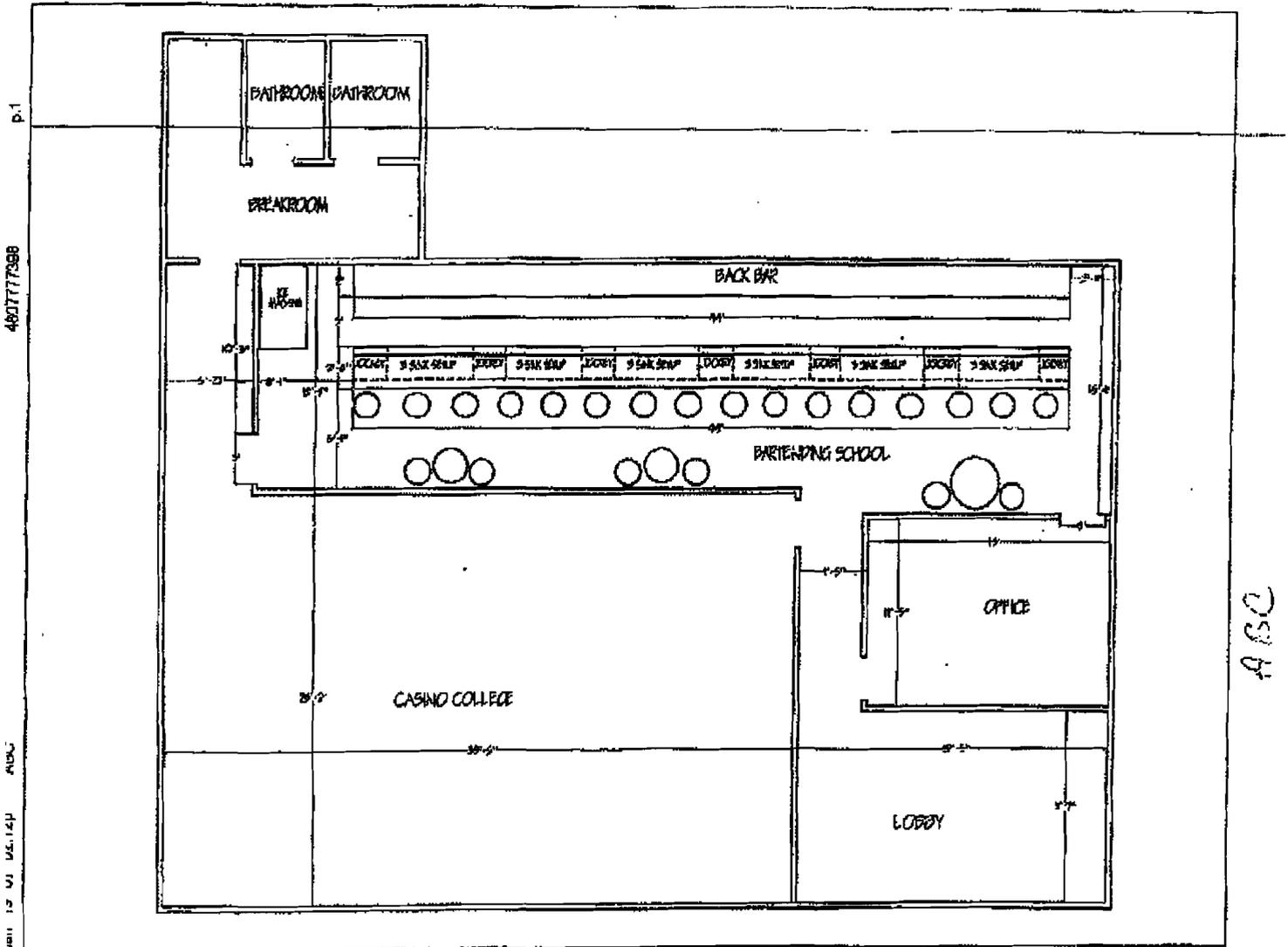


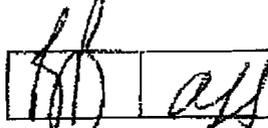
EXHIBIT B-1 – TENANT IMPROVEMENTS

attached to and made a part of the Third Amendment to Lease dated January 18, 2007, between Calwest Industrial Holdings, LLC, a Delaware limited liability company, as Landlord and ABC Bartending Services, LLC, an Arizona limited liability company, a subsidiary of ABC Bartending School, Inc., a Florida corporation, as Tenant



10/31/01 CALWEST MTIG (BY)
Revised 8/03
589068.v1: 028481/048

B-1


 Initials



BASELINE BUSINESS PARK – ABC BARTENDING SCHOOL

5024 S ASH AVE., SUITE NOS. 108 & 109

PL080186

FRONT OF BUSINESS