

Staff Summary Report



Hearing Officer Hearing Date: October 21, 2008

Agenda Item Number: 3

SUBJECT: This is a public hearing for a request by **ARIZONA ALL STARS (PL080362)** located at 7425 South Harl Avenue, Suite No. 3 for one (1) use permit.

DOCUMENT NAME: 20081021dsac01

PLANNED DEVELOPMENT (0406)

SUPPORTING DOCS: Yes

COMMENTS: Hold a public hearing for a request by **ARIZONA ALL STARS (PL080362)** (Jennifer Huot, applicant; Hollywood Equities Inc., property owner) located at 7425 South Harl Avenue, Suite No. 3 in the GID, General Industrial District for:

ZUP08153 Use permit to allow an instructional school (tumbling, cheer facility) in the General Industrial District.

PREPARED BY: Alan Como, Planner II (480-350-8439)

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

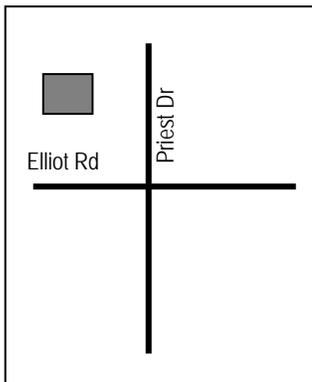
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LEGAL REVIEW BY: N/A

FISCAL NOTE: N/A

RECOMMENDATION: Staff – Approval subject to Conditions

ADDITIONAL INFO: The applicant is requesting a use permit to allow an instructional school (tumbling, cheer facility) in the GID, General Industrial District. The facility would be for gymnastic and cheerleading instruction. To date three (3) letters of support have been received from neighboring tenants. Staff supports approval of this request.



PAGES:

1. List of Attachments
2. Comments; Reasons for Approval
3. 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)
- 7-9. Letters of Support

COMMENTS:

The applicant is requesting a use permit to allow an instructional school (tumbling, cheer facility) in the GID, General Industrial District. The facility would be for gymnastic and cheerleading instruction. The facility is approximately 5,243 square feet and has space enough for both gymnastic and cheerleading activities. AZ All-Stars is open Monday-Thursday from 4pm-9pm, and varied times on Friday and Saturday. According to the applicant there will be no more than 60 students in the facility at any time.

To date three (3) letters of support have been received from neighboring tenants. Staff supports approval of this request

Use Permit

The Zoning and Development Code requires a use permit for an instructional school in the GID, General Industrial District.

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

- a) Any significant increase in vehicular or pedestrian traffic in adjacent areas;
 - There will be no 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;
 - This is an instructional school that teaches gymnastics and cheerleading and should not have emission of odor, dust, gas, noise, vibration, smoke, heat or glare.
- 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 development 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 surrounding uses

Conclusion

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

REASON(S) FOR APPROVAL:

1. No apparent nuisance resulting from noise, smoke, odor, dust, vibration, or glare.
2. No apparent hazards to persons or property from possible explosion, contamination, fire or flood.
3. Traffic generated by this use should not be excessive.
4. The use appears to be compatible with the building, site and adjacent property.
5. Approval of the use permit will not be materially detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood or the public welfare in general.

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 Arizona All Stars and may be transferable to successors in interest through an administrative review with the Development Services Manager, or designee.
2. Obtain all necessary clearances from the Building Safety Division.
3. Any intensification or expansion of the use would require the use permit to be reheard by the Hearing Officer.
4. 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 to re-evaluate the appropriateness of the use permit.
5. The use permit is valid for the plans as submitted within this application.
6. All business signs shall receive a Sign Permit. Please contact Planning staff at (480) 350-8331.

HISTORY & FACTS:

None related to this case

DESCRIPTION:

Owner – Hollywood Equities Inc.
Applicant – Jennifer Huot
Existing Zoning – GID, General Industrial District
Parcel Area – 46,582 s.f.
Tenant Area – 5,243 s.f.
Parking Required – 26 spaces
Parking Provided – 114 spaces on site

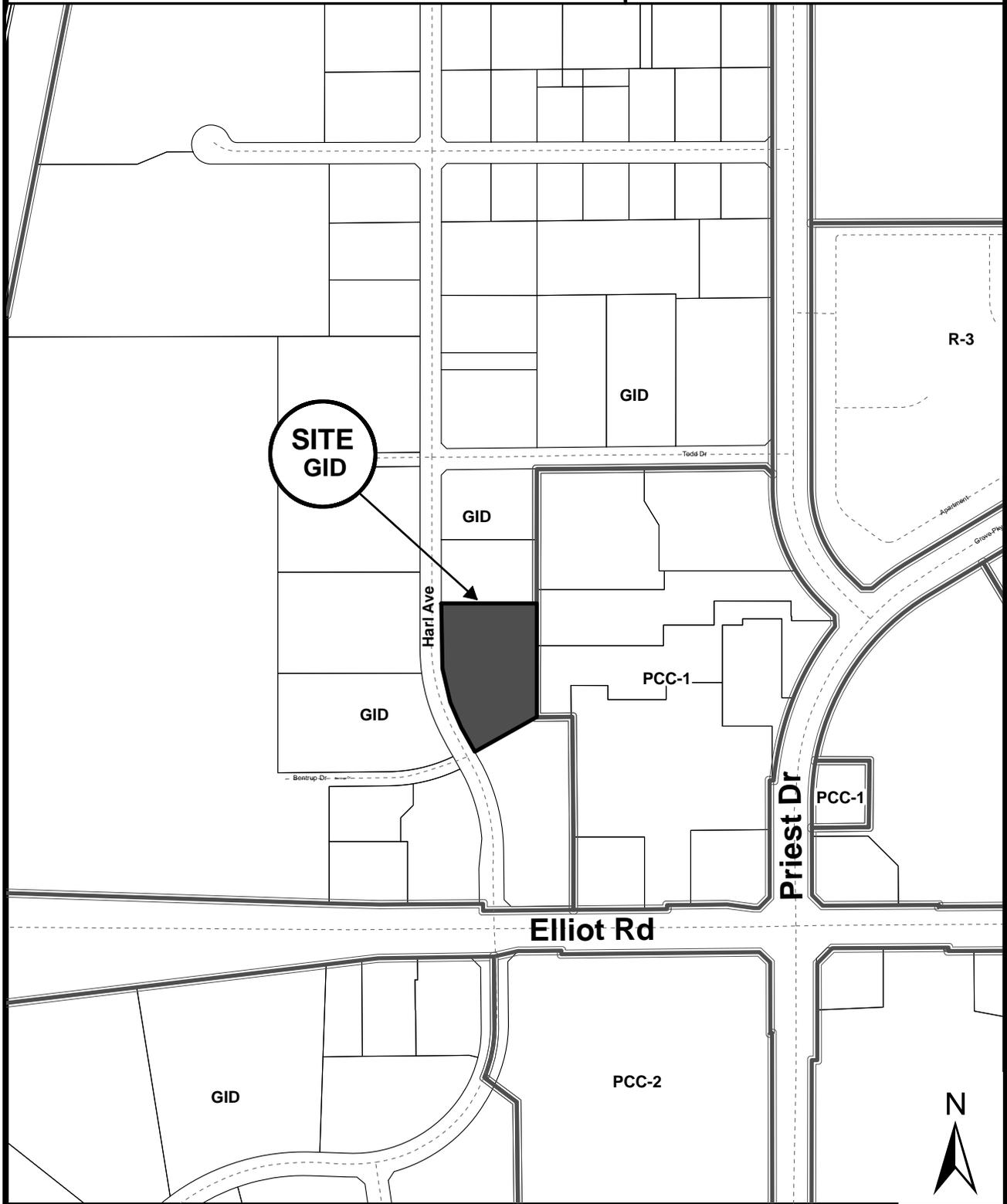
ZONING AND DEVELOPMENT

CODE REFERENCE:

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

ARIZONA ALL STARS

PL080362



Location Map



ARIZONA ALL STARS (PL080362)

September 23, 2008

Arizona All-Stars Tumbling and Cheer, LLC
7425 S. Harl, Ste #3
Tempe, AZ 85283
480-831-1105
480-560-9688 - Cell



Arizona All-Stars has been training Cheerleading and Tumbling in Tempe, AZ for almost seven years! Since opening our doors in May 2002, we've prided ourselves on our dedication to giving our students the confidence and ability to produce winning self-esteem and winning routines!

Arizona All-Stars Tumbling & Cheer is home to Cheerleaders and Tumblers of all ages and abilities. We offer different levels of competitive cheerleading teams as well as exhibition teams, which are both coached by USASF certified coaches. Competitive cheerleading is a sport in which all-star teams compete jam-packed 2 minute and 30 second routines against other all-star teams from around their state and the country to try and have a chance to prove they are the best team in the nation.

Our main goal here at Arizona All-Stars is to provide a fun, safe and ethical environment for students to gain experience needed to become confident and shining athletes. In addition to National Championship cheer squads and exhibition teams, AZ All-Stars trains many high school cheer teams, recreational cheer/after School programs through Kyrene School District and Chandler School District, pre-school development classes, basic thru to advanced Tumbling Programs and Back handspring/back tuck boot camps for all ages and skill levels year-round, as well as Birthday Parties and Friday Fun Nights! Students range from ages 3 –18. At any given time, there are no more than 60 students in the facility at a time.

The granting of this use permit will not significantly increase any vehicular or pedestrian traffic in adjacent areas. It will not cause any nuisance exceeding that of ambient conditions. It will not contribute to the deterioration of the neighborhood or be in conflict with the goals, objectives and policies of the city. It is compatible with existing surrounding structures. It will not result in any disruptive behavior, which may create a nuisance to the surrounding area or general public.

Hours of Operation:

Monday – Thursday – 4pm- 9pm

Office hours Tuesday and Thursday 9am – Noon

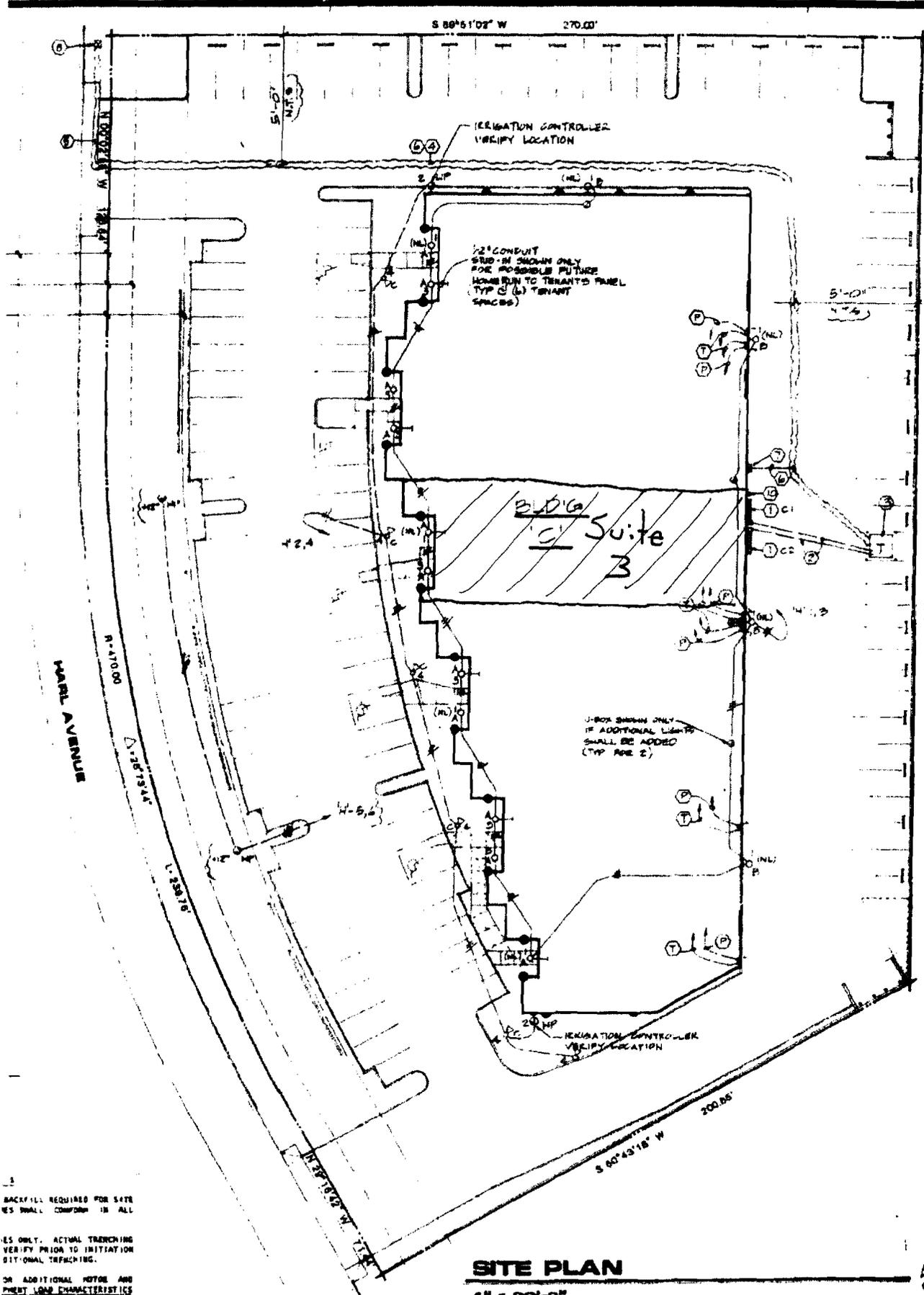
Friday – varied - 4-6pm- in season

Saturdays – varied - 9am – Noon – In season

Sincerely,

A handwritten signature in black ink, appearing to read "Jennifer Huot". The signature is written in a cursive style and is positioned above the printed name.

Jennifer Huot



- SITE PLAN NOTES**
- ① CUTTER ASSES
 - ② SECONDARY FE
 - ③ PAD AND PAD-
 - ④ TRENCH AND S
 - ⑤ TERMINATE AS
 - ⑥ 2" A.B.S. PL
 - ⑦ TELEPHONE TE-
 - ⑧ EXISTING TELI
 - ⑨ 3/4" PVC CONE
 - ⑩ PANEL W
 - ⑪ TRENCH FOR
 - ⑫ REQUEST FOR
 - ⑬ CONSTRUCTION

BACKFILL REQUIRED FOR SITES SHALL COMPLY IN ALL AREAS ONLY. ACTUAL TRENCHING VERIFY PRIOR TO INITIATION OF TRENCHING.

ON ADDITIONAL NOTES AND PHASE LOAD CHARACTERISTICS WITH TO SUBMITTING.

RESPONSIBILITY TO PROVIDE ACCESS TO POWER AND TELEPHONE AWARDS OF CONTRACT.

SITE PLAN
1" = 20'-0"



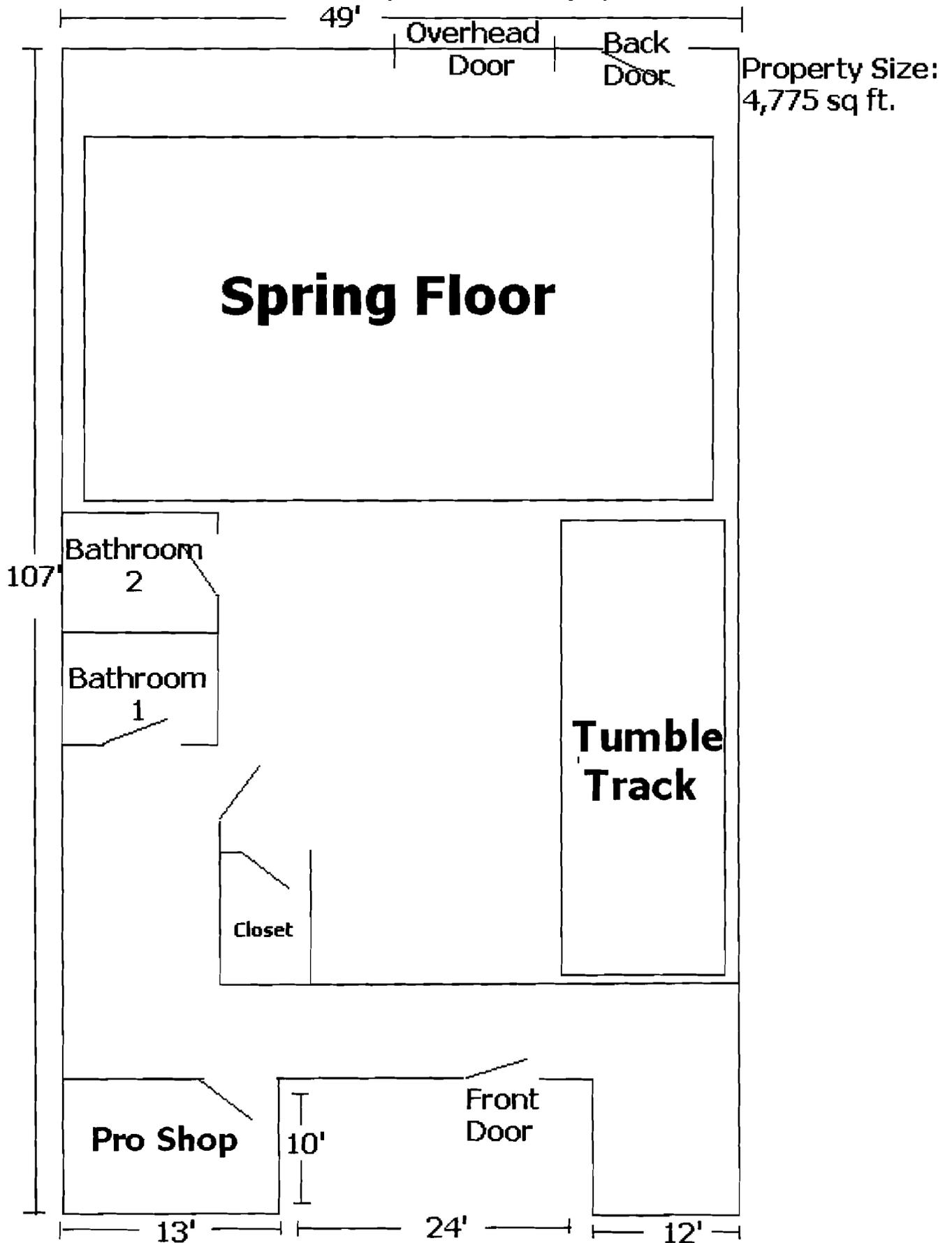
APPROVED

THE CITY OF TEMPE
PLANS HAVE BEEN REVIEWED AND APPROVED FOR THE CITY OF TEMPE. THE CITY OF TEMPE SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED HEREON.

DATE: 10/15/10
BY: [Signature]



Arizona All-Stars
7425 S Harl Ave, Ste #3 Tempe, AZ 85283





ARIZONA ALL STARS

7425 S. HARL AVE

PL080362

FRONT OF BUSINESS

Tuesday, September 23, 2008

To the City of Tempe Use Permit Division,

This letter is in reference to the Arizona All-Stars. Jennifer Huot and her business have been our neighbors since 2003. The Arizona All-Stars have been a pleasure to have in our complex. If you have any questions, please feel free to contact me.

Sincerely,



JoNell Snow
Apple Spice Junction
7425 S Harl, Ste #2
Tempe, AZ 85283



JO NELL SNOW

PARTNER / SALES & MARKETING

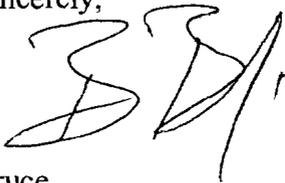
7425 South Harl Suite 2
Tempe, Arizona 85283
(480) 820.2333
cell: (480) 406.7365
jonell@applespice.com

Tuesday, September 23, 2008

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This letter is in reference to the Arizona All-Stars. Jennifer Huot and her business have been our neighbors since 2003. The Arizona All-Stars have been a pleasure to have in our complex. If you have any questions, please feel free to contact me.

Sincerely,



Bruce
BC Distributors
7425 S.Harl, Ste # 6
Tempe, AZ 85283



7425 S. Harl Dr. Ste.6
Tempe, AZ 85283
Phone 480.831.9970
1.800.878.1557
Fax 480.831.9910



BRUCE BRIERLEY

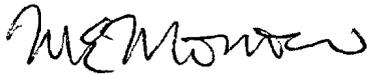
bnbrierley@aol.com

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Sincerely,


ISC

Carlton Bates Company
7425 S.Harl, Ste # 1
Tempe, AZ 85283



CARLTON-BATES
A SUBSIDIARY OF WESCO DISTRIBUTION, INC.

Eric Morrow, Inside Sales Manager

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emorrow@carltonbates.com
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