

Staff Summary Report



Hearing Officer Hearing Date: June 2, 2009

Agenda Item Number: 7

SUBJECT: This is a public hearing for a request by **ARIZONA FIGHT CLUB (PL090169)** located at 617 South McClintock Drive, Suite No. 3 for one (1) use permit.

DOCUMENT NAME: 20090602dsdp02 **PLANNED DEVELOPMENT (0406)**

COMMENTS: Hold a public hearing for **ARIZONA FIGHT CLUB (PL090169)** (Randy Robles, applicant; McClintock Center LLC, property owner) located at 617 South McClintock Drive, Suite No. 3 in the GID, General Industrial District for:

ZUP09075 Use permit to allow a fitness facility (boxing gym).

PREPARED BY: Derek Partridge, Planner I (480-350-8867)

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

A handwritten signature in black ink, appearing to read 'SEA'.

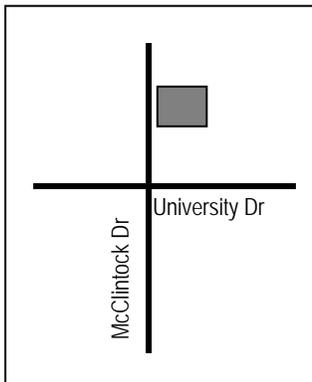
LEGAL REVIEW BY: N/A

DEPARTMENT 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 a boxing fitness gym, Arizona Fight Club, at 617 South McClintock Drive in the GID, General Industrial District. The business will provide training in fitness and traditional boxing techniques. Staff supports this use permit request. To date, no public input has been received.



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)

COMMENTS:

Randy Robles, owner of Arizona Fight Club, LLC is requesting a use permit to allow a boxing fitness gym in the GID, General Industrial District. The proposed use will include 2 to 4 part-time trainers that will assist approximately 3 to 10 customers per hour. The hours of operation will be daily Monday through Saturday from 6:00am to 9:00pm and Sunday from 10:00am to 2:00pm. The customer base will vary. The Arizona Fight Club intends to serve people of all ages. To date, staff has received no public input on this request.

Use Permit

The Zoning and Development Code requires a Fitness Facility (boxing gym) to obtain a use permit in the GID, General Industrial District. This use permit request meets all applicable tests in the following manner:

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/fitness use; there should be no nuisances within this industrially zoned 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 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 request for the use permit subject to the attached conditions of approval.

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.

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

**CONDITION(S)
OF APPROVAL:**

1. All permits and clearances required by the Building Safety Division shall be obtained prior to the use permit becoming effective.
2. The use permit is transferable. Should the business be sold, the new owners must reprocess for administrative review.
3. The use permit is valid for the plans and business operation as submitted to and approved 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. All business signs shall be Development Review staff approved and permits obtained.
6. The applicant shall contact and work with Development Services Development Review staff to upgrade non-compliant lighting at the proposed property (building-mounted fixtures). Further, a 6" x 6" lexan or laminated glass vision panel shall be centered and installed at 63" above finished grade in the north elevation main door. These upgrades shall provide for the safety, security and code compliancy of the proposed business.
7. An updated tenant list and respective uses shall be provided to the Development Services Department to update the change in required parking within sixty (60) days, **August 1, 2009**.

HISTORY & FACTS:

January 26, 1979 Final Inspection of a 22,672 s.f. manufacturing and warehouse building.

DESCRIPTION:

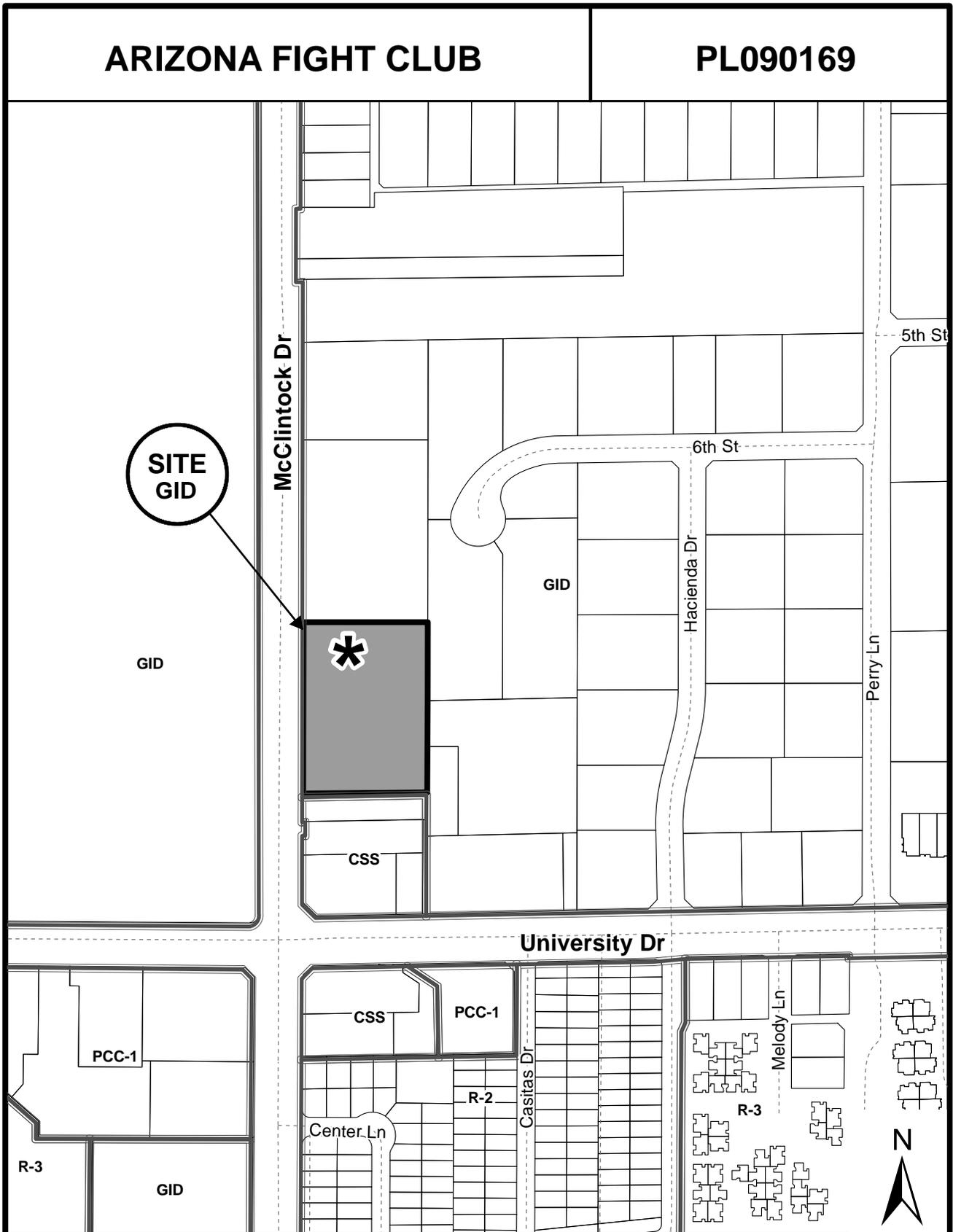
Owner – McClintock Center LLC
Applicant – Randy Robles
Existing Zoning – GID, General Industrial District
Total site area – 103,107 s.f. / 2.37 acres
Total building area – 32,167 s.f.
Proposed tenant lease space – 2,206 s.f.
Parking required for proposed tenant – 18 spaces
Total site parking provided – 91 spaces

**ZONING AND
DEVELOPMENT**

CODE REFERENCE: Part 3, Chapter 2, Section 3-302 – Permitted Uses in Office/Industrial Districts
Part 6, Chapter 3, Section 6-308 – Use Permit

ARIZONA FIGHT CLUB

PL090169



Location Map

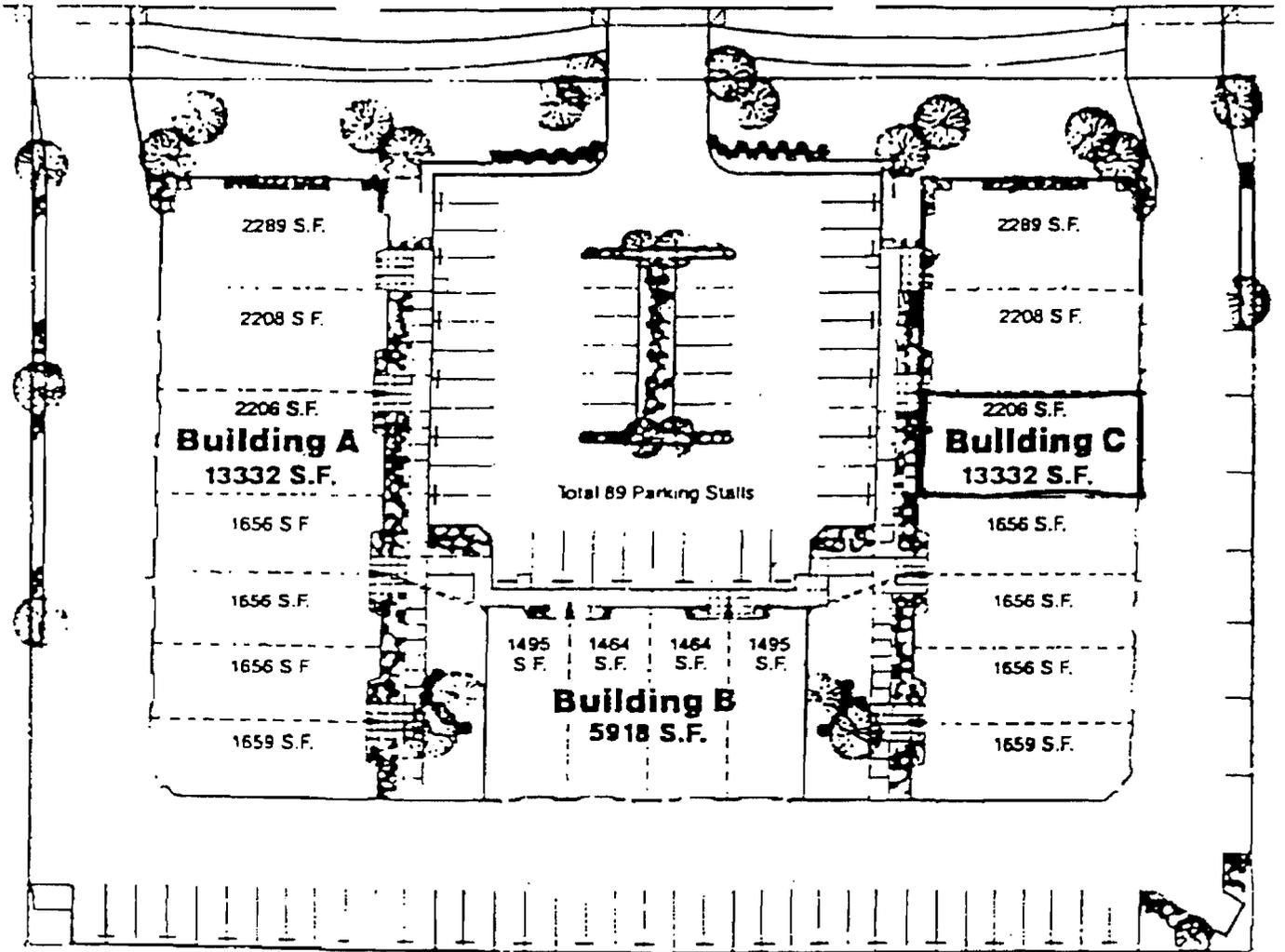


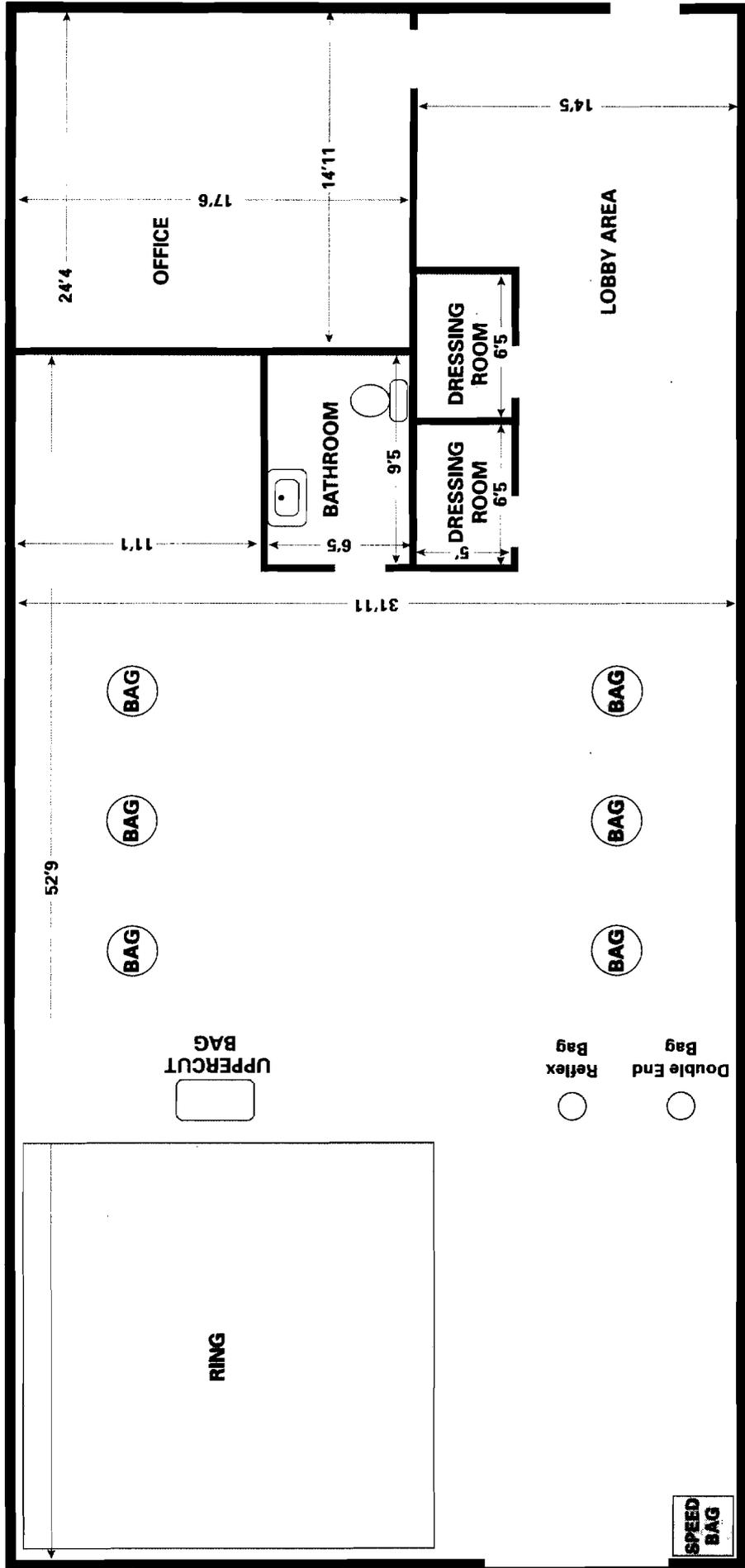
ARIZONA FIGHT CLUB (PL090169)

May 5, 2009

I am requesting a *user's permit* for a boxing fitness gym at 617 South McClintock Drive Suite #3 Tempe AZ, 85281. The name of the business is Arizona Fight Club (AFC). Arizona Fight Club will employ 2 – 4 part time trainers, hours of operation is 6am to 9pm Monday thru Saturday and Sunday 10am – 2pm. We look forward to approximately 3 to 10 customers per hour. AFC will have a positive effect to the area and to the community of all ages. AFC will not cause any significant vehicular or pedestrian traffic, nuisance, contribute to any deterioration /disruptive behavior to the neighborhood, or be in conflict with the community, city policies and businesses surrounding the area.

Thank you
Randy Robles (Owner)





617 S. McClintock Suite 3



ARIZONA FIGHT CLUB

617 S MCCLINTOCK DR., SUITE NO. 3

PL090169

FRONT OF BUSINESS

