

Staff Summary Report



Hearing Officer Hearing Date: September 15, 2009

Agenda Item Number: 11

SUBJECT: This is a public hearing for a request by **ASPIRE VOLLEYBALL CENTER (PL090317)** located at 8350 South Kyrene Road, Suite No. 107, for one (1) use permit.

DOCUMENT NAME: 20090915dssl04 **PLANNED DEVELOPMENT (0406)**

COMMENTS: Request by **KYRENE COMMERCEPLEX - ASPIRE VOLLEYBALL CENTER (PL090317)** (Scott Lloyd/Lloyd Technologies LLC, applicant; Thom Blulmer/EJM Development Company, property owner) located at 8350 South Kyrene Road, Suite No. 107, in the GID, General Industrial, HID, Heavy Industrial and the SWOD, Southwest Overlay Districts for:

ZUP09128 Use permit to allow a sports facility (volleyball courts/training center) in an Industrial Zoning District.

PREPARED BY: Sherri Lesser, Senior Planner (480-350-8486)

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

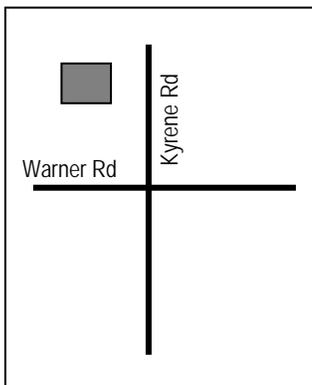
LEGAL REVIEW BY: N/A

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 volley ball courts and training facility in the GID, General Industrial District and HID, Heavy Industrial District. The facility would include two (2) indoor volleyball courts for team instruction or practice. To date no input has been received from neighboring tenants or surrounding property owners. 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)

COMMENTS:

The applicant is requesting a use permit to allow a volley ball courts and training facility in the GID, General Industrial District and HID, Heavy Industrial District. The facility would include two (2) indoor volleyball courts for team instruction or practice. The tenant space is approximately 7682 square feet and has space enough for two courts. The hours of use will be weekday evenings from 5pm to 10 pm and weekends from 8 am to 8pm. To date, no input has been received from neighboring tenants or property owners.

Use Permit

The Zoning and Development Code requires a use permit for a sports facility 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 a training facility for volleyball practice and should not create a nuisance from 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.
- 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 appears to have adequate control of disruptive behavior.

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 Aspire Volleyball Center 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 – Thom Blulmer/EJM Development Company
Applicant – Scott Lloyd/Lloyd Technologies LLC
Existing Zoning – GID, General Industrial District
HID, Heavy Industrial District
SWOD, Southwest Overlay District

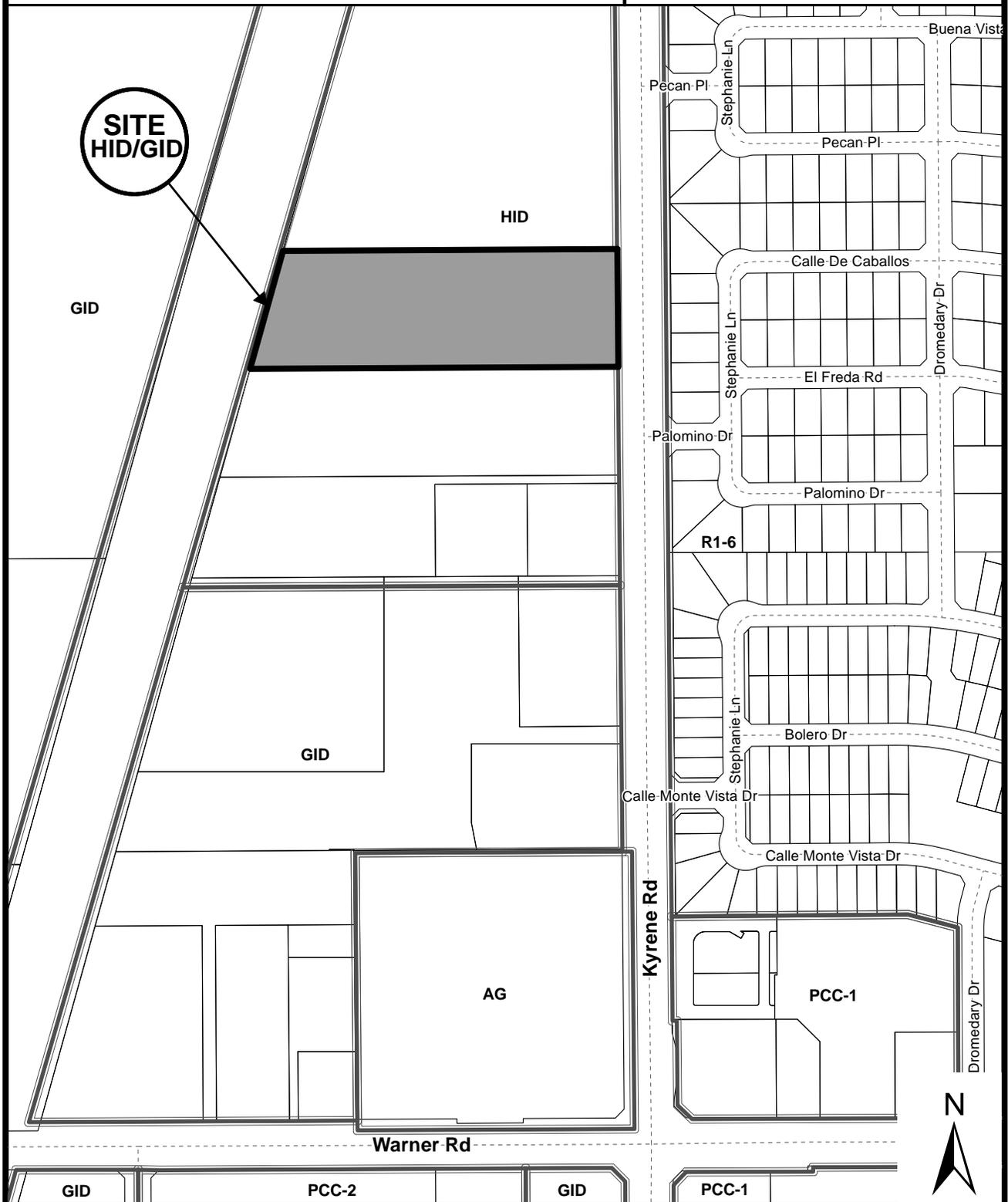
ZONING AND DEVELOPMENT

CODE REFERENCE:

Part 3, Chapter 3, Section 3-301 – Permitted Uses in Industrial Districts
Part 6, Chapter 3, Section 6-308 – Use Permit

KYRENE COMMERCEPLEX - ASPIRE VOLLEYBALL CENTER

PL090317



Location Map



KYRENE COMMERCEPLEX - ASPIRE VOLLEYBALL CENTER (PL090317)

Letter of Explanation

August 24, 2009

To: City of Tempe
Development Services Department

From: Lloyd Technologies, LLC – DBA Aspire Volleyball Club
7610 S. Oak St.
Tempe, AZ 85284

Re: Use Permit for 8350 S. Kyrene, Tempe, AZ 85284

To whom it may concern,

Our volleyball club (Aspire Volleyball) is in need of a use permit so that we can conduct volleyball practices/training at a facility that we plan on leasing in South Tempe. This facility is located at the following address:

Kyrene CommercePlex
8350 S. Kyrene
Suite 107
Tempe, AZ 85284.

The current zoning for this facility is GID.

Our volleyball club provides training mostly to girls between the ages of 10 and 18 to compete in regional and national volleyball competitions. The ultimate goal is to field teams ready to compete in the Jr. Olympics held each summer.

We plan on installing 2 volleyball courts within this facility separated by standard gym curtain separators. This facility will have 2 restrooms and will comply with all state regulations.

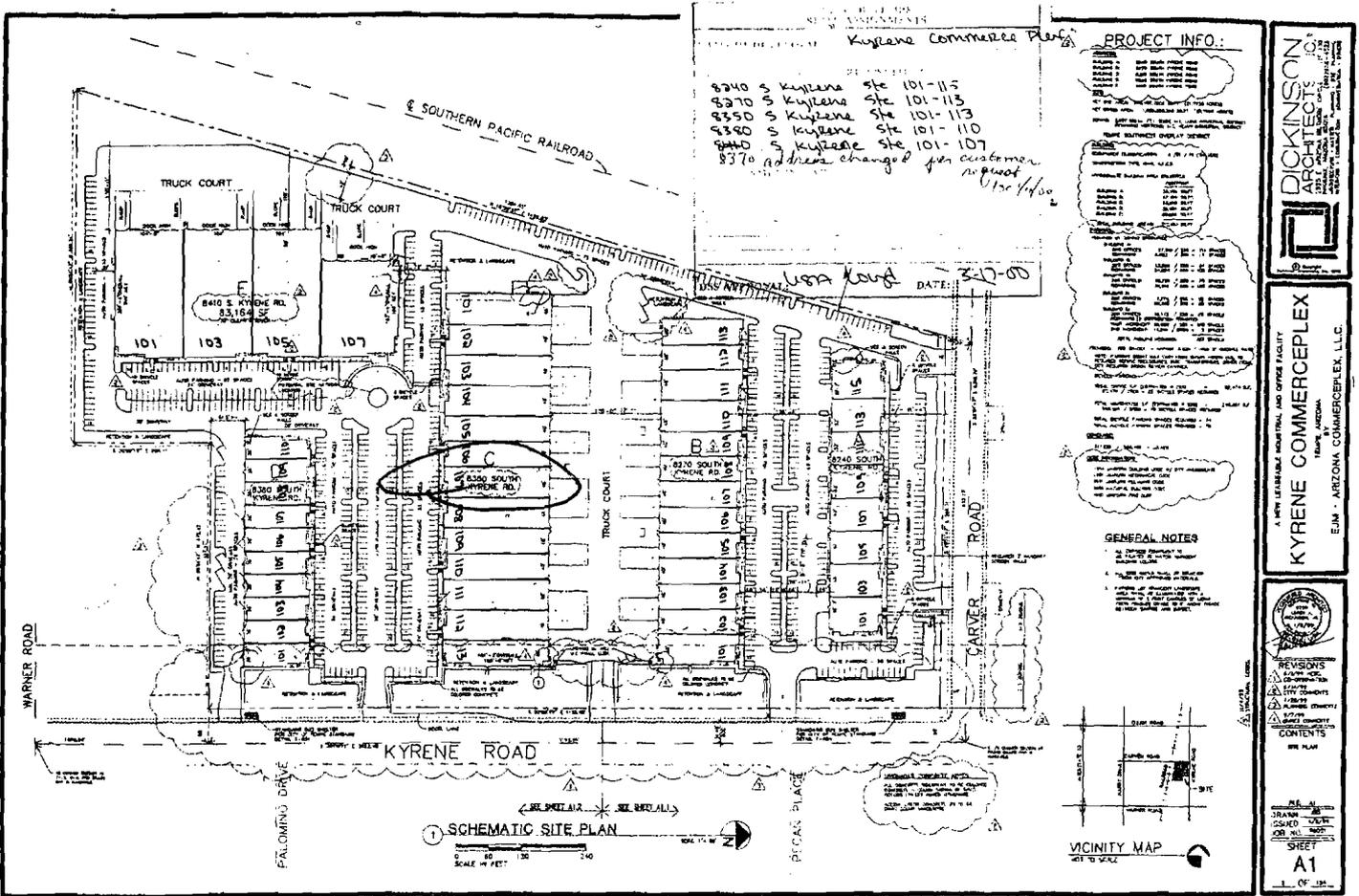
Our primary hours of operation are weekdays 5pm til 10pm and weekends 8am til 8pm.

We look forward to the issuance of this use permit so that we can start training the young ladies of Tempe to compete at the highest levels of competitive volleyball.

Kind regards,



Scott Lloyd
Director, Aspire Volleyball Club

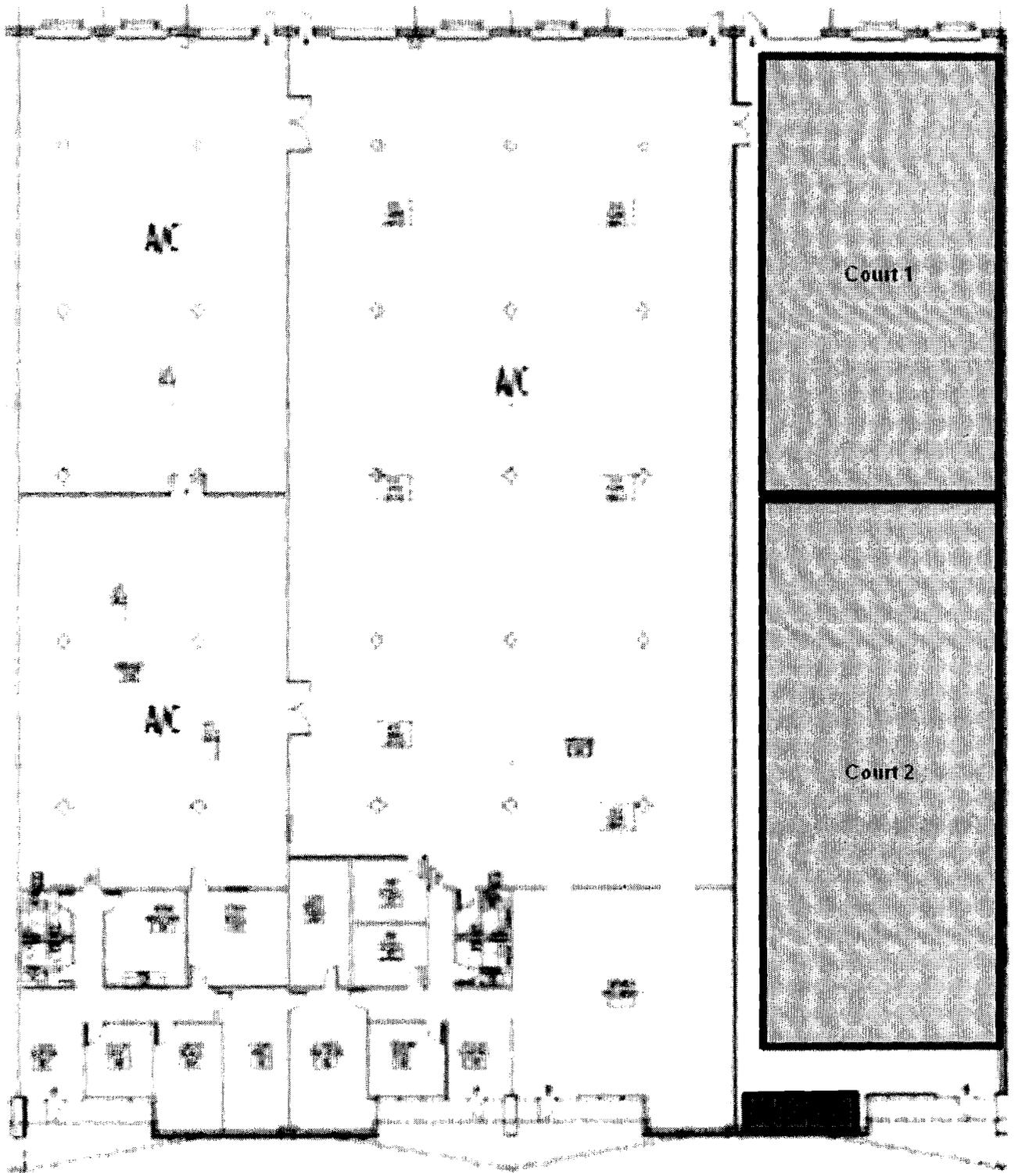


KYRENE COMMERCE PLAZA
 SITE ASSIGNMENT
 Kyrene Commerce Plaza
 8240 S Kyrene Ste 101-115
 8270 S Kyrene Ste 101-113
 8350 S Kyrene Ste 101-113
 8320 S Kyrene Ste 101-110
 8240 S Kyrene Ste 101-107
 8370 address changed per customer request
 1/26/10

PROJECT INFO:

NO.	DESCRIPTION	DATE
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Floor Plan



Suite 104: $\pm 7,692$ SF with
 $\pm 1,625$ SF office

Suites 105/106: $\pm 12,804$ SF
with $\pm 1,627$ SF office

Suite 107: $\pm 7,692$ SF



**KYRENE COMMERCEPLEX – ASPIRE
VOLLEYBALL CENTER**

8350 S KYRENE RD., SUITE NO. 107

PL090317

FRONT OF BUSINESS

