

Staff Summary Report



Hearing Officer Hearing Date: 12/06/11

Agenda Item Number: 7

SUBJECT: This is a public hearing for a request by **GD JIU JITSU LLC** located at 1848 East University Drive, Suite Nos. 106-108, for one (1) use permit.

DOCUMENT NAME: 20111206cdsl06 **PLANNED DEVELOPMENT (0406)**

COMMENTS: Request by **HACIENDA PARK - GD JIU JITSU LLC (PL110391)** (Gustavo Dantas, applicant; Colliers International, property owner representative) located at 1848 East University Drive, Suite Nos. 106 – 108, in the GID, General Industrial District for:

ZUP11104 Use permit to allow a fitness facility in the GID, General Industrial District.

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

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

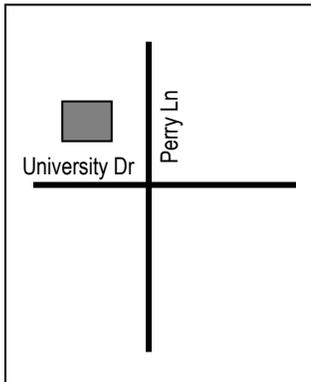
LEGAL REVIEW BY: N/A

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

FISCAL NOTE: There is no fiscal impact to City funds.

RECOMMENDATION: **Staff – Approval, subject to conditions**

ADDITIONAL INFO:



GD Jiu Jitsu is requesting approval of a use permit for a fitness facility (martial arts studio) located at 1848 East University Drive. The Zoning and Development Code requires commercial and retail uses located in the GID, General Industrial District to obtain a use permit. The proposed use appears to pass the criteria for approval of a use permit; staff is recommending approval of the request with conditions.

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

COMMENTS:

The applicant is requesting approval of a use permit for a fitness facility (martial arts training) located at 1898 East University Dr. According to the company website, the classes are held primarily Monday- Friday at varying times and class enrollment. . The business will typically staff two (2) employees at any given time. They will offer classes in Brazilian Jiu-Jitsu, Kids Jiu-Jitsu, individual training to small groups of 4-8 people.

Use Permit

The Zoning and Development Code requires a use permit for commercial and retail uses including fitness facilities located 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;
 - There should be no nuisance created by the business.
- 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.
- d. Compatibility with existing surrounding structures and uses;
 - The proposed use appears to be compatible with surrounding structures and 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

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.

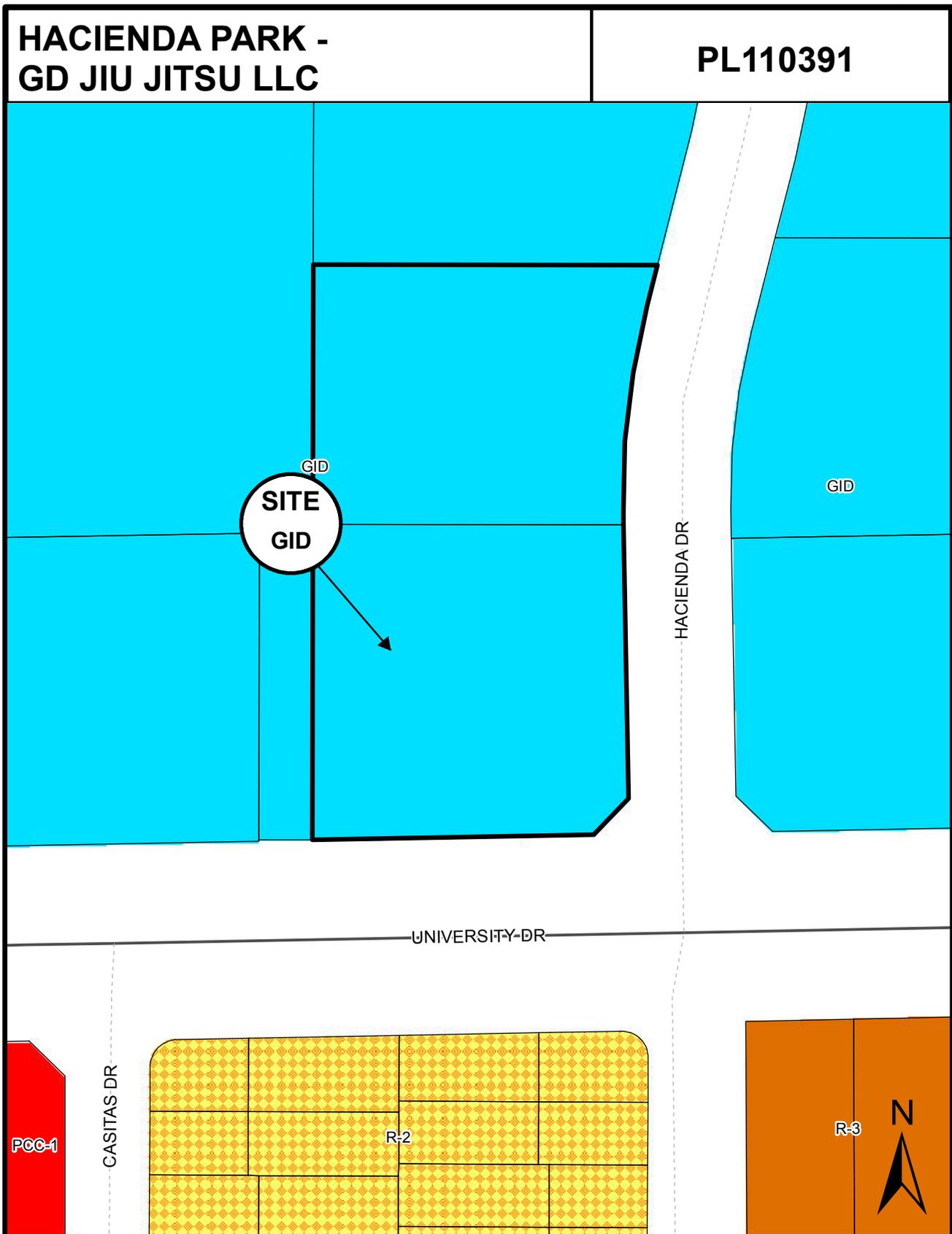
**CONDITION(S)
OF APPROVAL:**

1. The use permit is valid for GD JIU JITSU and may be transferable with approval from the Hearing Officer staff. Should the business be sold, the new owners must contact the Hearing Officer staff for review of the business operation.
2. All business signs shall be Development Plan Review approved and permits obtained.
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 to re-evaluate the appropriateness of the use permit.
4. Obtain all necessary clearances and permits for the occupancy from the Building Safety Division.

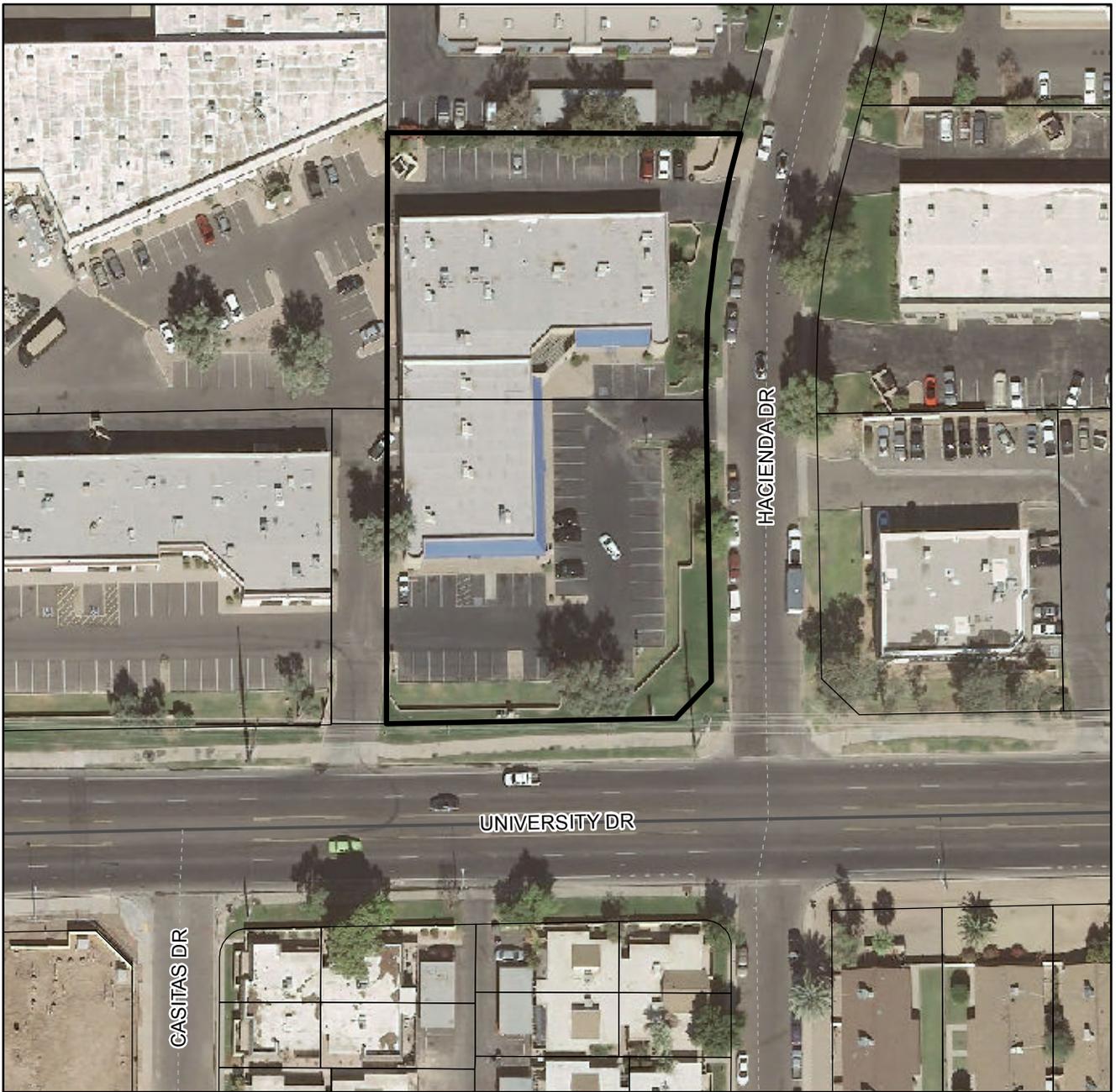
HISTORY & FACTS: None pertinent to this case.

DESCRIPTION: Owner – Colliers International
Applicant – Gustavo Dantas
Existing Zoning – GID, General Industrial District

**ZONING AND
DEVELOPMENT
CODE REFERENCE:** Part 3, Chapter 2, Section 3-302, Table 3-202A – Permitted Land Uses in Office/Industrial Districts
Part 6, Chapter 3, Section 6-308 – Use Permit



Location Map



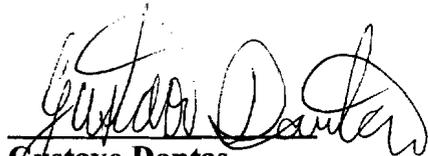
HACIENDA PARK - GD JIU JITSU LLC (PL110391)

GD JIU-JITSU, LLC

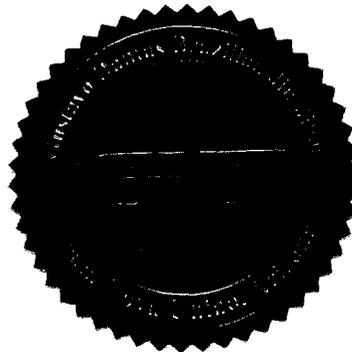
**GD JIU JITSU, LLC
1401 S. McClintock Drive
Tempe, AZ 85281**

To Whom This May Concern:

GD Jiu-Jitsu, LLC is a business that focuses on the advancement of Brazilian Jiu-Jitsu in the state of Arizona. It also works in association with the Arizona State Brazilian Jiu-Jitsu Federation (AZSBJJF). It is owned by Gustavo Dantas, a third degree black belt in Brazilian Jiu-Jitsu, Vice-President of the AZSBJJF and President of the World renown team, Nova União, in the United States. Besides being a former World Champion (1997 & 1998), Mr. Dantas has produced many State, National and International champions for the past eleven years in Tempe. Mr. Dantas is a certified fitness trainer by APEX and I.S.S.A. and has a Bachelor's Degree in Physical Education. Well known for his high caliber instruction, GD Jiu-Jitsu often attracts International visitors from Nova União Affiliate schools from Brazil, Canada, Australia and all over the United States to receive World Class instruction in preparation for the most respected tournaments in the world which are produced by the IBJJF (International Brazilian Jiu-Jitsu Federation). No other school in the state of Arizona can boast to have the same amount or type of results and accomplishments accumulated by GD Jiu-Jitsu.



**Gustavo Dantas
GD Jiu-Jitsu, LLC
480.310.5483
www.gdjiujitsu.com**



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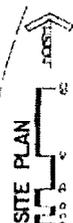
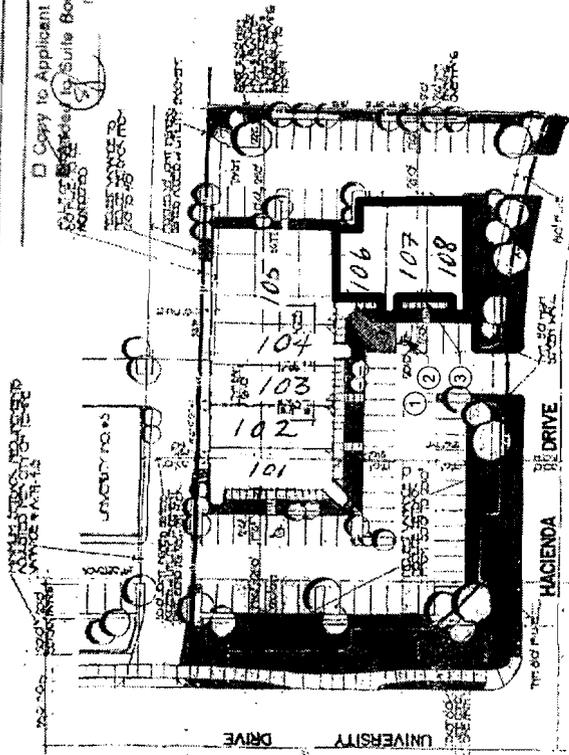
City of Tempe
Suite Assignment

Name of Project
Address
Contact Name
Phone #

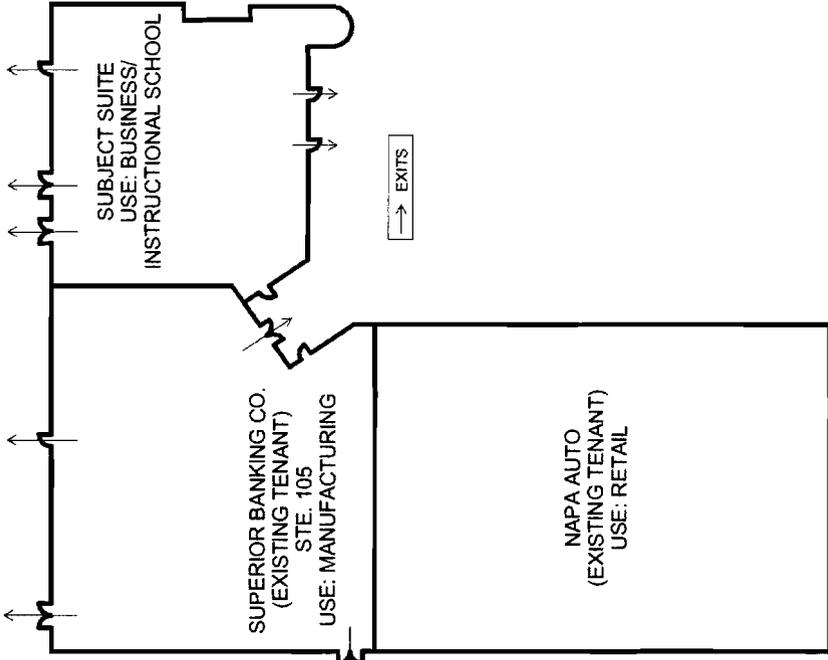
New
 Reassigned

Suite Numbers
101-108

Copy to Applicant
 Entered in Permits +
Code Book
10/13/07



NOTES:
1. EXISTING PARKING
2. EXISTING ACCESSIBLE SPACE
3. EXISTING SIDEWALK



2 EXITING PLAN
1" = 30'-0"

Project #:
11-033

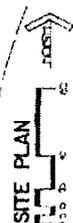
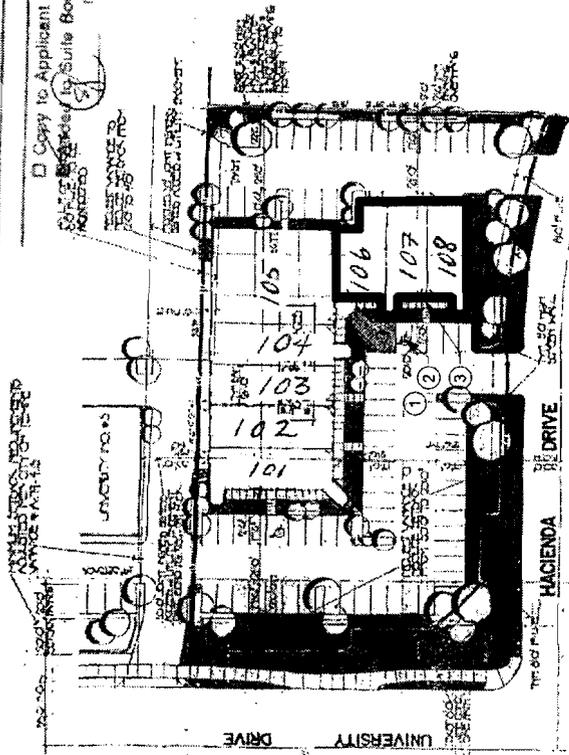
ADDRESS/EXIT PLAN
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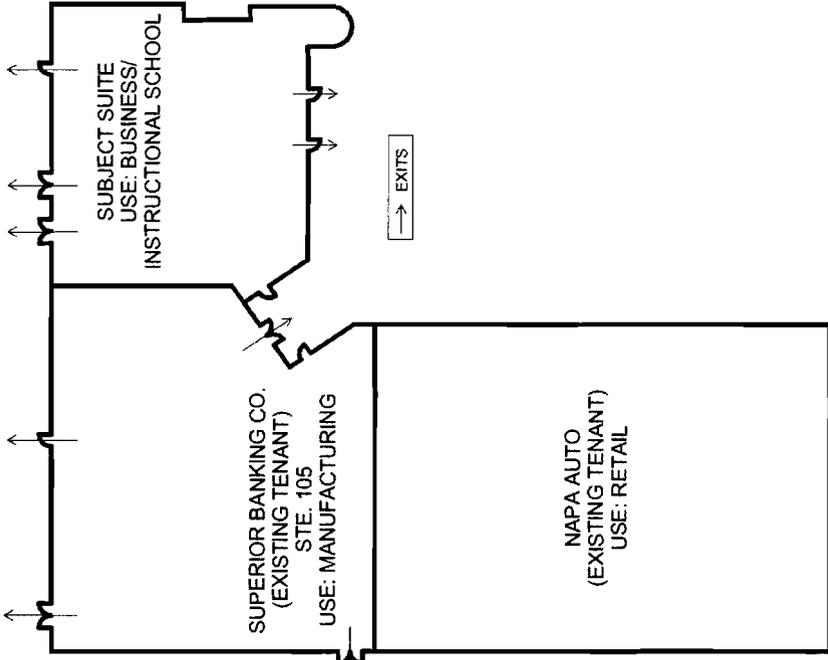
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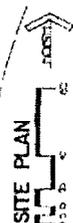
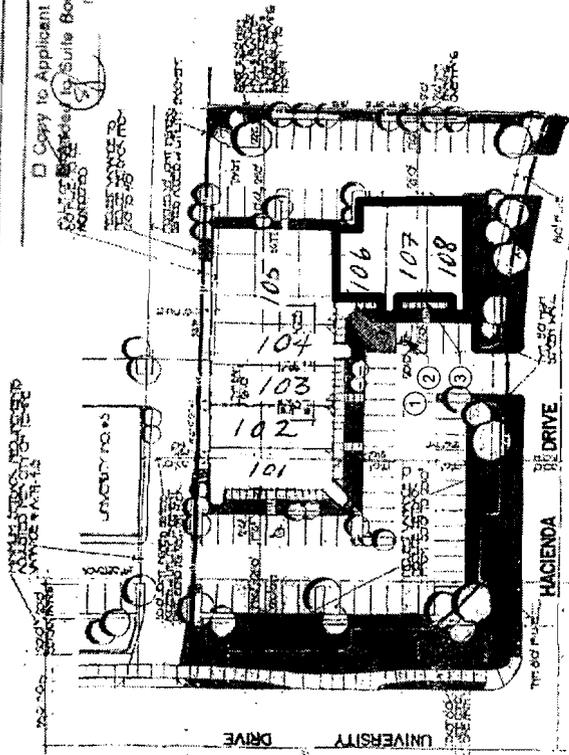
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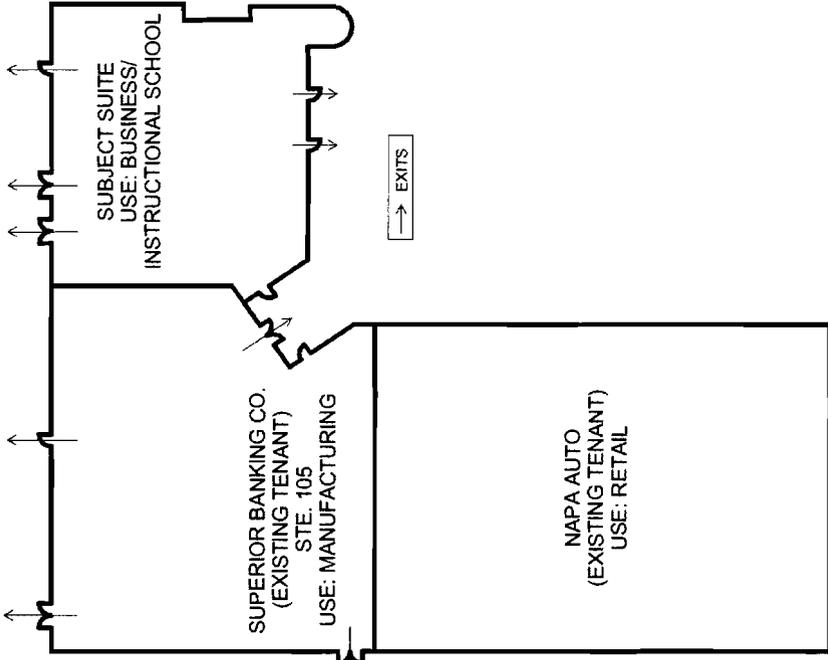
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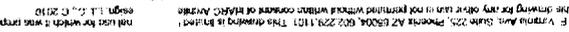
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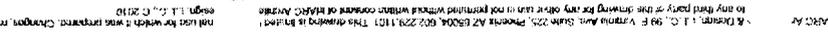
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