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Where Values Make The Difference

MEMORANDUM **Planning & Development - PZ Memo No. 09-130**

DATE: NOVEMBER 12, 2009

TO: PLANNING AND ZONING COMMISSION

THRU: PATRICK MCDERMOTT, ASSISTANT CITY MANAGER 
 JEFF KURTZ, ASSISTANT PLANNING & DEVELOPMENT DIRECTOR 
 KEVIN MAYO, ACTING PLANNING MANAGER 

FROM: ERIK SWANSON, CITY PLANNER 

SUBJECT: ZUP09-1015 SPIRAL VOLLEYBALL

Request: Use Permit approval to allow an athletic training facility within a
 Planned Industrial (I-1) zoned district

Location: 400 N. 56th Street,
 Approximately ¼ mile north of the northwest corner of Chandler
 Blvd. and 56th St.

Applicant: Michael Curley,
 Earl, Curley & Lagarde, P.C.

RECOMMENDATION

The request is for Use Permit approval to allow an athletic training facility within a Planned Industrial (I-1) zoned district. Staff, upon finding inconsistency with the General Plan and I-1 zoning, recommends denial.

BACKGROUND

The subject site is located approximately ¼ mile north of the northwest corner of Chandler Boulevard and 56th Street. Surrounding the subject site on all sides are industrial zoned properties. Directly north of the subject site is a nutritional supplement processing facility. East, adjacent to the subject site is 56th Street, with an automotive salvage yard east of 56th Street. South, across Erie Street is a specialized paper processing facility, and computer wafer manufacturing company. West is an aircraft parts manufacturing facility. The subject site is located within a larger industrial zoned area extending west from 56th Street to 54th Street and north from Erie Street to Galveston Street.

The site is adjacent to 56th Street and provides two access points directly onto 56th Street. Vehicular connections to Erie Street and surrounding users are not provided. The subject site is a single building of concrete-tilt construction, and is currently vacant. The subject site was rezoned in 1980 from Agricultural (AG-1) to Planned Industrial (I-1) and was not developed until 1999. The approved zoning allows for various mechanical, manufacturing and processing, and storage type uses, of which all have the potential to store hazardous materials by-right, with the Fire and Building codes governing their storage and use.

The subject building is approximately 31,750 square-feet and sits on an approximate two and three-quarter-acre site. Approximately 20,000 square-feet of the building will be utilized for athletic training and associated restrooms, fitness area, and office space. The remainder will be unutilized and cordoned off. The unutilized area currently stores office equipment. Forty-eight parking stalls are provided on the sites east side, with an additional 45 parking stalls provided on the gated west side. Currently, the parking stalls on the west side are not painted and will need to be re-striped. The site is parked at a ratio of one stall per 458 square-feet. Industrial uses require one stall per 500 square-feet of gross floor area and one stall per 200 square-feet of office space. Public assembly uses require a ratio of one stall per 200 square feet. In order to meet code requirements for parking the site would need approximately 110 parking spaces. Currently 93 are provided. The applicant has indicated that a number of the athlete's carpool or have parents drop them off. On average there will be 20-30 athletes during any one session, with an average of ten cars in the parking lot. However, in the event that parking is an issue, the applicant has indicated that the property owner to the southwest will allow overflow parking. That property is zoned PAD (Planned Area Development) for industrial uses.

The hours of operation are Monday through Thursday from 5 p.m. to 9 p.m., with the occasional practice on Saturdays between 10 a.m. and 1 p.m. The age of the athletes range from 14-18 years, all athletes are female. Due to the age of the athletes, practices are held in the evening due to the athletes being in school during the day. The athletic program is designed to train the athletes to compete at the highest individual level attainable including tournaments on a national level as well as competing in Junior Olympics, with a number of the athlete's receiving full scholarships to various universities. Security cameras will be located both inside and outside the building. The interior cameras also allow collegiate coaches to watch the practices from an off-site location. The site will have one full-time employee that will handle the day-to-day operations. There are a total of 23 coaches for the 13 teams. Offices are not provided for the coaches on-site.

DISCUSSION

Staff recommends denial of the request finding the proposed use incompatible with the existing zoning and surrounding area. Athletic training facilities are typically located in commercial zoning districts such as Community Commercial (C-2) or Planned Area Development (PAD) for retail where the use is allowed by right. Staff finds that assembly uses of this nature are not compatible with manufacturing, processing, and warehousing uses typically found in industrial parks such as this site, due to concerns with overall safety of the teenage athletes, mix of truck traffic generated by the various users and teenage drivers, noise, and odor concerns.

Furthermore, Staff provided the applicant with a list of vacant commercial sites with the potential to house a facility such as that which is proposed, as well as identified the Red Rock facility located within the Chandler Airport Center that allows these types of uses. The applicant has looked at a number of the vacant sites recommended by Staff, and cites that the proposed location is owned free-and-clear and thus allows the facility to maintain its non-profit ability, as well as reduced costs associated with rent and obtaining building permits. Concerns have been expressed that if the use were to locate to a commercial center costs associated with rent and potentially raising the roof would be required, thus making the program unfeasible. The applicant cites the fact that the use will be after normal business hours, has segregated access points from the surrounding industrial uses, the site fronts 56th Street (a major arterial), and that costs associated for bringing the building up to code compliance to allow the use would be minimal, thus making the location ideal. The applicant has also canvassed the surrounding area to see if there were any concerns with the proposed use, and has submitted a petition with support from the surrounding businesses. A map is attached indicating the sites that support the request. The applicant is currently working on letters of support for the use; the letters will be forthcoming.

Additionally, the applicant has stated that there are other recreational and public assembly uses within proximity to the area. Approximately 1/8th of a mile north of the subject site is a scuba diving training facility. The facility is located within an I-1 zoned district and received initial Use Permit approval in 1994. Through the Use Permit extension and renewal process the use is allowed indefinitely so long as it is in compliance with the conditions of approval. Likewise, approximately ¼ mile north of the subject site is Valley Christian High School. The high school provides a transition between the residential subdivision north of the school and the I-1 zoned property south of the high school.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code.

- A neighborhood meeting was held on Monday, November 2, 2009. No neighbors were in attendance.

At the time of this writing, Staff has received no telephone calls or letters opposed to this application. Staff has received a petition in support of the request as well as letters in support of the request. Both the petition and letters are attached.

RECOMMENDED ACTION

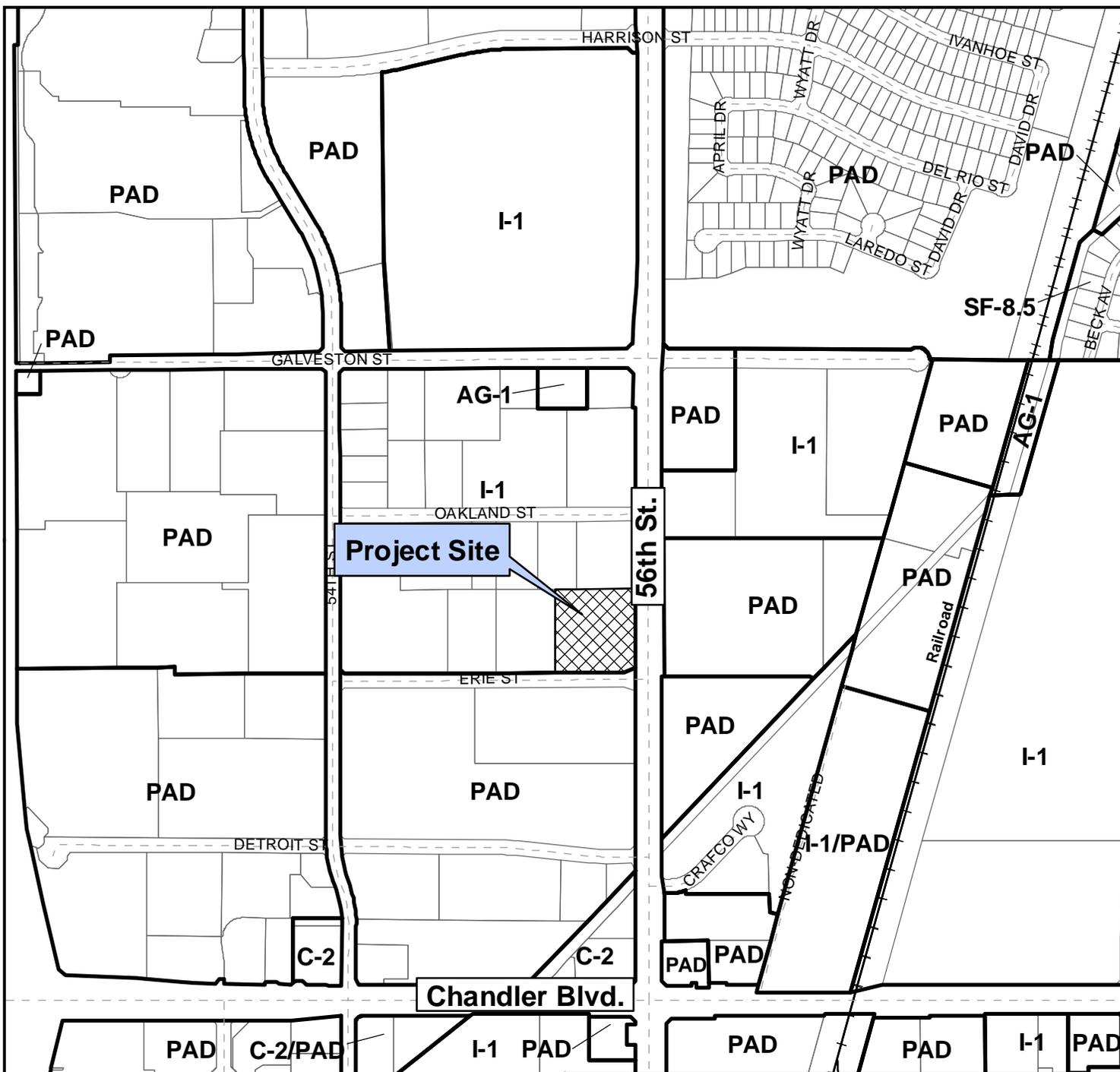
Staff, upon finding inconsistency with the General Plan and I-1 zoning district, recommends denial

PROPOSED MOTION

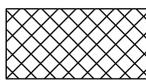
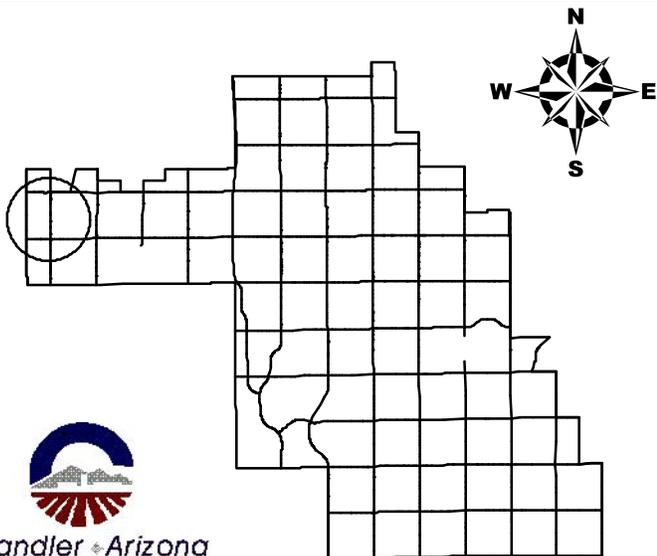
Motion to recommend denial of ZUP09-1015 SPIRAL VOLLEYBALL.

Attachments

1. Vicinity Map
2. Site Plan
3. Floor Plan
4. Applicant Narrative
5. Petition of Support
6. Map indicating Business Support

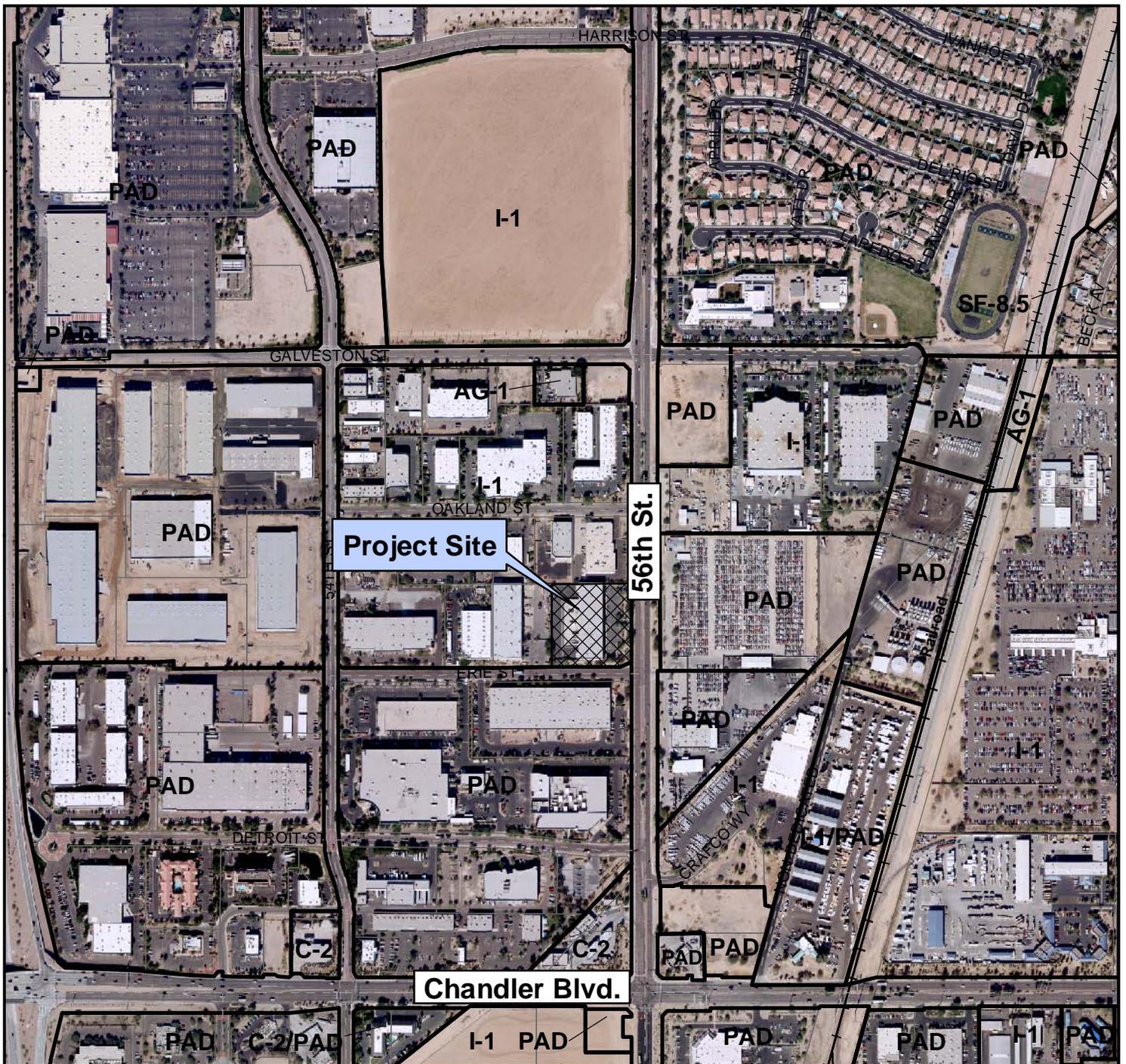


Vicinity Map

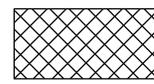
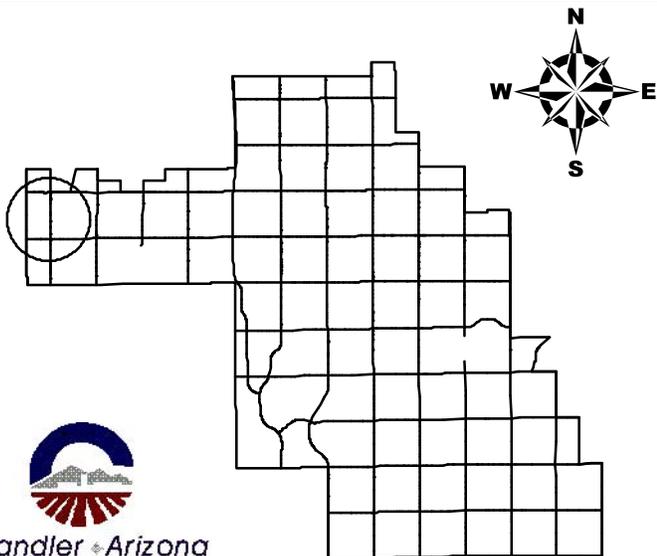


ZUP09-1015

Spiral Volleyball



Vicinity Map

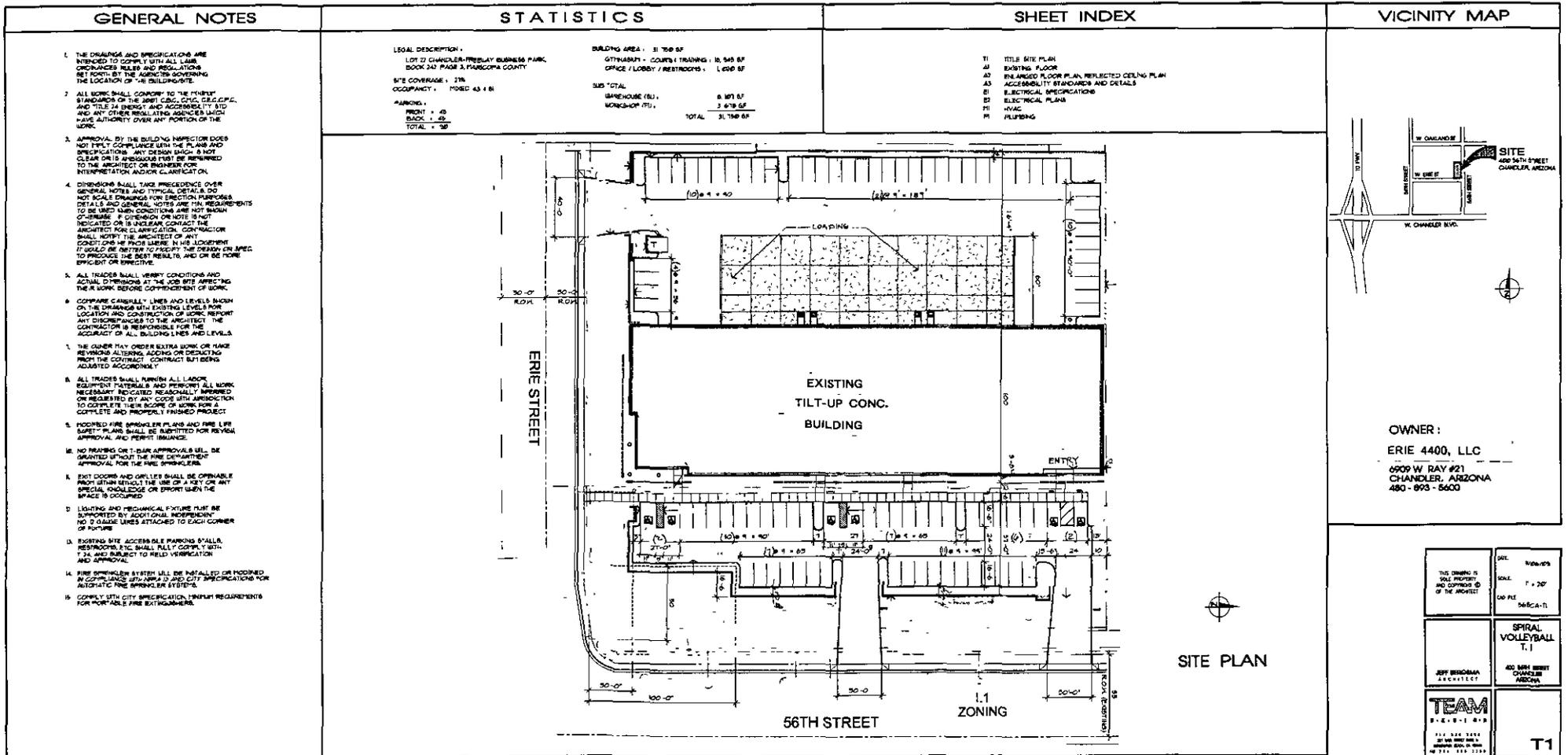


ZUP09-1015

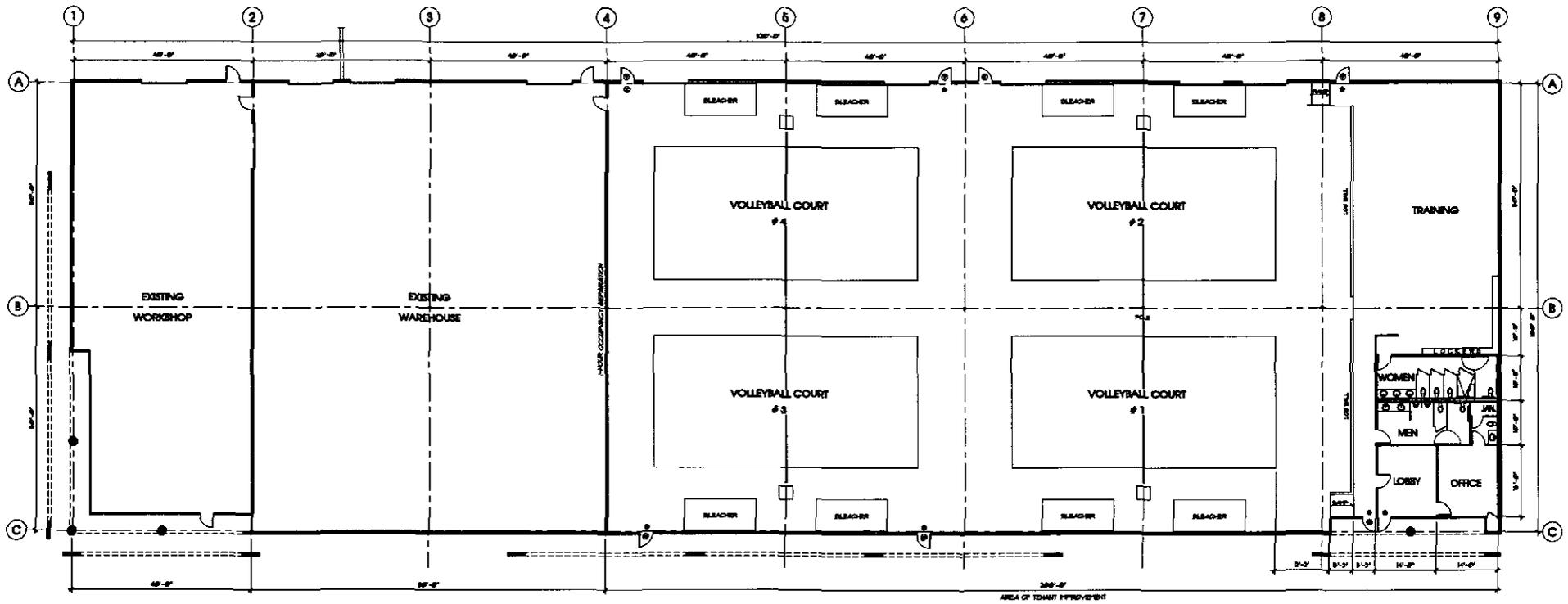
Spiral Volleyball

SPIRAL VOLLEYBALL TENANT IMPROVEMENT

400 56TH STREET, CHANDLER, ARIZONA



SITE PLAN



FLOOR PLAN

THIS DRAWING IS THE PROPERTY OF THE ARCHITECT	SHEET 145-01-01
	DATE 10/1/01
JOB NO. 145-01-01	PROJECT SPIRAL VOLLEYBALL
ARCHITECT JEFF BERNARD ARCHITECT	400 WEST FIRST CHANDLER ARIZONA
TEAM ARCHITECTS	A

FLOOR PLAN



EARL, CURLEY & LAGARDE, P.C.
ATTORNEYS AT LAW

Telephone (602) 265-0094
Fax (602) 265-2195

3101 North Central Avenue
Suite 1000
Phoenix, Arizona 85012



400 N. 56th Street, Chandler, Arizona 85226

INTRODUCTION

Spiral Inc., is seeking a Use Permit to develop and implement a state of the art athletic training facility within an existing vacant building located at the northwest corner of Erie Street and 56th Street in Chandler, Arizona. This state of the art facility will provide young, female athletes (14 - 18 years) from Chandler and the East Valley an opportunity to train in a professional environment in order to prepare them for future opportunities in the sport of Volleyball.

The subject property is approximately three acres and includes one freestanding 31,780 square feet concrete building. The building faces and has two access points onto 56th Street. Parking is provided on the 56th Street frontage and additional parking is available in the rear of the building. The property's frontage includes two rows of parking, a single drive aisle and a large landscape buffer that separates the building from 56th Street.

The property is a stand alone building and totally self-contained site and therefore there is no potential for mixing of industrial and non-industrial traffic. Because the site is (1) located near the Ray Road & I-10 "core", (2) has 56th Street access, (3) has sufficient building height (which is necessary to accommodate the playing of volleyball), and (4) has ample parking, we believe that these characteristics make this site an ideal one for a quiet, low impact use that will be a good neighbor at this location and will accommodate a growing need in the community. We have canvassed all of our nearby neighbors and they are supportive of our use...

PROGRAM PHILOSOPHY

Spiral Volleyball has assembled a talented coaching staff (approximately 20 coaches) that has many years of experience and which has produced outstanding high school players. The program director is a former professional volleyball player who currently is the head volleyball coach at Valley Christian High School. The girls who participate in the club activities are primarily from



Chandler although there are some other athletes who reside in several east valley cities. The facility will only be used for practice and there will be no tournaments at this facility.

Club volleyball is an extremely important vehicle for young athletes who want to pursue the sport at the collegiate level. While high school volleyball is important, the fact is that the upper echelon athletes participate in club volleyball during the months of November to July. The club volleyball experience increases the skill level of the players dramatically and provides an opportunity for the most talented players to showcase their abilities to interested colleges. Club volleyball is a springboard for many athletes to participate in this sport at the collegiate level. Below, please find a list of last year's Spiral Club Volleyball players who will be playing volleyball at the collegiate level:

<u>Chanel Brown:</u>	2010	University of Florida
<u>Emily Helm:</u>	2010	University of Arizona
<u>Erin Truett:</u>	2010	Kansas State University
<u>Cassie Ronda:</u>	2010	University of Denver
<u>Jacquie Cason:</u>	2010	University of Texas El Paso
<u>Kyle Hartman:</u>	2010	University of Central Arkansas
<u>Ashley Kastl:</u>	2009	Arizona State University
<u>Ashley Andrade:</u>	2009	Wichita State
<u>CeCe Twitty:</u>	2009	Villanova
<u>Anna Gott:</u>	2009	Northern Arizona University
<u>Madi Fitzgerald:</u>	2009	Dixie State
<u>Nicole Eiler:</u>	2009	Point Loma Nazarene University

There will be approximately five Spiral, Inc. teams consisting of approximately 60 girls. The girls practice at this facility and then travel to different tournaments. The cost to each family for participating on the club is approximately \$5,000. In this day and age, that is an extremely significant financial commitment for these families. This amount would be considerably more but for the fact that one of the most unusual aspects of this application is that the owner of the building, which is the subject of this application, is **donating the use of the building completely free of charge to the club volleyball players**. This donation represents an approximately \$150,000 charitable gift which benefits these young ladies. Without this contribution the cost of renting a facility simply couldn't be absorbed by the parents of these female athletes. Practicing at local schools is not an option because of the limited availability of suitable facilities.

The coaching staff is dedicated to training these young girls at the highest level possible in a safe and positive learning environment. The coaches all have professional backgrounds and understand the concept of whole-player development. Attention is given to physical training and emotional development which is required to achieve the highest level of competition. The young players are taught the fundamentals of the game, the skills necessary to compete at a high level and the nutritional requirements which are necessary for athletic excellence. The coaching staff stresses the importance of self-discipline, positive relationships between athletes and coaches, and individual goals and aspirations. One of the very important aspects of club volleyball is that



the players are given the opportunity to showcase their abilities at a series of local and national venues so that college scholarships are achievable.

USE OF THE PROPERTY

As stated earlier, there will be no tournaments held at the facility. There will be no family fitness memberships or family volleyball. The use of the property will be exclusively for female athletes ranging from 14 to 18 years old.

In addition to four volleyball courts there will be a fitness room equipped with cardio, strength, core, and agility equipment. There will be multiple video cameras strategically placed to film practices in order for the athletes to analyze technique and strategy. Video technology, which will allow for remote feeds, will allow college coaches to view practices. There will be a small bleacher that can accommodate parents and the next group of athletes who will be utilizing the practice facilities. There will be a break room with kitchen, refrigerator and ice machine.

The hours of operations will be from 5-9pm Monday through Thursday with an occasional practice on Saturdays between 10-1pm. There will be no tournaments held at this facility. Private lessons are available during normal hours of operation. Due to the age of the athletes, practices are held in the evening due to the athletes being in school during the day.

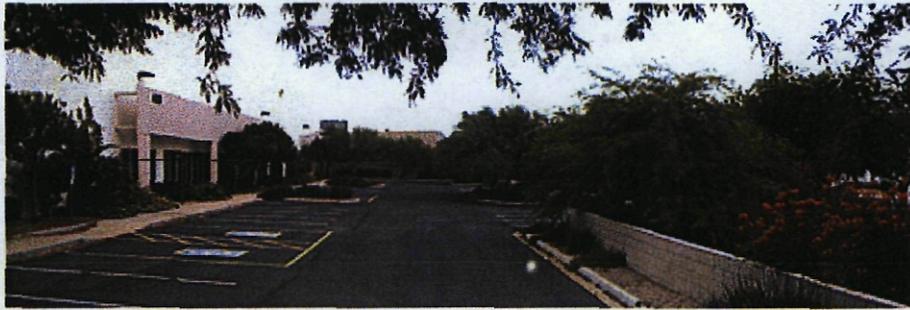
SPIRAL, INC.

Reggie Fowler is the Chairman and CEO of Spiral, Inc., which is a Chandler-based company. Since 1989, Mr. Fowler's business has grown from a single distribution company to a collection of more than 33 companies including one which is a partial owner in the Minnesota Viking football team. Spiral, Inc. invests, constructs, develops and manages approximately a million square feet of retail office and industrial space in a number of western states. Spiral Inc. produces sales of approximately \$65 Million per year in the City of Chandler and provides 421 Chandler jobs. Spiral Inc., provides approximately \$7 million in payroll per year to Chandler employees. Several of Spiral's local businesses include Polar Ice Chandler; Polar Ice Gilbert; Polar Ice Houston; Polar Ice Peoria; and Makutu's Island in Chandler.

As part of their corporate philosophy, Spiral, Inc. believes in contributing to the community. Mr. Fowler's background in sports has led him to becoming the sponsor of Spiral Volleyball. His motivation is to provide a healthy, athletic environment for young, female athletes who want to pursue their passion of volleyball. Spiral, Inc. owns the building in question and Mr. Fowler is donating the building, at no cost to the club.

PARKING

There are 5 Spiral teams which use the facility at different times. It has been the program's experience that typically there are 10 cars in the parking lot during a normal practice session. Practices are typically scheduled with a maximum of 20 athletes at any one session. Many of the girls are ages 14-16 years old and they are typically dropped off at the site by their parents. Some 17 and 18 year olds do drive to the site but they usually carpool. Assuming a worse case scenario of 20 athletes driving separate cars, there would be approximately 20 cars attributable to athletes and an additional 10 spaces for staff for a total of 30 spaces. The site currently provides 45 parking spaces in front of the building and therefore there is more than ample parking available. As mentioned earlier, there are also 45 parking spaces in the rear which can be utilized.



Entry and Parking

USE OF RETAIL SPACE FOR THIS USE IS NOT PRACTICAL

The staff has been very helpful to the applicant in the processing of this application and Eric Swanson, in particular, is to be commended for his professionalism. Staff has suggested, however, that this volleyball use might be better located in a retail shopping center environment. While we appreciate staff's view, this alternative is not practical. This type of use cannot be accommodated in traditional shopping centers for a number of reasons. First of all, by its very nature, volleyball requires very high ceilings. Ceilings with a minimum of 30-feet in height are in fact required for volleyball. This ceiling height is not typically found in most retail shopping centers. At the Planning Commission and City Council hearing we will review with you our analysis of various retail sites proposed by staff and demonstrate why they cannot physically accommodate our use. Secondly, rents for a retail shopping center are virtually always too expensive for this type of use. The only people utilizing the site will be the 50+ girls who are already paying approximately \$5,000 for the privilege of playing for the club. The expense of renting 31,000 square feet of retail will be in the neighborhood of \$180,000 to \$250,000 a year which could never be absorbed by the 50 girls involved in the club. Thirdly, retail centers have high parking demand at the same peak periods as the volleyball use and therefore parking might be problematic. Lastly, this stand alone facility, located near the Ray & I-10 core, and as such is ideally located in terms of convenient access as well as general proximity to other retail related uses.



Artists Concept Interior



Street View

BUILDING SPECIFICS

The building has a security alarm and fire/sprinkler monitoring. There will be security cameras on the inside and outside of the building. The building has building mounted lights which provide sufficient lighting. All entrances and exits are well lit in addition to exterior cameras in the parking lot. If additional lighting is necessary in the opinion of the City, Spiral is happy to make these improvements. A janitorial service cleans the facility.

Spiral Volleyball's state-of-the-art training facility is dedicated exclusively to the sport of volleyball. The latest engineering technology provides for the health and safety of the developing athlete with the following special features:

- Unique "floating floor" results in greater cushioning for the rigors of aggressive practice and training. One of only three club programs in the United States to use this system, the special floor is especially forgiving to the athletes' developing bones and joints.
- Dynamic fitness room equipped for Cardio, Strength, Core, and Agility training insures athletes' proper conditioning for competition at all levels
- Multiple video cameras strategically placed to film practices and scrimmages with immediate playback capabilities.
- Advanced video technology with secure feed enable remote viewers such as college coaches to view practices and scrimmages.
- Dedicated area for video analysis of practices, matches and individual skills for both team and one-on-one coaching.
- Break room equipped with kitchen, refrigerator, and ice machine
- Retail area featuring team athletic attire related to the proposed use
- Private volleyball lessons available
- Personal fitness training available



Front Entry



LAST YEAR'S ACCOMPLISHMENTS

Listed below is a list of the accomplishment achieved last year thru the implementation of this program.

18's: American Division - **5th**
17's: National Division - **12th**
16-1's: National Division - **30th**
14's: **7th** out of 100 teams

CONCLUSION

I don't think anyone would argue that the club concept being proposed here is a merit worthy one. Additionally, there really is not an option for this use because as stated beforehand the participating club families cannot afford the rent associated with a facility that is exclusively utilized as a practice facility. Those facts notwithstanding, we are not asking the City to approve this simply because the use benefits Chandler youth. We believe that the benefit to the Chandler youth is certainly a consideration but also believe that the locational attributes of this site are appropriate for the desired use. The building is just south of the Ray Road retail corridor; is conveniently located on a major arterial street; and is immediately south of quasi-retail uses such as an autoglass store and a scuba store, both of which are retail in nature. If this property were in the midst of an industrial park where you had conflicting industrial truck traffic, there might be some incompatibility between this use and the industrial truck traffic. The fact, however, is that this site is a completely independent, freestanding site that will not be subject to incompatible truck traffic. The use will take place entirely indoors and is completely benign in nature as is proven by the fact that all of our surrounding neighbors are supporting the case.

In sum, we believe that this is a proper land use which also has the enormous benefit of benefiting the City's youth. Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read "M. Curley", with a long horizontal flourish extending to the right.

Michael J. Curley

MJC/rot

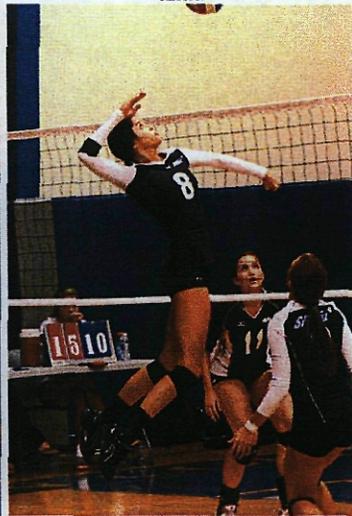
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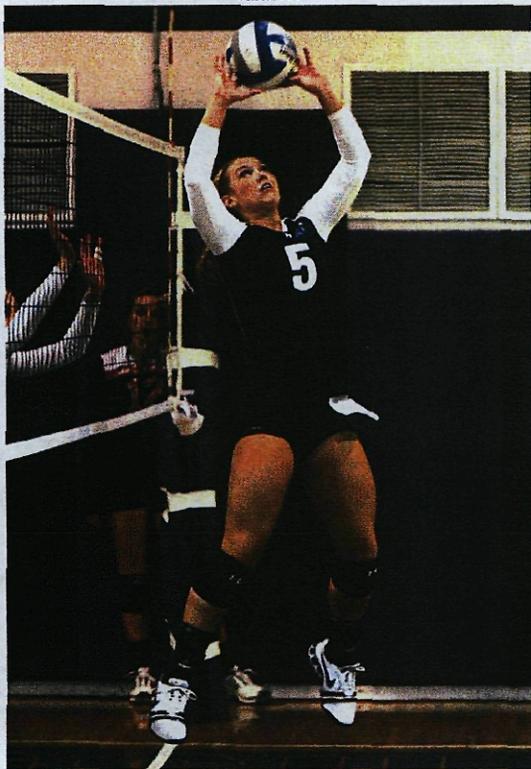
Abby Andino
Scholarship Athlete - Wake Forest University



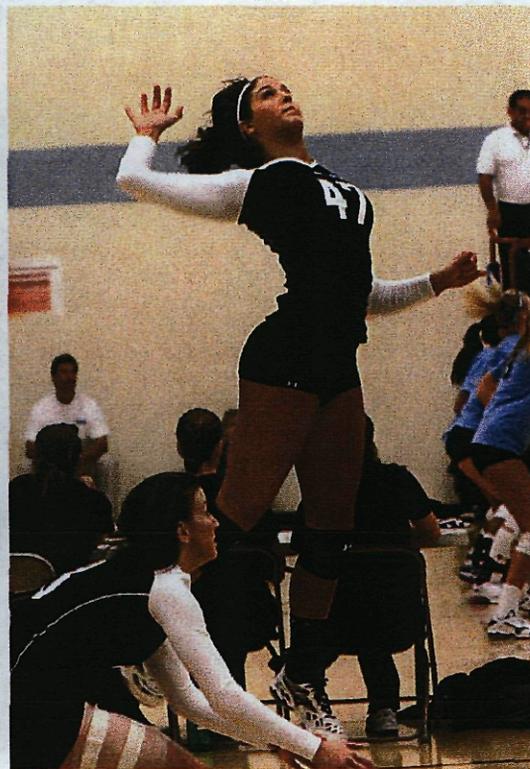
Britt Miller



Malcom Fitzgerald
Scholarship Athlete - Wake Forest University



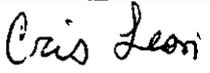
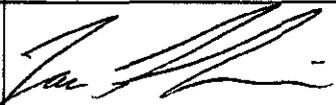
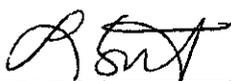
Chanel Brown
Scholarship Athlete - University of Florida



Ashley Knell
Scholarship Athlete - Arizona State University

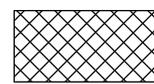
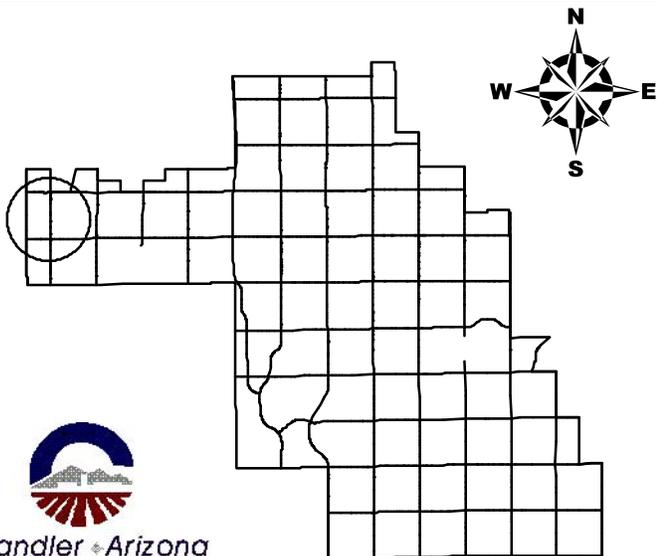
Petition to Approve Spiral Volleyball Use Permit

Petition summary & background	Obtain Spiral Volleyball Use Permit with The City of Chandler to allow recreation for youth sports Volleyball.
Action petitioned for	We, the undersigned, support the use of recreation for youth sports for Volleyball at Spiral Volleyball located at 400 N. 5 th Street, Chandler, AZ 85226.

Printed Name	Signature	Company Name and Address	Business Phone or e-mail	Owner or Lessee	Date
Clark Stephens		Valley Christian High School 6900 W Galveston St Chandler, AZ 85226	480-705-8888	owner	10/26/09
Sherah Dancer		Architectural Impressions 7055 W OAKLAND STREET Chandler, AZ 85226	480-753-0148 480-753-0148	owner	10/26/09
Cris Leon		Jose Diaz tile 7170 W. OAKLAND STREET Chandler, AZ 85226	480-820-9441	office manager	12/26/09
Jaron Gray		Turbo Resources Intl 5980 W. OAKLAND ST. Chandler, AZ 85226	480-961-3600 (manager Galen Jacobs)	Warehouse Attender	10/26/09
Barrie VanDeVender		7001 W. ELIE ST, SUITE 1 CHANDLER, AZ 85226 AXIS TECHNOLOGY	480-705-8000	owner	10/26/09
Zac Fahrion		N Depth Scuba 500 N 56th St Chandler, AZ 85226	480-899-3483	Manager	10/26/09
Terri Freeman		Choice Healthcare 500 N. 56th St Chandler AZ 85226	480 940-7676	ordering coord.	10/26/09
Garry Gill		1 Stop Signs 500 N. 56th STREET Suite 11 Chandler AZ 85226	480-961-7444	owner	10.26.09



Vicinity Map



Spiral Volleyball



Businesses in Support