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JUN 16 2010



Chandler • Arizona
Where Values Make The Difference

MEMORANDUM Planning and Development – PZ Memo No. 10-062

DATE: JUNE 7, 2010
TO: PLANNING AND ZONING COMMISSION
THRU: PATRICK MCDERMOTT, ASSISTANT CITY MANAGER *[Signature]*
 JEFF KURTZ, ASSISTANT PLANNING & DEVELOPMENT DIRECTOR
 KEVIN MAYO, PLANNING MANAGER *KM*
FROM: JODIE M. NOVAK, MEP, SENIOR CITY PLANNER *[Signature]*
SUBJECT: ZUP10-0021 PHOENIX COMBAT ACADEMY

Request: Use Permit approval to allow a mixed martial arts training facility within the I-1/PAD (Planned Industrial District with a Planned Area Development overlay) zoning

Location: 114 S. Southgate Dr., Suite 1, which is south of Chandler Boulevard and west of 54th Street

Applicant: Sunshine Fettkether

Project Info: 2,972 square foot tenant space within an industrial warehouse/office building

RECOMMENDATION

Upon finding the request to be consistent with the General Plan, Staff recommends approval of the requested Use Permit to allow a mixed martial arts training facility within the I-1/PAD zoning for a one (1) year period with conditions.

BACKGROUND

The application requests approval to allow a recreational use specifically a mixed martial arts training facility within a light industrial business park. The subject site is a warehouse building with ancillary offices located in an industrial business park south of Chandler Boulevard, and west of 54th Street in the Southgate Commerce Center (formerly named Southgate Business Park). The subject site is zoned Light Industrial (I-1) with a Planned Area Development (PAD) overlay, I-1/PAD. The property is located within a larger business park that includes a mix of industrial and office uses. In 1980, the Southgate business park was rezoned from AG-1 to I-1 at which time it was envisioned for a mix of high quality light industrial and would consider commercial uses through Use Permit approvals. In 1986, there were requests for a mix of office

uses with light warehouse uses and potential development of additional office space. Rather than filing Use Permits for each request, Staff recommended a PAD overlay for the multi-building complex to more clearly identify and describe the types of uses allowed, thus making the office more compatible with the light industrial use. In 1986, a portion of the business park was rezoned from I-1 to I-1/PAD for the purpose of identifying the types of uses permitted.

The I-1 zoning district allows a variety of storage, warehousing, manufacturing, and assembly type uses, not all of which would be compatible within a mixed-use business park allowing office, showrooms, research and development, and light warehousing. The property's PAD overlay included a statement of characteristics, which generally described the types of compatible uses allowed within the business park. See attached Ordinance No. 1680. Some permitted uses include professional, business, administrative, and executive offices with no storage of equipment or commodities, accountants, contractors, medical clinics, research and development, assembly or fabrication of products not including transforming material from a raw or natural state, and offices that are incidental to a permitted use.

Uses not permitted include businesses emitting odor, dust, noxious gas, noise, vibration, smoke, heat, or glare beyond the boundaries of the lot, no outside storage of stock, materials, or equipment, no dismantling, servicing, repairing, etc. of vehicles and/or equipment in an exterior service yard, no processing of raw materials, food, or large quantities of hazardous chemicals, no outside areas for assembly, dining or occasional events, and no lodges and meeting halls for places of general assembly indoors.

Phoenix Combat Academy is a mixed martial arts training facility, which offers classes in Muay Thai kickboxing, Brazilian Jiu Jitsu, Combat Fit, Woman's Only Class, Boxing, and Mixed Martial Arts. The tenant space is approximately 3,000 square feet. The building is approximately 6,000 square feet in size and accommodates two tenants; the adjacent tenant is a Lamps Plus warehouse. The maximum class size is 20 students per instructor. The business operates Monday through Saturday from 5 a.m. to 8:30 p.m. The majority of classes occur between the hours of 5 p.m. and 8 p.m. Morning classes are for one-on-one personal instruction or very small group classes with 3 to 4 people.

The interior space of the business is an open plan with heavy foam mat flooring. There are several heavy punching bags. The facility does not have a boxing ring or like equipment, weight machines or other workout equipment. The business does not conduct events or competitions.

DISCUSSION

Staff requested the applicant complete an evaluation of parking and type of uses in the business park. Memo attachments include a site plan with businesses in the area and the parking arrangement for each. Many of the businesses are open during the hours of Phoenix Combat Academy's classes; however, the number of clients in the morning and afternoon classes is less than those in the evening requiring less daytime parking. The applicant went door-to-door and/or called building owners/businesses to determine how many employees they have, the business hours, type of business, how many parking spaces are needed, and which spaces the business tends to use. There are several vacant buildings/tenant spaces. The parking analysis determined

there are available parking spaces in the business park; however, Staff advised that parking for Phoenix Combat Academy should occur in close proximity to the business where there are available parking spaces.

The business park's property management company does not reserve or designate parking to an individual business. Businesses have a day-to-day tendency to park in particular parking spaces nearest the business' frontage. Staff received a call from two businesses that did not want Phoenix Combat Academy parking in certain spaces in front of their business. One business adjacent to the proposed site, SWA Motorsport Warehouse, contacted the property management company to request two parking spaces be signed as reserved for their business. Another company in the complex contacted Staff to state they would not want shaded parking spaces used by Phoenix Combat Academy's staff or clients. The company stated they regularly use those parking spaces. The applicant has agreed to advise their staff and clients not to park in spaces these two businesses have expressed concern about. There are no other concerns or opposition expressed by any other tenants or building owners.

Furthermore, given most of the businesses are closed shortly after evening classes begin at Phoenix Combat Academy, adjacent businesses consented to the martial arts business using their parking spaces. Most of the surrounding businesses are offices and contractors. Staff is of the opinion the proposed mixed martial arts training facility is compatible with the mix of office and light industrial uses in the area. The location provides adequate parking to accommodate classes as represented by the application.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on June 3, 2010. No one attended other than the applicant.

RECOMMENDATION

Upon finding consistency with the General Plan, Staff recommends approval of Use Permit ZUP10-0021 PHOENIX COMBAT ACADEMY for liquor, subject to the following conditions:

1. Expansion or modification beyond the approved exhibits (floor plan, narrative, parking plan) shall void the Use Permit and require new Use Permit application and approval.
2. The Use Permit shall remain in effect for one (1) year from the effective date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.
3. The use shall be in substantial conformance with exhibits and representations.
4. The property shall be maintained in a clean and orderly manner.

PROPOSED MOTION

Motion to recommend approval of Use Permit case ZUP10-0021 PHOENIX COMBAT ACADEMY, subject to the conditions recommended by Staff.

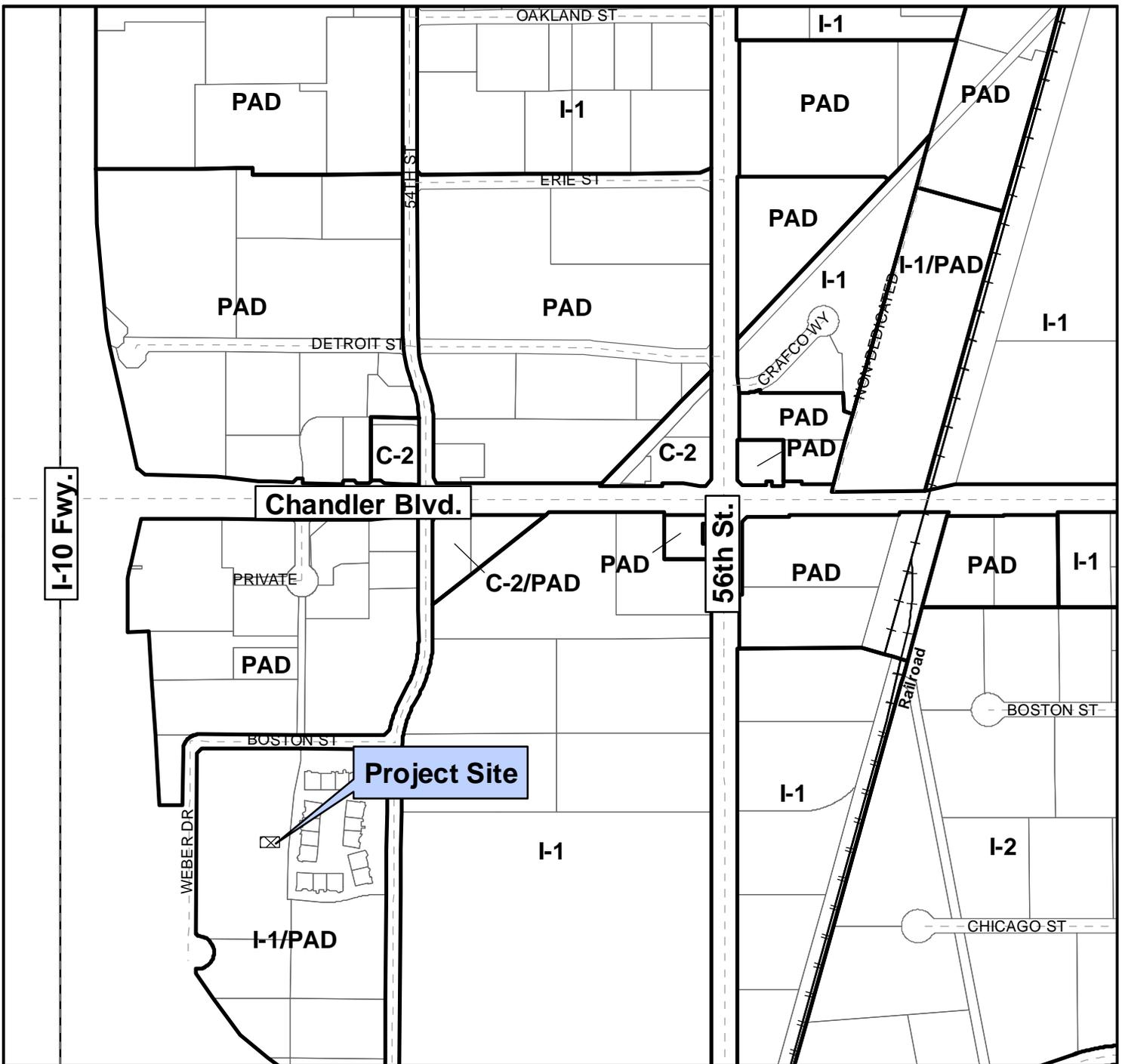
PZ Memo No. 10-062

June 7, 2010

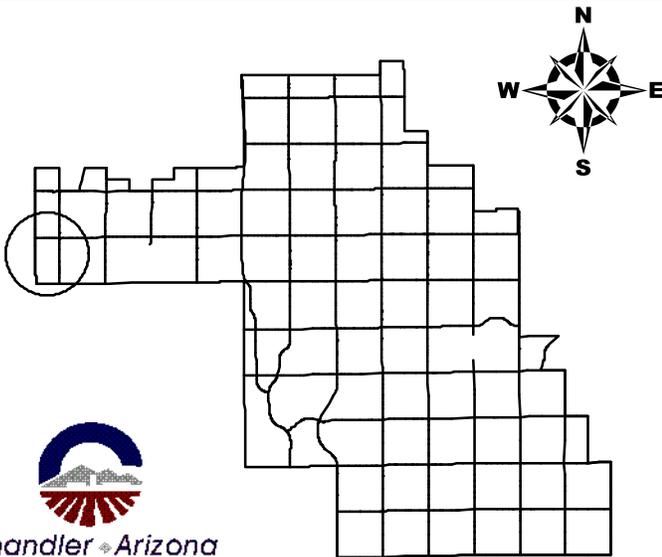
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Attachments

1. Vicinity Maps
2. Narrative
3. Site Plan
4. Floor Plan
5. Parking Information
6. Ordinance No. 1680



Vicinity Map



ZUP10-0021

Phoenix Combat Academy



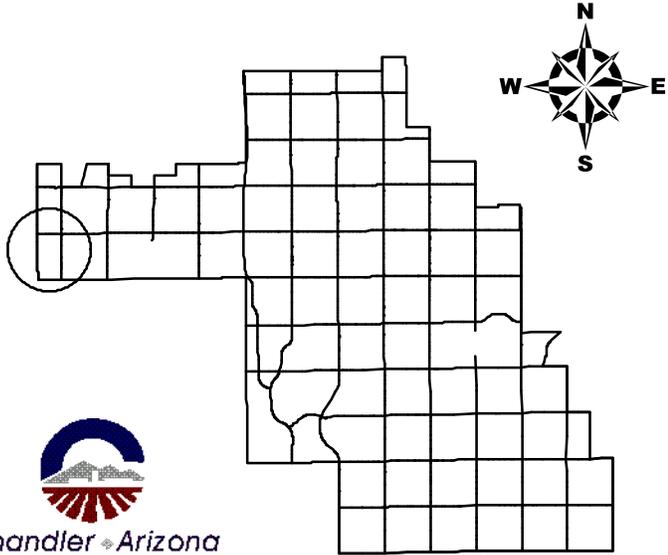
I-10 Fwy.

Chandler Blvd.

56th St.

Project Site

Vicinity Map



ZUP10-0021

Phoenix Combat Academy



May 5, 2010

Use Permit for Phoenix Combat Academy
Zoning case No. ZUP10-0021

We are respectfully requesting a Use Permit to be granted for the Phoenix Combat Academy (PCA) located at 114 South Southgate Drive in Suite 1. The property is zoned I-1/PAD, Planned Industrial District with a Planned Area Development overlay. The I-1/PAD zoning does not permit recreational/fitness/training uses. The zoning ordinance for the PAD overlay requires a Use Permit to be filed for consideration of a non-permitted use. We request approval for a one (1) year time period to allow a mixed martial arts training and fitness business.

Phoenix Combat Academy is leasing a 2,972 square foot tenant space, which is half of an existing warehouse building with ancillary office space. The building is split into two suites. There are two (2) employees/owners of PCA, both serve as instructors to its customers. The two PCA instructors train clients in various forms of martial arts and general physical fitness. *The types of classes are described below:*

1. Muay Thai kickboxing: A form of kickboxing that originated in Thailand. Often called the Art of Eight Limbs as it uses the fists, legs, elbows and knees to perform strikes.
2. Brazilian Jiu Jitsu: A martial art that originated from Japanese Jiu Jitsu and includes the use of chokes, joint locks and wrestling
3. Combat Fit: A mix of plyometric, cardiovascular, and strength training exercises performed in a circuit and led by an instructor.
4. Mixed Martial Arts: A combination of wrestling, Brazilian Jiu Jitsu, and Muay Thai and/or Boxing.
5. Women's Only Class: A mix of cardiovascular exercises and kickboxing for women only.
6. Boxing: Boxing is the most popular combat sport in the world. In addition, Mixed Martial Arts competitors include boxing as a significant part of their stand up training.

The maximum class size is 20 students per instructor. Our hours of operation are Monday through Saturday from 5:00 a.m. to 8:30 p.m., with the majority, approximately 90%, of our registered students signed up for classes that take place between the hours 5:00 p.m. and 8:00 p.m. Morning hours are for one-on-one personal training conducted solely as private sessions, or very small group classes with 3-4 people per class.

The majority of the facility is an open plan; see the attached drawing, with heavy foam mats as flooring. Several heavy bags are mounted to the grouted walls for student training and use. There

is currently no boxing ring at our facility. The matted areas are primarily used as training areas for our classes.

PCA does not hold events in our facility or off-site.

We have prepared a parking analysis to address parking demand for our business in conjunction with parking provided for other businesses surrounding ours. We have gone door-to-door to meet with each tenant building owner, business owner, and/or tenant to advise of our business and determine where their parking spaces are, hours of operation, type of business, number of employees, and any hazmats associated with their business. See Attachment B, Parking Analysis/ Site Plan. We have determined that there is ample parking for our maximum 40 students and two employees.

Parking for our business occurs in any of the 381 general parking spaces the Southgate Commerce Center provides. We have instructed our students to not park in any reserved parking areas and have provided a brochure to them showing acceptable parking areas. Since the majority of our customers are taking classes after 5pm, there is ample parking since the majority of businesses in this complex close at 5pm. Our two biggest classes of the evening start at 6pm and 7pm. These two classes are the only two where our maximum occupancy has the potential to be reached.

We feel our business of a mixed martial arts school, while commercial in nature, and permitted by Zoning Code in commercial zoning, is appropriate at this industrial I-1 zoned property. We moved into this location on April 1, 2010 and were later made aware of our violation through the Property Owners' Association.

Sincerely,

Sunshine Fettkether
Jay Pages
www.phxcombatacademy.com
(602)330-1537

**Traffic/Parking Analysis
Phoenix Combat Academy**

Below, you will find our parking needs and the traffic that will come and go on a daily basis for PCA, listed by day of the week.

Monday - Friday:

5AM – 8AM

Each instructor will need a parking space (2 Spaces)

Each instructor has a private training session within that time frame (2 Spaces)

There are 2 classes during that time frame (6 Spaces)

11AM – 12PM

Each instructor will need a parking space (2 Spaces)

There are 2 classes during that time frame (4 Spaces)

4PM – 5PM

Each instructor will need a parking space (1 Spaces)

There is 1 class during that time frame (2 Spaces)

5PM – 8:30PM

Each instructor will need a parking space (2 Spaces)

We have multiple classes being conducted. This services 30 students. However, the 30 students are spread across 6 Classes held at different times. We will require no more than 10 spaces per hour due to the structure of our services. (10 Spaces)

Saturday:

9AM – 11AM

Each instructor will need a parking space (1 Spaces)

No classes are held at this time. This time is open for students to come in and practice on their own. (6 Spaces)

11AM – 1PM

Each instructor will need a parking space (1 Spaces)

No classes are held at this time. This time is open for students to come in and practice on their own. (6 Spaces)

Sunday:

Closed for Business



W. Boston Street

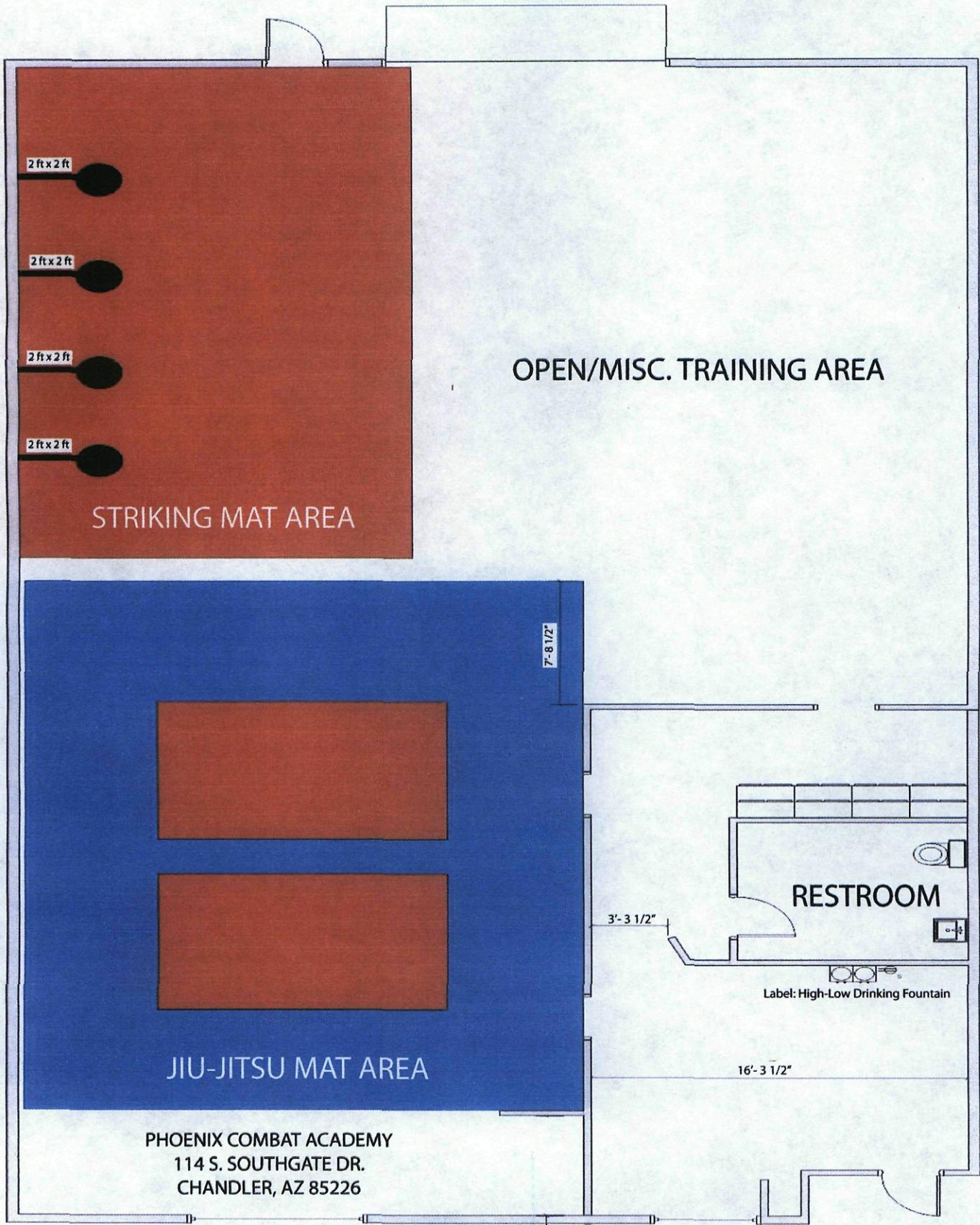
N

Southgate Drive

S Weber Dr

S 54th St

114 S Southgate Dr, Chandler, AZ 85226



PHOENIX COMBAT ACADEMY
114 S. SOUTHGATE DR.
CHANDLER, AZ 85226

42' W x 72' L
2982 sq'

Floor Plan

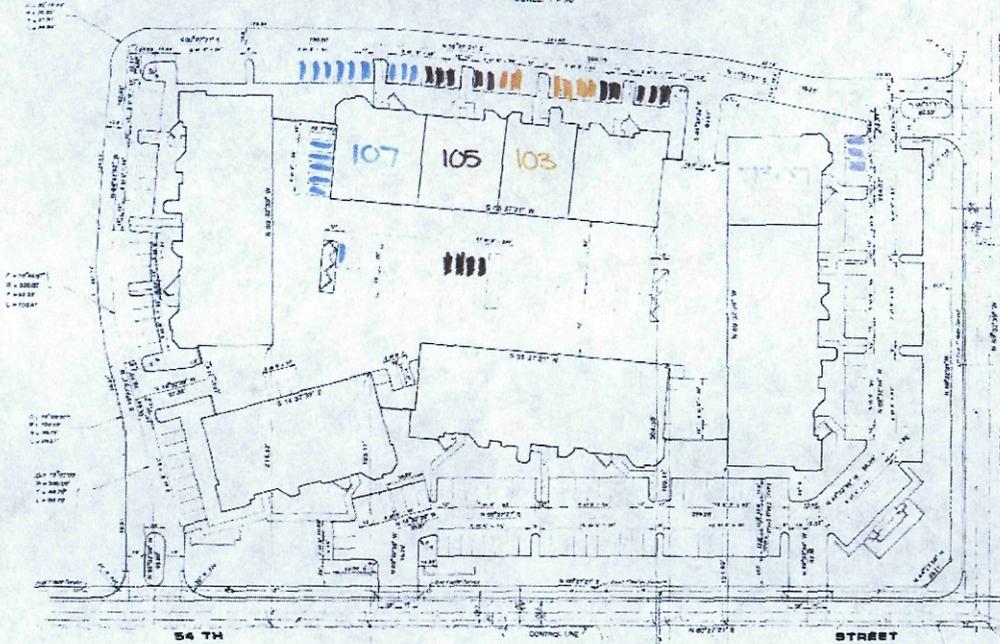
Color	Name of Business	Address	Phone #	Contact	# of Parking Spaces	Type of Business	HAZMAT	Hours of Operation	Truck Route / Loading & Delivery	Notes
	Vacant	101 S. Southgate Dr. Chandler, AZ 85226								
	Canyon State Inspection/Engineering	103 S. Southgate Dr. Chandler, AZ 85226	480-783-7100	Gary	6	Testing Lab	Yes (Stored in accordance w/ federal regulations)	Mon - Fri 8AM - 4PM	In rear daily. UPS deliveries in front.	Okay to use parking
	Professional Marketing Services, Inc	105 S. Southgate Dr. Chandler, AZ 85226	480-940-5400	Ted Williams	14	Marketing	No	Mon - Fri 8A - 5P	Deliveries in rear. Random throughout the day.	Okay to use parking
	PRA Destination Management	107 S. Southgate Dr. Chandler, AZ 85226	480-893-0988	Katherine	15	Meetin & Events Planning	No	Mon - Fri 6AM - 6PM	Fedex Pick-Up and Deliveries	Okay to use parking
	Teaxas Capitol Semiconductor	110 S. Southgate Dr. Ste. 1 Chandler, AZ 85226	480-834-3000	Roger Bottomfield	7	Repair	No	Mon-Fri 6AM - 6PM	Deliveries in rear. Fedex & UPS in Front	Okay to use parking
	Vacant	110 S. Southgate Dr. Ste. 2 Chandler, AZ 85226								
	Lamps Plus	114 S. Southgate Dr. Ste. 2 Chandler, AZ 85226	480-894-2211	BILL	2	DISTRIBUTOR	NO	M-F 5AM - 2AM	TUES. REAR FED & UPS REAR	OKAY
	SWA Motorsport Warehouse	118 S. Southgate Dr. Chandler, AZ 85226	480-734-0089	Andrew	3	On-line retail sales	No	Mon - Fri 6AM - 4PM	Fedex Pick-Up and Deliveries	OKAY
	Reliable Auto Glass	122 S. Southgate Dr. Chandler, AZ 85226	480-320-4640	Greg	5	Auto Glass Replacement	No	Mon - Fri 7:30AM - 5:30PM	In rear daily. Random times.	Okay to use parking
	Auto Class Corp. Offices (New Image Auto Glass)	115 S. Weber Dr. Ste. B112 Chandler, AZ 85226	480-785-7200	Rex Aintree	12	Auto Glass Replacement	No	Mon - Fri 7:30AM - 6:30PM	None	
	Vacant	115 S. Weber Dr. Ste. 1 Chandler, AZ 85226								
	Rainforest Plumbing	119 S. Weber Dr. Chandler, AZ 85226	480-615-7766	Ike	16	Plumbing Repair	No	Mon - Fri 7AM - 7AM	Rear amd front	
	Research for Life	119 S. Weber Dr. Chandler, AZ 85226	480-940-1310	Garland Shreves	6	Organ & Tissue Bank	Yes (Stored in accordance w/ federal regulations)	Mon - Fri 9AM - 5PM	2 - 3 deliveries a day in rear	
	Safety Engineering & Forensic Analysis	123 S. Weber Dr. Chandler, AZ 85226	480-706-2963	Steve Arent	7	Engineering & Consulting	No	Mon - Fri 7:30A - 6P	Front, sometimes in rear.	
	Vacant	131 S. Weber Dr. Chandler, AZ 85226								
	Vacant	135 S. Weber Dr. Chandler, AZ 85226								

parking info

	Star Grip	139 S. Weber Dr. Chandler, AZ 85226	480-961-0051 888-550-4747	Patti	5	Golf Club Grip Manufacturer	No	Mon - Fri 5:30AM - 2AM	In rear from 8AM - 3PM	
	Exact Marble & Granite, Inc.	7307 W. Boston St. Chandler, AZ 85226	480-705-0724	Roland Wenz	3	Marble & Granite Manufacturer and Distributor	Yes (Stored in accordance w/ federal regulations)	Mon - Th 8A - 4:30P Fri 8A - 3P	Rear early morning 1 - 2 times. UPS & Fedex in Front	Okay to use parking
	In Position Technologies	7403 W. Boston St. Chandler, AZ 85226	480-893-8086	Niel Jakes	8	Distributor of B2B Products	No	Mon - Fri 7A - 6P	Random daily delivery schedule.	
	Walker Painting	7407 W. Boston St. Chandler, AZ 85226	480-785-1285	Dan Walker	6	Painting & Remodling	No	Mon - Fri 8AM - 4PM	Random daily delivery schedule in rear. Occasional UPS delivery in front.	
	Classic Snacks	7411 W. Boston St. Ste. 1 Chandler, AZ 85226	480-248-3347	Rich	4	Snack Food Provider	No	Mon - Fri 8AM - 4PM	1 large delivery every 5 weeks in rear, UPS delivers in both rear and front around 3PM	
	CGI Direct ATMs	7411 W. Boston St. Ste. 2 Chandler, AZ 85226	480-838-1500 800-877-9851	Nicole	9	Banking	No	Mon - Fri 7A - 4:30P	Rear deliveries, Random, UPS & Fedex in Front.	
	Valley Protective Services	7415 W. Boston St. Chandler, AZ 85226	480-777-0003	David	12	Security	No	24 Hours	Rear	
	Vacant	7419 W. Boston St. Chandler, AZ 85226								

Phoenix Combat Academy
ZUPI0-0021

SCALE 1" = 30'



NOT TO SCALE
 THIS PLAN IS A PRELIMINARY DESIGN AND IS SUBJECT TO CHANGE WITHOUT NOTICE.
 THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.
 THE DESIGNER ASSUMES NO LIABILITY FOR ANY ERRORS OR OMISSIONS.
 ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.

BRASS CAP
 AT INTERSECTION
 WITH BOSTON STREET

A-
SOUTHGATE
CIVIL SITE PLAN

3-167

Parking Info

ORDINANCE NO. 1680

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY PROVIDING FOR THE ADOPTION OF A PLANNED AREA DEVELOPMENT (PAD) OVERLAY ZONING DESIGNATION WITHIN AN I-1 DISTRICT FOR A CERTAIN PARCEL OF REAL PROPERTY, MORE PARTICULARLY DESCRIBED IN ZONING CASE Z86-99, SOUTHGATE BUSINESS PARK, LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF CHANDLER, ARIZONA.

WHEREAS, an application for a PAD zoning designation involving certain property within the corporate limits of Chandler, Arizona, has been filed in accordance with Article XXVI of the Zoning Code; and

WHEREAS, the application has been published in the Chandler Arizonan, a daily newspaper of general circulation in the City of Chandler, giving fifteen (15) days notice of time, place and date of public hearing; and

WHEREAS, a notice of such hearing was posted on the properties at least seven (7) days prior to said public hearing; and

WHEREAS, public hearings were held by the Planning and Zoning Commission as required by the Zoning Code;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Chandler as follows:

SECTION 1. Legal Description:

Lots 4 thru 8A, and Lots 13 thru 18, and Lots 29 thru 33, Park Ten Business Center subdivision, as recorded in Book 228, Page 11 by the Maricopa County Recorder, Arizona.

Said property is hereby rezoned from I-1 to I-1 with a Planned Area Development (PAD) overlay designation as follows:

PROPOSED USES TO BE INCORPORATED WITHIN THE PLANNED AREA DEVELOPMENT OVERLAY DISTRICT
for
SOUTHGATE BUSINESS PARK, CHANDLER, ARIZONA

PLANNED AREA DEVELOPMENT PURPOSE:

This overlay district is intended to accommodate, encourage and promote business and industry in an attractive campus-like environment. The planned development shall function as an individual community, yet to be harmonious with the surrounding neighborhoods. It will provide a flexibility in this established land use district that will insure the compatibility of the prescribed uses. Simultaneously, it will encourage an efficient and safe traffic circulation and will assist in the fulfillment of the goals of the Chandler Comprehensive Plan.

GENERAL PERFORMANCE CHARACTERISTICS:

1. No use is permitted which will emit any odor, dust, noxious gas, noise, vibration, smoke, heat or glare beyond the boundaries of the lot on which such use is conducted.
2. Establishments engaged in the manufacture, warehousing, or distribution of products permitted in this zone may also engage in retail sale of the products manufactured, warehoused, or distributed, provided the retailing activity is conducted on the same premises as the manufacturing, warehousing, or distribution and is clearly accessory and incidental to the activities.
3. No uses will be permitted which include storage of stock, materials, or equipment in an outside yard or lot.
4. No use will be permitted that involves dismantling, servicing, repairing, etc. of vehicles and/or equipment in an exterior service yard. All such services shall be carried on within completely enclosed buildings.
5. No uses will be permitted which involve the processing of raw materials, food, or large quantities of hazardous chemicals.
6. No use will be permitted which includes outside areas for assembly, dining or occasional events. Lodges and meeting halls for places of general assembly indoors shall also be prohibited.
7. Permitted uses shall include any other use which the Zoning Administrator may find to be similar in character to the uses, including accessory uses, enumerated in this section and consistent with the purpose section of this zone.
8. Uses not prescribed herein will have the option under the current Chandler Zoning Code to apply for a use permit for location within the planned development.

PERMITTED USES:

Permitted uses within this designation shall include professional, business, administrative, executive and other offices having no storage of stock in trade (other than samples) or heavy equipment and no sale of commodities on the premises, such as accountants, contractors, doctors, financial institutions, medical clinics (no overnight patients), surveyors and graphic artists, and the like. Any office which is incidental to a use otherwise permitted in the district, or which functions itself as all or part of a use otherwise permitted within the district, shall also be allowed.

Other permitted uses shall include business, industrial, and scientific research centers; product development and testing laboratories; assembling or fabrication of products or articles, provided however, that such production

shall not involve transforming any material from a raw or natural state to a form suitable for fabrication; storage, warehousing, and collection facilities for products and materials; any use which provides a service, repair activity, or installation of products for individuals, households, or other businesses.

(Z86-99, SOUTHGATE BUSINESS PARK)

SECTION 2. Except where provided, nothing contained herein shall be construed to be an abridgement of any other ordinance of the City of Chandler.

SECTION 3. The Department of Planning & Development of the City of Chandler is hereby directed to enter such changes and amendments as may be necessary upon the Zoning Map of said Zoning Code in compliance with this ordinance.

INTRODUCED AND TENTATIVELY APPROVED by the City Council this 14th day of August, 1986.

ATTEST:

Carolyn Deen DEPUTY CITY CLERK
[Signature] MAYOR

PASSED AND ADOPTED by the City Council this 28th day of August, 1986.

ATTEST:

Carolyn Deen DEPUTY CITY CLERK
[Signature] MAYOR

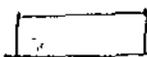
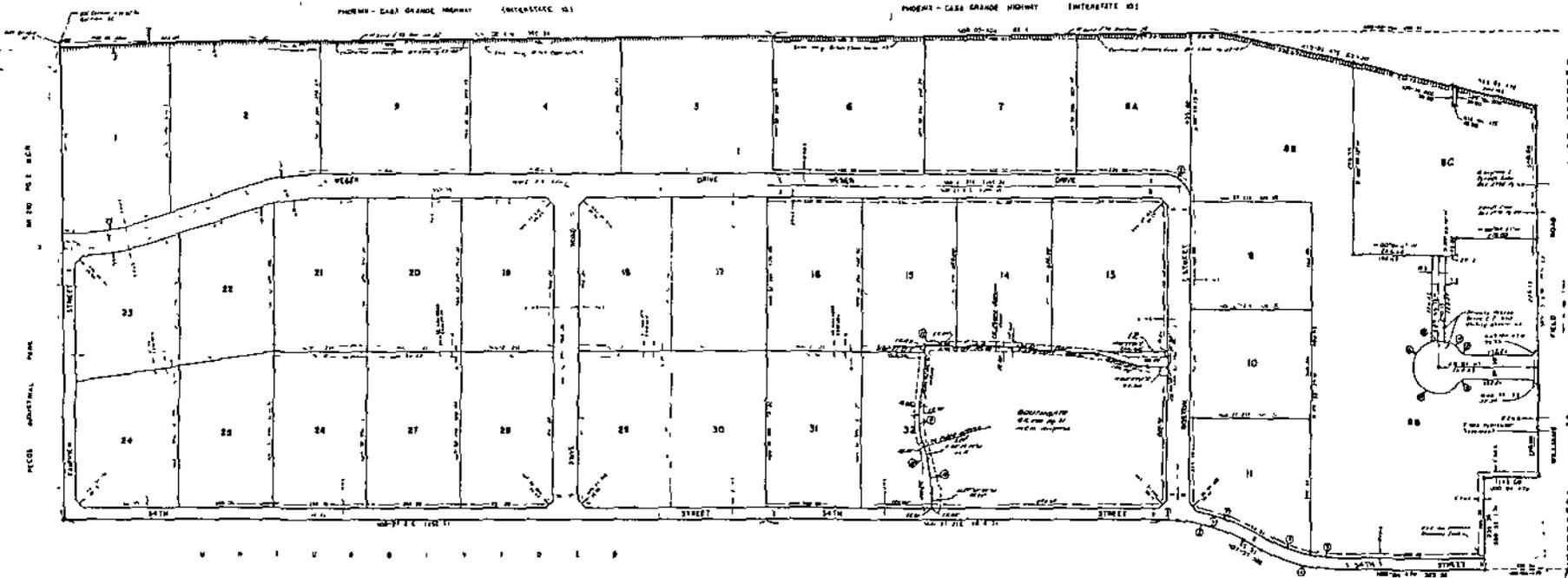
C E R T I F I C A T I O N

I HEREBY CERTIFY that the above and foregoing Ordinance No. 1680 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the 28th day of August, 1986, and that a quorum was present thereat.

APPROVED AS TO FORM:

Clifford J. Frey CITY ATTORNEY
Carolyn Deen DEPUTY CITY CLERK

PUBLISHED: 9/5 + 12 /86



P.A.D. OVERLAY DISTRICT.
 PARK TEN BUSINESS CENTER /
 SOUTH GATE BUSINESS PARK