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MAY 14 2009



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*Where Values Make The Difference*

**MEMORANDUM**

**Planning and Development – CC Memo No. 09-038a**

**DATE:** APRIL 23, 2009

**TO:** MAYOR AND CITY COUNCIL

**THRU:** W. MARK PENTZ, CITY MANAGER  
JEFF KURTZ, ACTING PLANNING & DEVELOPMENT DIRECTOR  
KEVIN MAYO, ACTING PLANNING MANAGER

**FROM:** BILL DERMODY, SENIOR CITY PLANNER

**SUBJECT:** UP09-0001 VALLEY SILVER BULLETS

**Request:** Extension of Use Permit approval to allow up to 14 horses on-site in conjunction with a therapeutic and recreational horse-riding clinic

**Location:** 1991 S. Tumbleweed Lane, ½ mile west of Arizona Avenue and north of Germann Road

**Applicant:** Terri Chambers

**RECOMMENDATION**

The request is for extension of Use Permit approval to allow up to 14 horses on-site in conjunction with a therapeutic and recreational horse-riding clinic. Planning Commission and Staff, finding consistency with the General Plan, recommend approval subject to conditions.

**BACKGROUND**

In 2000, a Use Permit for Valley Silver Bullets was approved to allow a non-profit organization to provide free therapeutic and recreational horseback riding lessons to physically and/or mentally challenged individuals of all ages. After four years operating under the Use Permit, the organization added additional horses and classes to the program triggering the need for a new Use Permit in late 2004. A Use Permit was granted in January 2005 for one (1) year and extended for three (3) years in 2006. The request is to extend the Use Permit for an additional five (5) years.

The approximately 2.5-acre site, located north of the northeast corner of Tumbleweed Lane and Germann Road, contains a single-family home, a barn, a number of pens, an arena, and two pastures. Rural residential properties border the site on all sides except to the east where it is bordered by Sienna Heights, an 11,000-18,000 square foot lot size single-family subdivision.

The Tumbleweed Lane neighborhood includes 12 homes that have agricultural components such as pastures, barns, and livestock, and was annexed into the City in 1982. The subdivision lots are an average of 2.5 acres each and have septic and private wells. Tumbleweed Lane is an unimproved private dirt road in which each property fronting onto it owns half the right-of-way for the length that is adjacent to the property. The entire subdivision, including the subject property, is zoned Agricultural District (AG-1).

The applicant rotates 18 to 23 horses over various neighborhood pastures. The pasture rotation is deemed beneficial to the horses' health and well being. Classes have a maximum of 14 individuals with an average class size of 8 to 10 students.

Following a complaint from a neighbor to the east about ongoing dust problems, Staff investigated the dust situation. Staff has found no evidence of a dust problem. More specifically, Maricopa County was called out to the subject site in March 2005 and June 2008 because of dust complaints and found no infraction at either time. Notably, the riding was still being conducted during the second inspection. A couple of neighbors on Tumbleweed Lane, one of whom claims to have emphysema, have also attested to Staff that they have not noticed any level of dust from riding over the last several years. Additionally, Staff conducted a site visit during the April 7 riding classes and found no visible dust from the site. The applicant reports that they added wood chips and a watering system several years ago to address the problem and that they water down the arena prior to every riding session.

The current request is for extension of Use Permit approval for the riding program with up to 14 horses on-site during class time. The class sizes, class times, number of horses on-site, and total number of horses have not changed. The applicant requests no changes to the existing Use Permit conditions, including requirements to control dust, limit the number of horses on-site, limit the days and hours of operation, and maintain parking on the site. Planning Commission and Staff recommend approval for an additional five (5) years with all other existing conditions intact.

#### **PUBLIC/NEIGHBORHOOD NOTIFICATION**

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on March 26, 2009 at the Downtown Community Center. No citizens attended.
- One neighbor living in the Sienna Heights subdivision to the east is opposed to the request because of dust created by riding activities.

**PLANNING COMMISSION VOTE REPORT**

Motion to approve.

In Favor: 6    Opposed: 0    Absent: 1 (Rivers)

Approximately 40 citizens expressed their support through a show of hands, but did not speak due to the lack of opposition in attendance.

**RECOMMENDED ACTION**

Planning Commission and Staff, upon finding consistency with the General Plan and Agricultural (AG-1) zoning, recommend approval of UP09-0001 VALLEY SILVER BULLETS subject to the following conditions:

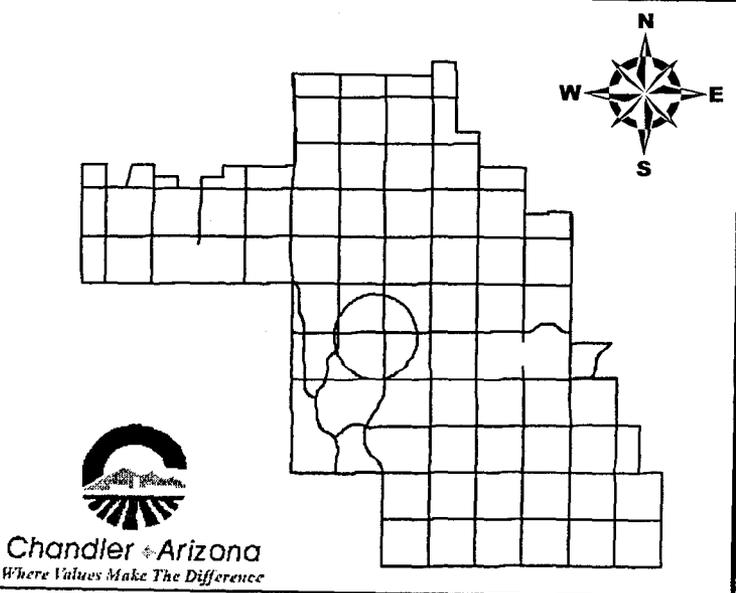
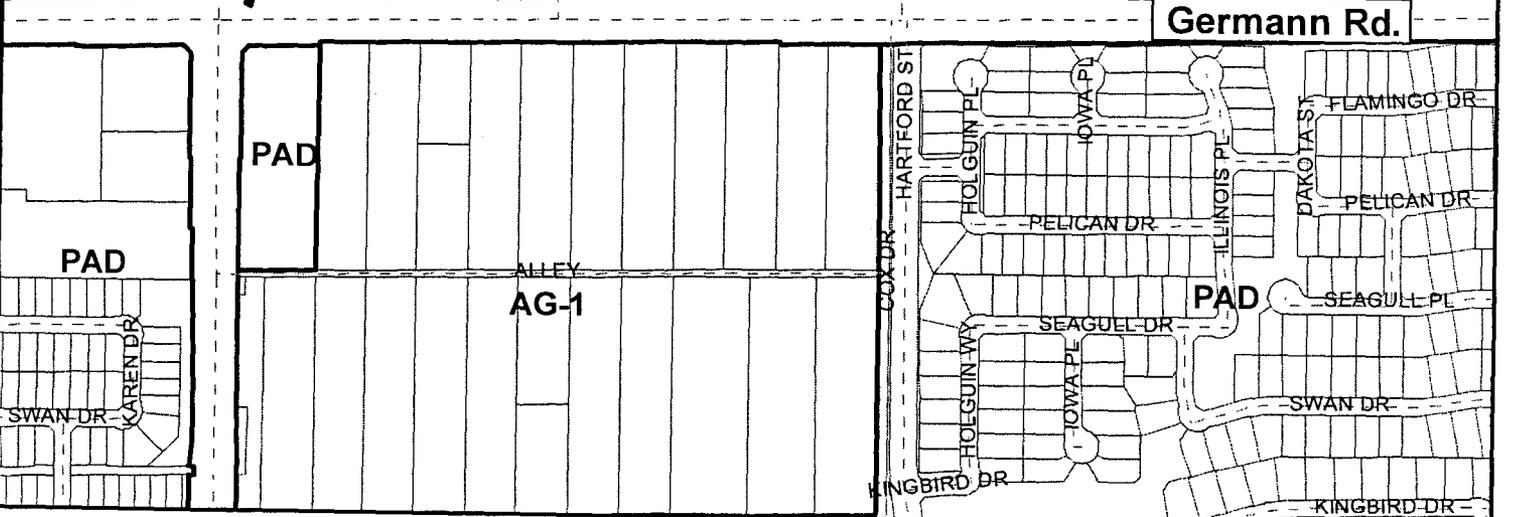
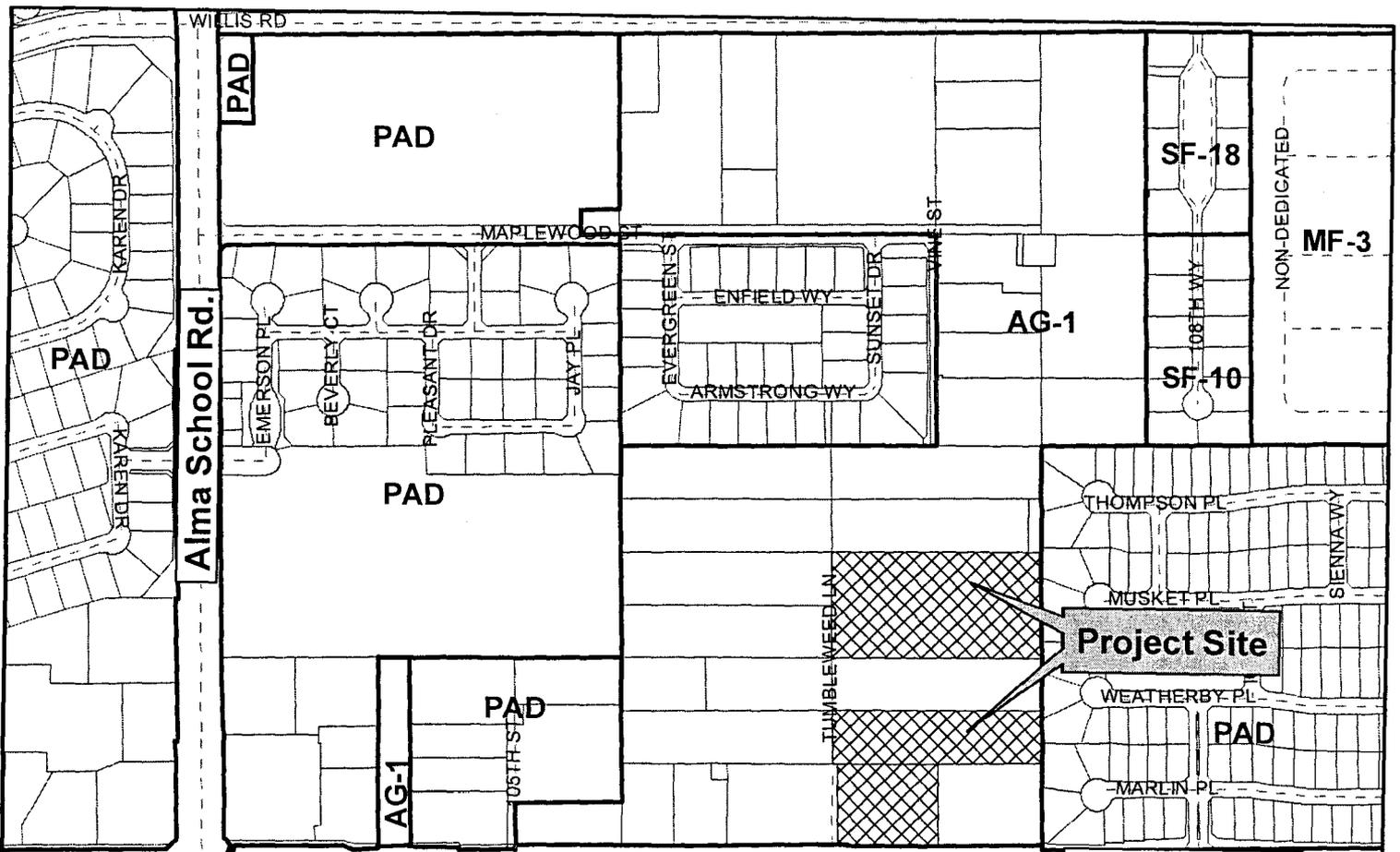
1. The Use Permit is valid for five (5) years and may be extended upon application of a new Use Permit subject to review by the Planning and Zoning Commission and approval by the City Council.
2. Expansion beyond the attached Site Plan shall void the Use Permit and require new Use Permit application and approval.
3. The number of horses kept on the subject property may not exceed 14 horses on-site at class time.
4. All parking for equestrian classes must be on-site and out of the private roadway.
5. The property shall practice dust control measures.
6. Classes are limited to two days per week and must end by 8 p.m.

**PROPOSED MOTION**

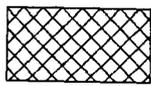
Move to approve UP09-0001 VALLEY SILVER BULLETS Use Permit extension subject to the conditions recommended by Planning Commission and Staff.

**Attachments**

1. Vicinity Map
2. Site Plan
3. Applicant Narrative



## Vicinity Map



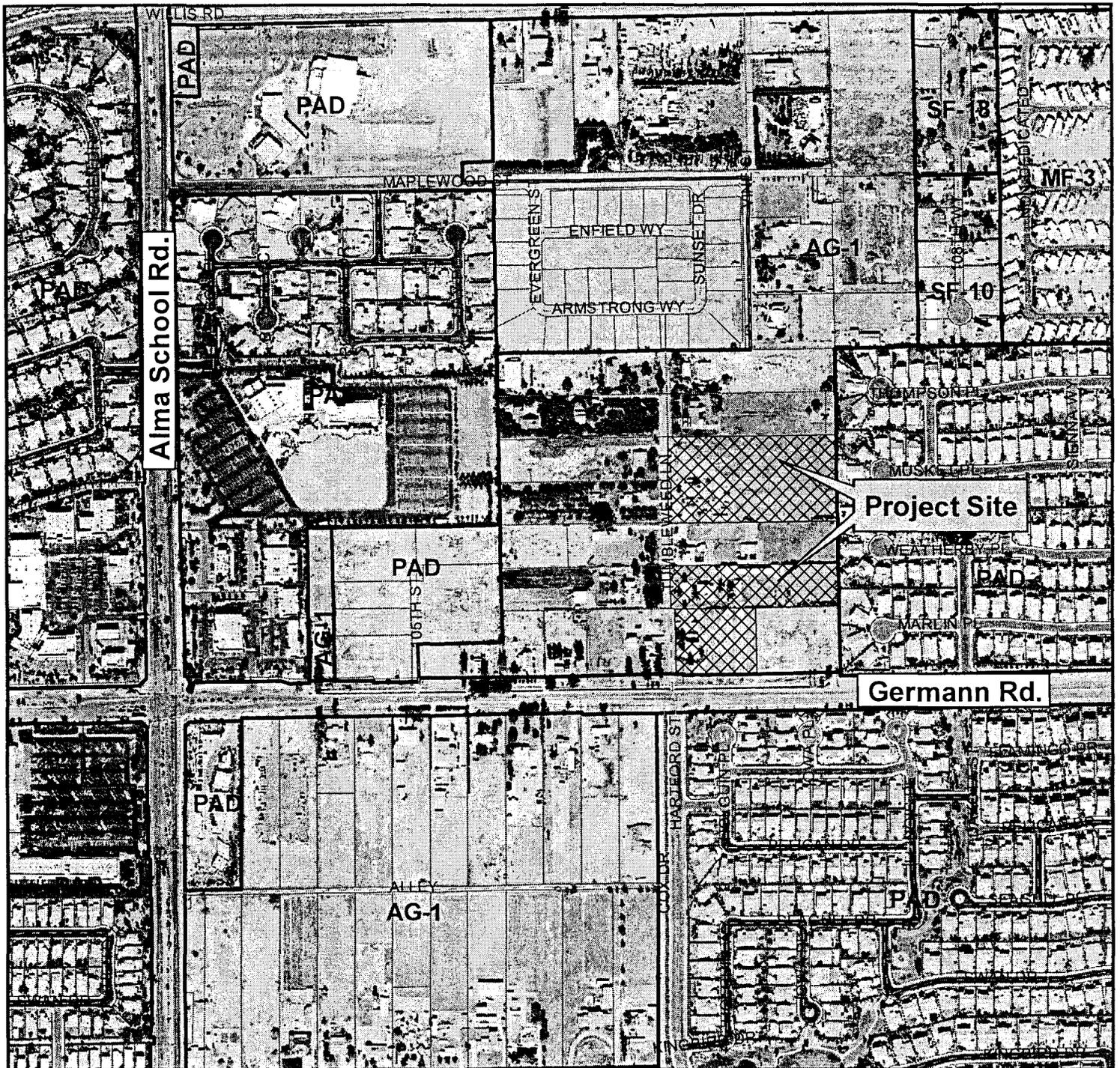
**UP09-0001**

**Valley Silver Bullets**

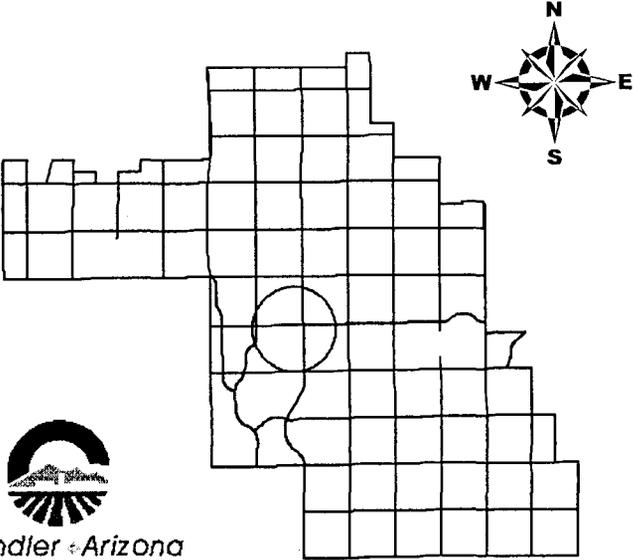
CITY OF CHANDLER 1/22/2009



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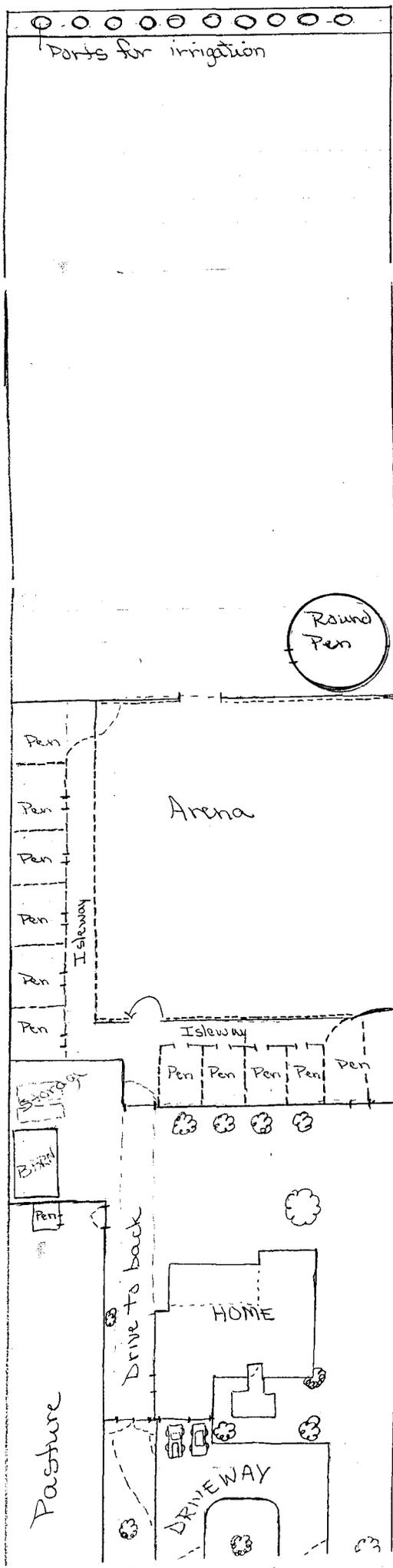


Vicinity Map



UP09-0001

Valley Silver Bullets



## *VALLEY SILVER BULLETS*

*Our class schedule so far for 2009*

*Jan. 6<sup>th</sup>, 13<sup>th</sup>, 20<sup>th</sup>, 27<sup>th</sup> 6:00-8:00pm*

*Jan. 12<sup>th</sup>, 19<sup>th</sup>, 26<sup>th</sup> 6:00-7:00pm*

*Feb. 3<sup>rd</sup>, 10<sup>th</sup>, 17<sup>th</sup>, 24<sup>th</sup> 6:00-8:00pm*

*Feb. 2<sup>nd</sup>, 9<sup>th</sup>, 16<sup>th</sup>, 23<sup>rd</sup> 6:00-7:00pm*

*March 3<sup>rd</sup>, 10<sup>th</sup>, 17<sup>th</sup>, 24<sup>th</sup> 6:00-8:00pm*

*March 2<sup>nd</sup>, 9<sup>th</sup>, 16<sup>th</sup> 6:00-7:00pm*

*April 7<sup>th</sup>, 14<sup>th</sup>, 21<sup>st</sup>, 28<sup>th</sup> 6:00-8:00pm*

*May 5<sup>th</sup>, 12<sup>th</sup>, 19<sup>th</sup>, 26<sup>th</sup> 6:00-8:00pm*

*Class size-Minimum 4 students to maximum 14 students*

*Description of classes: Designed to instruct students on basic horsemanship, grooming, general care, saddle safety, mounting and dismounting, proper posture and balance. We also focus on specific control, riding techniques such as understanding body cues for the equines to respond to. We will also identify the gaits and leads of horses both on their back and on the ground. Students have the opportunity to advance in areas of interest such as trail riding, western pleasure and general horsemanship skills.*

*We run 18-23 horses on pastures in our neighborhood. We constantly rotate horses around the acreage for classes, irrigation, and for best results for their general health. The pastures we utilize are Dustin Stuckey 2.5 acres, Jim Puckett 5 acres, and our 2.5 acres.*