



Report to the Planning and Zoning Commission

Prepared by the Maricopa County Planning and Development Department

Case: Z2020041 – Arizona Olympian Gymnastics

Hearing Date: July 23, 2020

Supervisor District: 1

Applicant: Lindsay C. Shube, Gammage & Burnham PLC

Owner: Lyle A & Karleen T Guthrie

Request: Modification of conditions to a Special Use Permit (Z2007003) to amend condition 'o'

Site Location: Generally located west of Gilbert Rd. at the Eastern Canal and north of Brooks Farm Rd. in the Chandler area.

Site Size: Approx. 2.38 acres.

Density: N/A

County Island: City of Chandler

County Plan: Rural Development Area (1d.u./a.c.)

Municipal Plan: City of Chandler – Neighborhoods

Municipal Comments: None received to date

Support/Opposition: None known

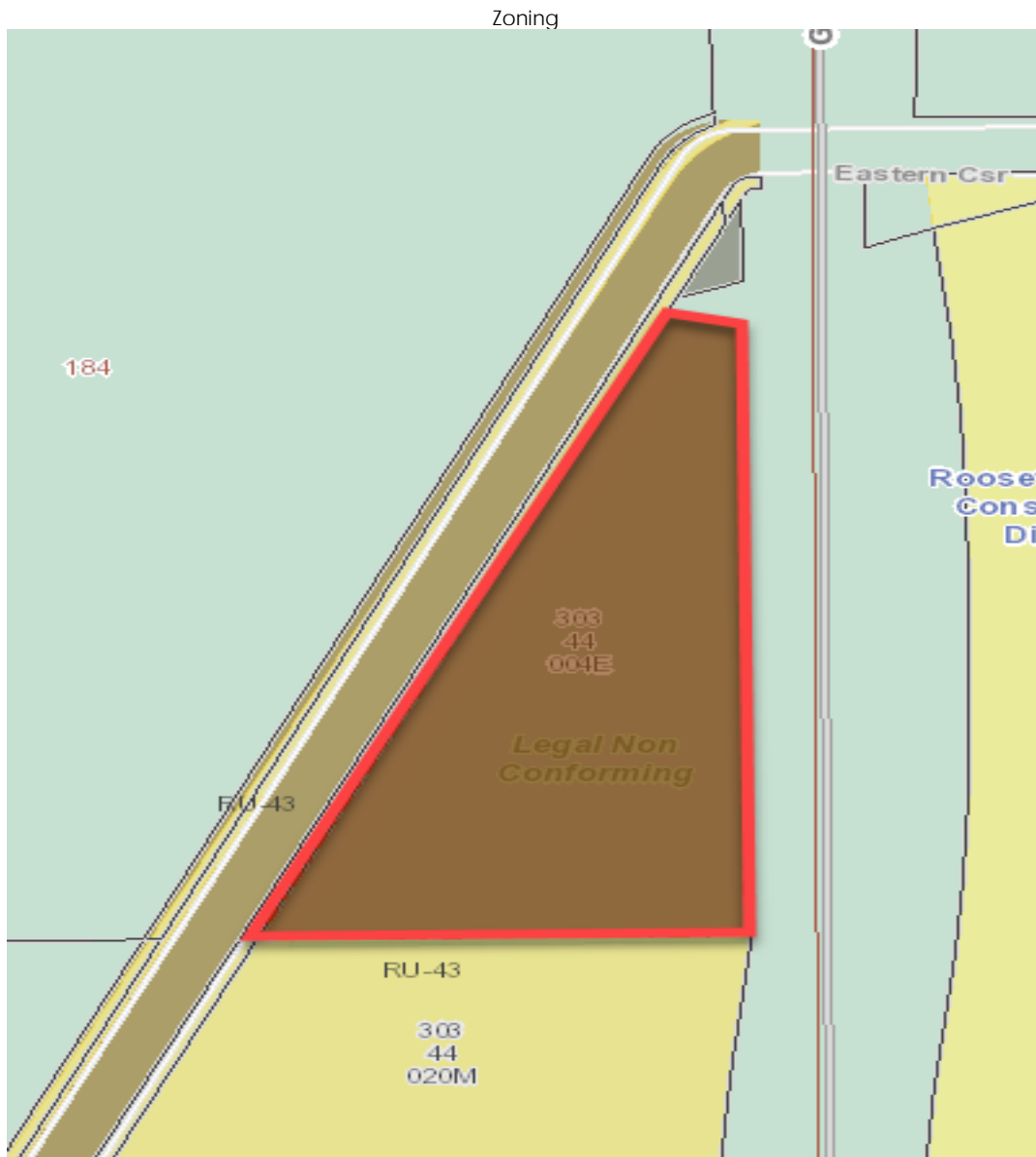
Recommendation: **Approve** with conditions

Project Summary:

1. The request is for a modification of condition to the existing Special Use Permit case (SUP) for Arizona Olympian Gymnastics to extend the SUP for 20 years. The original SUP (Z2007003) was approved on April 15, 2009 for 12 years by the Board of Supervisors (BOS), which allowed the Arizona Olympian Gymnastics facility under the SUP category "a permanent facility for sites rented for private parties and activities involving large assemblage of people" in the Rural-43 zoning district.
2. There is one (1) dwelling unit on the site of approx. 3600 sq. ft. The dwelling unit does not meet the requirements for setbacks, however it was constructed prior to 1961 and qualifies as legal non- conforming per LU20070035.
3. Building permit B201301823 for a 6000 sq. ft. addition to the gymnastics facility was issued on September 7, 2013 and finalized August 4, 2017. A permit was issued on June 1, 2020 to construct a new 70' Monopalm Stealth Designed Wireless Facility (B202000186) under SUP Z2019085.

2020 Aerial





Existing On-Site and Adjacent Zoning / Land Use:

- 4. On-site: Rural-43 / Single Family Residence & Gymnastic Facility
- North: Rural-43 / Vacant
- South: Rural-43 / Vacant
- East: Arterial Road, then Rural-43 / Agricultural
- West: City of Chandler / Eastern Canal

Utilities and Services:

- 5. Water: Shared Well
- Wastewater: Onsite Septic
- School District: Chandler Unified School District
- Fire: City of Chandler Fire Department
- Police: MCSO

Adopted Plans:

- 6. Maricopa County "Vision 2030" Comprehensive Plan
Chandler General Plan

Public Participation Summary:

- 7. Applicant complied with the Maricopa County Citizen Review Process with the required posting of the site. The applicant did not receive any inquiries from the public. To date, staff has not received any opposition/support or inquiries from the public.

Outstanding Concerns from Reviewing Agencies:

- 8. N/A.

Staff Analysis:

- 9. The request by the applicant to amend condition 'o' of Z2007003 to extend the SUP for 20 years is supported by staff as there has been no violations or opposition recorded and the gymnastics facility has been in operation for over 10 years. Below is the staff's proposed change to condition 'o':

- o. This Special Use Permit shall expire December 31, 2040. Upon termination of the use, the owners shall apply for variances for setbacks and lot coverage for the existing building to be maintained as storage shed.

The gymnastics building does not meet setback or lot coverage requirements and approval of this SUP extension would grant temporary relief from the development standards. All other conditions of approval from case #Z2007003 will remain the same.

Recommendation:

- 10. For the reasons outlined in this report, staff recommends the Commission motion for **Approval**, subject to conditions 'a'-'z'.
 - a. Development of the site shall comply with the Site Plan entitled "Arizona Olympian Gymnastics", consisting of one (1) full-size sheet, dated February 2009, and stamped received February 10, 2009 except as modified by the following stipulations.
 - b. Development of the site shall be in conformance with the bound Narrative Report entitled " Special Use Permit for Arizona Olympian Gymnastics, LLC", consisting of thirty-seven pages (37) pages, including exhibits A through G, dated revised October 21, 2008, and stamped received November 13, 2008, except as modified by the following stipulations. As amended by the narrative report titled "Arizona Olympian Gymnastics" consisting of three (3) pages dated May 27, 2020, and received May 28, 2020.
 - c. Development of the site shall comply with the Landscape Plan entitled "Arizona Olympian Gymnastics Proposed Landscape Plan", consisting of one (1) full-size

sheet, stamped received March 9, 2009, except as modified by the following stipulations. Within thirty (30) days of Board of Supervisor's approval, a revised Landscape Plan shall be submitted modified as follows:

- 1) Add a note "All trees shall be double-staked when installed"
 - 2) Call out the sight visibility triangle
 - 3) Add note: "No structures, landscaping, fence, wall, or terrace or other obstruction to view in excess of two feet in height as measured from the centerline of the street shall be placed within the required 25-foot sight visibility triangles"
 - 4) Remove any plants over 2' (h) from the sight visibility triangle
 - 5) Enhance the landscaping to buffer the sight of the parking as seen from Gilbert Rd.
- d. All trees shall be double-staked when installed.
- e. Prior to issuance of any building permits, the applicant/property owner shall obtain the necessary encroachment permits from the Maricopa County Department of Transportation (MCDOT) for landscaping or other improvements in the right-of-way.
- f. All transformers, back-flow prevention devices, utility boxes and all other utility related ground mounted equipment shall be painted to complement the development and shall be screened with landscape material where possible. All HVAC units shall be ground-mounted or screened with a continuous parapet for commercial projects.
- g. The owners shall comply with the following Maricopa County Department of Transportation (MCDOT) recommendations:
- 1) Provide a total half-width of 45 feet of right-of-way on Gilbert Road.
 - 2) Defer bonding for ultimate half-width improvements on Gilbert Road. MCDOT will review the need for bonding on an annual basis and may request the bonding if/when deemed necessary.
 - 3) All parking spaces to be treated with gravel or asphalt millings.
 - 4) All driveways in county right-of-way must be paved.
- h. Permits and all safety inspections for the wall adjacent to Gilbert Rd. shall be obtained prior to dedication of the ultimate right-of-way for Gilbert Rd. Should all or any portion of said wall have to be removed or relocated due to future project for road widening or similar improvements, the removal or relocation shall be completed at the property owner's expense.
- i. All outdoor lighting shall conform to the Maricopa County Zoning Ordinance.
- j. All development and engineering design shall be in conformance with the Drainage Regulation and current engineering policies, standards and best practices at the time of application for construction.
- k. Development and use of the site shall comply with requirements for fire protection measures as deemed necessary by the applicable fire department. Prior to

issuance of any building permits, the applicant shall seek review and comment from the applicable fire protection agency, and shall provide written confirmation that the site will be developed in accordance with their requirements.

- l. Prior to issuance of any building permits, developer(s) and/or builder(s) shall establish emergency fire protection services, covering all real property contained within the project area during course of construction and shall obtain a 'will serve' letter substantiating coverage from the appropriate Fire Department servicing the site.
- m. Prior to issuance of any building permits, a Floodplain Use Permit must be obtained from the Floodplain Management and Services Division of the Flood Control District (FCD) or as otherwise deemed necessary by the FCD.
- n. Development of this site shall comply with the requirements of the Office of State Fire Marshall.
- o. This Special Use Permit shall expire December 31, 2040. Upon termination of the use, the owners shall apply for variances for setbacks and lot coverage for the existing building to be maintained as storage shed.
- p. The applicant shall submit a written report outlining the status of the development at the end of one (1) year and five (5) years from the date of approval by the Board of Supervisors. The Status Report shall be reviewed by staff to determine whether the Special Use Permit remains in compliance with the approved stipulations. The applicant shall address adequacy of parking with each Status Report and shall apply for any necessary amendments. If a building permit and Certificate of Occupancy has not been issued for the gymnasium by the first status report, staff shall schedule the case for review by the Commission for consideration of SUP revocation.
- q. The school shall close until the property owner final a Building Permit to retrofit the existing building to meet current commercial building code requirements as applicable and obtains a Certificate of Occupancy for the retrofitted building.
- r. No off-site or on-street parking shall be allowed.
- s. Signage shall be limited to two (2) on-site signs each not exceeding 24 sq. ft. – no further advertising is permitted off-site of property and adjacent right-of-way.
- t. No vehicles are permitted to park or stand (idle) along Gilbert Road adjacent to the site.
- u. The site shall operate in a manner that is compliant with Maricopa County Air Quality Department regulations regarding fugitive dust control.
- v. Amendments to the site plan and narrative report shall be processed as a revised application in accordance with Maricopa County Zoning Ordinance Article 304.9.

- w. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Planning and Zoning Commission to take action in accordance with Chapter 3 (Conditional Zoning).
- x. Non-compliance with the regulations administered by the Maricopa County Environmental Services Department, Maricopa County Department of Transportation, Drainage Review Division, Planning and Development Department, or the Flood Control District of Maricopa County may be grounds for initiating a revocation of this Special Use Permit as set forth in the Maricopa County Zoning Ordinance.
- y. The property owners and their successors waive claim for diminution in value if the County takes action to rescind approval due to noncompliance with stipulations.
- z. The applicant shall resolve all outstanding design issues to demonstrate compliance with drainage regulations of Maricopa County. At the time of construction permit application the applicant shall address all items identified in the drainage review comment memo dated 04/02/2009.

Presented by: Jose Castañeda, Planner
Reviewed by: Matthew Holm, AICP, Planning Supervisor

Attachments: Case Map (1 page)
Narrative Report (3 pages)
Z2007003 Narrative Report (37 pages)
Z2007003 BOS Approval Letter (5 pages)
MCESD comments (1 page)
Engineering Comments (1 page)