



MEMORANDUM **Transportation & Development – CC Memo No. 11-060**

DATE: MAY 23, 2011

TO: MAYOR AND CITY COUNCIL

THRU: RICH DLUGAS, CITY MANAGER *RD*
 PATRICK MCDERMOTT, ASSISTANT CITY MANAGER *PM*
 R.J. ZEDER, TRANSPORTATION & DEVELOPMENT DIRECTOR *RJ*
 JEFF KURTZ, PLANNING ADMINISTRATOR *JK*
 KEVIN MAYO, PLANNING MANAGER *KM*

FROM: JODIE M. NOVAK, MEP, SENIOR CITY PLANNER *JMN*

SUBJECT: ZUP11-0004 IMS, LLC

- Request: Use Permit approval to allow an office use in a residential conversion property zoned SF-8.5
- Location: 498 W. Chandler Blvd.
- Applicant: Tucson Redd
- Project Info: Approximately a 1,935 square foot home formerly converted to an office with living space

RECOMMENDATION

The request is for Use Permit approval to allow an office use in an existing residential conversion property zoned SF-8.5. Planning Commission and Planning Staff, finding consistency with the General Plan and the Residential Conversion Policy, recommend approval with conditions.

BACKGROUND

In May 1995, the single-family residential property was approved a Use Permit to convert the home into an insurance office, Allstate Insurance. This property is one of several residential home conversions existing along Chandler Boulevard. Immediately to the east is the David Christiansen Law office. The previous insurance office had four employees with the ability to expand to eight employees or lease to another company with four employees. A parking lot on the home’s north side was constructed providing for 12 parking spaces. The Use Permit was

conditioned to no more than 8 employees on-site at any time and no more than 2 tenants/companies as well as a condition requiring a new Use Permit for the review and approval of a second tenant/company. The Use Permit was granted for a 1-year time limit. A Use Permit was filed and approved by City Council in January 1996 for a second tenant. The zoning approval included conditions limiting the number of total employees to 7 and no more than 2 tenants/companies with a 3-year time limit. In February 1996, a Variance application was approved for a covered parking structure to encroach within the rear and side yard setback. The parking structure was planned to extend across 6 parking spaces on the north end of the parking lot; however, the structure was built to cover only 3 parking spaces. In March 2000, a Use Permit time extension was granted for 5 years to continue the office use as previously approved.

In January 2006, the insurance office use changed to a counseling office with the business owner residing in the home. The Use Permit granted approval allowing up to 24 clients per week by appointment only with no full-time employees, only a part-time office assistant. The business owner resided at the property. Living quarters are approximately 853 square feet including a bedroom, bathroom, and kitchen.

Under the Residential Conversion Policy, office uses permitted include, for example, accountants, attorneys, insurance agencies, architects, engineers, and the like. Uses such as medical and dental offices, daycare, private schools, studios for fine arts, dance, music, photography, and the like are not permitted. These uses would require review and approval of a Use Permit. These uses are considered more intense and may generate additional traffic and on-site parking.

The Residential Conversion Policy allows for one tenant/company for each 1,000 square feet of floor area with a maximum of three users. Based on the size of the home, only one tenant/company is permitted. The request is to allow a maximum of one (1) tenant/company. This tenant signed a two-year lease and has resided in the home since February 2011. In February/March 2011, the office use started operating out of the home. The office use is a marketing software company which provides outbound phone calls. Employees call consumers to offer them a do-it-yourself loan modification computer software program. There are a total of eleven (11) employees that include phone staff, a receptionist, and the business owner who is also the resident at the home. The office hours are approximately 7:30 a.m. to 6 p.m. Monday through Friday with some staggered start and end work hours. There are no day-to-day customers coming to the home. The site has 12 parking spaces in which a maximum of 11 parking spaces would be occupied at one time.

Building signage or a freestanding monument sign is not requested with this Use Permit. If in the future the tenant would like signage, a separate Use Permit shall be filed for review and approval of signage.

DISCUSSION

A two-year time limit approval is recommended for this Use Permit to coincide with the 2-year lease agreement that the resident has for the home as well as his office. The site has been occupied by an office type business since 1995 and during this time, Planning Staff is not aware

of any concerns or complaints from the neighborhood. Staff has not received any calls or complaints about the current office either.

PUBLIC/NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on April 20, 2011 at the subject property. There was one attendee who represents the site's property owner.
- As of the writing of this memo, Planning Staff has received no calls or letters of opposition to the request. Staff did receive a call from a neighboring property owner wanting clarification on how many parking spaces are provided on-site. The neighbor was not opposed to the use.

PLANNING COMMISSION VOTE REPORT

Motion to Approve.

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

RECOMMENDED ACTION

Planning Commission and Planning Staff, upon finding consistency with the General Plan and the Residential Conversion Policy, recommend approval of the Use Permit subject to the following conditions:

1. The Use Permit shall be effective for two (2) years from the date of Council approval. Use Permit extensions, for similar or greater time periods, shall be subject to re-application to and approval by the City of Chandler.
2. Expansion or modification beyond the approved exhibits (site plan, floor plan, narrative) shall void the Use Permit and require new Use Permit application and approval by the City of Chandler.
3. The Use Permit is non-transferable to any other property.
4. Increases in on-site employment over that represented, a maximum of eleven (11) which includes the resident, or the expansion of the home to provide additional office space shall require Use Permit application and approval by the City of Chandler.
5. The property shall be maintained in a clean and orderly manner.
6. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
7. Use Permit approval does not constitute Final Development Plan approval such as building plan review and permits for the residential conversion; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Use Permit shall apply.

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8. A separate Use Permit shall be filed for review and approval of building and/or freestanding monument signage.

PROPOSED MOTION

Move to approve Use Permit case ZUP11-0004 IMS, LLC, subject to the conditions recommended by Planning Commission and Planning Staff.

Attachments

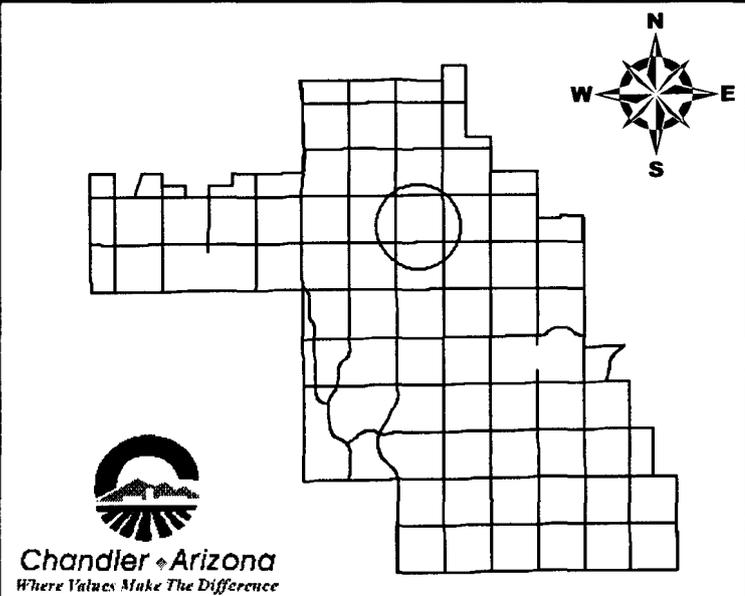
1. Vicinity Maps
2. Narrative
3. Site Plan
4. Floor Plan
5. Photos



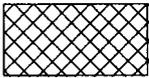
Alma School Rd.

Chandler Blvd.

Project Site



Vicinity Map



ZUP11-0004

IMS LLC.



Business Narrative
International Marketing Solutions llc
Monday May 9, 2011

We provide website design, search engine optimization, marketing and advertising expertise to business, via telephone and internet consultation and products.

We market via telephone and internet, most calls are outgoing. There is no stock of inventory on site.

We do not promote or sell to the public from the property and expect no customer traffic at our location, only occasional suppliers and employees.

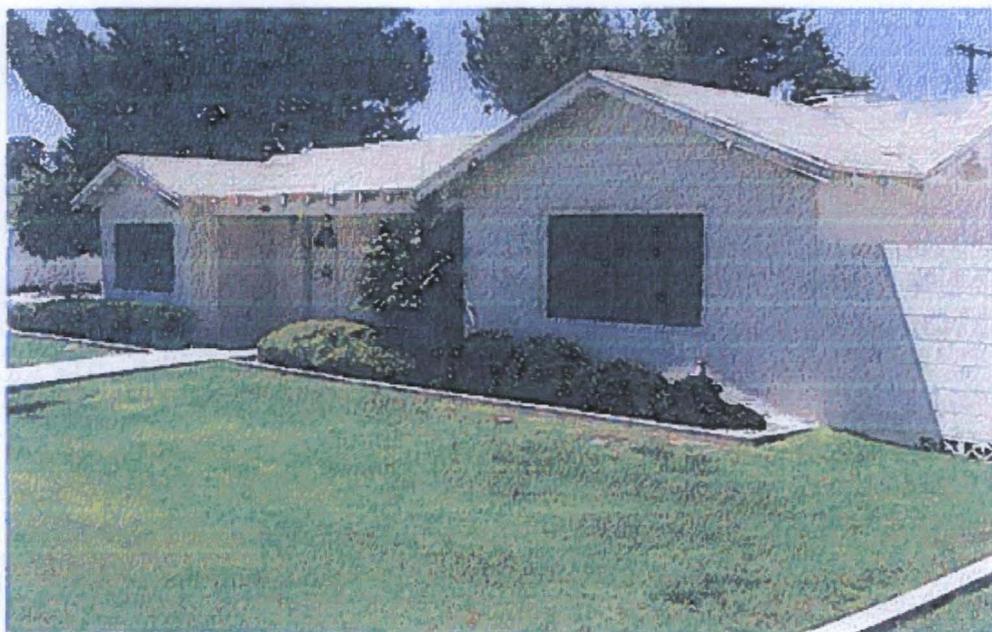
Presently we expect a maximum of 11 employees (including the owner) who would be working in this office. The owner is the only one who resides at the same location.

We operate Monday through Friday from 7:30am to 6:00pm (with some staggered start and end, 8 working hours each person)

The property is well lit and provides 12 parking spaces, including handicapped access. Restroom facilities also fit handicapped requirements.

Outside appearance is of a private home with no signage other than street/house number.

No employees are allowed to congregate in any location viewable from the outside sidewalks or street. Smoking area, outside at the side of the house behind a security gate and not visible either from the street or sidewalk.



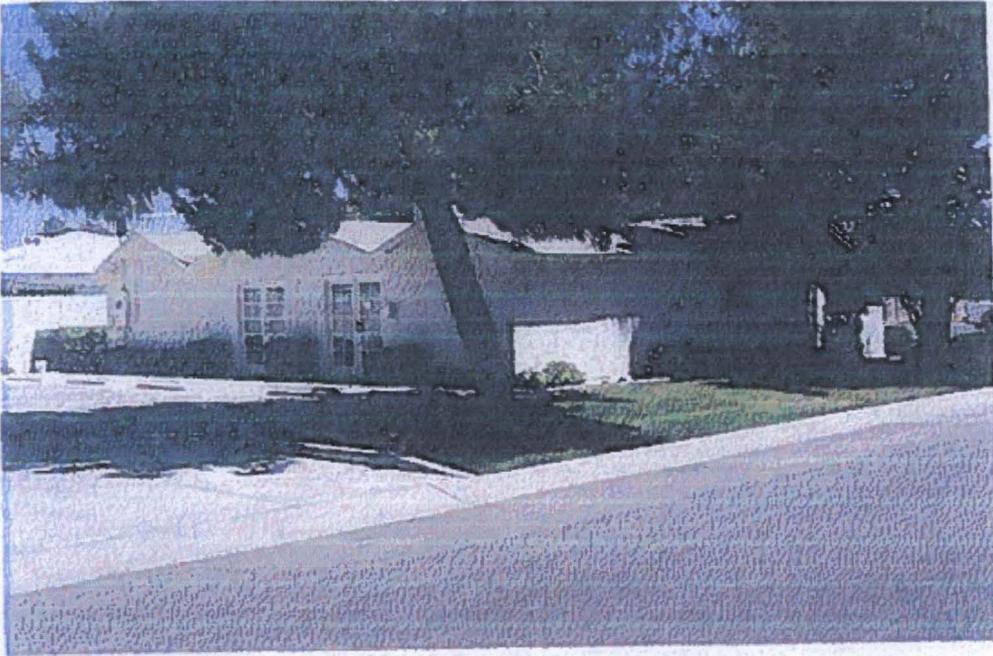
front



Front



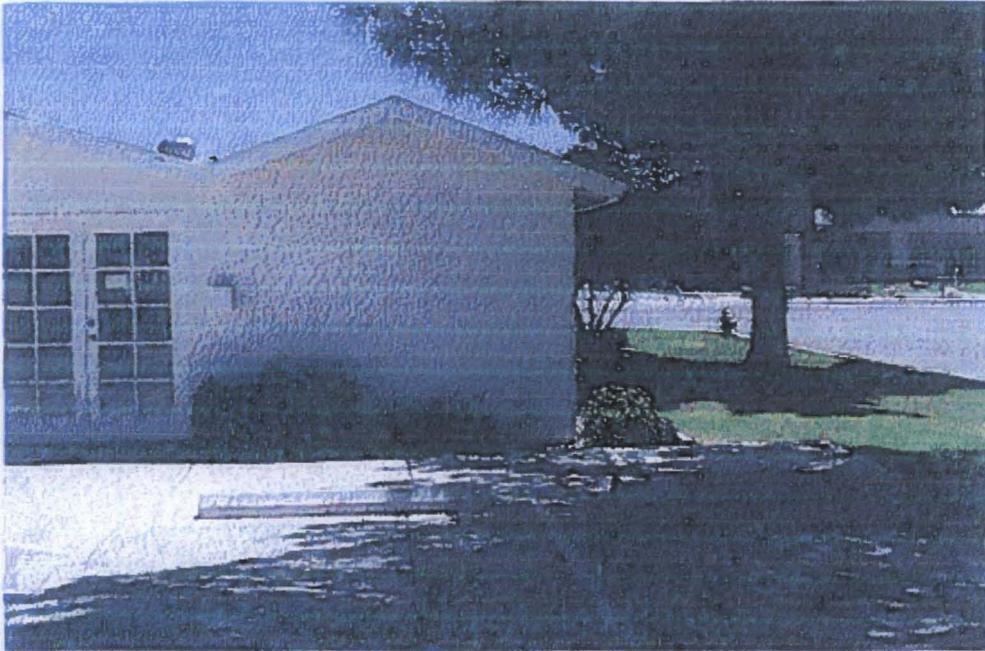
West side



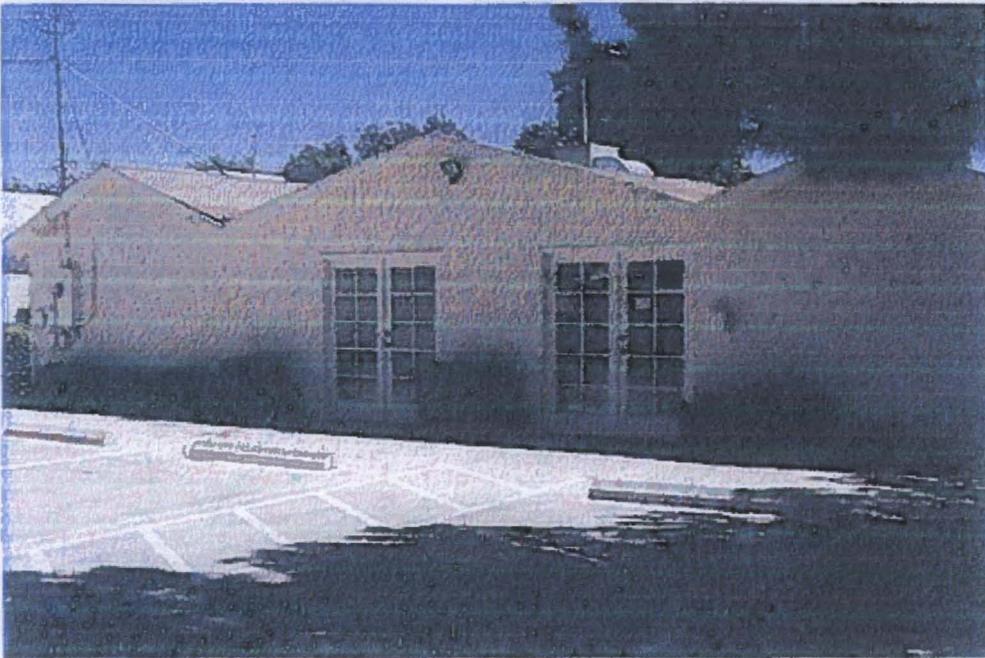
near west side



Rear parking area



Rear (North)



Rear (North)