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MEMORANDUM **Planning and Development – CC Memo No. 13-023**

DATE: FEBRUARY 7, 2013

TO: MAYOR AND CITY COUNCIL

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

FROM: JESSICA SARKISSIAN, AICP, CITY PLANNER *JS*

SUBJECT: ZUP12-0033 DESERT SAGE HERBS

- Request: Approval of a Use Permit to allow retail sales and personal services within the Planned Commercial Office (PCO) zoning district
- Location: 1728 N. Alma School Road, approximately 1,000 feet south of Warner Road on the west side of Alma School off Stottler Drive
- Applicant: Owner, Vicki Greener

RECOMMENDATION

Upon finding the request to be consistent with the General Plan and Planned Commercial Office (PCO) zoning, Planning Commission and Staff recommend approval with conditions.

BACKGROUND

The property is located across the street from a commercial retail center and a single-family subdivision. In May 1985, the property was zoned from Single-Family (SF-7) to PCO to allow the conversion of a single-family home to office use, which included an insurance office. The property included two lots platted as a part of Brooks Crossing Unit Two single-family subdivision. The planned commercial office zoning provided a transition between the commercial center and the residential development.

In August 2004, upon a request for a sign permit, City staff notified the property owner of Desert Sages Herbs that the business was not in compliance with the PCO zoning district, and a Use Permit application was required.

Uses permitted in PCO zoning include office uses such as professional, business, administrative, and other offices in which goods or merchandise are not commercially created, displayed, sold, exchanged or stocked.

A Use Permit for Desert Sage Herbs was granted in March 2005 for two years. A second Use Permit was granted in January 2008 for one year due to incomplete site improvements. The last Use Permit was granted in September 2009 for a three year period and in that time the site came into compliance with the sign code as well the other Use Permit conditions.

The Use Permit allows the business to provide retail sales and personal services with an accessory office. Desert Sage Herbs Holistic Center includes the retail sales of herbs, teas, spices, essential oils, supplements, soaps, lotions, bath gels, gifts, books, crystals, incense and the like. Personal services offered include private herbal consultations, Feng Shui consultations, massage therapy, reiki, ear coning, body wraps, facials, reflexology, hypnotherapy, aromatherapy, life coaching, and an herbalist. Feng Shui and herb classes are offered as well. The business owner does not provide all of the services listed above as many of the personal services are conducted by others who lease space at this location.

The total number of providers within Desert Sage Holistic Herbs is five. Hours of operation are Monday through Friday from 10 a.m. to 6 p.m. and Saturdays from 10 a.m. to 5 p.m. The business is closed on Sundays. Typically, once a month a practitioner may have a client until 8 p.m. or a class that is conducted in the evening until 9 p.m.

There are a total of 6 employees, which includes 2 owners, and up to 4 practitioners. The number of appointments scheduled each business day varies from 4 to 10. Appointments are recommended but not required. Classes generally have 4 to 8 members and one instructor per class. Classes are held once per month.

The property is approximately 20,000 square feet in size and the building is approximately 2,100 square feet in size. Eight parking spaces are required for this retail location. The site provides 12 parking spaces. The site is accessed to and from Stottler Drive via Alma School Road.

The 2008 Use Permit included conditions to install landscaping in conformance with the Commercial Design Standards and a requirement to get a permit for the monument sign. The landscaping was installed at the end of April 2009 and the sign was updated in January 2012 and is now in compliance with the sign code.

DISCUSSION

Planning Commission and Staff is of the opinion the proposed retail sales and personal services business is consistent with the intent of the PCO zoning classification in that the business is compatible with the surrounding neighborhood and serves as a land use transition between commercial and residential development. Given the proximity to Alma School Road, this site is suitable for both office and retail business so long as it is compatible with the surrounding neighborhood, has minimal traffic, and low-intensity. Desert Sage Herbs Holistic Center has minimal traffic and is a quiet use.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on January 10, 2013. No citizens attended.
- Staff received three calls in favor of the project from neighbors Joe Movando, Peter Slater and Niljenko Markulin who wished to relay that the applicant has been a good neighbor, keeps the site clean and they are in support of this request.
- As of the date of this memo, Staff is not aware of any opposition to this request.

PLANNING COMMISSION VOTE REPORT

Motion to approve:

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

RECOMMENDED ACTION

Planning Commission and Staff, upon finding consistency with the General Plan and PCO zoning, recommend approval of ZUP12-0033 DESERT SAGE HERBS Use Permit, subject to the following conditions:

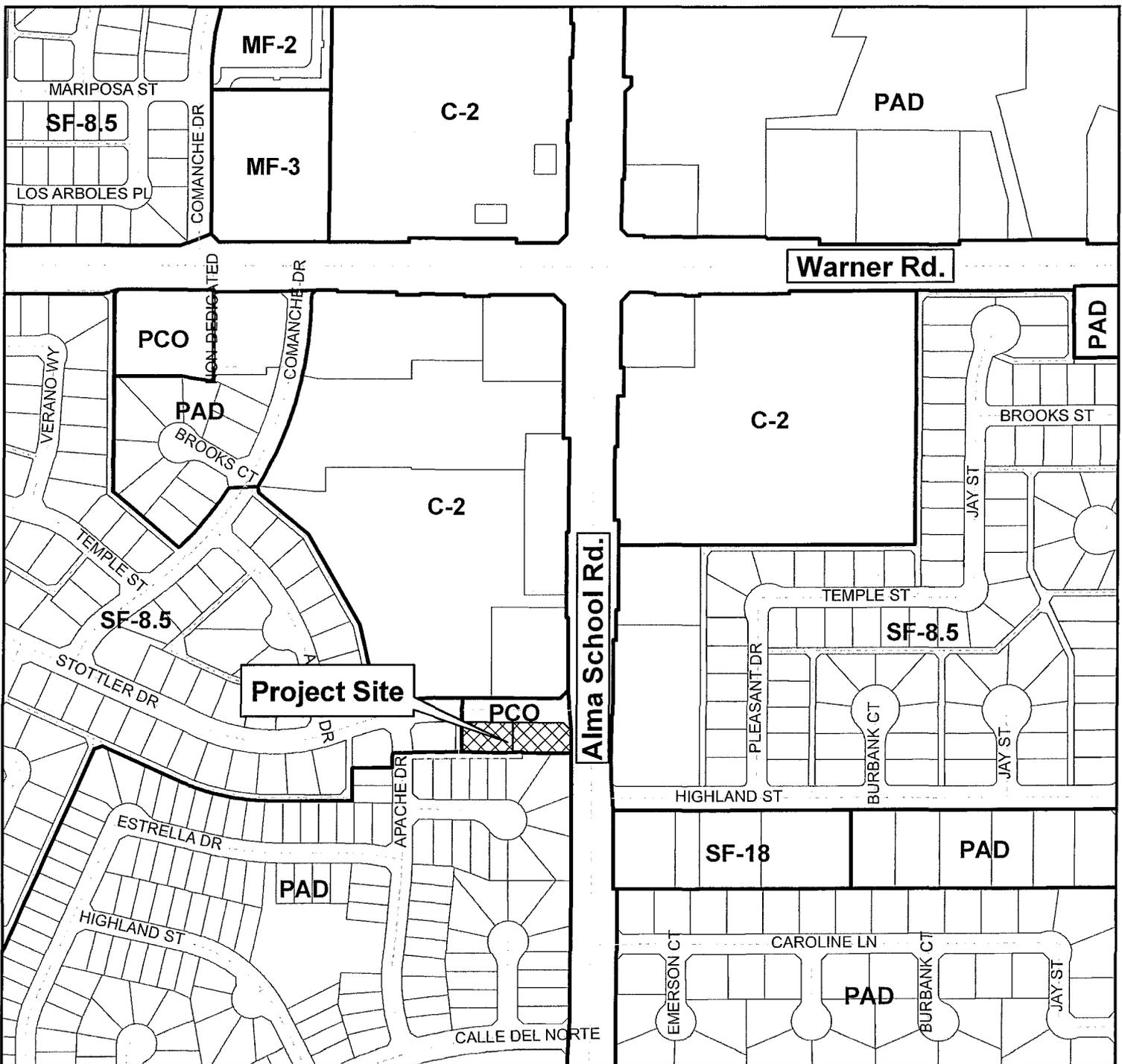
1. Development shall be in substantial conformance with exhibits and representations in the application packet.
2. Expansion or modification beyond the approved exhibits shall void the Use Permit and require new Use Permit application and approval.
3. The site shall be maintained in a clean and orderly manner.

PROPOSED MOTION

Motion to approve Use Permit ZUP12-0033 DESERT SAGE HERBS subject to the conditions recommended by Planning Commission and Staff.

Attachments

1. Vicinity Maps
2. Narrative
3. Landscape /Site Plan
4. Floor Plan



Vicinity Map

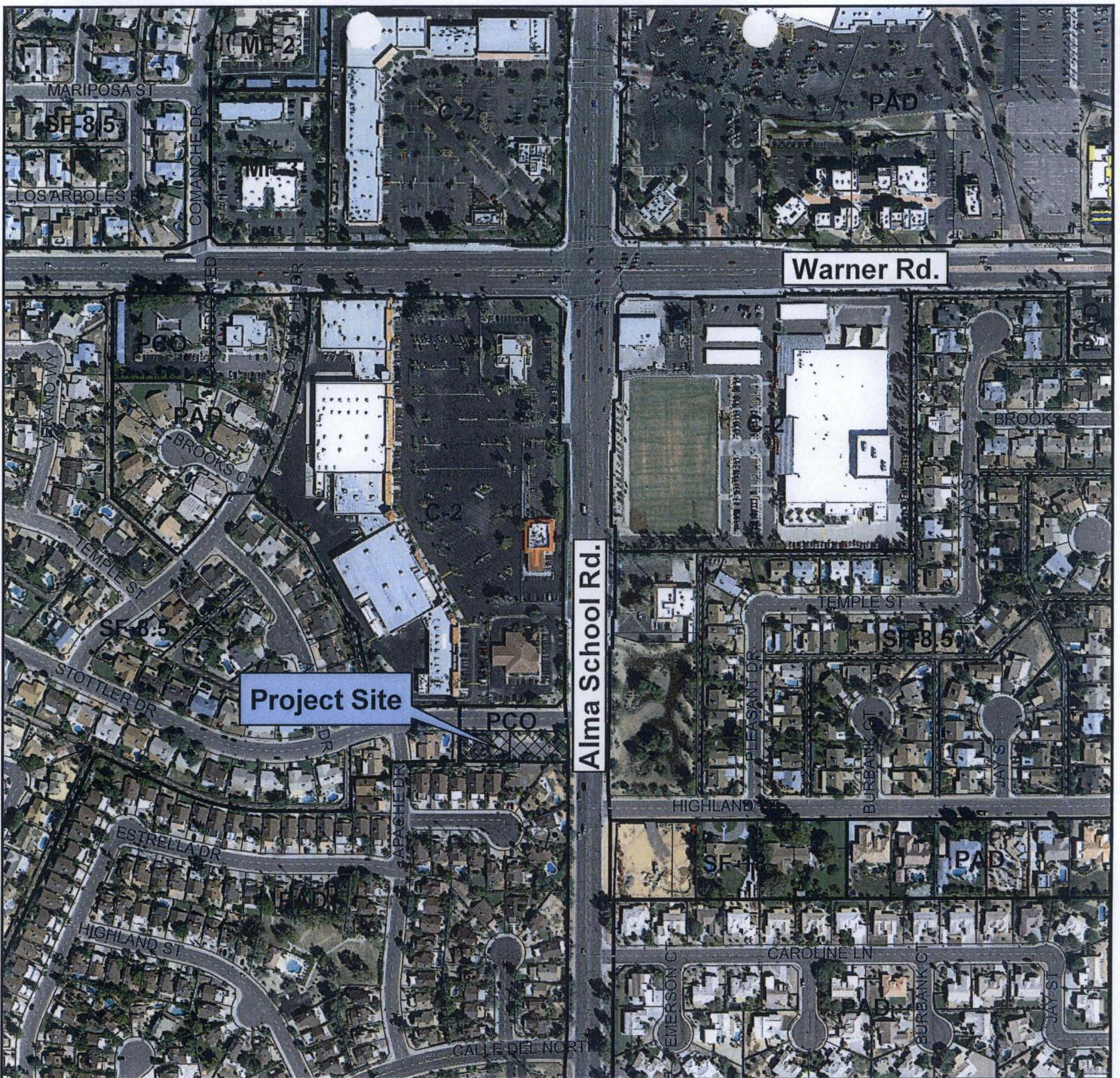


ZUP12-0033

Desert Sage Herbs Holistic Center



Chandler Arizona
Where Values Make The Difference

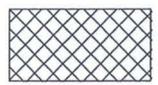


Alma School Rd.

Warner Rd.

Project Site

Vicinity Map



ZUP12-0033

Desert Sage Herbs Holistic Center



Desert Sage Herbs

Use Permit Application

Narrative

Introduction:

The Chandler City Council granted a Use Permit (UP09-0007) For Desert Sage Herbs on September 24, 2009, to allow for limited retail sales within the PCO (Planned Commercial Office) zoning district located at 1728 N. Alma School Road.

This approval was granted with the stipulation that the approval was good for three years for staff review. This Use Permit application seeks an extension for the Use Permit, with a request for no time limit.

Since being approved, Desert Sage Herbs has operated in compliance with City of Chandler requirements, and no changes or modification have occurred to either the site or the operation itself in the past three years (other than the required signage updating and the painting of the building and fencing with colors that were approved by the City Planning Department.

Proposed Development:

As with the initial Use Permit application (UP04-0046) and the most recent Use Permit approval (UP09-0007), This Use Permit is requested to allow for accessory retail sales of products associated with the existing principal use of the site/structure, as a wellness and holistic center. The wellness and holistic center is an allowed use under the PCO zoning district.

Business hours will occur Monday through Friday 10 a.m. to 6 p.m and on Saturday from 10 a.m. to 5 p.m.

These accessory retail sales are located within the entrance of the building, which is a converted garage measuring approximately 20' wide x 18' deep (360 sq. ft., which is approximately 18% of the total existing building area (2021 sq. ft.)

Site Characteristics:

The site consists of two subdivided lots (for a total area of 0.53 acres/22,906 square feet), and has an existing 2,021 sq. ft. single-story structure (constructed in 1981). Also included on the

site is a 12 space parking area (including on handicapped-accessible space), driveway, landscaping and retention areas.

The structure, which was actually designed to appear as a single-family home, was originally used as a sale office for the adjacent residential development.

Once home sales were finished in the adjacent subdivision (approximately 1981) this site/structure was rezoned to PCO – Planned Commercial Office (under zoning case Z85-042, approved May 23, 1985) to allow for office-type uses. Uses that have occurred within this site/structure have included insurance sales, a book store, and other office and service uses.

The present use is a wellness and holistic center (Use Permit approved under application UP04-0046 and UP09-0007), which includes a Feng Shui practitioner, hypnotherapy, physical therapy, aromatherapy, an herbalist and Life Coach (similar to general counseling). As an accessory use to these professional office and service uses, a portion of the building is proposed for related accessory retail sales of books, guides, herbs, oils, supplements, Feng Shui products and related materials.

Consistency with the Chandler General Plan:

The subject site is designated, under the Chandler General Plan, for Low-density Residential uses. Allowed under this designation are offices and institutional uses that are located along arterial road frontages.

The existing/proposed use, as a professional office and service use (with limited accessory retail sales), is located along the frontage of Alma School Road, an arterial roadway. Therefore, the proposed/existing use is in conformance with the Chandler General Plan.

Finally, the proposed/existing use furthers goals and policies of the Chandler General Plan related to Economic Development, such as providing for quality in-fill development in developed areas.

Surrounding Land Uses:

The existing zoning of the subject site is PCO, which was approved under zoning case Z85-042, approved May 23, 1985.

The surrounding land uses and zoning are as follows:

North: Commercial shopping center, zoned C-2 (Commercial)

East: Open Space Tract for Single –family Residential, zoned SF-8.5

South: Single –family Residential, zoned PAD

West: Single –family Residential, zoned SF-8.5

The subject site is presently zoned PCO which allows for office and related uses that are compatible with the surrounding neighborhood. The PCO district is to provide for a transition between residential and commercial uses.

As a former sales office, and given the low-intensity type of use that occurs on the site, the existing/proposed use has no negative impact on adjacent residential uses.

Unique Design Considerations:

The structure appears as a single-family residence and is one-story height.

The proposed uses are of a low-intensity, generating very little traffic and essentially no night-time traffic or weekend activities.

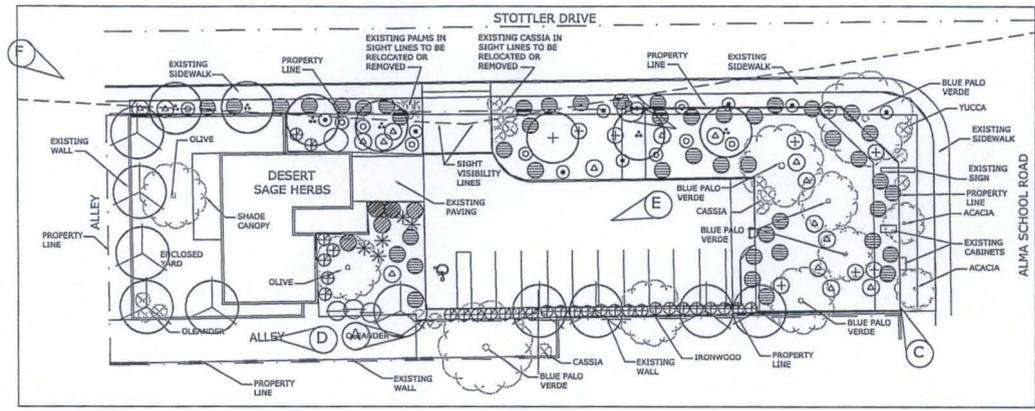
The allowance for limited accessory retail sales serves to meet the needs of the clients of the existing office and service uses, thereby providing a service for them and reducing unnecessary traffic to other sites for the same materials.

Additionally, the site is directly across the street (to the south) from an existing retail commercial shopping center and is adjacent to Alma School Road, making its use for residential purposes undesirable and unlikely.

The existing/proposed uses (wellness and holistic center) are essentially a destination-type of service (clients typically make reservations), and not something that occurs significantly from drive-by traffic.

Finally, likely due to its appearance as a residential use and because the building is not directly adjacent to Alma School Road, the site has historically failed when used for general commercial uses (bookstore, etc.).

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SCALE 1" = 20' LANDSCAPE PLAN

LANDSCAPE LEGEND

TREES	SPECIES	SIZE/QT
PROSOPIS HYBRID 'AZT'	THORNLESS MESQUITE	24" BOX /4 13 GAL /2
CHILIPIS LINEARIS	DESERT WILLOW	24" BOX /1 11.2L
ACACIA SALICINA	WILLOW ACACIA	36" BOX /10 12" TALL
SHRUBS	SPECIES	SIZE/QT
CASSIA WISLIZENI	DESERT SENNA	5 GAL /8
LAURIA TRIDENTATA	CRESOTE BUSH	5 GAL /1
CAESALPINA GILLIESII	BIRD OF PARADISE	1 GAL /30
SALVIA GREGGII	AUTUMN SAGE	5 GAL /16
LEUCOPHYLLUM FRUTESCENS	GREEN CLOUD SAGE	5 GAL /1
SIMMONDSIA CHINENSIS	JOJOBA	5 GAL /3
ENCELIA FARINOSA	BUTTERFLISH	5 GAL /5
ASCLEPIAS SUBULATA	DESERT MILKWEED	1-GAL /5
GROUNDCOVERS	SPECIES	SIZE/QT
LANTANA - GOLD PURPLE	LANTANA	1 GAL /66
'SPREADING SUNSET'	50 % - 50	
VERBENA WRIGHTII	DESERT VERBENA	1-GAL /5
SURFACE MATERIALS		SIZE/QT
MATCH EXISTING DECOMPOSED GRANITE	FIELD VERIFY 2" DEPTH AND TOP DRESS AS NEEDED	CONTRACTOR TO SEND SAMPLE FOR APPROVAL

CITY NOTES

TREES MUST BE PLACED A MINIMUM OF 5' FROM SIDEWALKS, PUBLIC ACCESSWAYS, AT MATURITY, SHRUBS MUST BE 3' CLR FROM ALL SIDES OF A FINE HYDRANT. INDICATE HYDRANT LOCATIONS AND PROVIDE ENTIRE NOTE ON THE LANDSCAPE PLAN. SECTION 1902 (6) (I), ZONING CODE.

FINISH GRADE OF LANDSCAPE AREAS MUST BE 1 1/2" BELOW CONCRETE OR OTHER ADJACENT PAVED SURFACES. SECTION 1902 (6) (I), ZONING CODE.

ALL LANDSCAPING SHALL BE MAINTAINED BY THE LAND OWNER OR THE LESSOR, SECTION 1903 (6) (G) ZONING CODE.

ALL TREES SHALL COMPLY WITH THE LATEST AMENDED EDITION OF THE ARIZONA NURSERY ASSOCIATION RECOMMENDED TREE SPECIFICATIONS. SECTION 1903 (6) (A) ZONING CODE.

NO TREE OR BOULDER SHALL BE PLACED CLOSER THAN SIX (6) FEET TO THE FACE OF OR PUBLIC STREET CURB.

ALL TRANSFORMER BOXES, METER PANELS AND ELECTRIC EQUIPMENT, BACK-FLOW DEVICES AND ANY OTHER UTILITY EQUIPMENT, NOT ABLE TO BE SCREENED BY LANDSCAPING OR WALLS, SHALL BE PAINTED TO MATCH THE BUILDING COLOR. SECTION 1902 (8) (I) (14), ZONING CODE.

SIGNS REQUIRE SEPARATE PERMIT.

THERE SHALL BE NO OBSTRUCTION OF SITE SIGNAGE BY LANDSCAPE PLANT MATERIAL, AND SUCH MATERIAL MUST BE RELOCATED/CORRECTED BEFORE THE FIELD INSPECTION WILL ACCEPT/PASS THE SIGN IN THE FIELD OR ISSUE A CERTIFICATE OF OCCUPANCY FOR A PROJECT.

ALL EXTERNAL LIGHTING SHALL BE LOCATED AND DESIGNED TO PREVENT RAYS FROM BEING DIRECTED OFF PROPERTY UPON WHICH LIGHTING IS LOCATED.

ALL PLANT MATERIALS ARE GUARANTEED FOR A MINIMUM PERIOD OF SIXTY (60) DAYS FROM THE DATE OF FINAL APPROVAL BY THE CITY. ANY PLANT MATERIALS, WHICH ARE NOT APPROVED BY THE CITY PRIOR TO OCTOBER 1 OF THE CALENDAR YEAR IN WHICH THEY ARE INSTALLED, SHALL BE FURTHER GUARANTEED UNTIL MAY 20 OF THE FOLLOWING CALENDAR YEAR.

TREES, SHRUBS, VINES, GROUNDCOVERS AND TURF THAT HAVE TO BE REPLACED UNDER TERMS OF THE GUARANTEE, SHALL BE GUARANTEED FOR AN ADDITIONAL 60 DAYS FROM THE DATE OF REPLACEMENT.

ALL PLANT MATERIALS MUST BE MAINTAINED IN HEALTH AND VIGOR AND BE ALLOWED TO ATTAIN NATURAL SIZE AND SHAPE IN ACCORDANCE WITH THE ORIGINALLY APPROVED LANDSCAPE PLAN, SECTION 1902 (6) (H), ZONING CODE.

TREES SHALL BE 20' C.G. AND 12" IN HEIGHT UPON PLANTING.

PARKING LOT TREES MUST HAVE A MINIMUM CLEAR CANOPY DISTANCE OF 5'. SECTION 1903 (6) (C) (4), ZONING CODE.

LANDSCAPE CALCULATIONS

COMMERCIAL OFFICE ZONING: PCO
LANDSCAPE REQUIREMENTS:

1 TREE PER 750 S.F. OF INTERIOR OPEN SPACE
TOTAL OPEN SPACE 10,690 S.F. = 14 TREES
6 SHRUBS PER 750 S.F. OF INTERIOR OPEN SPACE
TOTAL OPEN SPACE 10,690 S.F. = 84 SHRUBS

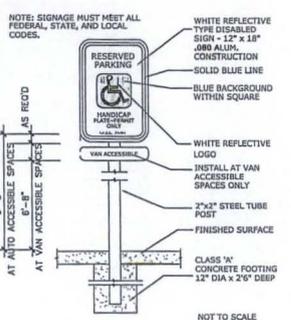
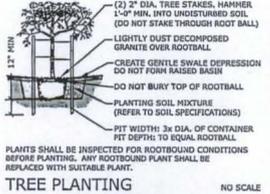
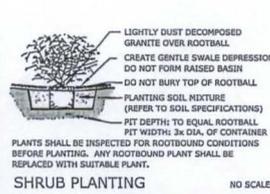
EXISTING TREES
TOTAL TREES (ALL 4" CALLIPER AND LARGER) = 11
TOTAL SHRUBS = 20

MINIMUM PLANTING STANDARDS
TREES PROVIDED
50% 24" BOX = 3
25% 36" BOX = 11 (EXISTING)
SHRUBS PROVIDED
5 GAL. SHRUBS = 64 (PLUS 20 EXISTING)

NOTE TO CONTRACTOR:
CONTRACTOR TO STAKE ANY EXISTING TREES THAT ARE FOUND TO BE LEANING.

IRRIGATION NARRATIVE

PRIOR TO CONSTRUCTION FIELD VERIFY EXISTING AUTOMATIC UNDERGROUND IRRIGATION SYSTEM AND CAP ALL PIPING WITH IN CONSTRUCTION LIMITS. TIE INTO EXISTING IRRIGATION MAINLINE AND CLOCK TO ADD VALVES AS NEEDED, MATCH CURBENT VALVE, BOXES AND DRIP EQUIPMENT TO PROVIDE 100% COVERAGE TO ALL PLANT MATERIAL.



LANDSCAPE INTERSECTION AREA CALCULATION

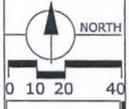
EXISTING COVERAGE AREA 4,750 S.F.
50% COVERAGE = 2,375 S.F.

PLANTS AREAS AT MATURITY

CASSIA WISLIZENI = 12.56 S.F.	6 = 76 S.F.
LEUCOPHYLLUM FRUTESCENS = 19.62 S.F.	9 = 177 S.F.
LANTANA = 28.26 S.F.	3 = 93 S.F.
ENCELIA FARINOSA = 19.62 S.F.	4 = 78 S.F.
BLUE PALO VERDE 30" DIA. = 706 S.F.	1 = 706 S.F.
BLUE PALO VERDE 24" DIA. = 314 S.F.	2 = 628 S.F.
TOTAL COVERAGE	2,598 S.F.



DESERT SAGE HERBS
 1728 NORTH ALMA SCHOOL ROAD
 CHANDLER, ARIZONA



JOB #	88-113
DATE	12-09-08
DRAWN	DA
CHECKED	DA
DATE	2-19-09

LAND PLAN
L1.1

Desert Sage Herbs

1728 N. Alma School Road, Chandler, AZ 85224

Floor Plan

