

46

OCT 23 2014



MEMORANDUM **Planning Division - CC Memo No. 14-118**

DATE: OCTOBER 23, 2014

TO: MAYOR AND COUNCIL

THRU: RICH DLUGAS, CITY MANAGER RD
MARSHA REED, ASSISTANT CITY MANAGER ^{MR}
JEFF KURTZ, PLANNING ADMINISTRATOR ^{KJ}
KEVIN MAYO, PLANNING MANAGER ^{EM}

FROM: ERIK SWANSON, SENIOR CITY PLANNER ^{ES}

SUBJECT: ZUP14-0017 #1A LIFESAFER OF ARIZONA, LLC

Request: Use Permit approval for automotive accessory installations within a Planned Area Development zoned district that allows for industrial/office/warehouse uses

Location: 480 E. Warner Road, Suite 1;
Northeast corner of Warner Road and Nevada Street

Applicant: Paul Masse; PHM Ltd.

RECOMMENDATION

Planning Commission and Planning Staff, upon finding consistency with the General Plan and Planned Area Development (PAD) zoning, recommend approval with conditions.

BACKGROUND

The subject site is located at the northeast corner of Warner Road and Nevada Street, within the Warner Business Center. Directly north of the site is a City of Chandler water tank, and industrial buildings. West, across Nevada Street is the Biscayne Bay apartment complex. East is the Southern Pacific Railroad, with the single-family San Vicente residential subdivision east of the track; south is Warner Road.

Warner Business Center, which is part of the Westech Corporate Center, has been zoned PAD for employment uses since 1985. In 2005, the business center received PDP approval for an office/warehouse development with six multi-suite buildings arranged in three rows. In 2012, the permitted uses were expanded to add additional "light retail" uses that would increase the area

for retail sales beyond the practice of 10% for showroom uses. The retail uses allowed did not anticipate automotive accessory installations. Each row of buildings has a parking field in front of the suites with a small truck courtyard in the rear of the buildings.

The current request is for Use Permit approval to allow for the installation of ignition interlock devices that require a clean breathalyzer test in order for the vehicle to start. The interlocking devices are installed in the vehicle. Additionally, on a monthly basis clients are required to visit the site so that the devices can be monitored. Clients will arrive at the site, be instructed to pull in the rear of the building where diagnostics are performed. Following the diagnostics, the clients then leave the facility to resume their normal daily routine. The business is currently in operation and was cited in June of this year for operating without a Use Permit. Following the citation, the applicant submitted for the Use Permit.

DISCUSSION

Planning Commission and Planning Staff support the request citing that historically requests for automotive accessory installations have successfully worked in industrial/warehouse developments, and typically do not generate the concerns with traffic or noise that locations outside of an industrial development may create.

PUBLIC/NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on Wednesday, August 27, 2014; no neighbors attended the meeting.

At the time of this writing, Planning Staff has received no telephone calls or letters opposed to this application.

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 PAD zoning, recommend approval of ZUP14-0017 #1A LIFESAFER OF ARIZONA, LLC, Use Permit approval for automotive accessory installations, subject to the following conditions:

1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Use Permit and require new Use Permit application and approval.
2. On street parking is prohibited. All vehicles must be parked within designated parking spaces inside the paved parking lot, fenced yard, or inside the building.
3. The Use Permit shall remain in effect for one (1) year from the 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.

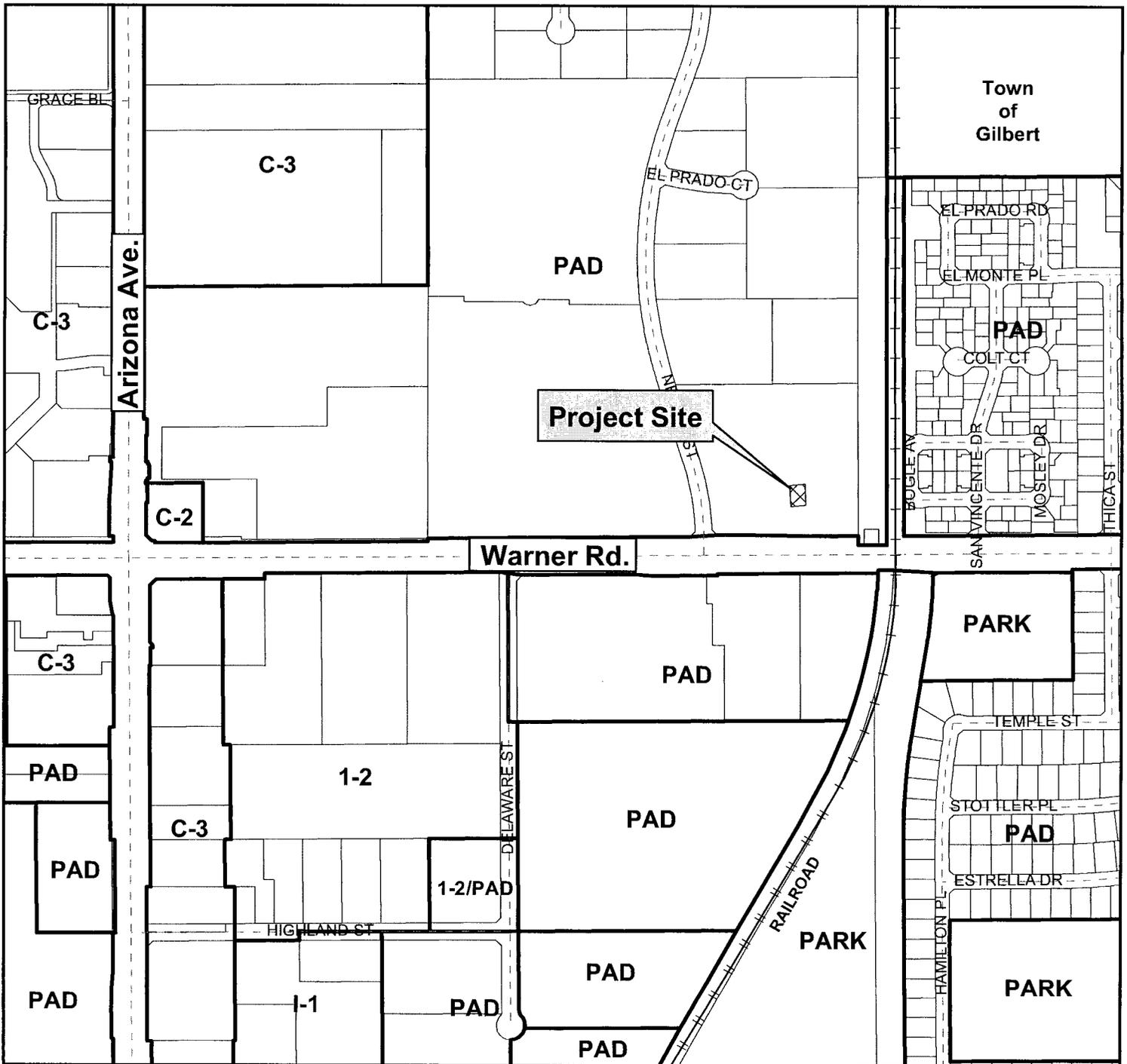
4. All motor vehicle customization and installations shall occur indoors.
5. Outdoor storage is prohibited.
6. The site shall be maintained in a clean and orderly manner.

PROPOSED MOTION

Move to approve ZUP14-0017 #1A LIFESAFER OF ARIZONA, LLC, Use Permit approval for automotive accessory installations, subject to the conditions recommended by Planning Commission and Planning Staff.

Attachments

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



Vicinity Map

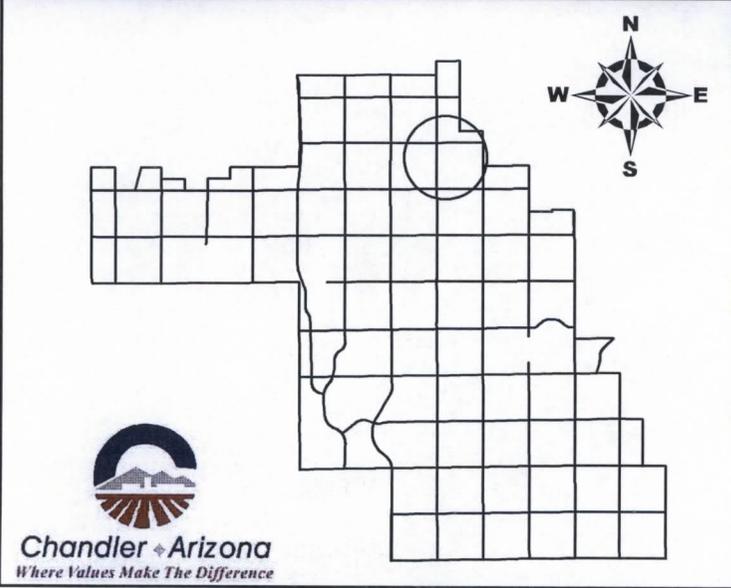
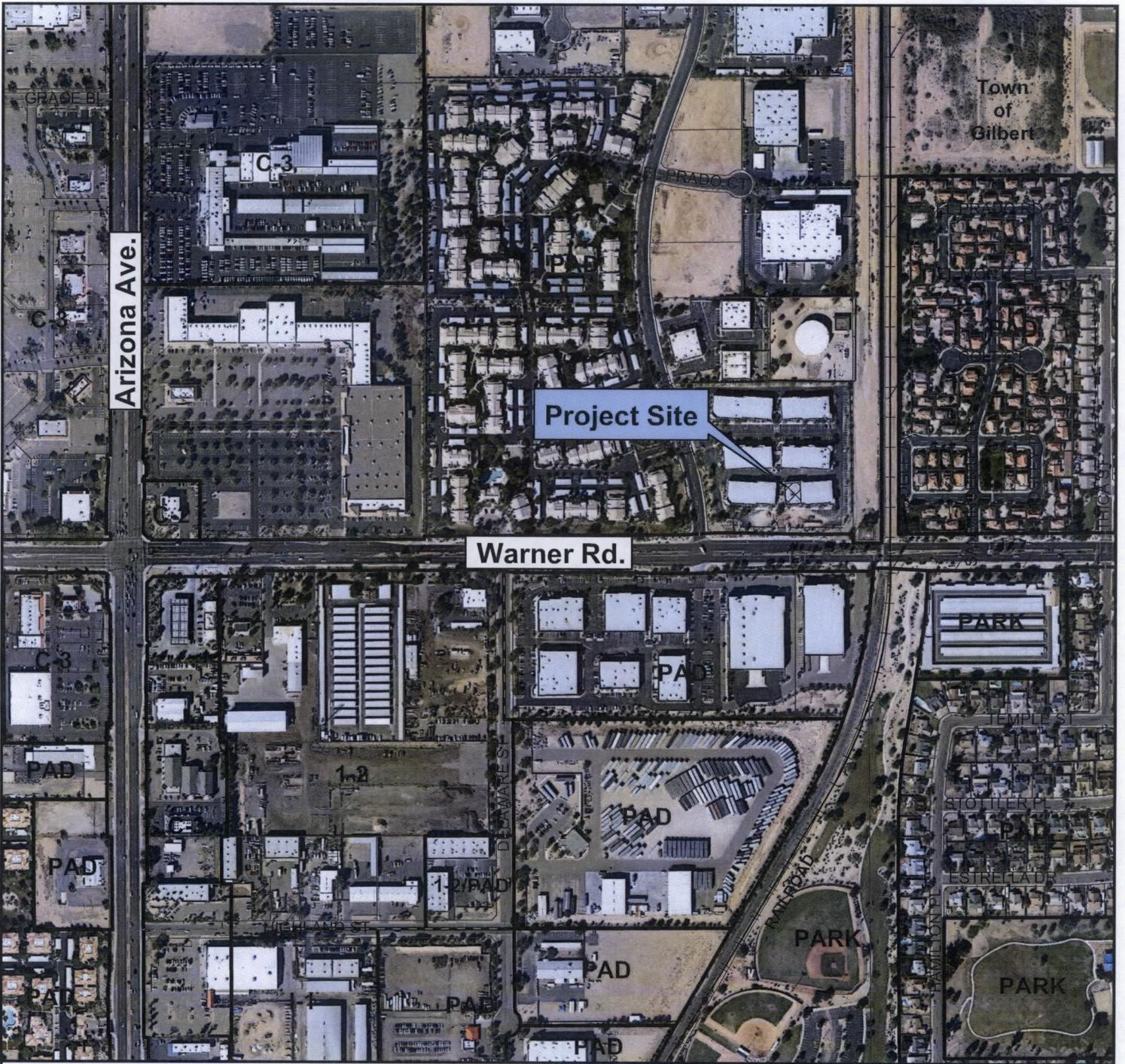


ZUP14-0017

#1A Lifesave of Arizona, LLC



Chandler Arizona
Where Values Make The Difference



Vicinity Map



ZUP14-0017

#1A Lifesave of Arizona, LLC





July 8, 2014

Subject: City Use Permit 480 E. Warner Rd Suite 1, Chandler, AZ 85225

The Honorable Men and Women of the Chandler City Council:

I am writing to provide clarification of the public service our company performs. Ignition Interlocks Devices (IID) are regulated and mandated under Chapters Four and Five of Title Seven of the Arizona Statue. IID interrupt the normal operation of a person's car by requiring a clean breath sample by the driver before the vehicle will be allowed to start. An unclean breath sample would be a Breath Alcohol Content (BrAC) of .030 or higher. Anything less than .030 will allow the driver to proceed with normal operations of their vehicle.

The basis for work at this location will be to snap our device onto the client's vehicle between the ignition and the starter via the starter wire, and then conduct the required monthly monitoring on a routinely scheduled basis. Clients pull their vehicle into the bay of our store, turn the vehicle off, and then our computers will run diagnostics on the client's IID. After all testing is done, the client then pulls their vehicle out of our bay and resumes their normal daily routine.

Our company has been successfully installing and monitoring IID in Arizona and throughout the rest of the United States for over 20 years. We have partnered with MADD, state legislatures, and concern citizens to help enact legislation that imposes tougher penalties for driving under the influence (DUI), and as a result DUI fatalities have successfully been reduced throughout the country.

If you have further questions about this matter, I can be reached via email at nbowlin@lifesafers.com or (480) 397-0012.

Respectfully,

Nathan C. Bowlin

Nathan C. Bowlin
Lifesafers, INC.
Regional Director

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