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NOV 19 2014

**Chandler**



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**MEMORANDUM**

**Planning Division – PZ Memo No. 14-107**

**DATE:** NOVEMBER 19, 2014

**TO:** PLANNING AND ZONING COMMISSION

**THRU:** JEFF KURTZ, PLANNING ADMINISTRATOR  
KEVIN MAYO, PLANNING MANAGER *JKM*

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

**SUBJECT:** ZUP14-0029 BORNS OFFICES

**Request:** Use Permit approval for personal service/retail/office type uses in addition to general office use

**Location:** 348 W. Chandler Blvd.

**Applicant:** Fred and Margaret Borns

**Project Info:** Approximately a 1,946 square foot home converted to two-office suites for general office use; proposing additional tenant uses

**RECOMMENDATION**

Upon finding the request to be consistent with the General Plan and Residential Conversion Policy, Planning Staff recommends approval subject to conditions.

**BACKGROUND**

The subject site is located at the northeast corner of Chandler Boulevard and Nebraska Street fronting Chandler Boulevard. The property is adjacent to Chandler High School's parking lot and athletic fields to the east. The property is surrounded by single-family residential homes to the north and west. South, across Chandler Boulevard, is the San Marcos Golf Course. The house immediately west across Nebraska Street has Use Permit approval for an administrative insurance and financial services office. In addition, along Chandler Boulevard there are several other residential homes that were converted to commercial businesses with Use Permits.

The property has been used as a single-family residence since 1944. The property was a rental home between 1989 and 2007. The property is a double-sized lot approximately 20,551 square feet in size. The 1,946 square foot single-family residence is located on the southern lot fronting

Chandler Boulevard. There is a two-car carport east of the home. The northern portion of the property was not improved. A Use Permit for the residential conversion to office use was granted by Council in February 2009; however, the use never commenced within a one-year period thus the Use Permit expired. This property received re-approval of the Use Permit in 2010 to convert the home into two general offices with a two-year condition of approval and a maximum of seven employees. There are two general office spaces. There is an audio visual editing conversion company which functions like a general office leasing one office space. The second tenant space is recently vacant and the owners would like to lease to a photography business.

The Use Permit requests approval for personal service/retail/office type uses in addition to general office use. Various, smaller type retail-oriented and medical office type businesses are requested to accommodate future tenants. The proposed nature of uses include a photography studio, art studio, art gallery; specialty boutiques such as bead shop, stamp/scrapbooking shop, knit/yarn shop; alterations; tutoring; music instrument lessons, vocal lessons, music recording studio; medical office uses specifically counselors, therapist, psychiatrist/psychologist, physical therapist, massage therapist, audiologist, speech pathologist, and medical devices; and uses that are similar in nature to those described above.

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/user is permitted; however, the existing Use Permit approval grants a maximum of two tenants/users. Suite One is approximately 826 square feet in size. Suite Two is approximately 989 square feet in size. The entry vestibule is approximately 131 square feet in size. A single tenant can occupy the entire 1,900 square feet of usable floor area.

The Residential Conversion Policy requires one parking space for each employee plus one parking space for each 500 square feet of floor area. The development provides 18 parking spaces including the two-car carport. The two suites are designed to accommodate up to seven employees and a 1,964 square foot home (4 parking spaces) requires a total of 11 parking spaces.

The Michaels & Associates office immediately west of the site has approval through their Use Permit to utilize parking spaces on the Borns' property for an additional four parking spaces, typically used during tax season. Dedicating four of the 18 parking spaces for the adjacent residential conversion property does not affect the required parking provided on the Borns' property for the existing offices.

### **DISCUSSION**

Planning Staff recommends approval of the additional land uses given similar approvals of a nail/beauty salon and alterations shop for homes along the Chandler Boulevard frontage. The subject site is located at the end of the street where residential conversions exist and closest to downtown shops. The additional uses would be small scale and appropriate in this two suite residential conversion.

### **PUBLIC/NEIGHBORHOOD NOTIFICATION**

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.

November 19, 2014

- A neighborhood meeting was held on November 12, 2014. One area homeowner attended in addition to the applicant. The resident was opposed to a baseball card collector shop, thus the applicant has removed that use from the request.
- As of the writing of this memo, Staff has received no calls or letters of opposition to the request.

**RECOMMENDED ACTION**

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

1. Expansion or modification beyond the approved exhibits (narrative, site plan, floor plan) shall void the Use Permit and require new Use Permit application and approval by the City of Chandler.
2. The Use Permit is non-transferable to any other property.
3. Increases in on-site employment over seven (7), or the expansion of the home to provide additional tenant spaces, shall require a new Use Permit application and approval by the City of Chandler.
4. The property shall be maintained in a clean and orderly manner.
5. The landscaping shall be maintained at a level consistent with or better than at the time of planting in accordance with City approved construction plans.

**PROPOSED MOTION**

Motion to recommend approval of Use Permit case ZUP14-0029 BORNS OFFICES, subject to the conditions recommended by Planning Staff.

**Attachments**

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





**Use Permit Renewal Request**

**ZUP14-0029**

Borns Offices

Fred and Margaret Borns

348 West Chandler Boulevard

Chandler, AZ 85224

The subject site is located at the northeast corner of Chandler Boulevard and Nebraska Street fronting Chandler Boulevard. The property is adjacent to Chandler High School's parking lot and athletic fields to the east, and is neighbored to single-family residential homes to the north. Across Chandler Boulevard, to the south, is the San Marcos Golf Course. The house immediately west across Nebraska Street has Use Permit approval for an administrative insurance and financial services office. In addition, along Chandler Boulevard, are multiple residential homes that were converted to commercial businesses via Use Permit, including insurance and law offices, and a hair salon/boutique.

From 1946 to 1989 this property had been a single-family residence. The property was utilized as a rental home between 1989 and 2007, and is situated on a 20,551 square foot, double-sized lot. The single-family residential structure is 1,946 square feet in size with a detached double carport positioned east of the home. Originally the northern-half of the property was unimproved. Major renovation of the property, including a substantial parking lot was undertaken by the owners prior to the original issuance of a Use Permit in 2010.

In 2012, the property owners were granted renewal of a Use Permit for general offices with a three (3) year time limit. At this time the owners are requesting approval of the Use Permit to expand utilization beyond the restrictions associated with "General Office". As part of the process for Use-Permit-renewal on this site, at 348 West Chandler Boulevard, the property owners would like to expand potential tenant categories of approved business types. The pending request is to specifically allow a photography studio, however, owners request additional flexibility for approval of other personal service businesses such as a future art gallery, art studio, or specialty boutique businesses (alterations, scrapbooking/stamp shop, bead shop, yarn shop), counselor, therapist, psychologist, physical therapist, audiologist, speech pathologist, medical devices, instrument lessons (e.g. guitar, piano), vocal lessons, a music recording studio, tutoring in classroom subjects or ESL instruction.

The property provides ample off-street parking and ease-of-access from the main arterial, Chandler Boulevard, via Nebraska Street. There are sixteen (16) parking spaces available, including one handicapped-designated space. In addition there are two covered parking spaces available for tenant or client use for a total of 18 available spaces. This site discreetly offers all the structural elements required for the proposed uses, Personal Service/Retail/Office in addition to General Office use, while retaining the aesthetics of the residential surroundings. The configuration of the property, in terms of parking and access, adequately supports fulfillment of the expanded business categories for the Use Permit.

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