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**MEMORANDUM**                      **Planning and Development – CC Memo No. 07-312**

**DATE:**            DECEMBER 21, 2007

**TO:**                MAYOR AND CITY COUNCIL

**THRU:**            W. MARK PENTZ, CITY MANAGER   
DOUG BALLARD, PLANNING AND DEVELOPMENT DIRECTOR   
JEFF KURTZ, ASSISTANT PLANNING AND DEVELOPMENT DIRECTOR   
BOB WEWORSKI, PLANNING MANAGER 

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

**SUBJECT:**        UP07-0062 DESERT SAGE HERBS HOLISTIC CENTER

**Request:**            Approval of a time extension for 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 of Stottler Drive

**Applicant:**            Owner, Vicki Greener / Planning Consultant, Greg Loper

**RECOMMENDATION**

Upon finding the request to be consistent with the General Plan and Planned Commercial Office (PCO) zoning, Planning Commission and Staff recommend approval of the time extension for a one-year time period with conditions.

**BACKGROUND**

The application requests Use Permit approval of a time extension to maintain a retail and personal service business within the PCO zoning district. The previous Use Permit was approved in May 2005 for a period of two years with conditions. The current application requests approval to extend the Use Permit for an additional one (1) year.

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 office zoning provided a transition between the commercial center and the residential development. Zoning time extensions were granted in October 1986 and February 1988. Following the last zoning extension, the property completed construction, which included a new parking lot, landscaping, and converting the garage to additional office space.

In August 2004, upon a request for a sign permit, City staff notified the property owner of Desert Sage Herbs Holistic Center that the business is not in compliance with the PCO zoning district, and a Use Permit application is required. The PCO zoning district provides for the development of office and related uses in a manner which is attractive for such uses and compatible with the surrounding neighborhood. The PCO zoning district generally serves as a land use transition between commercial and residential development.

In May 2005, a Use Permit was approved for a two-year time period to allow a business providing 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 too. Desert Sage Herbs moved from their location at the southwest corner of Rural and Ray Roads, which specialized in retail sales of herbs. The business owner does not provide all of the services listed above. Many of the personal services are conducted by others who lease space at this location.

Uses permitted in PCO zoning include offices such as professional, business, administrative, and other offices in which goods or merchandise are not commercially created, displayed, sold, exchanged or stocked, or like uses. Banks, credit unions, savings and loan associations, finance offices, lending institutions, or like uses are also permitted. Other permitted uses include studios for fine arts, photography, music, drama, or like uses, library and telephone answering services, or like uses, and laboratories such as medical, dental, blood bank, and like uses.

Uses requiring approval of a Use Permit include public or institutional buildings such as hospitals, fire stations, YMCA, boys and girls club, private indoor athletic facilities including health spas and enclosed tennis courts, a private club, fraternity and lodges, churches or the like, and restaurants, pharmacies, and other accessory services subordinate and incidental to the principal uses.

The total number of businesses 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. There are no clinics, seminars, or the like held at this location.

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 retail. The development provides 12 parking spaces. The site is accessed to and from Stottler Drive. Landscaping includes Olive trees, Palo Verde trees, and shrubs including Petite Pink Oleander, Feathery Cassia, and Hesperaloe.

The development includes an existing monument sign along Alma School Road. The applicant is required to receive sign permit approval for the monument sign upon approval of this Use Permit.

The last Use Permit was approved with several conditions that have not been completed at this time. The conditions include:

- Landscaping shall be installed within 6 months and in compliance with current Commercial Design Standards.
- The applicant shall work with Staff to provide a decorative screen wall for the parking area within one (1) year.
- Re-stripe existing parking spaces and provide for a handicap parking space in compliance with site development requirements.
- Monument signage shall be in compliance with the Sign Code and obtain a sign permit. Wall-mounted building signage including window signs and banners is not permitted.
- The applicant shall work with staff to upgrade the monument sign making it more identifiable.

The parking spaces including the handicap space were re-stripped in November 2007. The applicant and property owner are working on hiring a landscape architect to submit landscaping and irrigation plans for permits. The property owner conveyed the monument sign would be addressed in conjunction with landscaping.

Staff is recommending approval for a one (1) year time period with conditions regarding landscaping and signage. Staff is of the opinion that parking screen walls are not necessary for this site. Parking screen walls are typical for parking spaces along street frontages. The parking spaces are on the site's south side and not fronting either street frontage, therefore, Staff does not recommend parking screen walls. A condition will no longer be included requiring parking screen walls.

The applicant intends to be in compliance with conditions within 90 days of Council approval of this Use Permit request pending City issuance of permits.

**DISCUSSION**

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 and Stottler Drive, 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.

Staff is concerned with several on-site improvements including landscaping and signage. The property's landscaping is being maintained; however, it is minimal and not consistent with current landscaping requirements for commercial retail development. Staff recommends a condition to provide additional landscaping along the street frontages and next to adjacent single-family residential. Staff is of the opinion that parking screen walls are not necessary for this site as discussed earlier in this memo, therefore, a condition will no longer be included requiring parking screen walls.

The PCO zoning district only permits one sign in that the sign may be either a wall-mounted sign or a freestanding monument sign. The property has an existing monument sign along Alma School Road. The previous Use Permit approval included a condition prohibiting any wall-mounted signage, removing any banners and window signs. The site does not have any building signage or banners at this time. The monument sign along Alma School Road has not been upgraded. Another condition required the applicant to work with Staff to upgrade the monument sign making it more identifiable. Staff feels this condition is still applicable to provide better sign visibility for the site.

**PUBLIC / NEIGHBORHOOD NOTIFICATION**

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on November 7, 2007. No citizens attended other than the business representatives and City staff.
- 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 (Creedon)

**RECOMMENDED ACTION**

Planning Commission and Staff, upon finding consistency with the General Plan and PCO zoning, recommend approval of UP07-0062 DESERT SAGE HERBS HOLISTIC CENTER Use Permit, subject to the following conditions:

1. The Use Permit shall remain in effect for one (1) year from the effective 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.

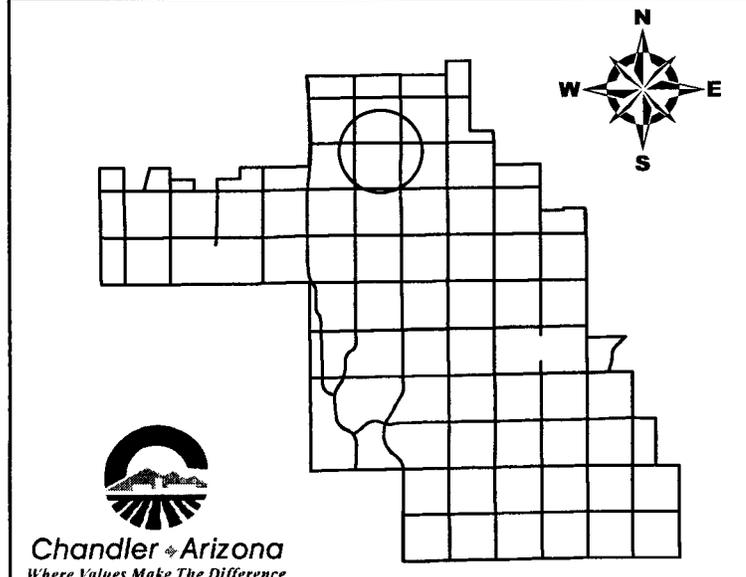
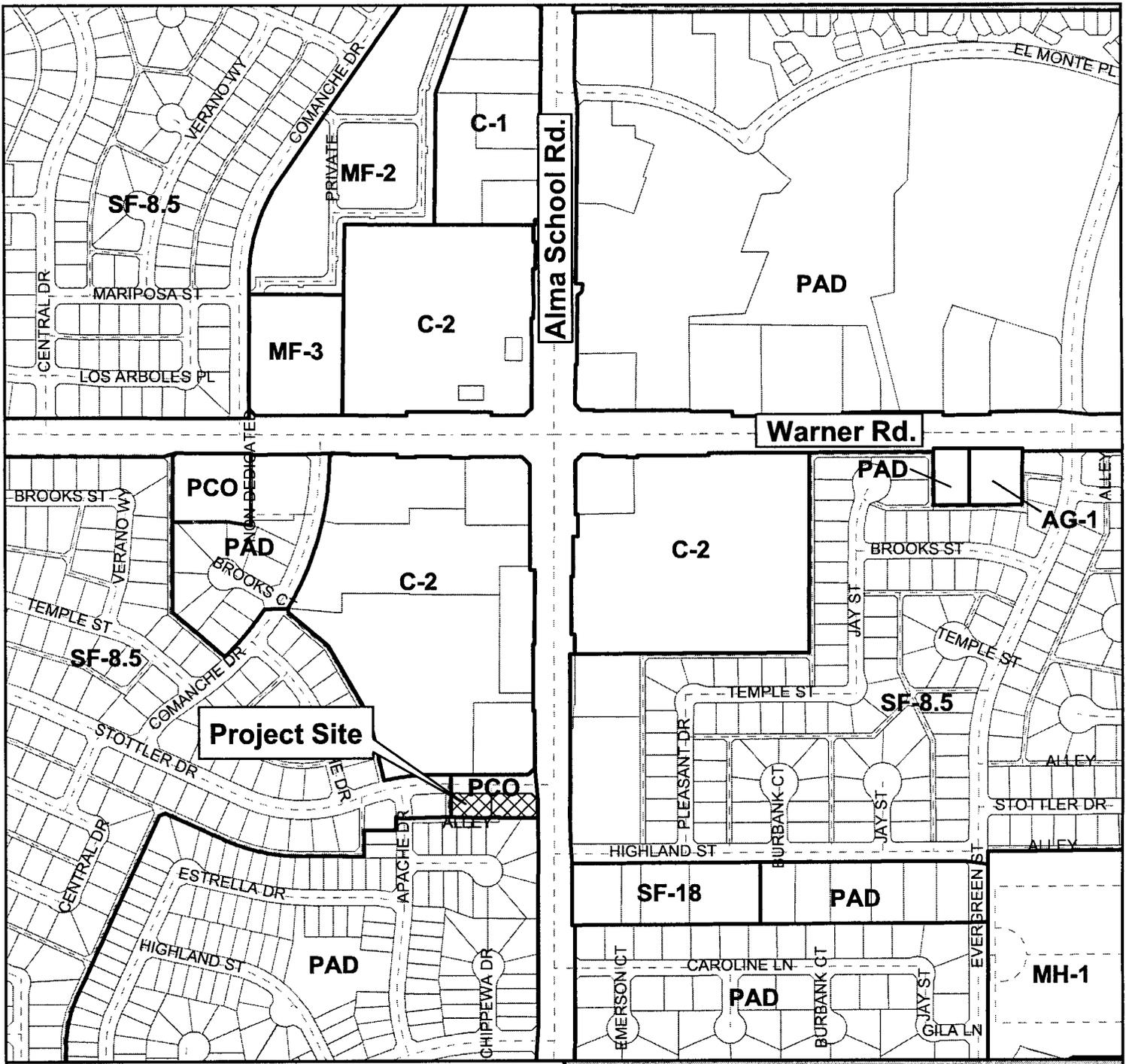
2. Development shall be in substantial conformance with exhibits and representations.
3. Expansion or modification beyond the approved exhibits shall void the Use Permit and require new Use Permit application and approval.
4. Landscaping shall be in compliance with current Commercial Design Standards.
5. Monument signage shall be in compliance with the Sign Code and obtain a sign permit. Wall-mounted building signage including window signs and banners is not permitted.
6. The site shall be maintained in a clean and orderly manner.

**PROPOSED MOTION**

Move to approve Use Permit UP07-0062 DESERT SAGE HERBS HOLISTIC CENTER Use, subject to the conditions recommended by Planning Commission and Staff.

**Attachments**

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



**Vicinity Map**

UP07-0062

Desert Sage Herbs  
Holistic Center

CITY OF CHANDLER 7/5/2007

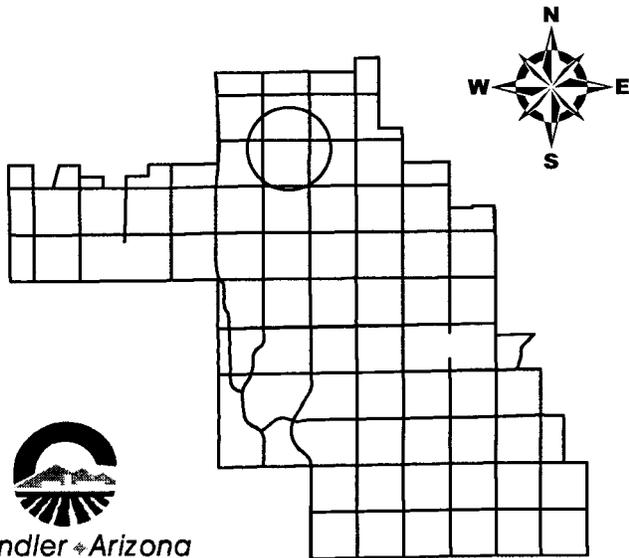


Alma School Rd.

Warner Rd.

Project Site

## Vicinity Map



UP07-0062

**Desert Sage Herbs  
Holistic Center**



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CITY OF CHANDLER 7/5/2007

# Desert Sage Herbs

## Use Permit Application – Application #UP07-0062

Revised: December 7, 2007

### Narrative

#### **Introduction:**

The Chandler City Council granted a Use Permit (UP04-0046) for Desert Sage Herbs on May 26, 2005, to allow for limited retail sales within the PCO zoning district.

The approval was granted with the condition that the approval was valid for two years. This Use Permit application seeks an Extension for the Use Permit, with a request for one-year approval so that the site can be brought into compliance with the initial Use Permit approval. It is intended that an additional Time Extension will be requested at the expiration of the one-year period (requested time period to be determined).

Since being approved two years ago, no changes or modifications have occurred to either the site or the operation itself. However, several of the conditions of the original approval have not been met. These include:

- Condition #4 - Landscaping shall be installed within 6 months and in compliance with current Commercial Design Standards.
- Condition #5 - The applicant shall work with Staff to provide a decorative screen wall for the parking area within one (1) year.
- Condition #7 - Monument signage shall be in compliance with the Sign Code and obtain a sign permit. Wall-mounted building signage including windows signs and banners is not permitted.
- Condition #8 - The applicant shall work with staff to upgrade the monument sign making it more identifiable.

We respectfully propose a 90-day / 3-month time frame – from City Council approval of this time extension – for the completion of Conditions #4, #7 and #8 (Condition #4 is already underway).

In regard to Condition #5, we respectfully ask that this Condition be amended to allow for adequate parking screening that meets with staff approval (the site is presently bermed along the street frontage – similar to other area commercial uses – and we would like the opportunity to work with staff to see if this approach will work).

### **Proposed Development:**

As with the initial Use Permit application (UP04-0046), 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 are an allowed use under the PCO zoning district approved for the subject site.

These accessory retail sales include items such as books, guides, herbs, oils, supplements, Feng Shui products and related materials.

The 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 (2,021 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 one 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 sales 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 # Z85-42, 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), 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 offices and services 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.

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

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.

To the best of our knowledge, the site is not located within a special designation area which would address the subject site.

**Surrounding Land Uses:**

The existing zoning of the subject site is PCO, which was approved under zoning case # Z85-42, approved May 23, 1985.

The surrounding land uses and zoning are as follows:

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

East: Fire station and vacant/undeveloped land, zoned PAD/C-2.

South: Single-family Residential, zoned PAD.

West: Single-family Residential, zoned PAD.

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 and appears as a single-family residence.

**Unique Design Considerations:**

As a former sales office to the existing/developed adjacent subdivision, the structure appears as a single-family residence. The structure is one-story in height.

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

Another consideration is the utility of the site under the current zoning.

The site is presently zoned PCO, which allows for office-related uses. Subject to securing a Use Permit, related accessory retail sales, of a limited nature, are allowed to occur within the PCO zoning district.

The allowance for limited accessory retail sales serves to meet the needs for 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 use (clients typically make reservations), and not something that benefits 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 generally commercial uses (bookstore, etc.). However, Desert Sage Herbs has thrived at this location and fills a much-needed niche-market and thereby utilizes what would otherwise likely be a vacant building.

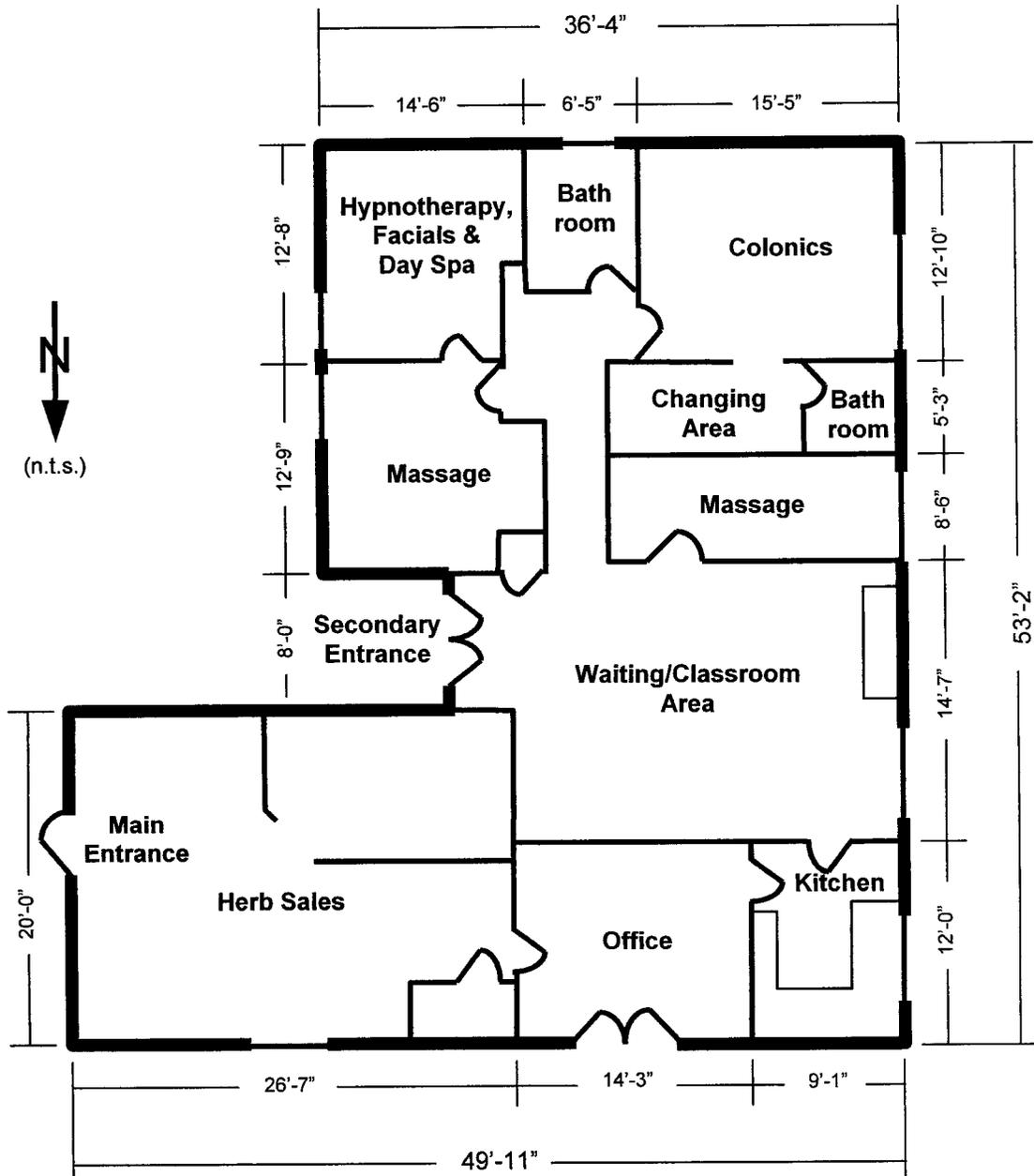
There are no known unusual physical characteristics of the site that would serve to restrict or affect development.

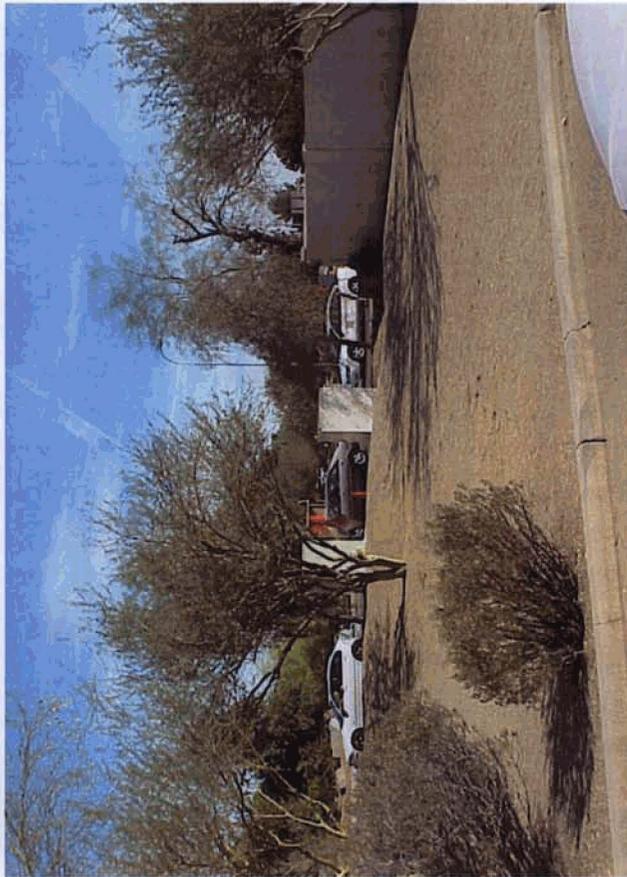
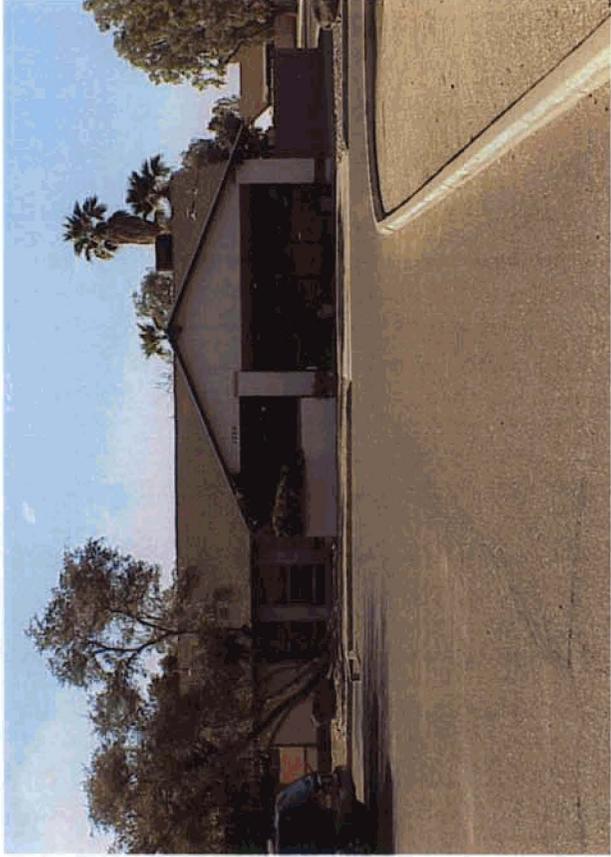


# Desert Sage Herbs

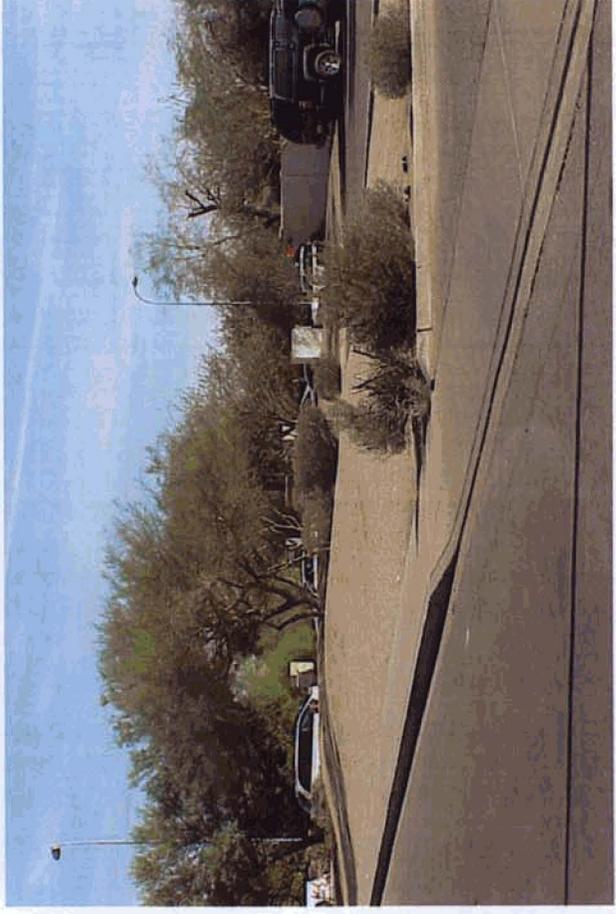
1728 N. Alma School Road, Chandler, AZ 85224

## Floor Plan





UP07-0062 Desert Sage Herbs  
Holistic Center



UP07-0062 Desert Sage Herbs  
Holistic Center