

#58
JUL 31 2008



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Where Values Make The Difference

MEMORANDUM

Planning & Development - CC Memo No. 08-133

DATE: JULY 17, 2008

TO: MAYOR AND CITY COUNCIL

THRU: W. MARK PENTZ, CITY MANAGER 
DOUG BALLARD, PLANNING & DEVELOPMENT DIRECTOR 
JEFF KURTZ, ASSISTANT PLANNING & DEVELOPMENT DIRECTOR 
KEVIN MAYO, ACTING PLANNING MANAGER 

FROM: ERIK SWANSON, CITY PLANNER 

SUBJECT: UP08-0019 MICHAELS & ASSOCIATES

Request: Use Permit extension approval for a commercial business within a single-family residential home

Location: 200 N. Nebraska Street

Applicant: Kevin Michaels, Michaels and Associates, Inc.

RECOMMENDATION

The request is for a Use Permit extension to allow for a commercial business within a single-family residential home. Planning Commission and Staff, finding consistency with the General Plan, SF-8.5 zoning, and the Residential Conversion Policy (RCP), recommend approval with conditions.

BACKGROUND

City Council approved a one-year Use Permit for the subject site in 2007 to allow for the conversion of a single-family residential home into a commercial business utilizing the Residential Conversion Policy. The subject site, located at the northwest corner of Chandler Boulevard and Nebraska Street, is approximately 220 feet west of Chandler High School. The subject site is surrounded by residential homes to the north and east. Directly west, adjacent to the site and along Chandler Boulevard, are five residential homes that were converted to commercial businesses with Use Permits. South, across Chandler Boulevard is the San Marcos Golf Course.

Currently, there are six residential homes along Chandler Boulevard as part of this residential block. Five of the six homes have been approved with Use Permits for conversion. The subject site is approximately 2,500 square feet on a 9,400 square foot lot, and will provide a parking area for four vehicles, with an additional two parking spaces in the garage. In addition to the onsite parking, the applicant has arranged for a parking agreement with the property owner directly east across Nebraska Street for an additional four parking spaces. The home provides five offices, and has a large conference room.

The RCP was established in 1989 to allow single-family homes the opportunity to allow small commercial businesses to operate within a residential zoning district with the approval of a Use Permit. Such homes must have direct frontage or access to an arterial street, and propose a business compatible with the existing neighborhood. Within this policy, criteria were established to accommodate the conversion of homes into professional offices or like businesses. Such criteria include the requirement of an improved parking lot, preservation of front yard landscaping for the aesthetic streetscape setting of the home, and buffering from adjacent residences. The request meets the requirements of the RCP.

DISCUSSION

The office has been used for administrative insurance and financial services, and has a total of three employees. The applicant is requesting approval for an additional three employees. As part of the additional three employees the applicant would like the opportunity to provide legal services associated with the insurance and financial operations to also be performed on-site. The legal services would utilize one of the existing office spaces, and similar to the insurance and financial services, customers are by appointment only with the occasional walk-in customer. The hours of operation are generally 8 a.m. to 5 p.m., and closed on weekends. Approximately one to two clients visit the business per day, although the applicant generally visits clients at an off-site location. Staff typically does not acknowledge a parking agreement since the intent of the RCP is to keep the residential scale and feel of the neighborhood. However, due to the types of businesses and low amount of clientele traffic, Staff can support the parking agreement with the condition that the Use Permit extension be granted for one year to allow Staff time to review the use and necessity of the additional parking.

PUBLIC/NEIGHBORHOOD NOTIFICATION

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

- Notices were mailed to all property owners within a six-hundred (600') foot radius and all Registered Neighborhood Organizations (RNO's) within one ¼ mile.
- A legal notice was advertised in the newspaper.
- An 11" by 17" public hearing sign was installed on the property.
- A neighborhood meeting was held on Monday April 2, 2007 at the Downtown Community Center. No neighbors were in attendance.

As of the writing of this memo, Staff has received no calls or letters of opposition to the 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, SF-8.5 zoning district, and the Residential Conversion Policy, recommend approval of the Use Permit subject to the following conditions:

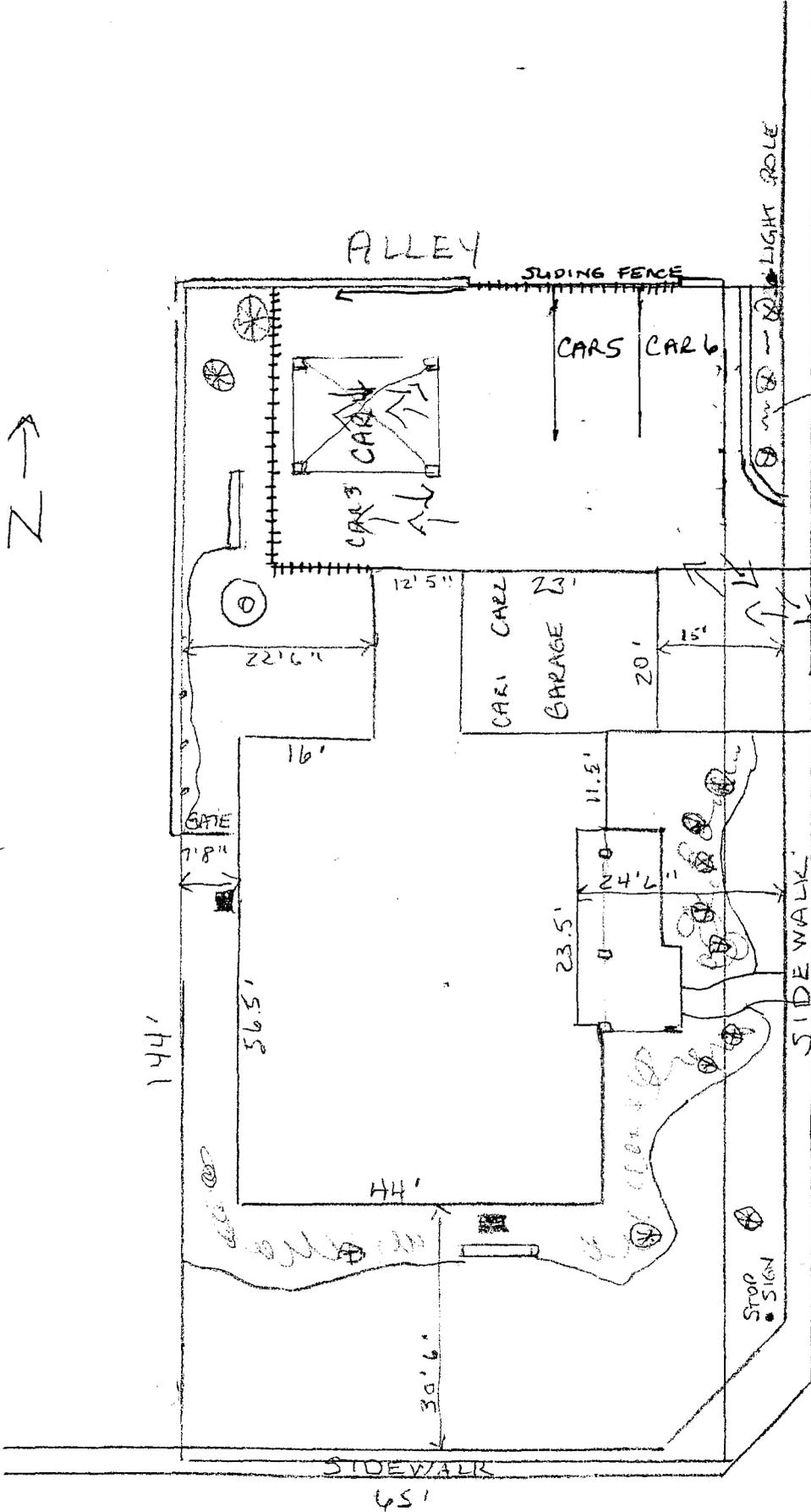
1. The Use Permit shall be effective for one (1) year from the date of Council approval. Use Permit extensions, for similar or greater time periods, shall be subject to re-application to and approval by the City of Chandler.
2. Any expansion or modifications beyond the approved exhibits shall void the Use Permit.
3. The Use Permit is non-transferable to any other location.
4. Increases in on-site employment over that represented (6), or the expansion of the home to provide additional office space, shall require Use Permit amendment and approval by the City of Chandler.
5. All additional parking spaces provided in the parking agreement shall meet current City standards for parking surfaces.

PROPOSED MOTION

Move to approve UP08-0019 MICHAELS & ASSOCIATES, subject to the conditions recommended by Planning Commission and Staff.

Attachments

1. Vicinity Map
2. Site Plan
3. Floor Plan
4. Applicant Narrative



- AIR
- ⊙ TREE
- ⊗ BUSHES
- ⊙ FIRE PIT

CHANDLER BLVD

NEBRASKA ST

1" = 20ft

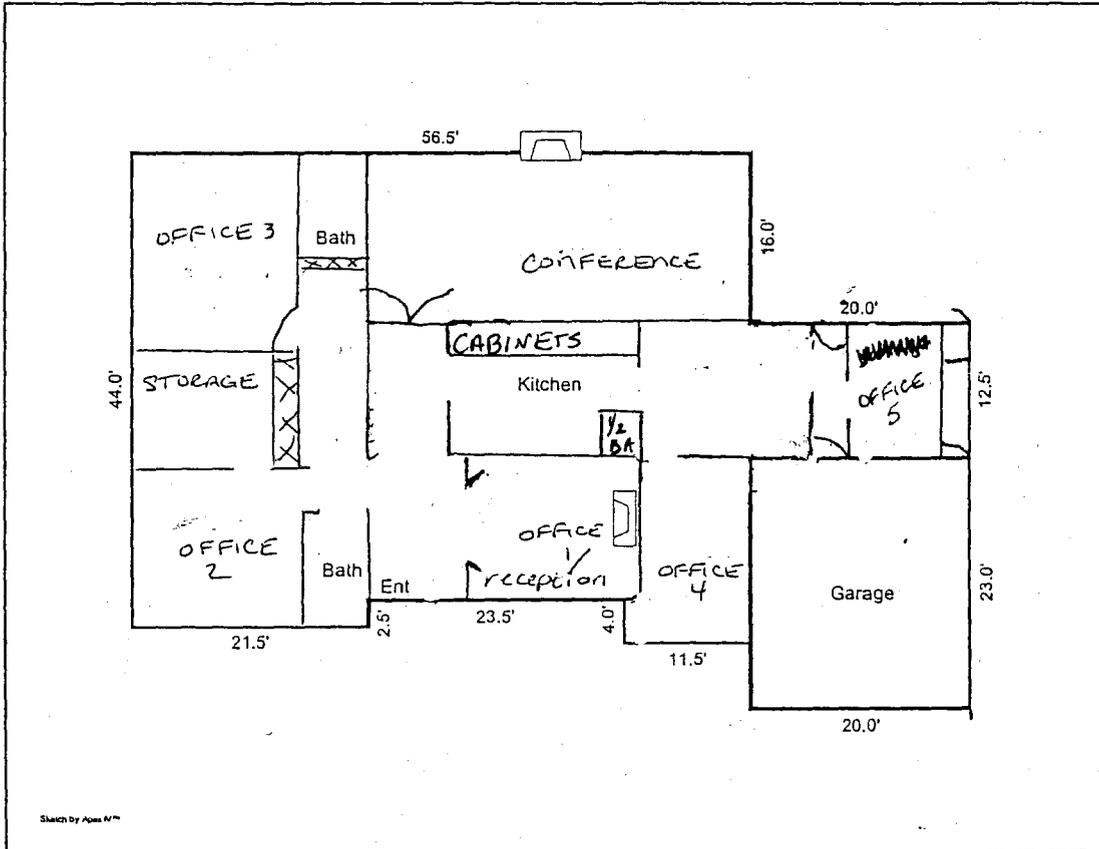
TREES + BUSHES TO BE PLANTED

4 add'l parking spots for EE's
348 W Chandler

Building Sketch

Borrower/Client	Kevin & Cynthia Michaels		
Property Address	200 N. Nebraska St.		
City	Chandler	County	Maricopa
		State	AZ
		Zip Code	85225
Lender	Freedom Financial & Mortgage Services, LLC		

Building/ Uses



Comments:

Code	Description	Net Size	Net Totals
GLA1	First Floor	2694.5	2694.5
GAR	Garage	460.0	460.0
Net LIVABLE Area		(Rounded)	2695

Breakdown		Subtotals
First Floor		
12.5	x 20.0	250.0
41.5	x 56.5	2344.8
4.0	x 11.5	46.0
2.5	x 21.5	53.8
4 Items		(Rounded) 2695



March 31, 2008

City of Chandler
Planning and Development Department
215 E. Buffalo St.
Chandler, AZ 85225

Re: 200 N. Nebraska, 302-60-009

To Whom It May Concern:

Michaels and Associates and the property at 200 N. Nebraska St. houses offices for insurance, financial, and legal services. We are applying for the renewal of our special use permit.

The property is located on the NW corner of Chandler Blvd. and Nebraska St. The "Skousen" home was built of block construction in 1951 and is approximately 2,500 square feet, on a lot approximately 9,400 square feet in size. The home currently has 5 offices and a conference room that can be comfortably used as a "professional service" office.

We have improved the site and building this past year. The building has been re-roofed with shingles and the landscaping has been brought into shape and compliance with last years request. The parking has been improved to six on-site and an agreement with neighboring property at 348 W. Chandler Blvd. owned by Fred and Margaret Borns for 4 additional employee parking spots, if needed.

We are asking for renewal of the special business use permit for 200 N. Nebraska to allow 6 employees/staff based on the increased availability of parking for employees. Our office hours will generally be 8:00 am – 5:00 pm Monday through Friday with an average of 2 clients visiting per day. We are closed on weekends.

Thank you.

A handwritten signature in black ink, appearing to read 'Kevin J. Michaels', with a large, stylized flourish at the end.

Kevin J. Michaels, LUTCF

KJM/tln