

SEP 10 2009



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MEMORANDUM Planning & Development -CC Memo No. 09-107

DATE: AUGUST 25, 2009

TO: MAYOR AND CITY COUNCIL

THRU: W. MARK PENTZ, CITY MANAGER *WP*
 PATRICK MCDERMOTT, ASSISTANT CITY MANAGER *PM*
 JEFF KURTZ, ASSISTANT PLANNING & DEVELOPMENT DIRECTOR *JK*
 KEVIN MAYO, ACTING PLANNING MANAGER *KM*

FROM: ERIK SWANSON, CITY PLANNER *ES*

SUBJECT: UP09-0029 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

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 have been converted to commercial businesses with Use Permits. South, across Chandler Boulevard is the San Marcos Golf Course.

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. A second Use Permit was granted in 2008 with a one-year

timing condition for the office. The current request is to extend the Use Permit a third time for an additional three years.

The residential home is approximately 2,500 square feet on a 9,400 square foot lot. The site provides a parking area for four vehicles with an additional two parking spaces in the garage. In addition to the on-site parking, the applicant has arranged for a parking agreement with the property owner directly east across Nebraska Street for an additional four parking spaces contingent upon a City permitted surface parking lot being constructed in conjunction with an approved Use Permit for that site. The home provides five offices and has a large conference room.

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. The business provides insurance, financial, and legal services; customers are by appointment only with the occasional walk-in customer. With the last Use Permit extension, a parking agreement with the property owner to the east was provided due to the increase of employees from three to six. At this time, parking on the other site is not permitted, as the site is not improved. Since the approval of the last extension, Staff is unaware of any concerns, opposition, or parking related issues. Staff continues to support the Use Permit.

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.

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 July 27, 2009 at the subject site. 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: 5 Opposed: 0 Absent: 2 (McClendon, Veitch)

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:

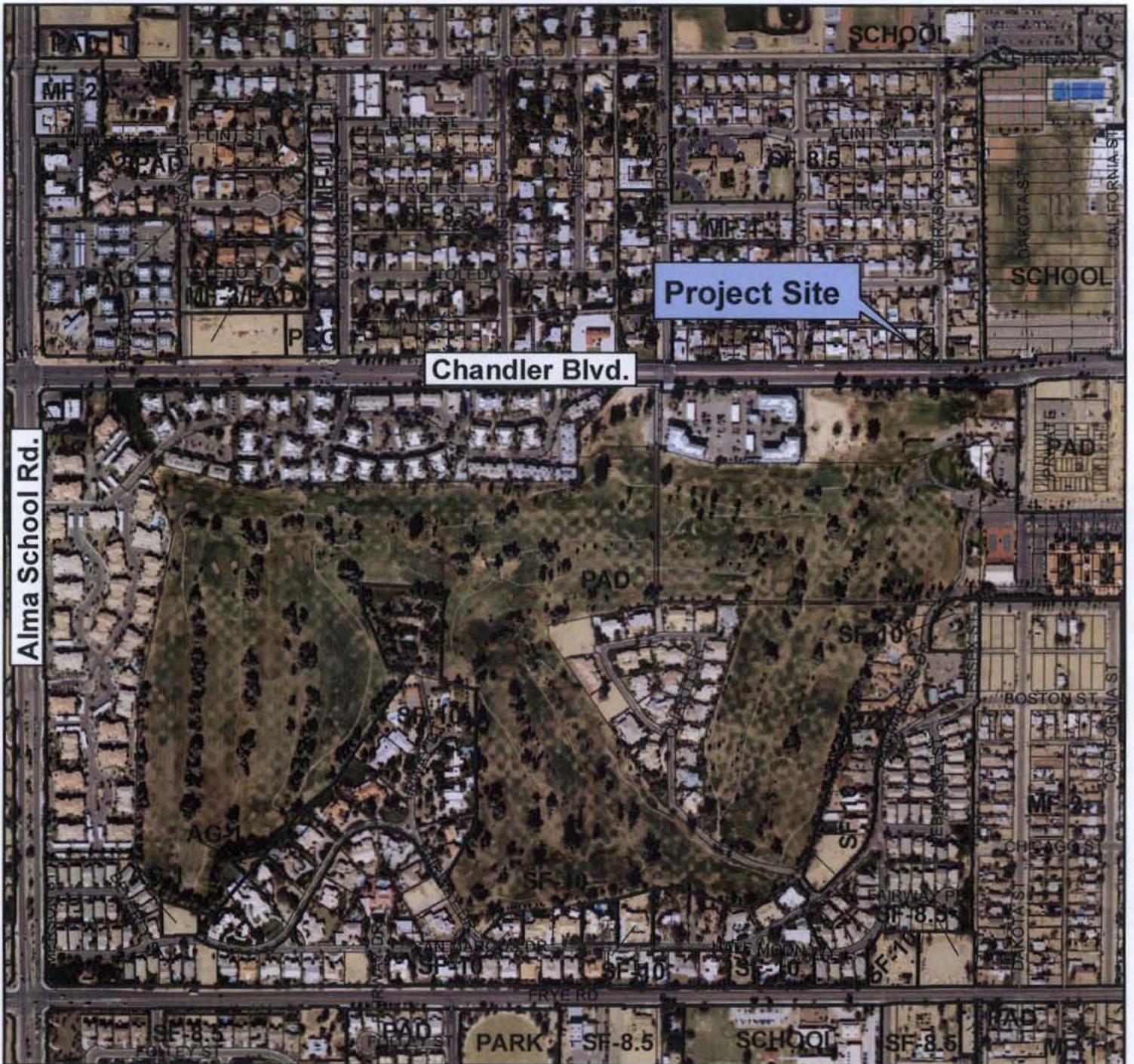
1. The Use Permit shall be effective for three (3) years from the date of Council approval. Use Permit extensions, for similar or greater time periods, shall be subject to re-application to and approval by the City of Chandler.
2. Any expansion or modifications beyond the approved exhibits shall void 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. Parking on the property to the east is not permitted until that property develops with a paved parking lot.

PROPOSED MOTION

Move to approve UP09-0029 MICHAELS & ASSOCIATES, subject to the conditions recommended by Planning Commission and Staff.

Attachments

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



Alma School Rd.

Chandler Blvd.

Project Site

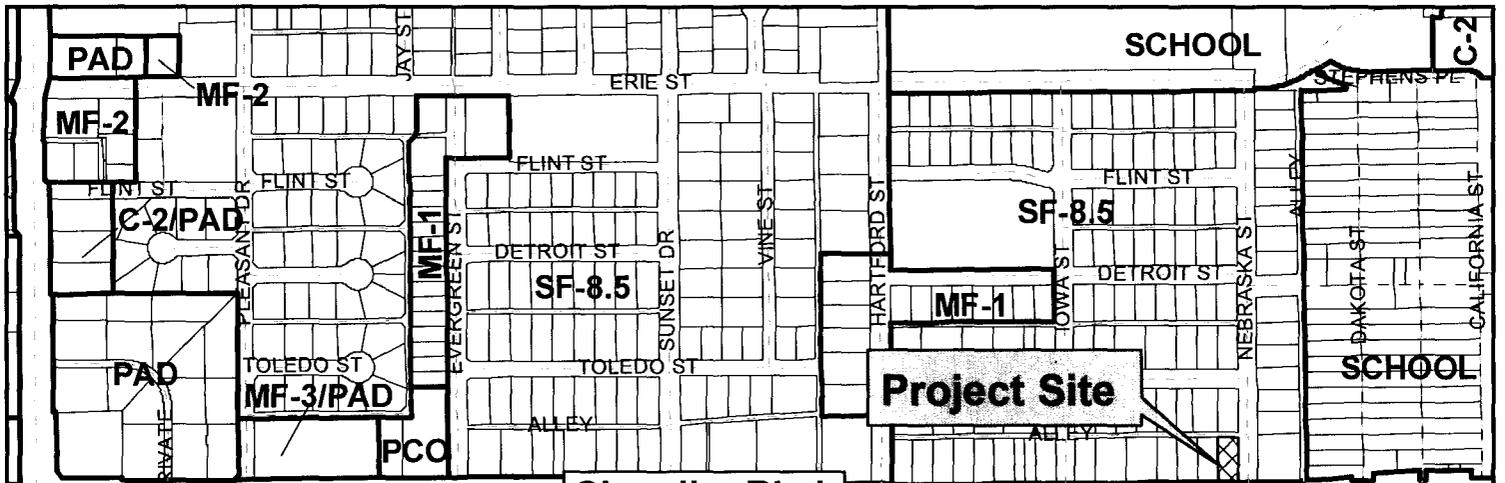
Vicinity Map



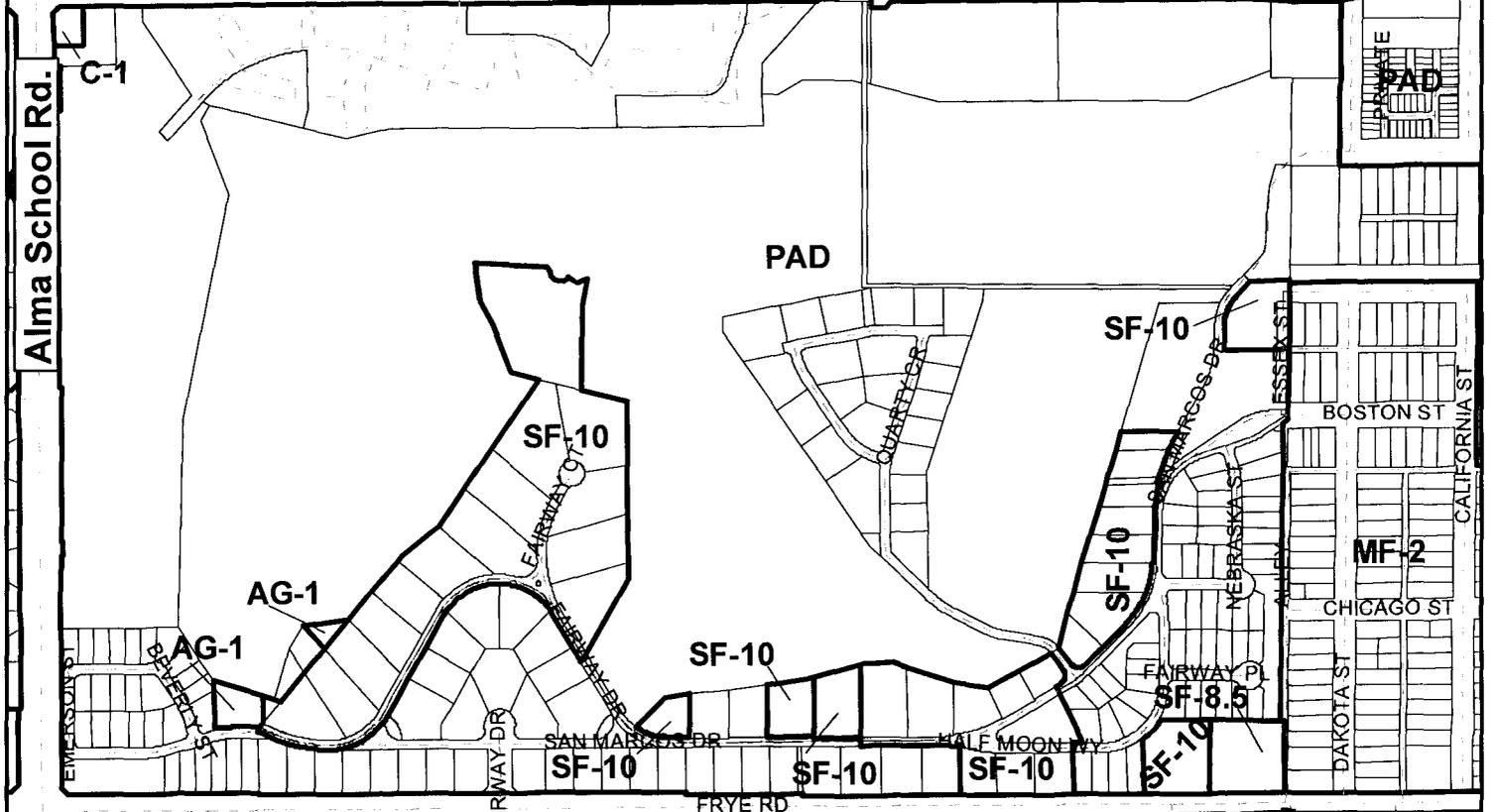
UP09-0029

Michaels and Associates, Inc.

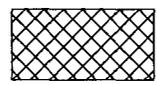
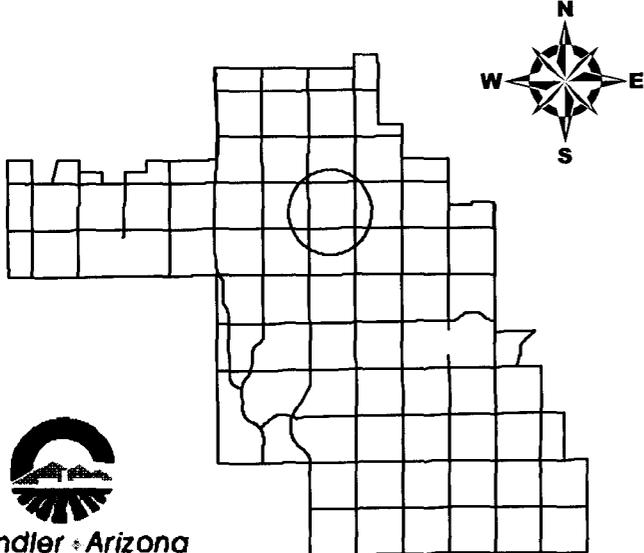




Chandler Blvd.



Vicinity Map



UP09-0029

Michaels and Associates, Inc.



June 15, 2009

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

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

To whom it may concern:

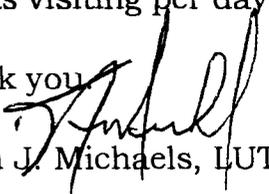
Michaels and Associates and the property at 200 N. Nebraska St. houses offices for insurance, financial and legal services. We are applying for the 3 year extension of our special use permit.

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.

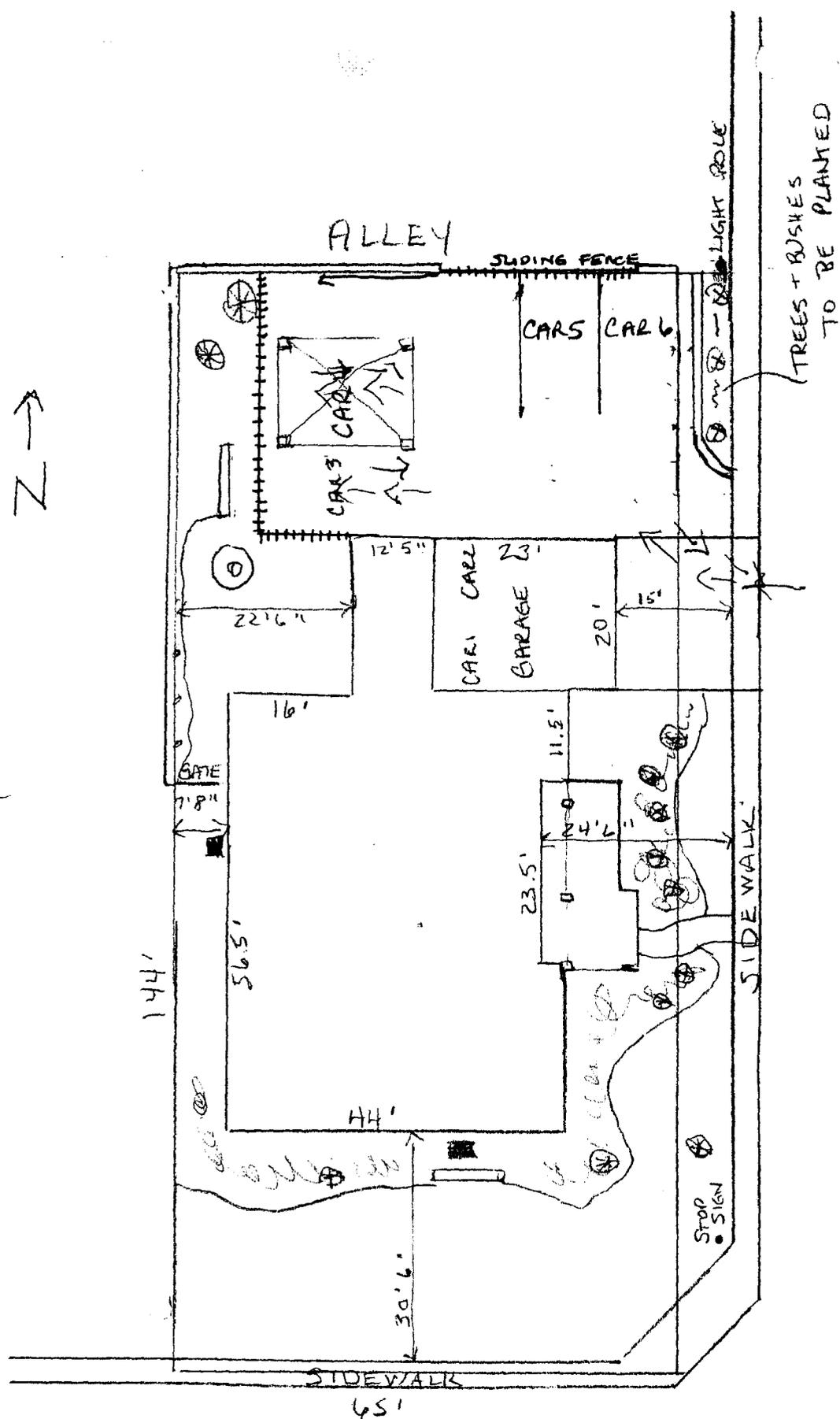
The number of employees on site remains at 6 and we still have our parking agreement with Fred and Margaret Borns, who own the property at 348 W. Chandler Blvd. They anticipate the paving will be completed in September, 2009.

We are asking for the 3 year renewal of the special business use permit for 200 N. Nebraska. Our office hours will generally be from 8:30 - 5:00 Monday through Friday with an average of 2 clients visiting per day. We are closed on weekends.

Thank you


Kevin J. Michaels, LUTCF

4 add'l
parkin.
spots
for EE's
3+8
W/Chand



NEBRASKA ST

1" = 20ft

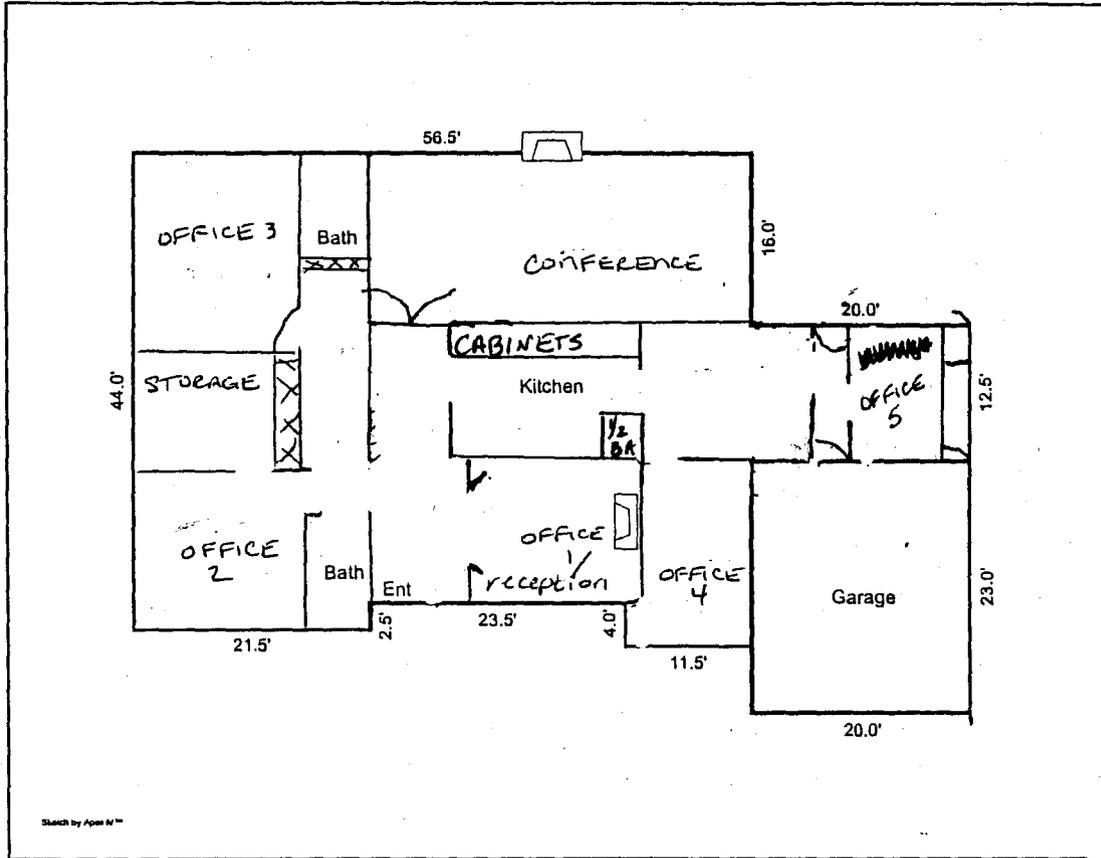
- AIR
- ⊙ TREE
- ⊕ BUSHES
- ⊙ FIRE PIT

SITE PLAN

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:

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

LIVING AREA BREAKDOWN		
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

FLOOR PLAN