



MEMORANDUM Transportation & Development - CC Memo No. 11-003

DATE: JANUARY 20, 2011

TO: MAYOR AND CITY COUNCIL

THRU: RICH DLUGAS, ACTING CITY MANAGER *RD*
 PATRICK MCDERMOTT, ASSISTANT CITY MANAGER *PM*
 R.J. ZEDER, TRANSPORTATION & DEVELOPMENT DIRECTOR *RJZ*
 JEFF KURTZ, PLANNING ADMINISTRATOR *JK*
 KEVIN MAYO, PLANNING MANAGER *KM*

FROM: ERIK SWANSON, CITY PLANNER *ES*

SUBJECT: DVR10-0027 THE LANDING AT REID'S RANCH
 Introduction and Tentative Adoption of Ordinance No. 4286

Request: Rezoning from Planned Area Development (PAD) zoning to PAD amended to eliminate a zoning condition on 18 lots within a custom single-family residential subdivision that requires copper plumbing for water lines under pressure

Location: The Landing at Reid's Ranch,
 ¼ mile east of the northeast corner of Chandler Heights and Gilbert Roads

Applicant: Pat Adler, T.W. Lewis

RECOMMENDATION

The request is to eliminate zoning condition No. 11 of Ordinance No. 3601, on 18 of the remaining 25 lots, within a custom single-family residential subdivision that requires copper plumbing for water lines under pressure. Planning Commission and Staff, upon finding consistency with the General Plan and PAD zoning, recommend approval with conditions.

BACKGROUND

The subject site is located ¼ mile east of the northeast corner of Chandler Heights and Gilbert Roads. The Landing at Reid's Ranch is surrounded by single-family residential subdivisions. North is the Brooks Ranch single-family residential neighborhood; west, adjacent to the site is

Reid's Ranch; east Old Stone Ranch, and south across Chandler Heights Road is the Valencia II single-family residential community.

The Landing at Reid's Ranch custom single-family residential subdivision was approved in 2004 as part of a master-planned community that includes the Reid's Ranch and Amberwood Heights single-family subdivisions. As part of the conditions of approval, a condition was added that required all water lines under pressure to be copper. The Reid's Ranch subdivision has been developed; seven of the 32 lots in The Landing at Reid's Ranch have been developed; Amberwood Heights has yet to be developed. In 2010, T.W. Lewis bought 18 of the vacant lots in The Landing at Reid's Ranch subdivision, and as such has submitted plans to develop the lots and would like the option to use pex piping. The 18 lots included in this request are lots 1-4, 8-10, 13-15, 17-20, 25, 26, 28 and 30. Lots 6, 12, 16, 22-24, and 29 are currently developed, the remaining undeveloped seven lots are owned individually.

In late 2008, Council adopted the 2006 International Code (I-Code). Pex piping is specifically addressed in the I-Code and is a permitted material. Even though pex piping is an approved material, it may not be used in a subdivision where copper plumbing has already been conditioned without the developer returning to Council to have the zoning condition removed. Every national plumbing code now permits the installation of pex as an approved hot and cold-water distribution system. Pex may be used in future subdivisions if the copper stipulation is not in place.

There are many positives that arise from the use of pex plumbing over copper plumbing. Pex plumbing is more flexible allowing for easier maneuverability and installation. Pex plumbing is freeze resistant and can withstand temperatures up to 180 degrees for plumbing uses. Pex plumbing is corrosive resistant and non-toxic.

PUBLIC/NEIGHBORHOOD NOTIFICATION

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

- A neighborhood meeting was held on Wednesday, January 5, 2011. No neighbors were in attendance.

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

PLANNING COMMISSION VOTE REPORT

Motion to Approve:

In Favor: 6 Opposed: 0

RECOMMENDED ACTION

Planning Commission and Staff, upon finding consistency with the General Plan, recommends approval to eliminate zoning condition No. 11 of Ordinance No. 3601, requiring copper plumbing for lines under water pressure.

CC Memo 11-003

January 20, 2011

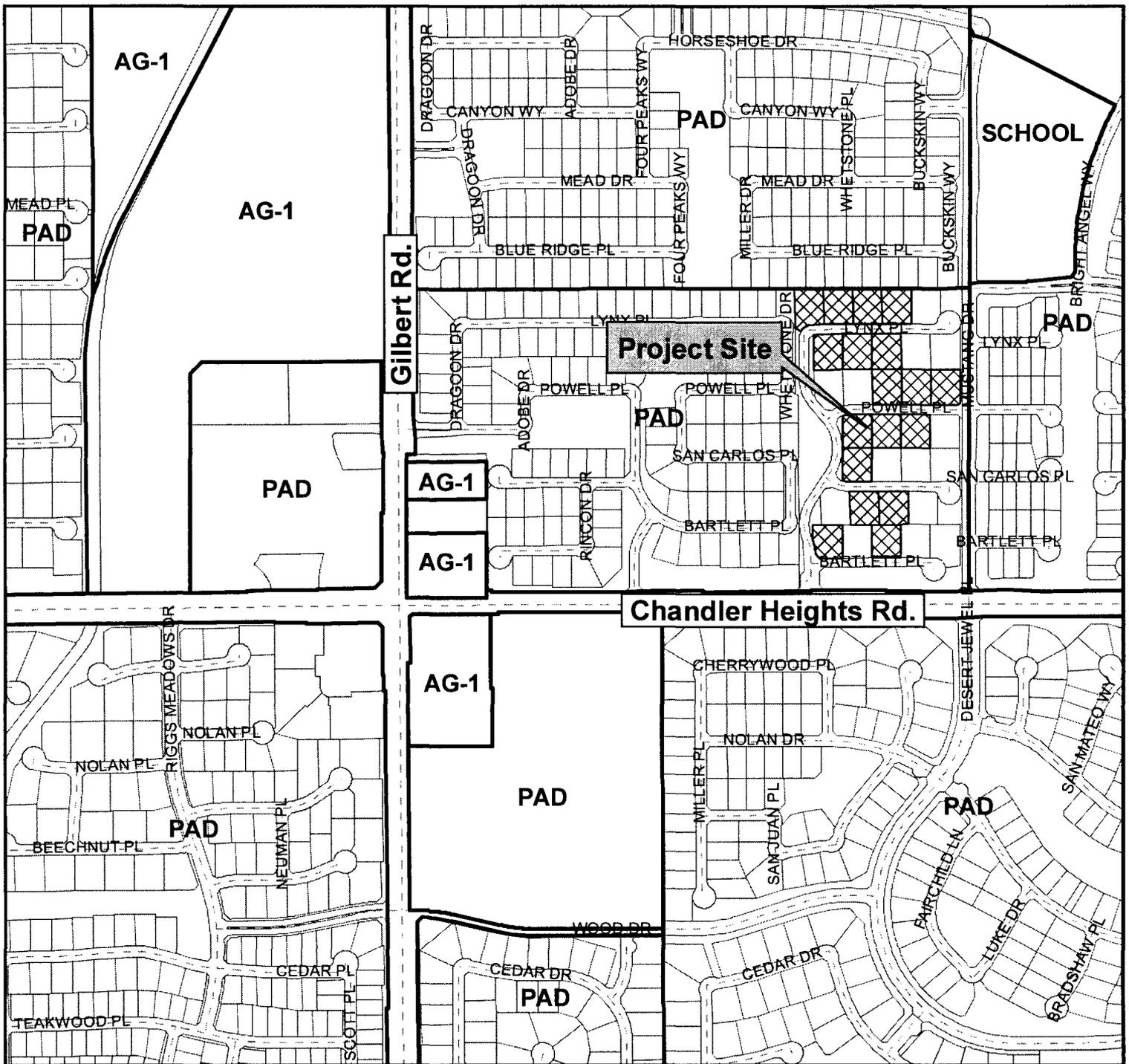
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PROPOSED MOTION

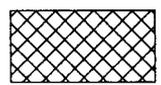
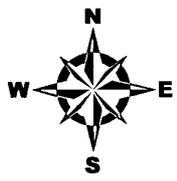
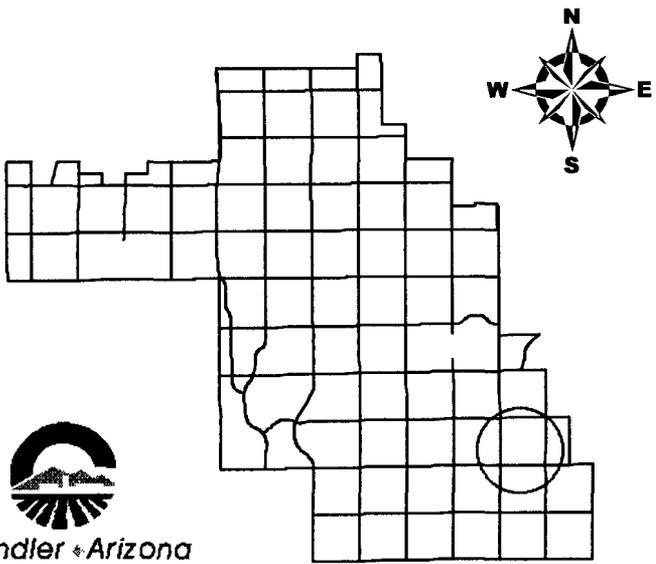
Move to introduce and tentatively adopt Ordinance No. 4286 approving DVR10-0027 THE LANDING AT REID'S RANCH, Rezoning from PAD to PAD amended, as recommended by Planning Commission and Staff.

Attachments

1. Vicinity Maps
2. Site Plan
3. Ordinance No. 3601
4. Ordinance No. 4286

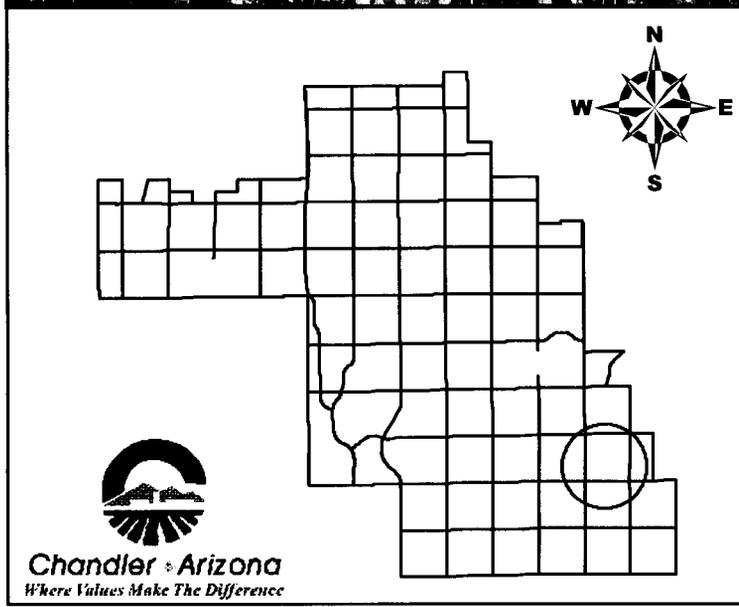


Vicinity Map

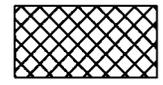


DVR10-0027

The Landing at Reid's Ranch

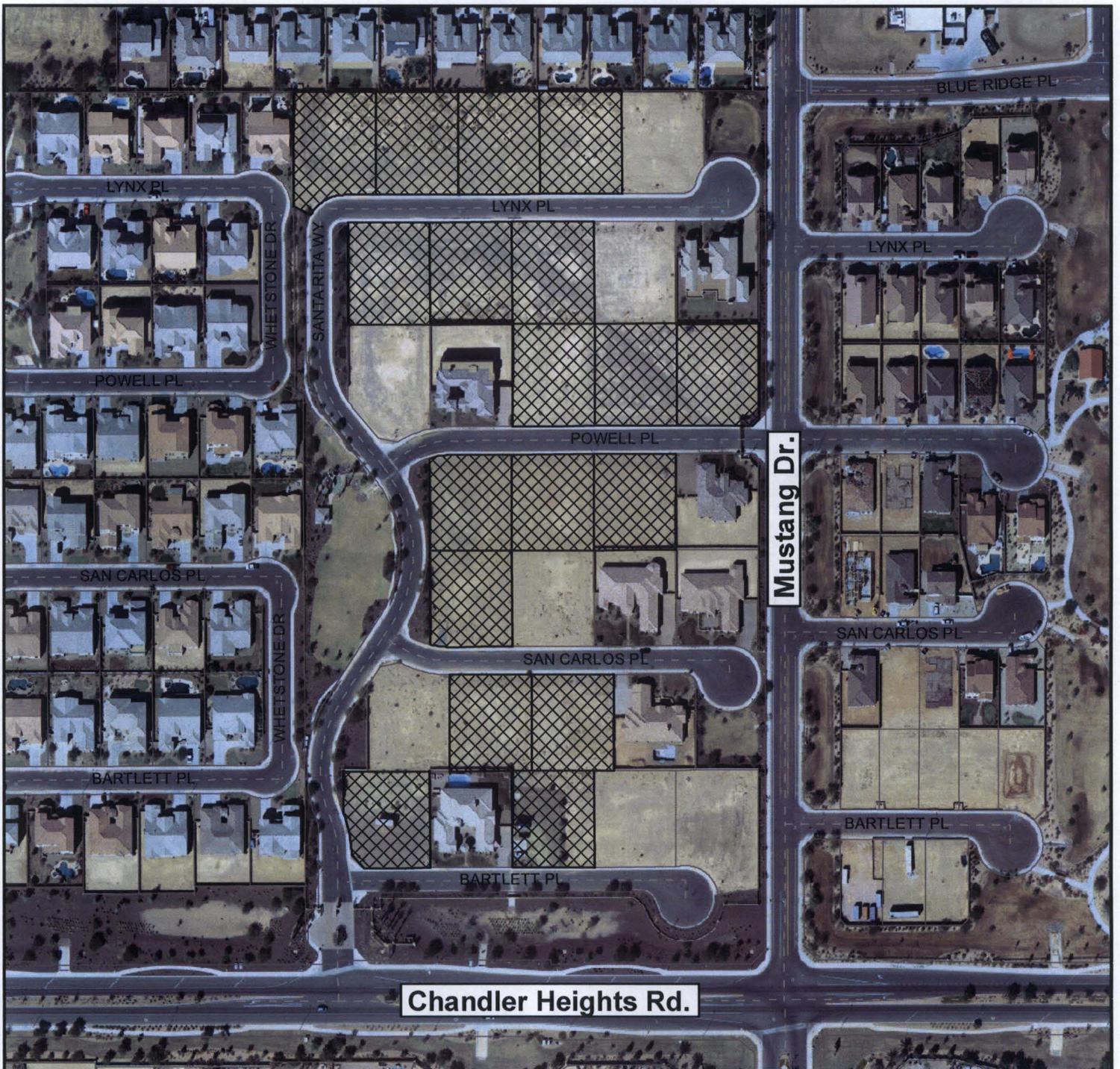


Vicinity Map



DVR10-0027

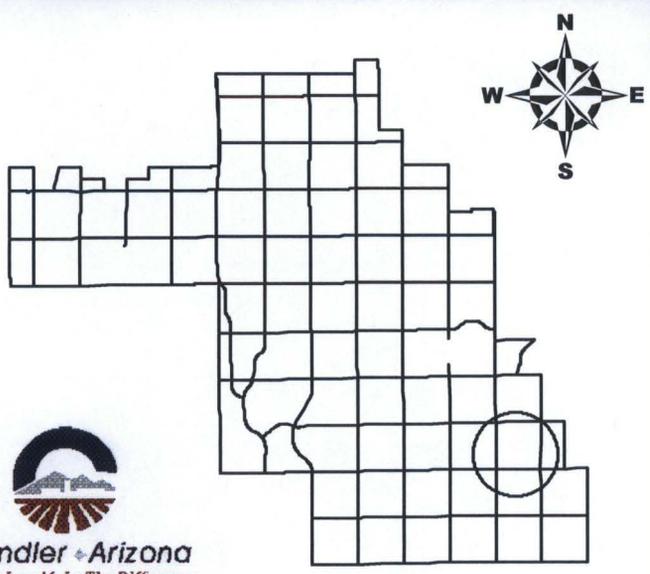
The Landing at Reid's Ranch



Chandler Heights Rd.

Mustang Dr.

SITE PLAN



Applicable Lots for Pex Plumbing

ORDINANCE NO. 3601

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY PLACING ON A PARCEL THE INITIAL CITY ZONING OF PAD -- PLANNED AREA DEVELOPMENT (DVR04-0009 REID'S RANCH, THE LANDING AT REID'S RANCH, AND AMBERWOOD HEIGHTS) LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF CHANDLER, ARIZONA.

WHEREAS, application for rezoning involving certain property within the corporate limits of Chandler, Arizona, has been filed in accordance with Article XXVI of the Chandler Zoning Code; and

WHEREAS, the application has been published in a local newspaper with general circulation in the City of Chandler, giving fifteen (15) days notice of time, place and date of public hearing; and

WHEREAS, a notice of such hearing was posted on the property at least seven (7) days prior to said public hearing; and

WHEREAS, a public hearing was held by the Planning and Zoning Commission as required by the Zoning Code

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Chandler, Arizona, as follows:

SECTION I. Legal Description of Property:

Commencing at the West quarter corner of Section 19, Township 2 South, Range 6 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

Thence South 00 degrees 08 minutes 50 seconds East, along the westerly line of the Southwest quarter of said Section 19, a distance of 1281.75 feet, said point being 43.27 feet Northerly of the Southerly line of the North half of the Southwest quarter of said Section 19, and the true point of beginning;

Thence North 89 degrees 59 minutes 38 seconds East, being parallel with and 43.27 feet Northerly of the Southerly line of the North half of the Southwest quarter of said Section 19, a distance of 2462.36 feet to a point on the Easterly line of said Southwest quarter of Section 19, from which the center of said Section 19 bears North 00 degrees 13 minutes 20 seconds East 1281.49 feet therefrom;

Thence South 00 degrees 13 minutes 20 seconds West, along said Easterly line, a distance of 1368.03 feet to the South quarter corner of said Section 19;

Thence South 89 degrees 59 minutes 15 seconds West, along the South line of said Section 19, a distance of 2075.75 feet;

Thence North 00 degrees 08 minutes 50 seconds West, being parallel with and 378.00 feet easterly of the westerly line of said Southwest quarter of Section 19, a distance of 653.00 feet;

Thence South 89 degrees 59 minutes 15 seconds West, being parallel with and 653.00 feet northerly of said southerly line of the Southwest Quarter of said Section 19, a distance of 378.00 feet, to a point on the westerly line of the Southwest quarter of said Section 19;

- poles, boxes, cabinets, or similar appurtenances shall be located outside of the ultimate right-of-way and within a specific utility easement.
3. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual #4).
 4. Completion of the construction, where applicable, of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.
 5. The developer shall be required to install landscaping in the arterial street median adjoining this project to meet current City standards. In the event that the landscaping already exists within such median(s), the developer shall be required to upgrade such landscaping to meet current City standards.
 6. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development, or take legislative action to cause the property to revert to its former zoning classification.
 7. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Preliminary Development Plan for The Landing at Reid's Ranch, Reid's Ranch and Amberwood Heights Located In Chandler, AZ" kept on file in the City of Chandler Current Planning Division, in file no. DVR04-0009, except as modified by condition herein.
 8. The covenants, conditions and restrictions (CC & R's) to be filed and recorded with the subdivision shall mandate the installation of front yard landscaping within 180 days from the date of occupancy with the homeowners' association responsible for monitoring and enforcement of this requirement.
 9. The landscaping in all open spaces and rights-of-way as well as all perimeter fences and view walls, shall be maintained by the adjacent property owner or homeowners' association.
 10. Approval by the Director of Planning and Development of plans for landscaping (open spaces and rights-of-way) and perimeter walls, and by the Public Works Director for arterial street median landscaping.
 11. The homes shall have all copper plumbing lines for those lines under pressure.
 12. The source of water that shall be used on the open space, common areas, and landscape tracts shall be reclaimed water (effluent). If reclaimed water is not available at the time of construction, and the total landscapable area is 10 acres in size or greater, these areas will be irrigated and supplied with water, other than surface water from any irrigation district, by the owner of the

development through sources consistent with the laws of the State of Arizona and the rules and regulations of the Arizona Department of Water Resources.

If the total landscapable area is less than 10 acres in size, the open space common areas, and landscape tracts may be irrigated and supplied with water by or through the use of potable water provided by the City of Chandler or any other source that will not otherwise interfere with, impede, diminish, reduce, limit or otherwise adversely affect the City of Chandler's municipal water service area nor shall such provision of water cause a credit or charge to be made against the City of Chandler's gallons per capita per day (GPCD) allotment or allocation. However, when the City of Chandler has effluent of sufficient quantity and quality, which meets the requirements of the Arizona Department of Environmental Quality for the purposes, intended available to the property to support. In the event the owner sells or otherwise transfers the development to another person or entity; the owner will also sell or transfer to the buyer of the development, at the buyer's option, the water rights and permits then applicable to the development. The limitation that the water for the development is to be owner-provided and the restriction provided for in the preceding sentence shall be stated on the final plat governing the development, so as to provide notice to any future owners. The Public Report, Purchase Contracts, and Final Plats shall include a disclosure statement outlining that the development shall use treated effluent to maintain open space, common areas, and landscape tracts.

13. The "Public Subdivision Report", "Purchase Contracts", and CC&R's shall include a disclosure statement outlining that the site is adjacent to agricultural properties that have horse and animal privileges and shall state that such uses are legal and should be expected to continue indefinitely.
14. Homebuilder will advise all prospective homebuyers of the information on future City facilities contained in the City Facilities map found at www.chandleraz.gov/info/map, or available from the City's Communication and Public Affairs Department. The homebuilder shall post a copy of the City Facilities map in the sales office showing the location of future and existing City facilities.
15. Prior to the time of making any lot reservations or subsequent sales agreements, the home builder/lot developer shall provide a written disclosure statement, for the signature of each buyer, acknowledging that the subdivision is located adjacent to or nearby an aircraft engine testing facility and an airplane aerobatic training area that may cause adverse noise, odors, and other externalities. The "Public Subdivision Report", "Purchase Contracts", and CC&R's shall include a disclosure statement outlining that the site is adjacent to or nearby an aircraft engine testing facility and an airplane aerobatic training area, and the disclosure shall state that such uses are legal and should be expected to continue indefinitely. The disclosure shall be presented to prospective homebuyers on a separate, single form for them to read and sign prior to or simultaneously with executing a purchase agreement. This responsibility for notice rests with the homebuilder/lot developer and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.

16. The applicant shall fully landscape, with turf as a primary element, all parcels along Gilbert Road.
17. The applicant shall work with Staff to modify the roof ridgelines of the 2855 model to achieve diverse roof ridgelines for the different elevations.
18. The tot lot shall be a minimum of 20 total play stations.
19. The same front elevation shall not be built on adjacent or opposite lots.
20. When two-story homes are built on adjacent lots, a 20-foot separation shall be provided between homes.
21. All homes built on corner lots shall be single story.
22. Prior to the time of making any lot reservations or subsequent sales agreements, the home builder/lot developer shall provide a written disclosure statement, for the signature of each buyer, acknowledging that the subdivision is located adjacent to an existing dairy farm and animal privileged properties that may cause adverse noise, odors, and other externalities. The "Public Subdivision Report", "Purchase Contracts", and CC&R's shall include a disclosure statement outlining that the site is near an existing dairy farm as well as other agricultural properties that have cow, horse, and other animal privileges, and the disclosure shall state that such uses are legal and should be expected to continue indefinitely. The disclosure shall be presented to prospective homebuyers on a separate, single form for them to read and sign prior to or simultaneously with executing a purchase agreement. This responsibility for notice rests with the homebuilder/lot developer and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.
23. Along Gilbert Road and Chandler Heights Road at least two-thirds of the homes must be single-story, and there shall be no more than 2 two-story homes in a row.
24. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
25. Staff shall work with the applicant to provide pedestrian access to the landscaped tract along Gilbert Road from within the subdivision.

SECTION II.

Except where provided, nothing contained herein shall be construed to be and abridgment of any other ordinance of the City of Chandler.

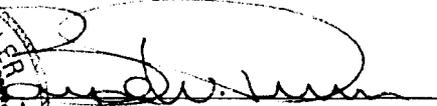
SECTION III. The Planning & Development Department of the City of Chandler is hereby directed to enter such changes and amendments as may be necessary upon the Zoning Map of said Zoning Code in compliance with this ordinance.

INTRODUCED AND TENTATIVELY APPROVED by the City Council this 26th day of August 2004.

ATTEST:


CITY CLERK



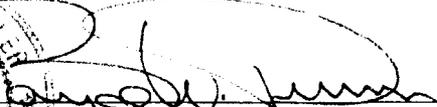

MAYOR

PASSED AND ADOPTED by the City Council this 9th day of September 2004.

ATTEST:


CITY CLERK




MAYOR

CERTIFICATION

I, HEREBY CERTIFY, that the above and foregoing Ordinance No. 3601 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the 9th day of September 2004, and that a quorum was present thereat.


CITY CLERK

APPROVED AS TO FORM:


CITY ATTORNEY

Published on September 15 & 22, 2004

ORDINANCE NO. 4286

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM PLANNED AREA DEVELOPMENT TO ELIMINATE ZONING CONDITION NO. 11 OF ORDINANCE NO. 3601 REQUIRING COPPER PLUMBING AS APPROVED IN CASE DVR04-0009 REID'S RANCH, THE LANDING AT REID'S RANCH, AND AMBERWOOD HEIGHTS) LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF CHANDLER, ARIZONA.

WHEREAS, application for rezoning involving certain property within the corporate limits of Chandler, Arizona, has been filed in accordance with Article XXVI of the Chandler Zoning Code; and

WHEREAS, the application has been published in a local newspaper with general circulation in the City of Chandler, giving fifteen (15) days notice of time, place and date of public hearing; and

WHEREAS, a notice of such hearing was posted on the property at least seven (7) days prior to said public hearing; and

WHEREAS, a public hearing was held by the Planning and Zoning Commission as required by the Zoning Code

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Chandler, Arizona, as follows:

SECTION I. Legal Description of Property:

See Attachment 'A'

Said parcel is hereby rezoned to delete Condition No. 11 of Ordinance No. 3601 requiring copper plumbing in case DVR04-0009 Reid's Ranch, The Landing at Reid's Ranch, and Amberwood Heights.

SECTION II. Except where provided, nothing contained herein shall be construed to be an abridgment of any other ordinance of the City of Chandler.

ATTACHMENT 'A'

Legal Description

Lots 1 through 4, inclusive; 8 through 10, inclusive; 13 through 15, inclusive; 17 through 20, inclusive; 25; 26; 28; and 30 of THE LANDING @ REID'S RANCH, according to Book 890 of Maps, Page 30 and Affidavit of Correction recorded in Document No. 2007-0099133, records of Maricopa County, Arizona.