



MEMORANDUM Transportation & Development – CC Memo No. 11-022

DATE: MARCH 18, 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*

FROM: KEVIN MAYO, PLANNING MANAGER *KM*

SUBJECT: DVR10-0026 1800 NAZA, LLC
 Introduction and Tentative Adoption of Ordinance No. 4291

Request: Rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for sales, display, warehouse/storage and service uses, with Preliminary Development Plan (PDP) approval for site improvements

Location: 1800 N. Arizona Avenue
 South of the southwest corner of Arizona Avenue and Warner Road

Applicant: Grant Olds
 Grant L. Olds Architects

Project Info: 2.7-acres, 15,000 square-foot existing building

RECOMMENDATION

Upon finding the request to be consistent with the General Plan, Planning Commission and Staff recommend approval.

BACKGROUND

The property is bordered to the north by an existing bowling alley and commercial shopping center zoned Regional Commercial District (C-3). To the northwest is the John Deere tractor sales and service business on property zoned AG-1. To the south is vacant property zoned AG-1 as well as the San Hacienda apartment complex at the southwest. Arizona Avenue abuts the property's east side with existing commercial businesses on property zoned C-3 located east of Arizona Avenue. West of the subject site is the Heather Glen residential condominium subdivision.

The subject site includes an approximate 15,000 square-foot single story building that was constructed in 1964 while within Maricopa County's jurisdiction. Over the years other out-buildings were constructed and torn down. The only remaining out-building is a small metal storage shed located along the property's north side within the back storage yard. The subject site was part of a larger corner that provided agricultural service needs for the then largely farming community. As Chandler developed, properties in the surrounding area slowly annexed into the City limits. The subject site was annexed in 1982 and established with an AG-1 zoning district. While the various uses over the years were not permitted under the AG-1 zoning, the uses and site improvements remained 'grandfathered' or legal non-conforming as developed under the County. The building's most recent tenant, Tempe Marine, took occupancy in 1998 ultimately vacating the site in 2008. The Zoning Code states if a non-conforming use is discontinued for a period of twelve (12) consecutive months, the property is no longer considered 'grandfathered'. Such is the case with the subject site and the impetus for the request.

The request is to rezone the subject site from Agricultural District (AG-1) to Planned Area Development (PAD) for sales, display, warehouse/storage and service uses (essentially uses previously grandfathered), with Preliminary Development Plan (PDP) approval for site improvements. The General Plan identifies the subject site as Low Density Residential. Additionally, the General Plan identifies the subject site as within a Revitalization/Infill Growth Area that extends from Chandler Boulevard up to Elliot Road. This Growth Area identifies areas suitable for a mix of land uses that include commercial. The request is consistent with the General Plan as it follows the 're-use' concept of revitalization bringing the property back into the City's available land inventory.

The current property owner purchased the subject site in 2008 with the intention of completing various improvements and leasing the property shortly thereafter. To date, the owner has completed the following improvements substantially improving the blighted property; painted building exterior with stucco repairs, repaired and resurfaced parking/maneuvering areas, demolished non-permitted homemade structures, landscape area restoration, and Arizona Avenue screen/security wall improvements. Unfortunately the completion of these improvements was met with the economic downturn and the property owner was unable to lease the building. The site ultimately lost the non-conforming status. A new user has been identified for the site. A plumbing company intends to lease the site pending zoning approval. The user supplies plumbing materials and products to plumbing contractors primarily, with a small percentage of business from individual residents and clients. The majority of customer contact comes from the various contractors coming to the site to pick up the necessary materials. The larger overhead doors and maneuvering area south of the subject building are well suited for this type of activity. The business will provide limited delivery services as well, with all commercial trucks being stored within the secured yard. Outdoor storage of material is proposed however is seen as ancillary. Regardless, a condition has been added limiting the height of stored material to the height of the screen wall.

The Zoning Code requires any future use to be in conformance with the current provisions of the Zoning Code. The intent is to allow properties to remain in use until the site constraints make the use no longer viable. The subject site remains viable, however is unable to comply with all aspect

of Code due to such things as the increased constructed width of Arizona Avenue. The PAD and PDP are requested to seek relief from the Zoning Code while maintaining the Code's intent.

Staff is taking a phased approach to compliance in an effort to facilitate re-use and redevelopment of the site. A phasing plan is attached to this memo. The future tenant indicates the entire 2.7-acre site is not needed initially and that the area identified as Phase I is adequate. As the business grows, the additional area will be utilized. Additional improvements within each phase will be required as expansion occurs. All required Site Development improvements within Phase I shall be completed within 18 months of Council approval. Phase I includes the eastern 2/3's of the site abutting Arizona Avenue.

The landscaping along Arizona Avenue, although recently restored, does not comply with Code in terms of the amount of landscaping material. Trees and shrubs will be added to bring it up to current standards. The screen wall and security gates will need to be upgraded to provide solid screening. The chain link fencing along the south property line will be replaced with a block wall as well as screen trees planted every 20-feet on center. Staff has received a letter from the future tenant indicating that the existing 16 parking spaces are more than sufficient for their initial needs. While Staff is comfortable with this representation, a condition has been added that requires the additional 18 proposed spaces shall be added at the determination of the Zoning Administrator. Other improvements to be added as part of Phase I but not necessarily required by the Zoning Code include retrofitting the existing structure with a fire sprinkler system with associated backflow, check valve and FDC connections, as well as adding an on-site fire hydrant. In addition, the City Engineer has agreed to waive or delay various engineering requirements such as a Grading and Drainage Plan citing the existing built and historical condition of the site.

DISCUSSION

Staff supports the request finding the proposed land uses consistent with the General Plan and the completed and proposed site improvements to more closely align the subject site with the intention of the Zoning Code. The request represents a prime example of positive and appropriate re-use of an older existing facility. It is acknowledged that the site is unable to comply with all aspects of Code such as building setbacks and existing parking space size; however the site is still able to function viably.

The current property owner has indicated a lack of funds to complete all improvements prior to Certificate of Occupancy for the proposed tenant. Staff's phased approach to completion of improvements is intended to allow the property owner time to complete the life-safety and Building Code improvements, secure tenant occupancy and re-establish a positive cash-flow. The 18-month timeframe should allow sufficient time to re-start an income earning property thus allowing re-investment into the subject site to ultimately bring the property into compliance with the intent of Code.

PUBLIC/NEIGHBORHOOD NOTIFICATION

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

- A neighborhood meeting was held on 02/22/2011 at the Chandler Community Center. No neighboring property owners were in attendance.
- At the time of this writing, Staff has received correspondence in support from the adjacent apartment complex representative, and an owner of a nearby residential condominium.

PLANNING COMMISSION VOTE REPORT

Motion to approve.

In Favor: 6 Opposed: 0 Absent: 1 (Baron)

RECOMMENDED ACTION

Upon finding consistency with the General Plan, Planning Commission and Staff recommend approval of the rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for sales, display, warehouse/storage and service uses, with Preliminary Development Plan (PDP) approval for site improvements, subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "1800 NAZA, LLC" kept on file in the City of Chandler Current Planning Division, in file number DVR10-0026, except as modified by condition herein.
2. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
3. The landscaping in all open spaces and rights-of-way shall be maintained by the adjacent property owner or property owners association.
4. Approval by the Director of Transportation and Development of plans for landscaping (open spaces and rights-of-way) and perimeter walls.
5. 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.
6. 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.
7. Undergrounding of all overhead electric (less than 69kv), communication, and television lines and any open irrigation ditches or canals located on the site or within adjacent right-of-ways and/or easements. Any 69kv or larger electric lines that must stay overhead shall be located in accordance with the City's adopted design and engineering standards. The aboveground utility poles, boxes, cabinets, or similar appurtenances shall be located outside of the ultimate right-of-way and within a specific utility easement.

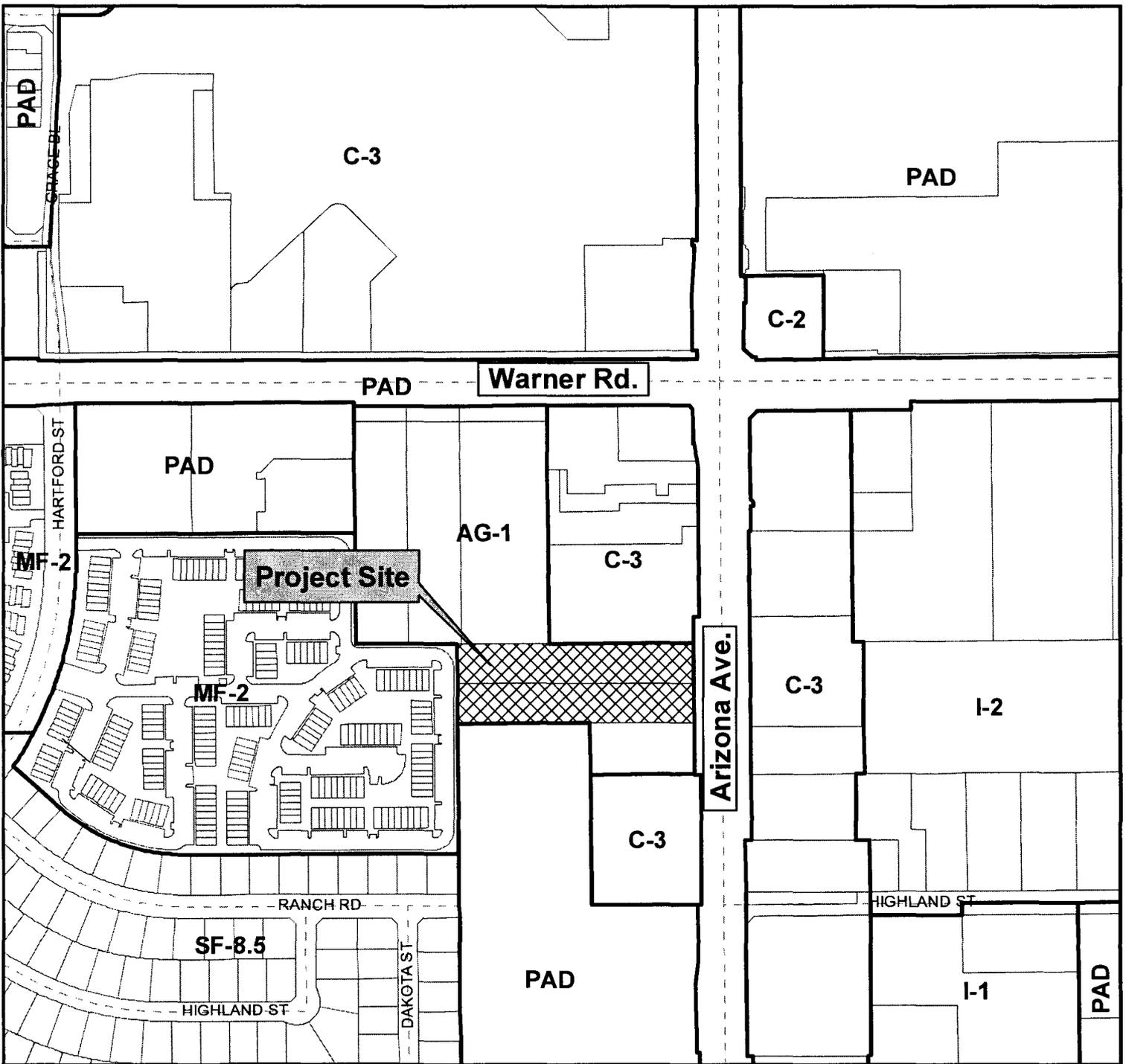
8. Phase I improvements shall be completed within eighteen (18) months of the effective date of the Ordinance.
9. Additional parking shall be added within the screened storage yard at the determination of the Zoning Administrator if future demand warrants.
10. The site shall be maintained in a clean and orderly manner.
11. All out-door storage shall be maintained at a height no taller than the screen walls.
12. Site improvements within future phases shall be completed prior to utilization of each respective future phase.
13. Raceway signage is prohibited.

PROPOSED MOTION

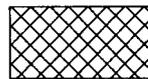
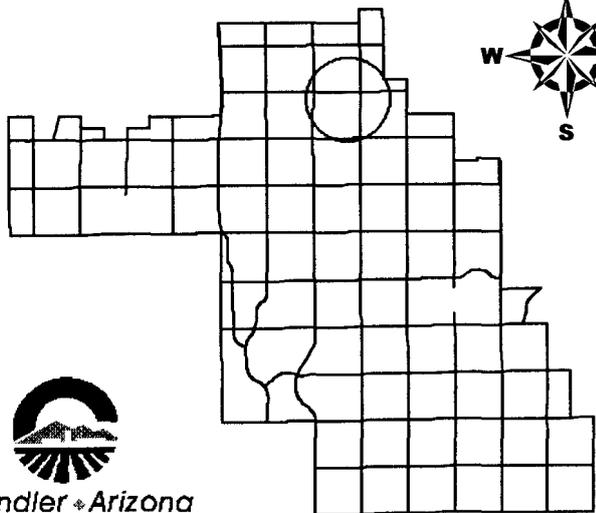
Move to introduce and tentatively adopt Ordinance No. 4291 approving DVR10-0026 1800 NAZA, LLC rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for sales, display, warehouse/storage and service uses, with Preliminary Development Plan (PDP) approval for site improvements, as recommended by Planning Commission and Staff.

Attachments

1. Vicinity Maps
2. Ordinance No. 4291
3. Site Plan
4. Phasing Plan
5. Applicant Narrative
6. Development Booklet



Vicinity Map

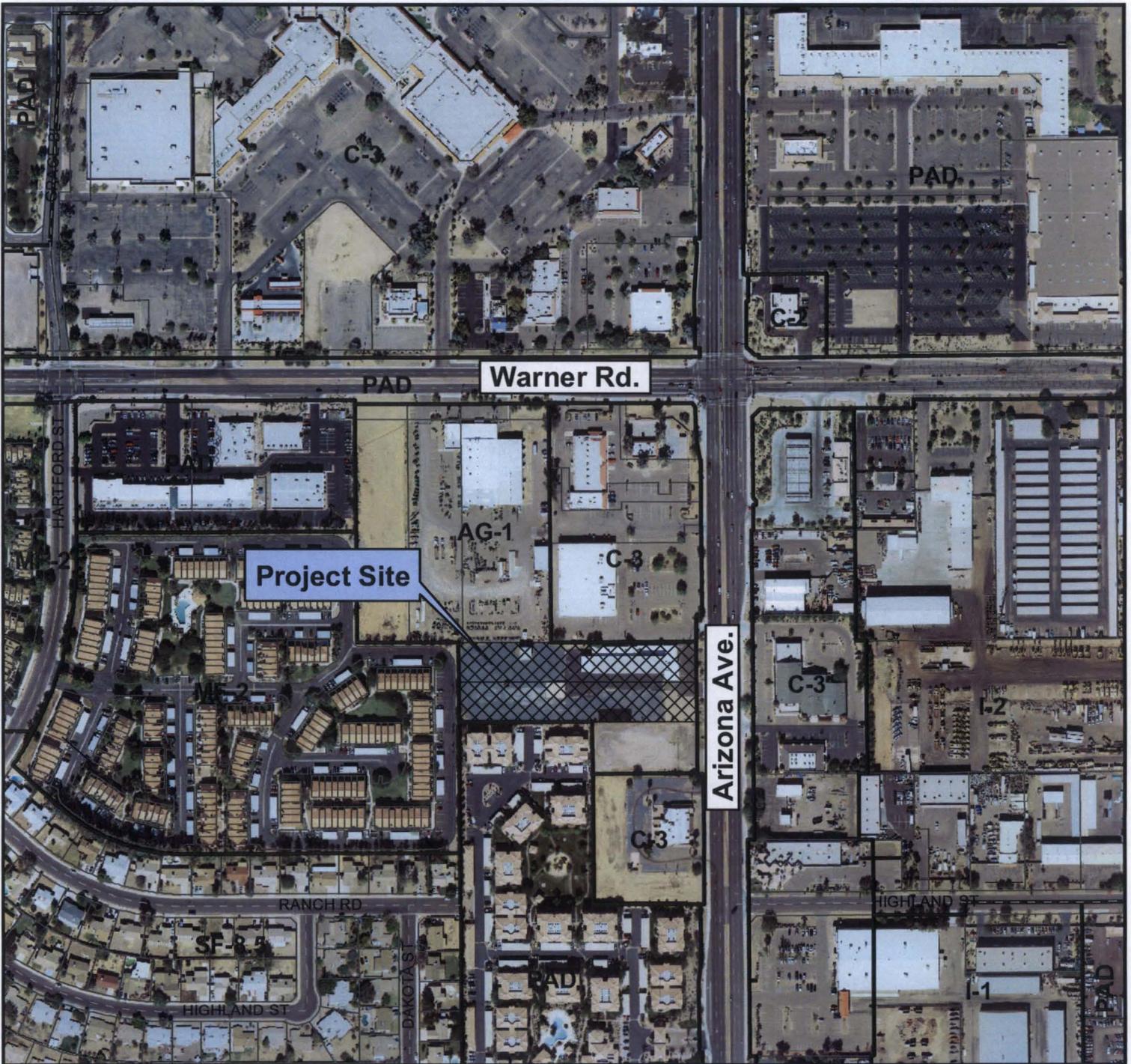


DVR10-0026

1800 Naza LLC



Chandler + Arizona
Where Values Make The Difference



Vicinity Map



DVR10-0026

1800 Naza LLC



Chandler • Arizona
Where Values Make The Difference

CITY OF CHANDLER 12/1/2010

ORDINANCE NO. 4291

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM AGRICULTURAL DISTRICT (AG-1) TO PLANNED AREA DEVELOPMENT (PAD) FOR SALES, DISPLAY, WAREHOUSE/STORAGE AND SERVICE USES (DVR10-0026 1800 NAZA, LLC) 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:

The North 200 feet of the Southeast quarter of the Northeast quarter of the Northeast quarter of Section 21, Township 1 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

EXCEPT the West 15.00 feet of the East 70.00 feet of the North 200 feet of the Southeast quarter of the Northeast quarter of the Northeast quarter of Section 21, Township 1 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

AND EXCEPT the Grantor's underlying fee interest, if any, in and to State Route 87 (Arizona Avenue) as set forth in Document No. 1985-598659.

Said parcel is hereby rezoned from Agricultural District (AG-1) to Planned Area Development (PAD) for sales, display, warehouse/storage and service uses, subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "1800 NAZA, LLC" kept on file in the City of Chandler Current Planning Division, in file number DVR10-0026, except as modified by condition herein.
2. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
3. The landscaping in all open spaces and rights-of-way shall be maintained by the adjacent property owner or property owners association.
4. Approval by the Director of Transportation and Development of plans for landscaping (open spaces and rights-of-way) and perimeter walls.
5. 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.
6. 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.
7. Undergrounding of all overhead electric (less than 69kv), communication, and television lines and any open irrigation ditches or canals located on the site or within adjacent right-of-ways and/or easements. Any 69kv or larger electric lines that must stay overhead shall be located in accordance with the City's adopted design and engineering standards. The aboveground utility poles, boxes, cabinets, or similar appurtenances shall be located outside of the ultimate right-of-way and within a specific utility easement.
8. Phase I improvements shall be completed within eighteen (18) months of the effective date of the Ordinance.
9. Additional parking shall be added within the screened storage yard at the determination of the Zoning Administrator if future demand warrants.

CERTIFICATION

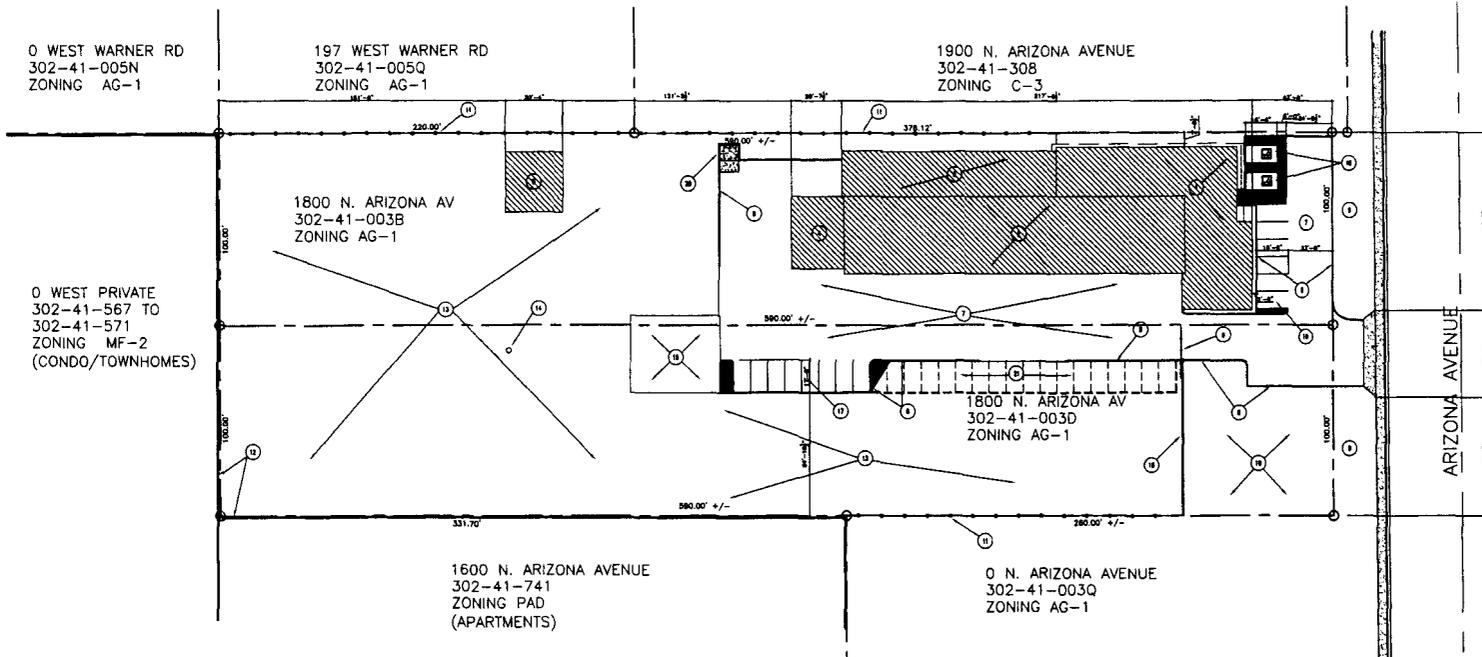
I, HEREBY CERTIFY, that the above and foregoing Ordinance No. 4291 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the _____ day of _____, 2011, and that a quorum was present thereat.

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY *GAB*

PUBLISHED:



PROJECT DATA

OWNERSHIP: 1800 NAZA LLC
5833 EAST INDIAN SCHOOL ROAD
CHANDLER, ARIZONA 85018
TELE: 482-204-2338

PROJECT ADDRESS: 1800 NORTH ARIZONA AVE
CHANDLER, ARIZONA

ARCHITECT: GRANT L OLDS ARCHITECTS
1608 EAST DIAMOND DRIVE
TEMPE, ARIZONA 85283
TELE: 482-831-5678

BUILDING USE: SALES/OFFICE/SERVICE/STORAGE

ZONING: AG-1

OCCUPANCY: B/M1/F1/S1

CONSTRUCTION TYPE: II-N (EXISTING)

YEAR BUILT: UNKNOWN

SITE AREAS: 2.71 ACRES

TENANT AREAS:

OFFICE/BREAKROOM	=	1228 S.F.
SALES/DISPLAY	=	2800 S.F.
SERVICE/WAREHOUSE BAYS	=	8610 S.F.
CANOPY AREA	=	1040 S.F.
METAL SHED BUILDING	=	940 S.F.
TOTAL AREA (PER ALTA)	=	14818 S.F.

ALL AREAS ARE APPROXIMATE AND SUBJECT TO FIELD VERIFICATION

PARKING CALCULATIONS:

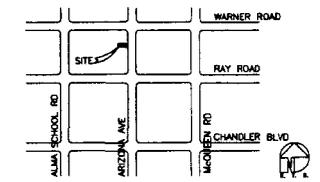
OFFICE/BREAKROOM	1228/200	=	6 SPACES
SALES/DISPLAY	2800/250	=	11 SPACES
SERVICE/STORAGE BAYS	8610/500	=	17 SPACES
TOTAL SPACES REQUIRED		=	34 SPACES
TOTAL SPACES PROVIDED		=	16 SPACES
ADDITIONAL SPACES (FUTURE PHASE)		=	18 SPACES
TOTAL SPACES PROVIDED		=	34 SPACES

GRANT L OLDS ARCHITECTS
1608 EAST DIAMOND DRIVE
TEMPE, ARIZONA 85283
TEL: 482-831-5678

DATE: 22 NOV 2010 PROJECT NUMBER: 2009016



VICINITY MAP



SITE PLAN KEY NOTES:

- 1 EXISTING ONE STORY OFFICES/SHOWROOM AND SALES AREA
- 2 EXISTING ONE STORY (HIGH BAY) SERVICE BAYS WITH SOUTH FACING OH DOORS (OPTIONAL STORAGE AREAS)
- 3 EXISTING ONE STORY STORAGE AREA
- 4 EXISTING ONE STORY OPEN AIR METAL CANOPY AREA
- 5 EXISTING ONE STORY METAL SHED STORAGE BUILDING
- 6 EXISTING W.I. ROLLING SECURITY GATE AND TRACK ASSEMBLY MODIFIED TO BE OPAQUE FOR SCREENING YARD STORAGE
- 7 EXISTING ASPHALT PARKING AND MANHOLE AREAS
- 8 EXISTING 6" CONCRETE CURBING (PERIMETER OF ASPHALT)
- 9 EXISTING LANDSCAPE AND RETENTION AREA
- 10 EXISTING D.G. OUTDOOR DISPLAY AREA (PREVIOUSLY USED FOR BOAT DISPLAY)
- 11 EXISTING CHAINLINK FENCING TO BE UPGRADED TO 6' HIGH CMU WHEN ADJACENT PROPERTIES ARE REDEVELOPED
- 12 EXISTING MASONRY SITE WALL
- 13 EXISTING OUTDOOR STORAGE AREA (OSA SURFACE)
- 14 EXISTING POLE MOUNTED SITE LIGHTING
- 15 EXISTING DOCK HIGH CONCRETE LOADING RAMP AND DOCK
- 16 RE-STRIPE EXISTING PARKING TO PROVIDE 2'-0" ADA PARKING SPACES, ANGLES AND SIGNAGE
- 17 STRIPE EXISTING ASPHALT AREAS FOR ADDITIONAL PARKING
- 18 EXISTING W.I. OVER CMU SITE WALL TO BE MODIFIED TO BE OPAQUE FOR SCREENING YARD STORAGE
- 19 VERIFY EXISTING PARKING STALLS AND RE-STRIPE IF REQUIRED TO 24'x9' PARKING STALLS
- 20 LOCATION FOR 18 ADDITIONAL PARKING STALLS TO BE ADDED AT A FUTURE DATE (WHEN NEEDED)

PROJECT NARRATIVE

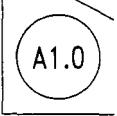
THIS FACILITY IS EXISTING AND WAS PREVIOUSLY DEVELOPED PRIOR TO ANNEXATION INTO THE CITY OF CHANDLER. AS SUCH, THE ZONING IS CURRENTLY AG-1. NAZA LLC HAS ACQUIRED THIS PROPERTY AND DUE TO THE ZONING CLASS, ARE RESTRICTED IN THE USE OF THE CURRENT BUILDING AND OUTSIDE STORAGE. THIS APPLICATION IS TO IDENTIFY ISSUES WHICH WILL CAUSE, DELAY OR IMPACT THE REZONING OF THIS PARCEL TO MEET THE NATURE OF THE PROPERTY, WHICH IS OUTDOOR STORAGE, INDOOR STORAGE, SERVICE BAYS, OFFICE AND SHOWROOM AREAS.

SITE/KEY PLAN

*PRELIMINARY
not for construction*

PROPOSED REZONING FOR:
1800 NORTH ARIZONA AVENUE

1800 NORTH ARIZONA AVENUE
CHANDLER, ARIZONA

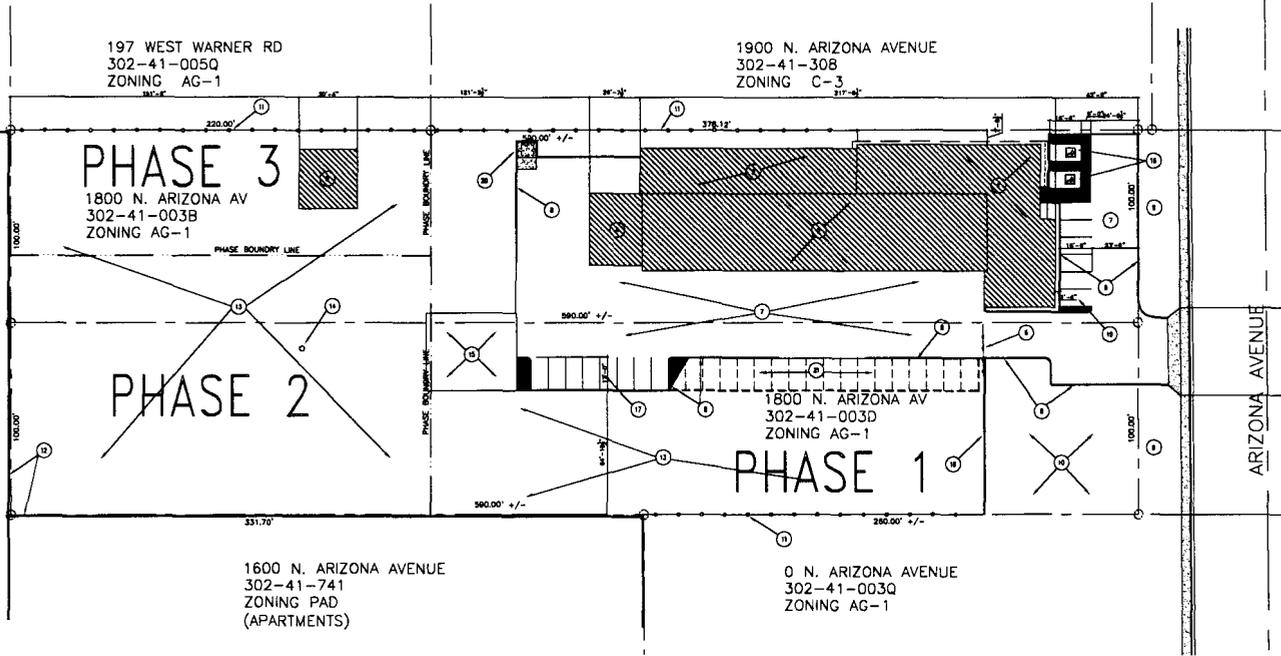


0 WEST WARNER RD
302-41-005N
ZONING AG-1

197 WEST WARNER RD
302-41-005Q
ZONING AG-1

1900 N. ARIZONA AVENUE
302-41-308
ZONING C-3

0 WEST PRIVATE
302-41-567 TO
302-41-571
ZONING MF-2
(CONDO/TOWNHOMES)



1600 N. ARIZONA AVENUE
302-41-741
ZONING PAD
(APARTMENTS)

0 N. ARIZONA AVENUE
302-41-003Q
ZONING AG-1

PROJECT DATA

OWNERSHIP: 1800 NAZA LLC
5633 EAST INDIAN SCHOOL ROAD
CHANDLER, ARIZONA 85018
TELE: 502-206-2338

PROJECT ADDRESS: 1800 NORTH ARIZONA AVE
CHANDLER, ARIZONA

ARCHITECT: GRANT L OLDS ARCHITECTS...
1508 EAST DIAMOND DRIVE
TEMPE, ARIZONA 85283
TELE: 480-831-5678

BUILDING USE: SALES/OFFICE/SERVICE/STORAGE

ZONING: AG-1

OCCUPANCY: B/M1/F1/S1

CONSTRUCTION TYPE: III-N (EXISTING)

YEAR BUILT: UNKNOWN

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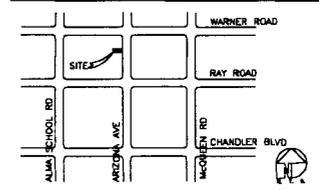
ALL AREAS ARE APPROXIMATE AND SUBJECT TO FIELD VERIFICATION

PARKING CALCULATIONS:

OFFICE/BREAKROOM	1228/200	=	6 SPACES
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SERVICE/STORAGE BAYS	8610/500	=	17 SPACES
TOTAL SPACES REQUIRED		=	34 SPACES
TOTAL SPACES PROVIDED		=	18 SPACES
ADDITIONAL SPACES (FUTURE PHASE)		=	18 SPACES
TOTAL SPACES PROVIDED		=	34 SPACES

GRANT L OLDS ARCHITECTS, P.C.
 1508 EAST DIAMOND DRIVE, TEMPE, ARIZONA 85283 (480) 831-5678
 I am the Architect for the above project and certify that the information provided herein is true and correct to the best of my knowledge and belief. I am not providing this information for any other project.
 DATE: 22 NOV 2010 PROJECT NUMBER: 2009018

VICINITY MAP



- SITE PLAN KEY NOTES:**
- 1 EXISTING ONE STORY OFFICES/SHOWROOM AND SALES AREA
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 - 16 RE-STRIP EXISTING PARKING TO PROVIDE 2'-8"X19' ADA PARKING SPACES, ADA'S AND STORAGE
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 - 18 EXISTING W.L. OVER CMU SITE WALL TO BE MODIFIED TO BE OPAQUE FOR SCREENING YARD STORAGE
 - 19 VERIFY EXISTING PARKING STALLS AND RE-STRIP IF REQUIRED TO 8'X19' PARKING STALLS
 - 20 LOCATION FOR 18 ADDITIONAL PARKING STALLS TO BE ADDED AT A FUTURE DATE (WHEN NEEDED)

PROJECT NARRATIVE

THIS FACILITY IS EXISTING AND WAS PREVIOUSLY DEVELOPED PRIOR TO ANNEXATION INTO THE CITY OF CHANDLER. AS SUCH, THE ZONING IS CURRENTLY AG-1. NAZA LLC HAS ACQUIRED THIS PROPERTY AND DUE TO THE ZONING CLASS, ARE RESTRICTED IN THE USE OF THE CURRENT BUILDING AND OUTSIDE STORAGE. THIS APPLICATION IS TO IDENTIFY ISSUES WHICH WILL CAUSE DELAY OR IMPACT THE REZONING OF THIS PARCEL TO MEET THE NATURE OF THE PROPERTY, WHICH IS OUTDOOR STORAGE, INDOOR STORAGE, SERVICE BAYS, OFFICE AND SHOWROOM AREAS.

SITE/KEY PLAN

1" = 30'-0"

PRELIMINARY
not for construction

PROPOSED REZONING FOR:
1800 NORTH ARIZONA AVENUE
 1800 NORTH ARIZONA AVENUE
 CHANDLER, ARIZONA

A1.0



GRANT L OLDS ARCHITECTS

1808 E. DIAMOND DRIVE TEMPE, ARIZONA 85283

10 March 2011

City of Chandler – Rezoning

Re: 1800 North Arizona Ave (a.k.a. Tempe Marine)

Rezoning Narrative:

The existing facility was developed under Maricopa County standards prior to annexation by the City of Chandler. This existing site and facility are comprised of two parcels totally 2.71 acres of land. It was formerly occupied by Tempe Marine as a boat sales, display, supplies, services and office center. The site was purchased by NAZA, LLC in 2008.

The following improvements were initiated and completed by the new owners shortly after the purchase. The City of Chandler was aware of these improvements and the associated costs in reversing the blight of the neglected property.

- Painted the exterior of the building and minor flashing/siding/stucco repairs.
- Repaired and resurfaced the asphalt parking and maneuvering areas.
- Weed removal and refreshed the GSA areas of the rear storage yard.
- Remove the “home-made” shade structures.
- Restore the front retention basin to the original size and depth and remove the debris from the culverts.
- Remove and replace the non-functioning automatic landscape irrigation system.
- Remove and replace the dead and dying landscaping throughout the site and restore landscape areas, including new DG ground covering at all areas of the site.
- Rebuild the decorative CMU/Wrought Iron screen wall and replace the damaged rolling gate/track.

The costs of these improvements topped the \$200,000.00 budget. Unfortunately, the timing of these improvements coincided with the economic downturn, and the building has remained vacant. This vacancy has caused the loss of the non-conforming use and the zoning has reverted to AG-1. Therefore, we are making application to rezone this site to P.A.D. to restore the ability to entertain future tenants within this space.

Through the process of the Pre-Tech review process we have worked with staff and agreed to the following improvements.

FIRE DEPARTMENT

- Add fire sprinkler system to the existing facility, including the associated backflow, check valve, FDC, etc.
- Add an on-site hydrant, verify exact placement with Fire Department.
- The proposed fire line to be fed from the existing street hydrant so as to not require a new tap across Arizona Ave.

CIVIL ENGINEERING

- The City Engineer has agreed to waive the following requirements due to the existing nature of the site, and the historical conditions and continuity of similar uses (see the attached email correspondence.)
 1. Dispose of the necessary ROW so the alignment is uniform on Arizona Avenue.
 2. The existing retention basins located within the ROW shall be allowed to remain in place and as-is.
 3. No Grading and Drainage plan will be required provided no proposed work would require grading, drainage, and the site to remain unchanged.
 4. No erosion or sediment control plan will be required as long as there is no grading and drainage work proposed.

SITE PLANNING and LANDSCAPE

It is the Owner's intent to continue to improve this property as the economy improves and rental rates return. They have already made a substantial investment in this property referred to in the opening statement of this letter. Additional site improvements are to be phased in over time or we are requesting waivers of those items as follows...

- No additional parking other than the new striping indicated on the site plan. The Tenant for this building does not require or anticipate the need for more than 12 spaces (see attached Wolseley letter). Adding additional parking will require additional pavement and will trigger the Grading and Drainage that has been waived by the City Engineer.

PHASE I - To be completed within 18 months of approval on rezoning.

- Additional landscaping in front yard area to meet current street standards.
- Existing site wall and gate (half CMU and topped with wrought iron) to be modified to be opaque to a minimum height of 6'0".
- Provide a 6'0" Height (min.) standard gray CMU site wall along South boundary to replace existing chain link.

PHASE II - Timing is triggered by outside storage use of the area designated on plan as Phase II.

- Provide trees along property line wall which abuts adjacent residential to the South and West. Trees to be 12' tall and 20' on center (at time of planting).

PHASE III - Timing is triggered by outside storage use of the area designated on plan as Phase III.

- Provide a 6'0" Height (min.) Standard gray CMU site wall along North property line from the rear of this building to the West existing site wall.
- Provide trees along property line wall which abuts adjacent residential to the North and West. Trees to be 12' tall and 20' on center (at time of planting).

If I provide any additional information, please do not hesitate to call.

Cordially;

Grant Olds - Architect

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