

Add info # 35



**MEMORANDUM**                      **Transportation & Development – CC Memo No. 11-081c**

**DATE:**            JANUARY 11, 2011

**TO:**                MAYOR AND CITY COUNCIL

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

**FROM:**            BILL DERMODY, SENIOR CITY PLANNER *BD*

**SUBJECT:**        ZUP10-0032 SAN MARCOS GOLF RESORT

Update: Staff has obtained an electronic copy of the completed Agreement to Waiver of Claim (Prop 207 Waiver) for this application. The official hard copy is expected to be delivered to Staff immediately prior to the City Council meeting, which would resolve this issue.



**MEMORANDUM                      Transportation & Development – CC Memo No. 11-081b**

**DATE:**            DECEMBER 28, 2011

**TO:**                MAYOR AND CITY COUNCIL

**THRU:**            RICH DLUGAS, 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:**            BILL DERMODY, SENIOR CITY PLANNER *BD*

**SUBJECT:**        ZUP10-0032 SAN MARCOS GOLF RESORT

**Request:**        Extension of Use Permit approval to allow a maintenance/cart storage facility

**Location:**       South of the southwest corner of Dakota Street and Chandler Boulevard, approximately ¼ mile west of Arizona Avenue

**Applicant:**      Earl, Curley & Lagarde

**Owner:**          San Marcos Capital Partners, LLP

This item was continued from the August 18, 2011 City Council meeting to allow an Agreement to Waiver of Claim (Prop 207 Waiver) to be completed and submitted to Staff prior to Council consideration. Due to ownership complexities related to the resort’s bankruptcy, Staff has still been unable to obtain the waiver. However, given the nature of the conditions and lack of apparent negative impact on property value, Staff recommends that the item be considered even without the Prop 207 Waiver. We will update the Council if the said waiver can be obtained prior to the January 12 meeting. The memorandum below is the same as presented in August.

**RECOMMENDATION**

The request is for extension of Use Permit approval to allow a maintenance/cart storage facility in conjunction with a golf course. Planning Commission and Staff, finding consistency with the General Plan and Redevelopment Element, recommend approval for three (3) additional years subject to conditions.

## **BACKGROUND**

The San Marcos Golf Resort facility is located south of Chandler Boulevard, approximately ¼ mile west of Arizona Avenue. The 18-hole, PGA championship golf course is a landmark that is nearly a century old. In 1914, the course was seeded with Bermuda grass, making it the first grass golf course in Arizona. Mature cedar and tamarisk trees line the perimeter of the development and many of the fairways on the golf course. Due to financial difficulties, the resort property is currently controlled by a receivership representing the lender.

The resort area has been identified as a potential location for a conference center campus in Chandler. As part of any new development plan related to the conference center, the maintenance and golf cart storage facility would be relocated and/or redesigned to be less prominent and more attractive in a manner appropriate within the larger plan's context. Timing on the conference center, whether it is located here or somewhere else, has not been determined.

The maintenance and golf cart storage facility is located near the property's northeastern end, adjacent to Chandler Boulevard (about 150 feet south of the Chandler Boulevard right-of-way). To the east is the San Marcos Commons residential/retail/office development, to the south and west are the golf course facilities, and to the north across Chandler Boulevard are the Chandler High School athletic fields and an existing single-family neighborhood. Farther west along Chandler Boulevard is an office development that is surrounded by the golf course. The first two residential stages of the San Marcos Commons development are complete, including the townhomes immediately adjacent to the storage facility. The adjacent townhomes are 3-story and have outdoor patios on the 2<sup>nd</sup> floor that overlook the storage facility.

The Chandler Redevelopment Element identifies the subject site as Resort/Hotel, which prescribes uses associated with the existing hotel and resort facility. The storage yard has existed on the site since approximately 1990. During the 1982 master planned zoning for the San Marcos Hotel restoration, the subject site was part of an area zoned Planned Area Development (PAD) for the golf course. The proposed storage yard use is not allowed by right under the current PAD zoning established in 1982. In 1982, a Preliminary Development Plan (PDP) was also approved that included a destination resort near the present clubhouse, but that resort was never developed. In 1996, an application was submitted for an alternative location for the maintenance facility featuring a recessed yard 3 to 4 feet below grade along Chandler Boulevard, adjacent to the existing apartments, but was later withdrawn. In 2000, the site received its original Use Permit approval for the maintenance/storage facility with a 5-year time limit. The Use Permit was renewed in November 2006 for one (1) year and again in August 2009 for an additional one (1) year. The current Use Permit application has been delayed a substantial amount of time due to ownership complications related to a loan default on the property.

Aesthetic upgrades are proposed for the facility. The existing maintenance and cart storage yard is enclosed by a 6'- to 10'-high chain link fence with woven wire fabric surrounded by dense shrubs. The fabric has required frequent maintenance over the past years. Mature trees exist along the street frontages nearby. The applicant proposes replacing the existing fence with a taller (12'-high) chain link fence along the Dakota Street frontage that has more durable plastic

inserts rather than the woven wire material. The new fence will better screen the yard from view by the adjacent townhome neighbors. The fence, proposed to be a green color, resembles what might be found surrounding a tennis court or other recreational use, rather than presenting an industrial-style appearance characteristic of CMU block walls. Illustrations of the proposed new fence are among the memo attachments.

### **DISCUSSION**

This site is located along an important gateway into Downtown Chandler and, as such, it should provide an attractive environment and sense of arrival to the city center. The proposed use is appropriate only in a temporary fashion in order to maintain the golf course's functionality while a more ideal, permanent solution is formulated. It is unlikely that a permanent solution will be reached in the next couple years because of market conditions. The applicant's willingness to complete aesthetic upgrades at this time warrants a 3-year extension of the Use Permit rather than a shorter time period as in the past.

### **PUBLIC/NEIGHBORHOOD NOTIFICATION**

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on September 2, 2010 at the San Marcos Resort. Two neighbors attended to ask about proposed screening as viewed from their townhome. The applicant also met with them later at their home for further discussion and evaluation.
- One neighbor expressed disfavor with the existing fence appearance, which is proposed to be upgraded through this application.
- The developer of San Marcos Commons requests that the Use Permit be granted for only one (1) year, rather than a longer time period, in order to ensure proper fence maintenance and allow more frequent review of the changing long-term development solutions. He also requests that additional mature landscaping be added.

### **PLANNING COMMISSION VOTE REPORT**

Motion to approve:

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

Commission added Condition No. 9 to further improve the fence's appearance by having the chain links be green in color, as well as any posts visible from the street (in case they have to be put on the outside for structural reasons).

### **RECOMMENDED ACTION**

Planning Commission and Staff, upon finding consistency with the General Plan, Redevelopment Element, and Planned Area Development (PAD) zoning, recommend approval of ZUP10-0032 SAN MARCOS GOLF RESORT subject to the following conditions:

1. Expansion or modification beyond the approved exhibits (Site Plan, Narrative, and Fence Exhibits) shall void the Use Permit and require new Use Permit application and approval.
2. Use Permit approval does not constitute Final Development Plan approval. The site must conform to all applicable City regulations.

3. The Use Permit shall remain in effect for three (3) years from the effective date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require reapplication to and approval by the City of Chandler.
4. The landscaping shall be maintained at a level consistent with or better than at the time of planting. The site shall be maintained in a clean and orderly manner.
5. Storage shall be contained within the confines of the existing chain link fence. Non-compliance with this condition shall void Use Permit approval.
6. Building permits shall be obtained for any structure or assembled object used to shelter material from the elements that is placed upon the property.
7. There shall be no maintenance-related deliveries between the hours of 10:00 p.m. and 6:00 a.m.
8. In order for the Use Permit to be valid, the fence improvements shall be completed within six (6) months of City Council approval.
9. In addition to the proposed green slats, the proposed new fence shall have the chain links and other metal elements visible from Dakota Street also be of a green color.

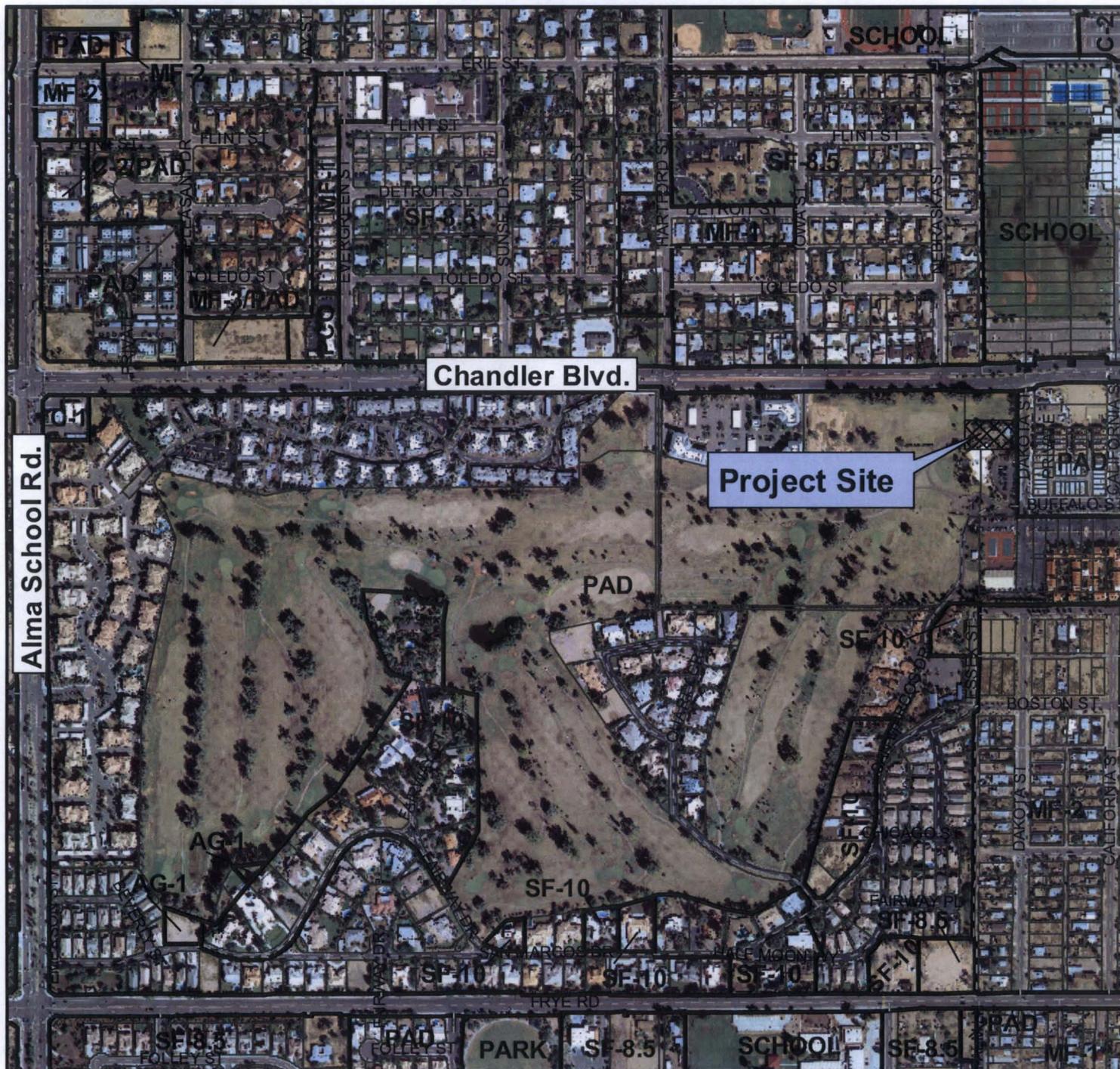
**PROPOSED MOTION**

Move to approve ZUP10-0032 SAN MARCOS GOLF RESORT subject to the conditions recommended by Planning Commission and Staff.

**Attachments**

1. Vicinity Maps
2. Site Plan/Landscape Plan
3. Applicant Narrative
4. Fence Exhibits





## Vicinity Map



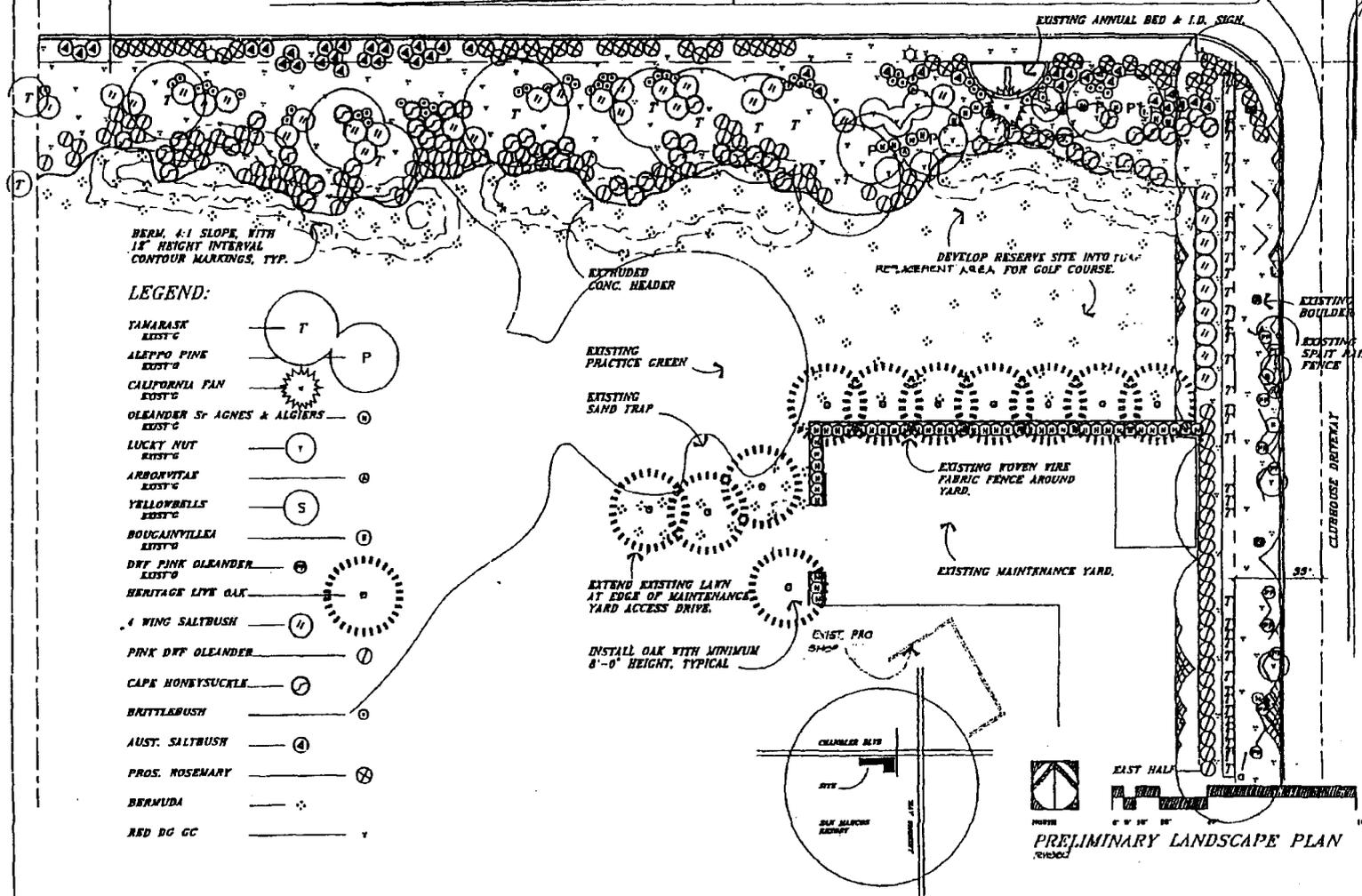
ZUP10-0032

**San Marcos Golf Resort  
Maintenance Yard**



CHANDLER BOULEVARD

ANNUAL FLOWER BED ACCENT  
EDGE AT CURB OF CLUBHOUSE  
DRIVEWAY (BY RESORT).



BERM, 4:1 SLOPE, WITH  
18" HEIGHT INTERVAL  
CONTOUR MARKINGS, TYP.

LEGEND:

- YAMARASK EXIST'G (T)
- ALEPPO PINE EXIST'G (P)
- CALIFORNIA FAN EXIST'G (S)
- OLEANDER ST. AGNES & ALGIERS EXIST'G (O)
- LUCKY NUT EXIST'G (U)
- ARBOVITAS EXIST'G (A)
- YELLOWBELLS EXIST'G (S)
- BOUGAINVILLEA EXIST'G (B)
- DRY PINK OLEANDER EXIST'G (D)
- HERITAGE LIVE OAK EXIST'G (H)
- 4 WING SALT BUSH EXIST'G (W)
- PINK DRY OLEANDER EXIST'G (P)
- CAPE HONEYSUCKLE EXIST'G (C)
- BRITTLEBUSH EXIST'G (B)
- AUST. SALT BUSH EXIST'G (A)
- PROS. ROSEMARY EXIST'G (R)
- BERMUDA EXIST'G (B)
- RED DG GC EXIST'G (R)

EXTRUDED  
CONC. HEADER

EXISTING  
PRACTICE GREEN

EXISTING  
SAND TRAP

EXTEND EXISTING LAWN  
AT EDGE OF MAINTENANCE  
YARD ACCESS DRIVE.

INSTALL OAK WITH MINIMUM  
8'-0" HEIGHT, TYPICAL

DEVELOP RESERVE SITE INTO TYP.  
REPLACEMENT AREA FOR GOLF COURSE.

EXISTING HOVEN FIRE  
FABRIC FENCE AROUND  
YARD.

EXISTING MAINTENANCE YARD.

EXIST. PRO  
SHOP

CHANDLER BLVD  
DRIVE  
CLUBHOUSE DRIVEWAY

EAST HALL



PRELIMINARY LANDSCAPE PLAN

revised

Kern O'Wells Ltd. Landscape Architect 1051 E. Loma Vista Drive Tampa, FL 33626 480 921 2967

**SAN MARCOS**  
5520 W. Granddew Drive  
Greenville, SC 29615



berchson  
architectural  
group



1000 N. Broadway, Room  
404-10  
Tampa, Florida 33602  
Phone: 480-441-7007  
Fax: 480-441-1117

L - 1

Project No.  
Date

**EARL, CURLEY & LAGARDE, P.C.**  
ATTORNEYS AT LAW

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3101 North Central Avenue  
Suite 1000  
Phoenix, Arizona 85012

July 15, 2011

**VIA E-MAIL**

William Dermody  
Senior City Planner  
City of Chandler  
Current Planning Services  
215 East Buffalo Street  
Chandler, Arizona 85225

RE: ZUP10-0032/UP07-0101 San Marcos Golf Resort

Dear Bill:

As you are aware, our office represents the San Marcos Golf Resort on the Golf Maintenance Facility Use Permit/Time extension matter. This request seeks an extension of Use Permit approval to allow a maintenance/cart storage facility in conjunction with the existing golf course. This specific request seeks to modify the existing stipulation #3 as part of case #UP070101 which reads: "The Use Permit to remain in effect for one (1) year from the effective date to the City Council approval. Continuation of the Use Permit beyond the expiration date shall require reapplication to and approval by the City of Chandler."

This specific request seeks to permit the existing golf cart maintenance and storage facility (which has been at its current location for approximately 20 years) to remain at its current location. The subject site is approximately one acre in size. The existing maintenance yard and cart storage is about 3,000 square feet and is currently screened by a chain link fence with woven wire fabric surrounded by mature landscaping. The facility meets the current Use Permit recommendations and does not receive maintenance-related deliveries between the hours of 10 p.m. and 6 a.m.

Currently, it is not financially feasible to relocate this facility. My client received estimates and bids to relocate the facility to another location. The estimates ranged as high as \$200,000. This is a cost which cannot be absorbed by the golf course which has either lost money or has just broken even in the last few years. In light of this, we turned our attention to improving the aesthetics of the facility. To improve the site's appearance, this proposal will suggest removing the existing 6 to 8 feet high chain-link fence and replacing the existing, flimsy wire mesh screening with a taller and less transparent material. A new 12-foot chain-link fence with double wall slats is proposed along Dakota Street to screen the golf storage facility from the adjacent street and nearby condominiums. The proposed screening material is extremely more durable. Additionally, by increasing the height of the fence from six to eight feet to 12 feet the

July 15, 2011

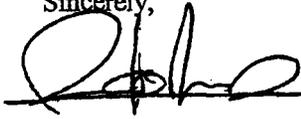
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proposed screening will block the view from the adjacent street and nearby condominium properties.

We believe that the new proposed fence height and new screening materials for the golf cart maintenance and storage facility is an appropriate solution. It is necessary to keep the golf cart maintenance and storage facilities near the Golf Club house for golf course operations. The proposed screening materials are a good solution to screen the necessary facility.

We appreciate your consideration in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Curley", written over a horizontal line.

For Michael Curley

MJC:rrd

6' & 10' Chainlink Fence with  
5' Privacy Windsceen Material



Existing Screen Fence - Looking West Along Dakota Street

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12' Gavanized Chain Link Fence with  
Double-Wall Green Slats



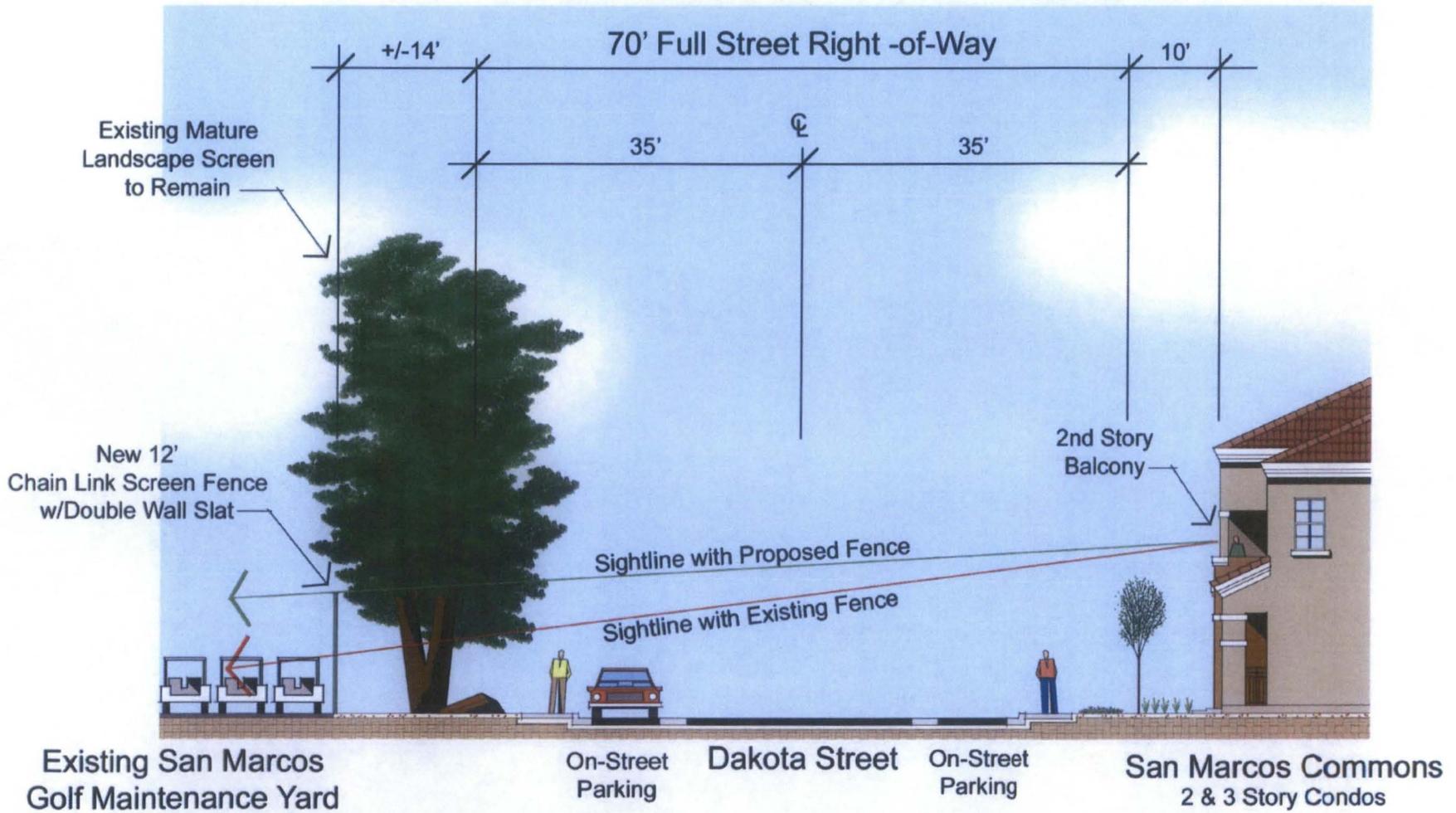
Proposed 12' Screen Fence



**Existing View from 2nd Floor Balcony  
of Adjacent Condominium Unit**



**View with Proposed 12' Screen Fence**



**Sightline Section Looking North on Dakota Street**



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America's preferred choice for privacy fencing.

**PrivacyLink®** chain link fence with "pre-woven" privacy decorative slats can be found providing privacy for and protecting homes, neighborhoods, parks, government and business complexes just about everywhere.

Available in eight different styles, this popular fence comes with double or single wall slats, partial to near total privacy and in an assortment of colors and mesh sizes. Each one is fabricated with our standard galvanized or color coordinated vinyl coated wire.

Over the years, homeowners and businesses have come to recognize and rely on the invaluable assets of Chain Link Fence with Pre-Woven Slats. Assets that include peace-of-mind, cost savings and worry-free use. No wonder it has become the preferred choice for privacy fencing in America today.

↑  
Color to be green

**Chain Link Fence with Pre-Woven Slats** - a durable, all-purpose fence that provides excellent privacy and security.

#### Benefits:

- Superior privacy and security
- Cost-efficient solution for most settings
- Less installation time saves labor and costs
- Low Maintenance

#### Vinyl Coated Chain Link Fencing

Our color coordinated, vinyl coated chain link mesh closely matches seven bright, attractive slat colors. Our rugged 10 gauge wire mesh receives a generous

- Effective wind screen
- Enhances the appearance of the property
- Acts as exceptional sound barrier
- Virtually theft resistant
- Virtually unclimbable

coat of 9 gauge fused and bonded vinyl that is guaranteed for years of trouble-free use.

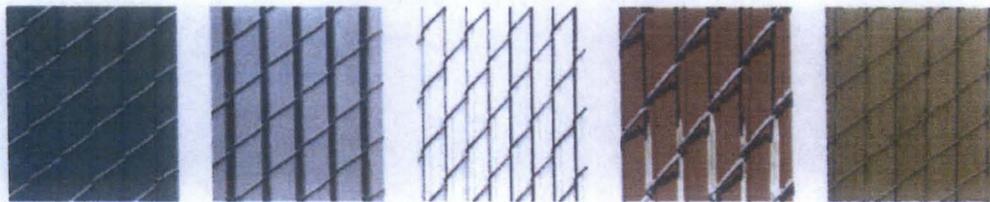
### Galvanized Chain Link Fencing

The chain link mesh is fabricated using only the highest grade 9, 10 or 11 gauge galvanized wire. Our state-of-the-art manufacturing process ensures a consistent weave and product quality.

### Heavy-duty HDPE Slats

Slats woven into **PrivacyLink®** Chain Link Fence are made from virgin High Density Polyethylene (HDPE) and come in single or double wall construction. These slats provide either full or semi-privacy, depending on the model, and are available in many popular colors.

### Double Wall Slat Products



**PrivacyLink®**  
(3 1/2" x 5" mesh)

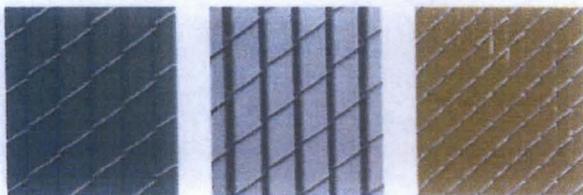
**IndustrialLink®**  
(3 1/2" x 5" mesh)

**PrivacyMaster®**  
(2" mesh)

**SlatLink®**  
(2" mesh)

**VinylWood®**  
(3 1/2" x 5" mesh)

### Single Wall Slat Products



**BudgetLink® - Full Privacy**  
(3 1/2" x 5" mesh)

**BudgetLink® - Semi Privacy**  
(3 1/2" x 5" mesh)

**TempGuard®**  
(3 1/2" x 5" mesh)



**Double-wall Slat**



**Single-wall Slat**