

# 7

MAR 08 2012



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2010

**MEMORANDUM**                      **Transportation & Development - CC Memo No. 11-100g**

**DATE:**            FEBRUARY 22, 2012

**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:**            ERIK SWANSON, CITY PLANNER *ES*

**SUBJECT:**        DVR10-0014/PPT10-0002 NORTH EAST COOPER AND RIGGS  
                         Introduction and Tentative Adoption of Ordinance No. 4334

**Request:**           Rezoning from Agricultural (AG-1) to Planned Area Development (PAD) along with Preliminary Development Plan (PDP) and Preliminary Plat (PPT) approval for an 84 lot single-family residential subdivision on 32 acres and PAD zoning for commercial development on 7.5 acres

**Location:**           Northeast corner of Cooper and Riggs roads

**Applicant:**           Michael Jorgensen;  
   Cawley Architects

The request has been continued a number of times due to the property owner being located out of the country and obtaining an executed Proposition 207 waiver. Staff has received the executed waiver.

**RECOMMENDATION**

The request is for Rezoning from AG-1 to PAD along with PDP and PPT approval for an 84 lot single-family residential subdivision on 32 acres, and PAD zoning for commercial development on 7.5 acres. Planning Commission and Staff, upon finding consistency with the General Plan, Southeast Chandler Area Plan and PAD zoning, recommends approval with conditions.

## **BACKGROUND**

The subject site is located at the northeast corner of Cooper and Riggs roads, and is currently vacant and used as farm land. East, adjacent to the site, is an additional forty acres currently in the jurisdiction of the County. North, are the Barrington and Circle G at Riggs Ranch single-family residential subdivisions, and an SRP substation. South, across Riggs Road is the Cooper Commons single-family residential subdivision; west across Cooper Road is the Riggs Country Estates single-family residential subdivision and an approximate three-acre commercial office condominium development.

Based on the General Plan the subject site is located within the Southeast Chandler Area Plan (SECAP), and designated as supporting "Rural/Agrarian Character" type neighborhoods. The SECAP allows for residential density to be 2.5 dwelling units per acre, and provides provision for up to 3.5 dwelling units per acre, based upon amenities provided to the subdivision. The subdivision provides a density of 2.75 dwelling units per acre based on the net acreage (the site plan within the booklet states the density at 2.5) of the subdivision. The subdivision provides the required number of amenities to achieve the proposed density; some of the design amenities will be provided during the housing product review. Housing product is not currently being provided and will require separate Preliminary Development Plan submittal and approval.

## **LAYOUT**

The subdivision has a main curvilinear spine running east/west off of Cooper Road that will connect the development with a future subdivision located on the adjacent eastern 40-acres. An additional access point is provided off of Riggs Road that terminates at a small focal point located within a larger open space area. Large landscape tracts are provided along both frontages; however, due to the power lines and substation along Cooper Road, the landscaping will not be as extensive as is provided along Riggs Road due to maintenance concerns and access to the power lines. Rural theming is provided primarily at the entrances of the subdivision with the use of split-rail fencing.

Due to the location of the site within the SECAP and the requested density, two optional elements are required; the site meets the requirement by providing 15% open space (5% more than required), and visible open space with views to the San Tan Mountains. In addition to meeting the density requirements within the SECAP, the subdivision also has to meet a number of the Residential Development Standards. In addition to the required 8 elements, an additional 10 optional elements are required. The requirements and how they are satisfied are provided in the development booklet; however, some of the provided elements include providing and grouping wider side yards, having a curvilinear street system, and different lot widths (between 65 to 75 feet wide).

The subdivision is providing 84 lots ranging in size from 7,900 square feet up to 11,761 square feet, with the typical lot size of 10,317 square feet. As shown on the site plan, initially 83 lots will be developed with lot 84 serving as a temporary retention basin until the development of the adjacent site. Upon development of the adjacent site, lot 84 will be developed as an additional home site.

In addition to the residential subdivision, the request also includes a request to rezone the immediate corner to PAD for Neighborhood Commercial uses. While the Rural/Agrarian designation is the lowest density designation in the SECAP and promotes the rural/agrarian lifestyle, the SECAP provides provision to allow for non-residential development to occur in a low-intensity manner. As the current request provides, the underlying designation of the site will allow development to occur consistent with the least intense commercial designation. Future Preliminary Development Plan submittal and approval are required for the commercial corner.

### **DISCUSSION**

The request was continued from the October 5<sup>th</sup> Planning Commission hearing in order for the subdivision to be reviewed by the DRC. Concerns expressed at the October 5<sup>th</sup> Planning Commission hearing primarily involved the landscape palette, wall details, subdivision signage, and the amenity area. The design team has made modifications to the landscape palette reflecting the concerns expressed by the DRC.

Planning Commission and Staff support the request for Rezoning and PDP approval for development of a residential subdivision, citing that the design meets the requirements for subdivision development as outlined within the Residential Development Standards and the SECAP. Additionally, the current design allows for the natural continuation of residential development to the eastern forty acres in the future. The inclusion of the small neighborhood commercial corner allows for additional services to be provided in the area, yet prevents large scale commercial development from occurring, maintaining consistency with the goals of the SECAP.

### **PUBLIC/NEIGHBORHOOD NOTIFICATION**

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

- A neighborhood meeting was held on Tuesday, November 16, 2010 at the Chandler Basha Library. Two neighbors were in attendance, and had general questions about the proposed use.

At the time of this writing, Staff has received a couple of phone calls with general questions. Staff has not received any letters or phone calls opposed to this application.

### **PLANNING COMMISSION VOTE REPORT**

Motion to Approve:

In Favor: 7    Opposed: 0

### **RECOMMENDED ACTIONS**

#### **Rezoning**

Planning Commission and Staff, upon finding consistency with the General Plan, and the SECAP, recommends approval of DVR10-0014 NORTH EAST COOPER AND RIGGS, Rezoning from AG-1 to PAD, subject to the following conditions:

1. 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.

2. Development shall be in substantial conformance with the Development Booklet, entitled "Cooper and Riggs Project" and kept on file in the City of Chandler Planning Division, in File No. DVR10-0014, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
3. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
4. 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.
5. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual # 4).
6. Completion of the construction 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. The developer shall be required to install landscaping in the arterial street median(s) adjoining this project. 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.
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 shall be maintained by the adjacent property owner or a homeowners' association.
10. Approval by the Director of Transportation and Development of plans for landscaping (open spaces and rights-of-way), perimeter walls, and for arterial street median landscaping is required.
11. 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 the open space, common areas, and landscape tracts available, Chandler effluent shall be used to irrigate these areas.

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 North East Cooper and Riggs development shall use treated effluent to maintain open space, common areas, and landscape tracts.

12. 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 that may cause adverse noise, odors, and other externalities. The "Public Subdivision Report", "Purchase Contracts", CC&R's, and the individual lot property deeds shall include a disclosure statement outlining that the site is adjacent to or nearby an aircraft engine testing facility, 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.
13. 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 existing ranchette and animal privilege properties that may cause adverse noise, odors and other externalities. The "Public Subdivision Report", "Purchase Contracts", CC&R's, and the individual lot property deeds 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. This responsibility for notice rests with the home builder/lot developer, and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.

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/infomap](http://www.chandleraz.gov/infomap), 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.

#### **Preliminary Development Plan**

Planning Commission and Staff, upon finding consistency with the General Plan, recommend approval of DVR10-0014 NORTHEAST COOPER AND RIGGS, Preliminary Development Plan for subdivision layout, subject to the following conditions:

1. Preliminary Development Plan approval as granted herein shall apply to the subdivision layout only.
2. Development shall be in substantial conformance with Exhibit No.6, Development Booklet, entitled "COOPER RIGGS PROJECT", and kept on file in the City of Chandler Planning Division, in File No. DVR10-0014, except as modified by condition herein.
3. The tot lot shall be a minimum of 20 total play stations.
4. All homes built on corner lots within the residential subdivision shall be single-story.
5. For lots adjacent to an arterial street, two-story homes are limited to every third lot, with no more than two, two-story homes built side-by-side.

#### **Preliminary Plat**

Planning Commission and Staff recommend approval of the Preliminary Plat PPT10-0002 NORTH EAST COOPER AND RIGGS, subject to the following condition:

1. Approval by the City Engineer and Director of Transportation & Development with regard to the details of all submittals required by code or condition.

#### **PROPOSED MOTIONS**

##### **Rezoning**

Move to introduce and tentatively adopt Ordinance No. 4334, approving DVR10-0014 NORTH EAST COOPER AND RIGGS, Rezoning from AG-1 to PAD, subject to the conditions recommend by Planning Commission and Staff.

**Preliminary Development Plan**

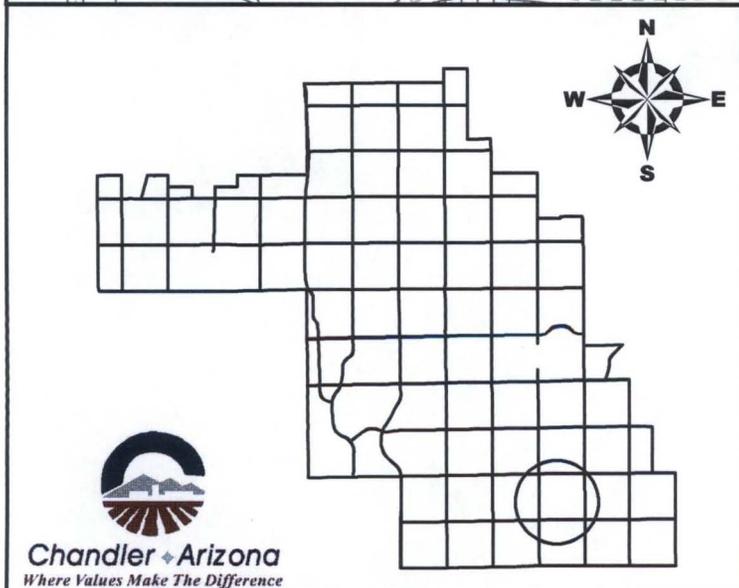
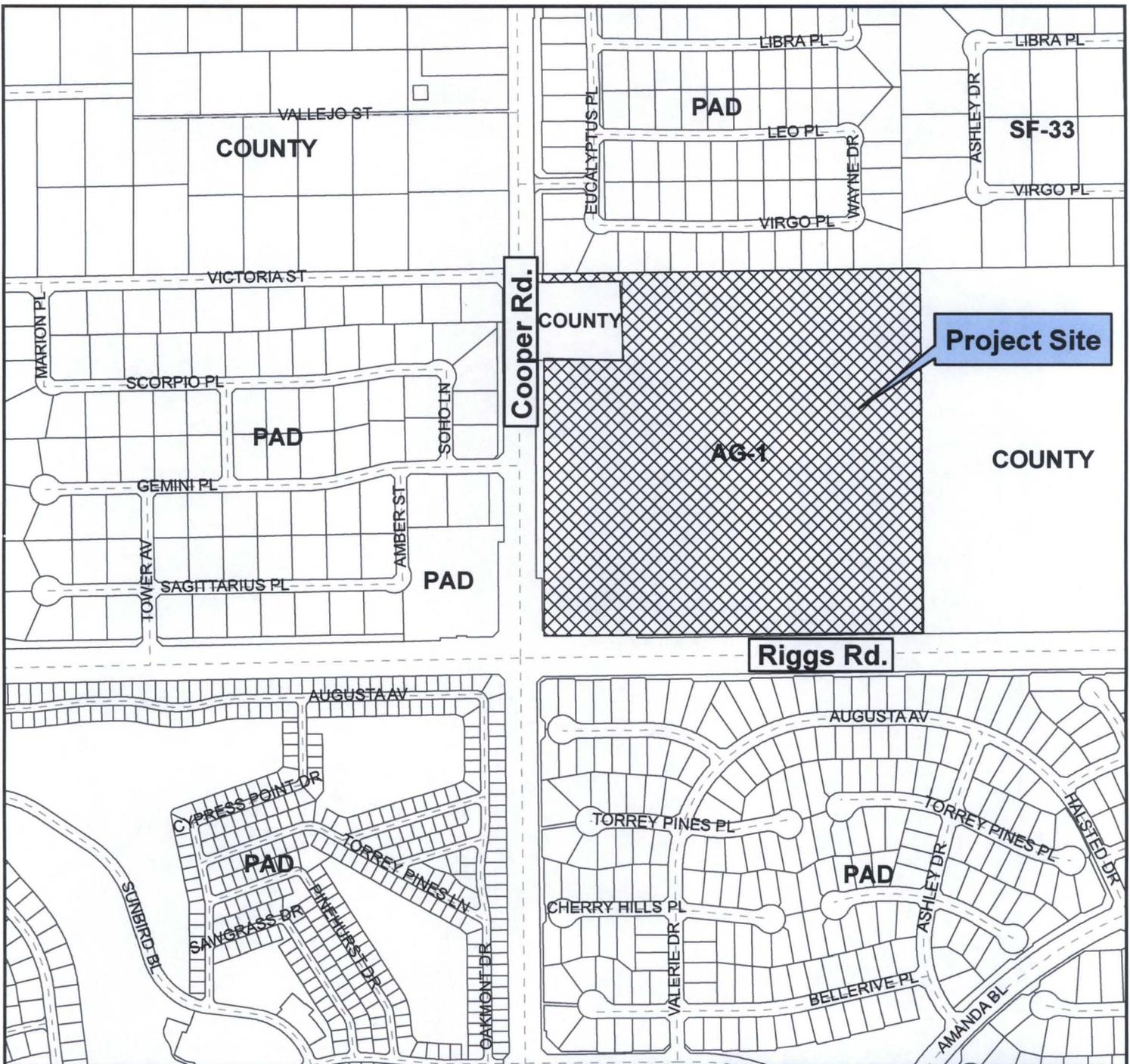
Move to approve DVR10-0014 NORTH EAST COOPER AND RIGGS, Preliminary Development Plan for subdivision layout, subject to the conditions recommended by Planning Commission and Staff.

**Preliminary Plat**

Move to approve PPT10-0002 NORTH EAST COOPER AND RIGGS, Preliminary Plat for an 84 lot single-family residential subdivision, subject to the condition recommended by Planning Commission and Staff.

**Attachments**

1. Vicinity Maps
2. Site Plan
3. Landscape Plan
4. Preliminary Plat
5. Narrative
6. Development Booklet
7. Ordinance No. 4334



## Vicinity Map



DVR10-0014

North East Cooper and Riggs







**RESIDENTIAL AREA CALCULATION :**

GROSS SITE AREA:	1,401,570 SF (32.17 AC)
NET SITE AREA:	1,330,617 SF (30.5 AC)
ROW AREA:	261,793 SF (6 AC)
OPEN SPACE:	211,027 SF (4.84 AC)
LOTS:	857,797 SF (19.69 AC) 83 LOTS
UNITS PER ACRE:	2.7
AVERAGE LOT SIZE:	10,335 SF (.23 AC)

**NEIGHBORHOOD COMMERCIAL CALCULATION :**

GROSS SITE AREA:	326,146 SF (7.48 AC)
NET SITE AREA:	247,151 SF (5.67 AC)
BUILDING AREA:	47,960
SITE COVERAGE:	19.3%
PARKING:	250 STALLS 5.2 PER THOUSAND

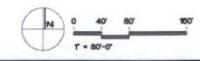


**LOCATION MAP**



**CONCEPTUAL LAND USE PLAN FOR  
COOPER & RIGGS PROJECT**

NEC OF COOPER RD. & RIGGS RD. - CHANDLER ARIZONA



10 - 20 - 2018

**SITE PLAN**



**LANDSCAPE PALETTE:**

**TREES**

BOTANICAL NAME	COMMON NAME	SIZE
Ulmus parvifolia	Evergreen Elm	24" Box
Platanus wrightii	Arizona Sycamore	36" Box
Quercus virginiana	Live Oak	24" Box
Dalbergia sissoo	Sissoo Tree	15 g.
Fraxinus 'Raywood'	Raywood Ash	24" Box

**SHRUBS**

BOTANICAL NAME	COMMON NAME	SIZE
Caesalpinia pulcherrima	Red Bird of Paradise	5 gallon
Leucophyllum frutescens 'Green Cloud'	Green Cloud Sage	5 gallon
Dasyllirion longissimum	Grass Tree	5 gallon
Bougainvillea 'torchglow'	Torchglow Bush Bougainvillea	5 gallon
Hesperaloe parviflora	Red Yucca	5 gallon
Ruellia penensularis	Baja Ruellia	5 gallon
Muhlenbergia capillaris	Regal Mist	5 gallon
Tecoma orange jubilee	Orange Jubilee	5 gallon

**GROUNDCOVER**

BOTANICAL NAME	COMMON NAME	SIZE
Baccharis species	Baccharis species	1 gallon
Convolvulus cneorum	Bush Morning Glory	1 gallon
Lantana species	Lantana species	1 gallon
Rosemarinus 'prostrata'	Dwarf Rosemary	1 gallon

**TURF**

Mid-Iron	Sod
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**DG**

2" Depth of Approved Decomposed Granite



**CONCEPTUAL LANDSCAPE PLAN FOR COOPER & RIGGS PROJECT**

NEC OF COOPER RD. & RIGGS RD. - CHANDLER ARIZONA

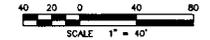
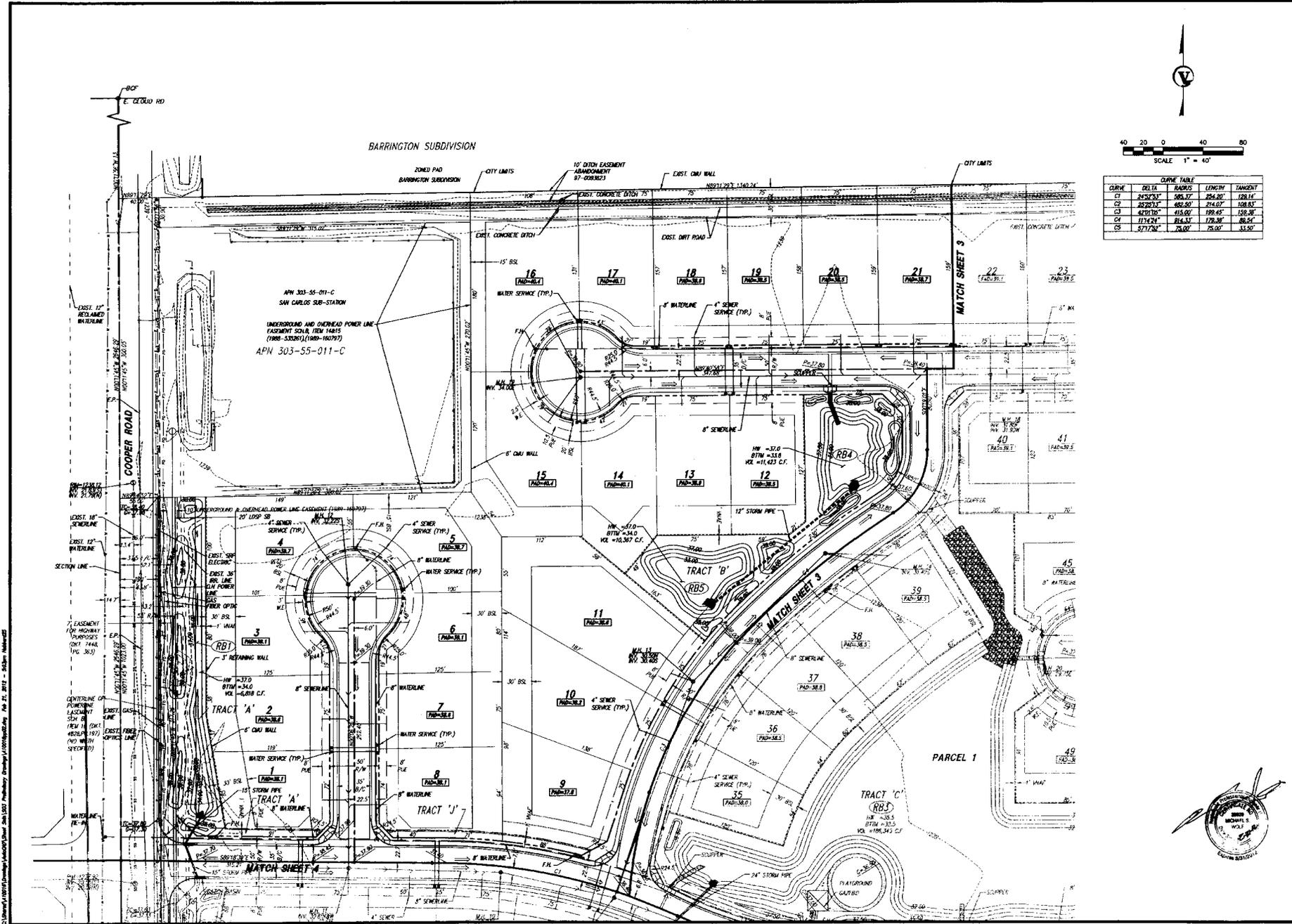


T.J. McQUEEN & ASSOCIATES, INC.  
 LANDSCAPE ARCHITECTURE  
 URBAN DESIGN  
 SITE PLANNING  
 345 E. Virginia Avenue  
 Phoenix, Arizona 85004  
 PH. (602) 265-0320 FX. (602) 266-6619



LANDSCAPE PLAN





CURVE TABLE			
CURVE	DELTA	TANGENTS	LENGTH
C1	24°32'53"	505.07'	128.14'
C2	22°22'15"	486.90'	108.87'
C3	42°01'16"	415.60'	128.36'
C4	17°12'24"	216.81'	88.24'
C5	57°12'24"	25.00'	33.90'

**HUBBARD**  
ENGINEERING

1400 S. Highway 107  
Suite 107  
P.O. Box 263310  
Phoenix, AZ 85026-3310  
WWW.HUBBARDENGINEERING.COM

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**PRELIMINARY PLAT**  
COOPER AND RIGGS PROJECT

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 26  
TOWNSHIP 2 SOUTH, RANGE 6 EAST OF THE G&A AND SALT RIVER BASIN AND  
ESPRESSO, MARICOPA COUNTY, ARIZONA

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**811**

Call before you dig  
1-800-STREET  
923.253.1100

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Project No. A10016  
Date 02/21/12  
Project Manager JSH  
Project Eng. JSH

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SHT: 2 OF 5

C.C.C. LOG NO. PPT 10-0002





SHT. 5 OF 5
Project No. A10016
Project Manager MSW
Project Eng. MSW
Date 02/21/12

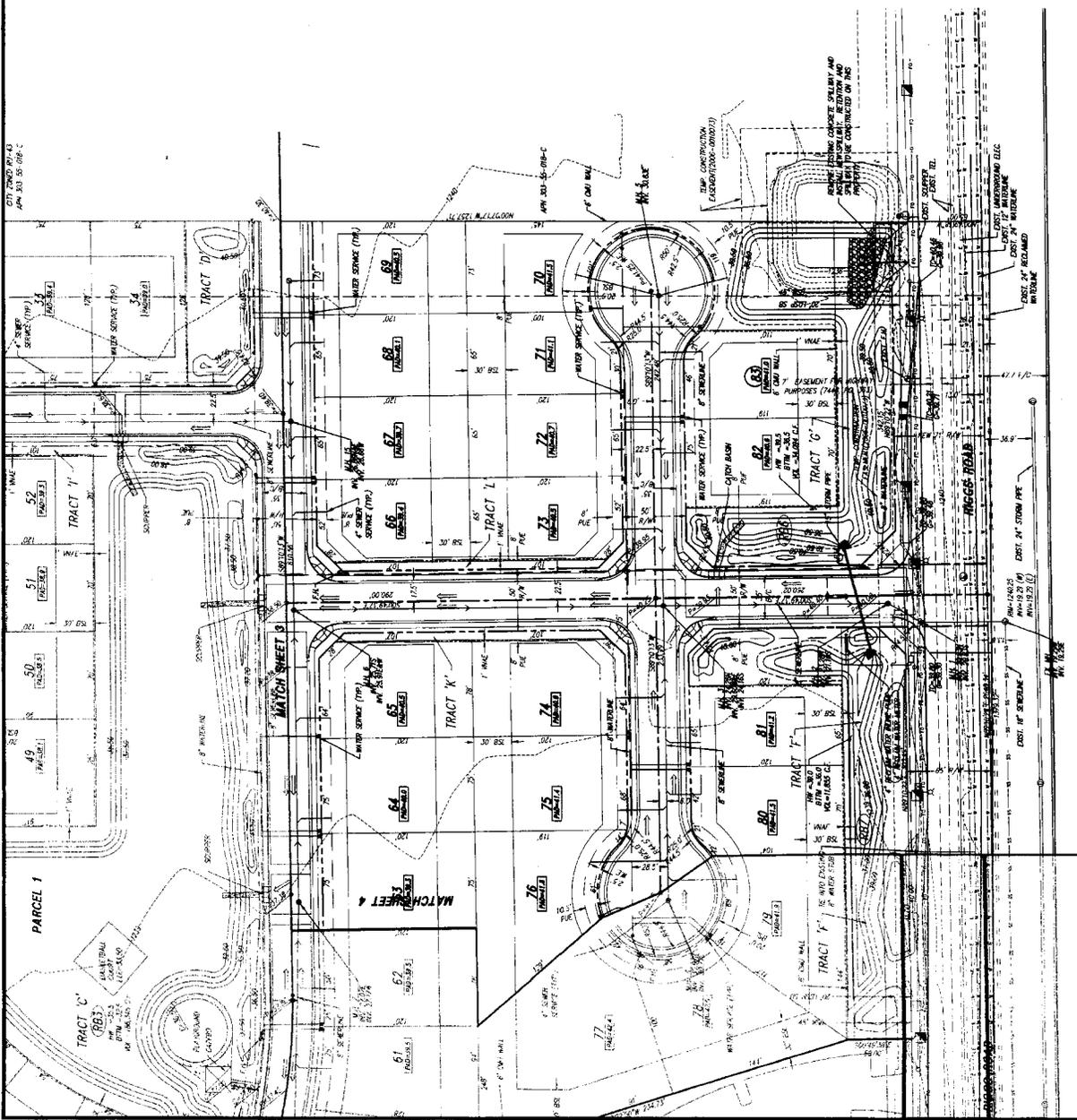


**PRELIMINARY PLAT**  
 COOPER AND RIGGS PROJECT  
 A PORTION OF THE SOUTHWEST QUARTER OF SECTION 26  
 TOWNSHIP 2 SOUTH, RANGE 8 EAST OF THE 6TH AND 8TH MERIDIAN  
 HERRICK, MISSOURIA COUNTY, MISSOURI

**HUBBARD ENGINEERING**  
 1840 S. BRADLEY CT.  
 SUITE 137  
 KANSAS CITY, MISSOURI 64111  
 PH: 816.234.1118  
 WWW.HUBBARDENGINEERING.COM



LINE	BEARING	DISTANCE	AREA	PERIMETER
1	S 89° 58' 12" W	120.00	120.00	120.00
2	S 89° 58' 12" W	120.00	120.00	120.00
3	S 89° 58' 12" W	120.00	120.00	120.00
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86	S 89° 58' 12" W	120.00	120.00	120.00
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92	S 89° 58' 12" W	120.00	120.00	120.00
93	S 89° 58' 12" W	120.00	120.00	120.00
94	S 89° 58' 12" W	120.00	120.00	120.00
95	S 89° 58' 12" W	120.00	120.00	120.00
96	S 89° 58' 12" W	120.00	120.00	120.00
97	S 89° 58' 12" W	120.00	120.00	120.00
98	S 89° 58' 12" W	120.00	120.00	120.00
99	S 89° 58' 12" W	120.00	120.00	120.00
100	S 89° 58' 12" W	120.00	120.00	120.00



# **Northeast Riggs and Cooper**

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## **I. Introduction**

Ming-Chin Ho and Catherin Shao-Win MA Family Trust ("Owner") is the owner of 39.64+ gross acres located at the northeast corner of Riggs Road and Cooper Road (the "Site"). The Owner intends to create two uses for the Site. Approximately 7.48 gross acres at the southwest corner is proposed with uses consistent to Neighborhood Commercial designation that will serve and interact with the community. The remainder of the Site, approximately 32.17 gross acres, will be designed as a master planned subdivision that offers an integrated neighborhood of single-family detached homes with a centralized, active recreational open space. The Owner is requesting the Site be zoned from Agricultural to Planned Area Development (PAD) for both neighborhood commercial, C-1 and residential uses, Preliminary Development Plan (PDP) approval for Subdivision Diversity only, and Preliminary Plat approval for 1 commercial lot and 84 single-family lots. PDP Architectural Diversity approval is not requested at this time. The future builder will submit a separate PDP request (addressing the City's Architectural Diversity Guidelines) for approval prior to the issuance of permits. The commercial development is shown for conceptual purposes on the subdivision layout. The uses of the site are appropriate given the Site's location and surrounding area. The Site conforms to the City of Chandler's (the "City") General Plan, Southeast Chandler Area Plan (SECAP), and Residential Diversity Guidelines.

## **II. Site, Surrounding Area, and Existing Zoning**

An Aerial Map of the site is attached as an Exhibit. The site is designated on the City's General Plan as Residential and within the SECAP. The SECAP identifies the Site as Rural/Agrarian Character. Residential development in the SECAP can be 2.5 du/ac without density incentives and up to 3.5 du/ac with density incentives.

The Site is currently zoned for Agriculture and was used historically for farm land. North, south, and the majority of the west of the site are zoned PAD Residential. The remainder of the west is zoned PAD Commercial. The east of the site is zoned R-43 and is used as agricultural currently.

## **III. Proposed PAD and PDP**

The Site is proposed as a single-family subdivision with a neighborhood commercial element that is complementary to the existing residential and commercial developments with the rural theme of the surrounding area.

The attached subdivision layout creates a pleasing and well connected environment for future homeowners. Some key features for the community to enjoy are an internal greenbelt, centralized neighborhood park and landscaped areas that include a gazebo and play area, and 4.87 acres of open space (15% of the site). As shown on the Conceptual Landscape Plan, the greenbelt will have a significant amount of turf, shrubs,

and trees. The area, as mentioned above will include community common use elements which include the gazebo, play area and basketball court. These elements help establish an interactive community with a comfortable setting.

The Site complies with the SECAP Development Standards and rural theming of the southeast Chandler. For example, an average 45 foot wide landscape setback is provided along the arterial streets, Cooper Road and Riggs Road. Cul-de sacs and loop streets have been designed into the Site. Multiple wall types have been designed and implemented into the site to provide varying character and take advantage of views facing the centralized park. Both Entries use rural character fencing and are enhanced by monument signs that guide residents into the neighborhood, see attached fencing exhibits.

The Site contains 84 lots with lot 84 being used for temporary retention until the property to the east is developed. The typical lot is 75 feet by 120 feet, 9,000 s.f. However, the average lot size is 10,317 s.f., the maximum being 11,761 s.f. and the minimum being 7,900 s.f. The proposed density of the Site is 2.5 du/ac and complies with the SECAP's density requirement of 2.5 du/ac.

**A. Residential Development Standards**

The Site will be developed in accordance with the following typical development standards. Future Developer shall be required to meet the below design elements or those elements located in Chandler Residential Development Standards:

Item	Standard
Lot size (typical)	75 ft. x 120 ft.
Front Yard Setback	20 ft., 14ft for side loaded garages
Side Yard Setback	10 ft. and 10 ft. single story 10 ft. and 15ft. two story
Rear Yard Setback	20 ft. single story 30ft. two story
Lot Coverage (maximum)	50%

**B. Diversity Elements**

<b>Required 8 Elements:</b>	
1. Sense of neighborhood arrival	Entry monuments and landscaping define each entry to the neighborhood providing sense of arrival. Also provided is another entry element within the subdivision where the main entry off of Riggs Road terminates at the retention area. This provides an added arrival feel.
2. Distinctive project themes	The development theme is defined through consistent landscaping and themed walls throughout.
3. Vehicular access to rear yards	Vehicular access to rear yards will be provided.
4. Provide deeper rear yard setbacks for	A deeper rear yard is provided for two-

two-story dwellings	story dwellings. See typical development standards above.
5. Irregular shaped retention areas	Retention areas have been designed to be irregular in shape.
6. Useable and accessible retention areas	The major retention area has a playground and gazebo to make it useable for the neighborhood.
7. Ten (10) ft. landscaped parkway	Ten foot landscaped areas have been provided where lots are parallel to the streets.
8. Stagers or other visual breaks	The staggered theme walls and accent features provide visual breaks.
<b>Optional Elements (Minimum Required-10 points)</b>	
1. Curvilinear street system	Portions of the development have been designed to have curvilinear streets.
4. Wider side yards	An option for wider side yards has been provided in the development standards.
5. Group wider side yards	Wider side yards will be grouped together.
6. Different lot widths	Lots vary from 65', 70', 75' and some irregular shaped lots.
7. 10' landscape tract along all corner lots	A 10' landscape tract will be provided at all corner lots.
9. Mix of garage orientation	A variety of garage orientations will be provided.
10. Stagger front yard setbacks	Front yard setback variations have been provided, min. 6'.
11. Stagger rear setback at arterial streets by 10'	A min. 10' staggered rear setback along arterial streets will be provided.
12. Landscaped open spaces	Several landscaped open spaces have been provided.
20. Twenty (20) foot landscaped parkway	A 30' landscaped area has been provided along Cooper Road and a 50' landscaped area has been provided along Riggs Road.

### C. Landscaping and Amenities

The landscaping amenities of the Site establish open space, connectivity, and provide opportunities for outdoor recreation that are integral to the overall community design. See Conceptual Site Plan and Landscape Plan. The open space is designed around one primary area central to the project. This area provides residents of the community access to a variety of amenities. Amenities and open space will balance passive and active recreational features that include a basketball court, play equipment, and shade structure. In addition to these amenities the generous open areas will be turf that will allow for field sports or dog walking.

The landscape planting will emphasize drought tolerant plants appropriate for the local climate. Species that are colorful, durable, and have proven to thrive in similar projects will be utilized. Strategically placed trees will allow for shade around the amenity areas. The use of street trees throughout the project will give the Site further identity and cohesive design.

#### **D. Theme Walls and Entry Monuments**

The theme walls and entry monuments at the Site utilize high quality materials and diversity to provide architectural interest and meet the rural look required.

The primary entry monument located at both Riggs Road and Cooper Road will include a CMU wall capped with concrete. Wood fencing will be incorporated to achieve the rural design requirement. Raised planters will also be utilized. See the attached Monument Exhibit. The monument will be located at both sides of the entry road giving it a pronounced and defined entrance.

The Site Walls will reflect some of the design characteristics of the entry feature. See attached Site Wall Exhibit. There will be 4 types of Site walls and will be strategically located for their design use. See Wall Location Exhibit.

### **IV. Miscellaneous**

#### **A. Grading and Drainage**

The Preliminary Grading and Drainage plan is attached. The site is currently used as farm land and was graded for crops. The existing topography is basically flat with a gentle slope from the northeast to the southwest.

The site will be provided with storm water storage for the runoff produced by the 100-year, 2-hour rainfall event. The streets within the Site will be designed per City of Chandler's Design Standards. A preliminary drainage report addressing City of requirements will be submitted with the preliminary plat.

#### **B. Utilities**

The City of Chandler will provide water and sewer services to the Site. The City of Chandler will also provide: reclaimed water service, refuse collection, fire protection, and police protection. Other utility services will be provided by the Salt River Project, Cox Communications, and Qwest Communications.

### **V. Preliminary Plat**

The preliminary Plat is attached.

### **VI. Conclusion**

The Site is a combination of C-1, Neighborhood Commercial and single-family residential, both are consistent with General Plan, the SECAP, and the surrounding area. The arterial street treatments, internal open spaces, and other design features reflect the Owner's commitment to making the Site a high-quality and well-integrated community. We request your approval.

**ORDINANCE NO. 4334**

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM AGRICULTURAL (AG-1) DISTRICT TO PLANNED AREA DEVELOPMENT (PAD) IN CASE DVR10-0014 (NORTHEAST CORNER COOPER AND RIGGS) 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 from AG-1 to PAD, subject to the following conditions:

1. 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.
2. Development shall be in substantial conformance with the Development Booklet, entitled "Cooper and Riggs Project" and kept on file in the City of

Chandler Planning Division, in File No. DVR10-0014, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.

3. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
4. 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.
5. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual # 4).
6. Completion of the construction 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. The developer shall be required to install landscaping in the arterial street median(s) adjoining this project. 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.
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 shall be maintained by the adjacent property owner or a homeowners' association.
10. Approval by the Director of Transportation and Development of plans for landscaping (open spaces and rights-of-way), perimeter walls, and for arterial street median landscaping is required.

11. 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 the open space, common areas, and landscape tracts available, Chandler effluent shall be used to irrigate these areas.

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 North East Cooper and Riggs development shall use treated effluent to maintain open space, common areas, and landscape tracts.

12. 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 that may cause adverse noise, odors, and other externalities. The "Public Subdivision Report", "Purchase Contracts", CC&R's, and the individual lot property deeds shall include a disclosure statement outlining that the site is adjacent to or nearby an aircraft engine testing facility, 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.

13. 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 existing ranchette and animal privilege properties that may cause adverse noise, odors and other externalities. The "Public Subdivision Report", "Purchase Contracts", CC&R's, and the individual lot property deeds 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. This responsibility for notice rests with the home builder/lot developer, and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.
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/infomap](http://www.chandleraz.gov/infomap), 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.

SECTION II. Except where provided, nothing contained herein shall be construed to be an 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 \_\_\_\_ day of \_\_\_\_\_, 2012.

ATTEST:

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CITY CLERK

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MAYOR

PASSED AND ADOPTED by the City Council this \_\_\_\_ day of \_\_\_\_\_,  
2012.

ATTEST:

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

**CERTIFICATION**

I, HEREBY CERTIFY, that the above and foregoing Ordinance No. 4334 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the \_\_\_\_ day of \_\_\_\_\_, 2012, and that a quorum was present thereat.

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY GAB

PUBLISHED:

**Attachment 'A'**  
**Legal Description**

**Parcel 1**

A portion of the south half of Section 25, Township 2 South, Range 5 East, of the Gila and Salt River Meridian, Maricopa County, Arizona, being more particularly described as follows:

Commencing at a brass cap in handhole at the southwest corner of said Section 25 from which a brass cap in handhole at the south quarter corner of said Section 25 corner bears N89°22'07"E (an assumed bearing) at a distance of 2640.16 feet;

Thence N89°22'07"E, along the south line of the southwest quarter of said Section 25, for a distance of 95.84 feet;

Thence N00°37'53"W for a distance of 75.00 feet to a point on the north line of the south 75 feet of the southwest quarter of said Section 25, said point being the point of beginning;

Thence N45°18'58"W for a distance of 28.14 feet to a point on the east line of the west 75 feet of the southwest quarter of said Section 25;

Thence N00°00'08"E, along said east line, for a distance of 180.00 feet;

Thence N89°59'52"W for a distance of 20.00 feet to a point on the east line of the west 55 feet of the southwest quarter of said Section 25;

Thence N00°00'08"E, along said east line, for a distance of 747.75 feet to a point on the south line of the north 300 feet of the south half of the southwest quarter of said Section 25;

Thence N89°23'20"E, along said south line, for a distance of 300.02 feet to a point on the east line of the west 355 feet of the southwest quarter of said Section 25;

Thence N00°00'08"E, along said east line, for a distance of 270.02 feet to a point on the south line of the north 30 feet of south half of the southwest quarter of said Section 25;

Thence S89°23'20"W, along said south line for a distance of 315.02 feet to a point on the east line of the west 40 feet of the southwest quarter of said Section 25;

Thence N00°00'08"E, along said east line, for a distance of 30.00 feet to a point on the north line of the south half of the southwest quarter of said Section 25;

Thence N89°23'20"E, along said north line, for a distance of 1,340.31 feet;

Thence S00°07'17"E, for a distance of 1,257.50 feet to a point on the north line of the south 65 feet of the southwest quarter of said Section 25;

Thence S89°22'07"W, along said north line, for a distance of 982.07 feet;

Thence N00°03'34"W for a distance of 10.00 feet to a point on the north line of the south 75 feet of the southwest quarter of said Section 25;

Thence S89°22'07"W, along said north line, for a distance of 305.94 feet to the point of beginning.