

#9
APR 26 2012



MEMORANDUM **Transportation & Development – CC Memo No. 12-043**

DATE: APRIL 6, 2012

TO: MAYOR AND CITY COUNCIL

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

FROM: JODIE M. NOVAK, MEP, SENIOR CITY PLANNER *JMN*

SUBJECT: DVR11-0044 PECOS VILLAGE CENTER

Request: Action on the existing Planned Area Development (PAD) zoning to extend the conditional schedule for development, remove, or determine compliance with the three year schedule for development or to cause the property to revert to the former Agricultural District (AG-1) zoning classification. The existing PAD zoning is for an office and commercial retail development on approximately 14 net acres. The application requests a 3-year time extension.

Location: Northwest corner of Pecos and Cooper Roads

**Applicant/
Owner:** Cr Dayton I, LLC, Manny Rafidia

RECOMMENDATION

Upon finding consistency with the General Plan, Planning Commission and Planning Staff recommend approval of extending the timing condition for an additional three (3) years.

EXTENSION OF THE TIMING CONDITION

This application requests a 3-year time extension for an approximate 14-net acre parcel located at the northwest corner of Pecos and Cooper Roads. The subject property was originally zoned Planned Area Development (PAD) in 1986 for a neighborhood shopping center and medium density residential. The zoning was extended in 1988 and 1990, then expiring in 1992 due to no

development. In 1996, Council approved a PAD zoning that re-established the intent for development on the property with a neighborhood shopping center and a City Park site to the west. The zoning expired in 2000. The 1996 PAD zoning was granted a time extension in 2001 for a period of 4 years, expiring in December 2005.

In May 2006, a 3-year time extension was approved to continue the commercial land use. This time extension expired in December 2008. During this time extension, the property owner was working on development options for the site and meeting with area property owners. Following the time extension, a PDP case was approved in December 2007 for a 100,000 square foot 3-story office building and 55,000 square feet of retail/restaurant shops. Following PDP approval, the property owner pursued construction plan submittal. The developer worked with Planning Staff to adjust building and site design for LEED certification. However, due to economic hardships the project did not commence. A 3-year time extension was granted on February 11, 2010 expiring in December 2011.

The proposed 3-year time extension would be in effect, pending City Council approval, until December 11, 2014, in which the time limit is calculated from the previous time extension's expiration, which was in December 2011.

The City has the following options when a zoning district's timing condition expires. The City could, through administrative action, extend the timing condition for another period of time, eliminate the timing condition, or by legislative action revert the zoning to its former zoning classification. If the City should approve the timing condition extension, all other conditions in the original approval would remain in effect.

BACKGROUND

The General Plan designates this property as Residential, which allows for residential, commercial, mixed-use developments, offices, and institutional uses in accordance goals and objectives of the General Plan. The PAD zoning is consistent with the General Plan land use designation. Planning Commission and Planning Staff are of the opinion the PAD zoning for office and retail/restaurant is consistent with the General Plan and an appropriate land use for this arterial street intersection. The uses are compatible with the surrounding neighborhood and serves as a land use transition between the City Park site and existing single-family residential developments.

This time extension application does not seek to modify the previously approved land use, site or building design, but seeks to extend the PAD zoning timing condition for an additional three (3) years.

The property owner does not intend to develop the site at this time. The property is for sale and there is a prospective buyer interested in developing multi-family residential.

PUBLIC/NEIGHBORHOOD NOTIFICATION

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

- A neighborhood meeting was held on February 15, 2012. One resident attended who supports the time extension. The applicant was not able to attend the meeting and had the prospective buyer attend on their behalf.
- As of the date of this memo, Staff is not aware of any opposition or concerns. The site was recently cleaned of weeds and debris.

PLANNING COMMISSION VOTE REPORT

Motion to Approve.

In Favor: 7 Opposed: 0

RECOMMENDED ACTION

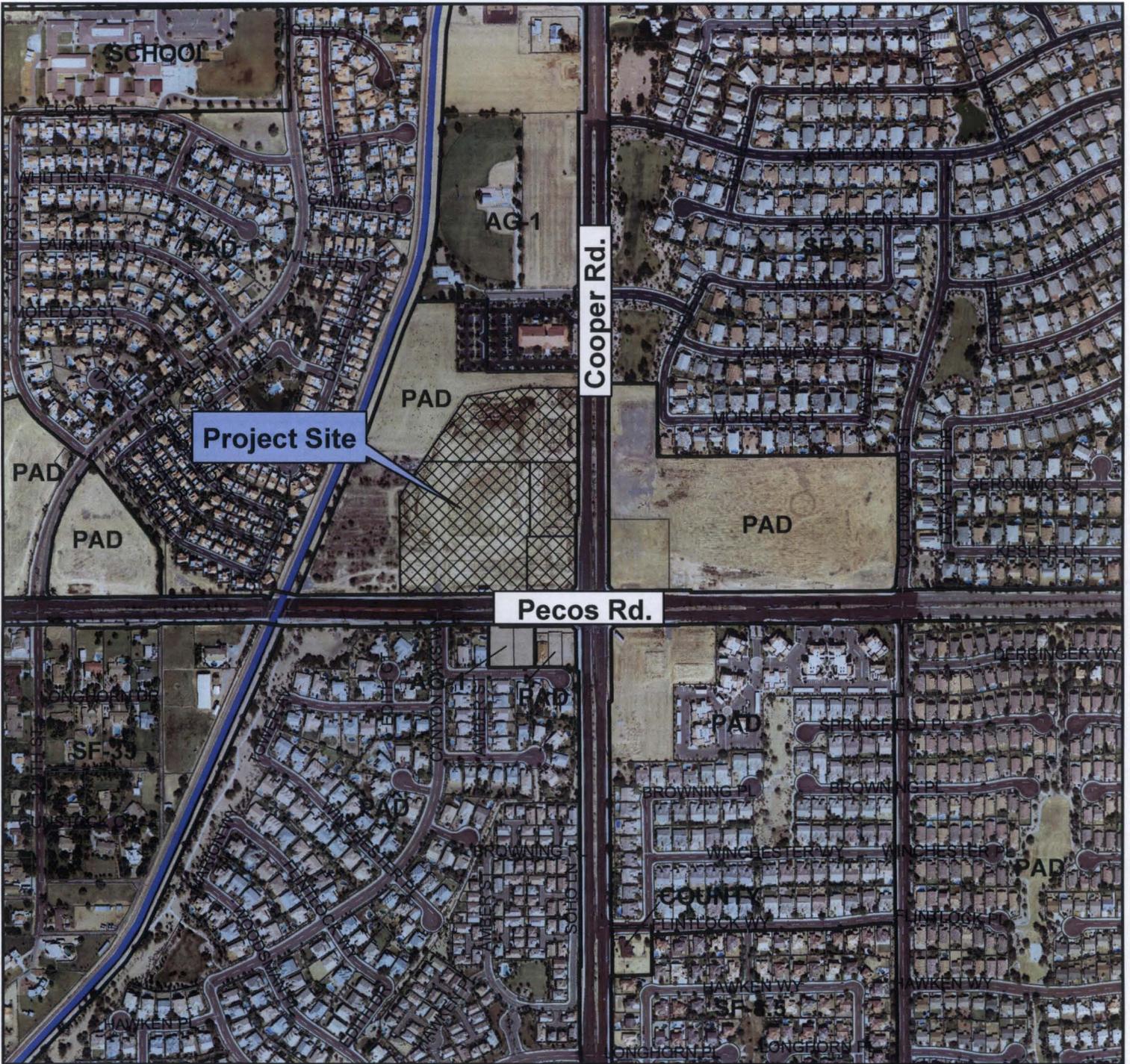
Planning Commission and Planning Staff, upon finding consistency with the General Plan, recommend approval to extend the timing condition for three (3) years with all of the conditions in the original approval remaining in effect.

PROPOSED MOTION

Move to approve extending the timing condition for case DVR11-0044 PECOS VILLAGE CENTER for an additional three (3) years, in which the zoning would be in effect until December 11, 2014, and with all of the conditions in the original approval remaining in effect.

Attachments

1. Vicinity Maps
2. Site Plan
3. Landscape Plan
4. Ordinance No. 2694 (PL96-0081)
5. Ordinance No. 3292 (DVR01-0013)

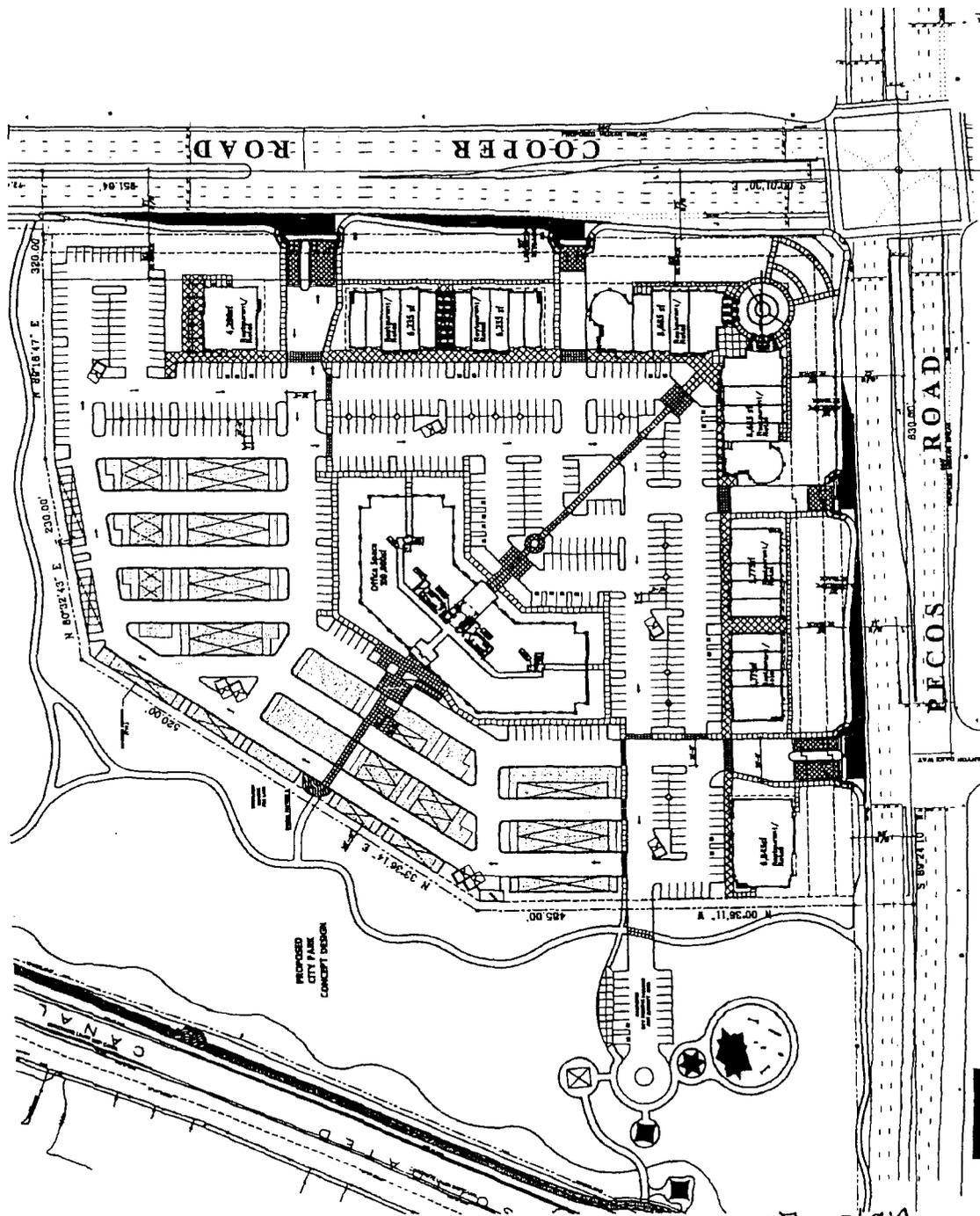


Vicinity Map



DVR11-0044

Pecos Village Center



SITE
 P&G (Commercial)
 100,000 sq. ft.
 Total Building Area 100,000 sq. ft.
 Net Lot Coverage 100,000 sq. ft.

OFFICE
 Building Area: 100,000 sq. ft.
 Net Building Area: 100,000 sq. ft.

PARKING ALLOCATION - REQUIRED
 Office Space:
 1 space per 200 sq. ft. for 100,000 sq. ft. 500
 Total Required 500
 Total Provided 500

RETAIL
 Building Area: 80,000 sq. ft.
 Building Area: 80,000 sq. ft.
 Total Required 320
 Total Provided 320

PARKING ALLOCATION - PROVIDED
 Total Provided 770

PARKING SUMMARY - PROVIDED
 Total Provided 770

DEVELOPER:
 DAYVING ARIZONA, LLC
 CHRISTIAN BUNA
 305 WEST HONOLULU DRIVE
 CHANDLER, AZ 85224
 (480) 360-7878

ARCHITECT:
 DPO-CORBYT-HORRICK
 8700 ZIMMERT
 ASSOCIATES IN ARCHT
 3400 EAST CHANDLER BL., 1400
 PHOENIX, AZ 85044
 (602) 952-2843

PECOS VILLAGE
 Chandler, Arizona
 DATE: 08/01/07
 PROJECT: 07-001-07

Site Plan

PLANT LEGEND

NO.	COMMON NAME	SIZE	QUANTITY	REMARKS
TREES				
421 Total				
1	Desert Mustang Palo Verde	24" Box	132	Multi-Trunk
2	Parsonsia hybrid			
3	Scamex tree	24" Box	134	Stemless Trunk
4	Dahlgren acacia			
5	Tree Ebony	24" Box	117	Multi-Trunk
6	Escallonia sp.			
7	Coccoloba	38" Box	18	Multi-Trunk
8	Coccoloba coccinea			
9	Date Palm	18" Trunk	20	Diamond Cut
10	Phoenix acutifera			
SHRUBS				
1,024 Total				
11	Desert Russet	5 Gallon		
12	Russia peninsularis	5 Gallon		
13	Valeriana Bush	5 Gallon		
14	Eranthis maculata	5 Gallon		
15	Conocarpus	5 Gallon		
16	Leucosiphium	5 Gallon		
17	Yucca	5 Gallon		
18	Sarcocolla chinensis	5 Gallon		
19	Bush Bougainvillea	5 Gallon		
20	Bougainvillea 3'0" Joli	5 Gallon		
21	Santa Negea Diosa	5 Gallon		
22	Diana Hollisteria	5 Gallon		
23	Silene Mega	5 Gallon		
PERENNIALS				
24	Toothless Desert Spoon	5 Gallon		
25	Daylily longistylum	5 Gallon		
26	Red Yucca	5 Gallon		
27	Massorada per hiberna	5 Gallon		
28	Smacchi-Elegit Agave	5 Gallon		
29	Agave nebrari	5 Gallon		
30	Cordia Berry	5 Gallon		
31	Echinocactus grusonii	5 Gallon		
SUBSTRATE				
32	New Gold Lantana	1 Gallon		
33	Lantana canora	1 Gallon		
34	New Gold	1 Gallon		
35	Burn Marling Glory	1 Gallon		
36	Convolvulus	1 Gallon		
37	Treasure Desert Brown	1 Gallon		
38	Baccharis hybrid	1 Gallon		
39	Cantarelia	1 Gallon		
40	Santanderia	1 Gallon		
41	Yucca rigida	1 Gallon		
LANDSCAPE MATERIAL				
42	Hybrid Bermuda Grass Sod	14,315 SF		
43	Striped or EZ - Turf			
44	Decomposed Granite	3/4" Minus		
45	Colorfastion Gole	2" Min Depth		

GENERAL NOTES

- ALL PLANT MATERIAL WILL MEET OR EXCEED CITY STANDARDS FOR SPECIES, QUANTITY, AND SIZE FOR PROJECT ZONING REQUIREMENTS.
- ALL AREAS TO RECEIVE AN AUTOMATED IRRIGATION SYSTEM THAT WILL MEET OR EXCEED CITY STANDARDS.

OVERALL SITE DATA

EXISTING ZONING: PAD (commercial)
 PROPOSED ZONING: PAD (commercial)
 GROSS SITE AREA: 716,305 SF, 16.444 ACRES
 NET SITE AREA: (582,210 SF) 13.318 ACRES
 PARCEL NUMBERS: 303-02-036-B 303-02-038-E
 303-02-036-C 303-02-009-F

LANDSCAPE DATA

362,210 SF Net Site Area
 124,445 SF Landscape Provided (21% of Net Site Area)

REQUIRED LANDSCAPE
 Street Frontage Landscape - 1,582 LF
 1 Tree and 8 Shrubs/30LF
 53 Trees and 318 Shrubs
 27 - 24" Box (50%)
 12 - 36" Box (23%)
 13 - 48" Box (28%)

Parking Lot Landscape - 30,197 SF (10% of Parking Area)
 808 Spaces - 1 Hinge and 2 Dominant per 12 Spaces
 4 - 24" Box Trees & 10 - 5 Gal Shrubs/24 spaces
 134 - 24" Box Trees
 337 - 5 Gal Shrubs

Interior Landscape - 37,832 SF
 1 Tree and 8 Shrubs/750 SF
 31 - 15 Gal Trees
 304 - 5 Gal Shrubs

Landscape Buffer - 1,550 SF
 1 - 24" Box Evergreen Tree per 20 LF
 78 - 24" Box Evergreen Trees
 4 - 5 Gal Shrubs per 100 LF
 83 - 5 Gal Shrubs

LANDSCAPE DATA SUMMARY
 Trees Required - 316 Trees
 31 - 15 Gal Trees
 239 - 24" Box
 13 - 36" Box
 13 - 48" Box

Trees Provided - 421 Trees
 0 - 15 Gal Trees
 383 - 24" Box
 18 - 36" Box
 20 - 48" Box/18" Min Date Palm

Shrubs Required
 1034 - 5 Gal Shrubs

Shrubs Provided
 1054 - 5 Gal Shrubs

Turf Allowed (10% of Landscape Area)
 12,444 SF

Turf Provided
 14,315 SF

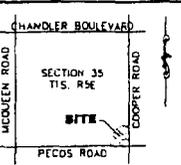
RETAIL SITE DATA

TOTAL BUILDING AREA: 55,500 SF
 PARKING REQUIRED: 222 SPACES
 PARKING PROVIDED: 292 SPACES

OFFICE SITE DATA

TOTAL GROSS FLOOR AREA: 100,000 SF
 PARKING REQUIRED: 500 SPACES
 PARKING PROVIDED: 500 SPACES

VICINITY MAP



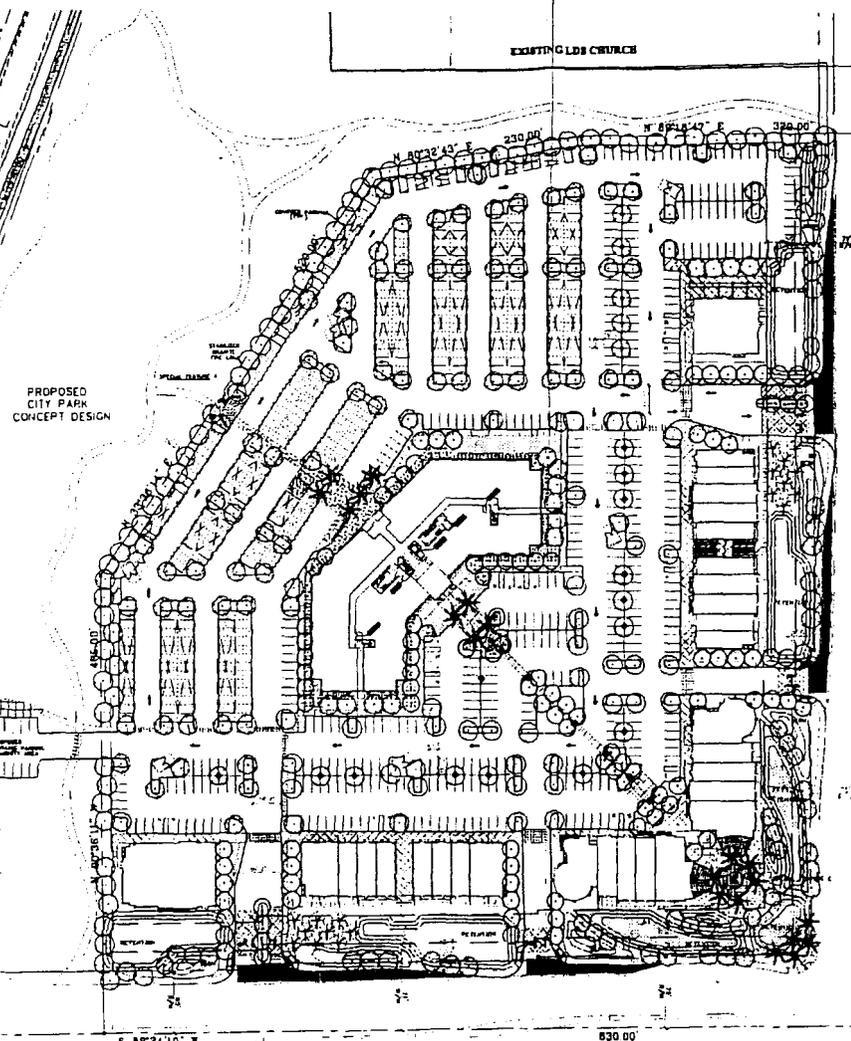
PROJECT CONTACTS

DEVELOPER
 DMYTRO ARIZONA, LLC
 852 WEST HONEYBUCKLE DRIVE
 CHANDLER, AZ 85248
 CONTACT: CHRISTIAN BURKA
 P. (480) 588-7638

ARCHITECT
 DFO-CORNWYER HERDICH
 2425 EAST CAMELBACK RD. SUITE 400
 PHOENIX, AZ 85016
 CONTACT: ERIC ZOBIRIST
 P. (602) 381-4848

LANDSCAPE ARCHITECT
 THE DESIGN ELEMENT, PLLC
 2441 E. HIGHLAND AVE., #100
 PHOENIX, ARIZONA 85016
 CONTACT: DAN MALDONADO, PLSA
 P. (480) 658-9714

CIVIL ENGINEER
 DAVID EVANS AND ASSOCIATES, P.C.
 2141 E. HIGHLAND AVE., SUITE 200
 PHOENIX, AZ 85016
 CONTACT: RAYMOND GEORGES
 P. (602) 678-5161



COOPER ROAD

PECOS ROAD



PRELIMINARY LANDSCAPE PLAN

Landscape plan

ORDINANCE NO. 2694

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL OF LAND FROM AG-1 TO PAD (PL96-081 PECOS AND COOPER) 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 properties 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 1. Legal Description of Property:

All that part of the Southeast Quarter of Section 35, Township 1 South, Range 1 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, lying east of the Consolidated Canal;

EXCEPT the east 590.01 feet of the North 306 feet, and
EXCEPT that part thereof lying within the right-of-way of the Consolidated Canal.

Said Property is hereby rezoned from AG-1 to PAD, subject to the following:

1. Conformance with exhibits and project representations
2. Right of way dedications to achieve full, required half-widths including required turn lanes and deceleration lanes for Pecos and Cooper Roads as per the Chandler Transportation Plan.

1996 case
PL96-0081
Rezone AG-1 to PAD

3. Construction shall commence above foundation walls on the main part of the shopping center or development of the park site within four years of the effective date of the ordinance adopting this zoning or the zoning shall revert to AG-1.
4. Any Preliminary Development Plan submittal with the first or concurrent development phases shall trigger full Preliminary Development Plan submittal for the entire site.
5. Undergrounding, if applicable, of all overhead utility lines 12 KV and under and any open irrigation ditches or canals (excluding the Consolidated Canal) located on the site or within adjacent right-of-ways and/or easements in accordance with City adopted engineering and design standards.
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.

SECTION 2. Except where provided, nothing contained herein shall be construed to be an abridgment of any other ordinance of the City of Chandler.

SECTION 3. The Planning and 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 19 day of December, 1996.

ATTEST:

Cynthia Dean
CITY CLERK

Jerry Subarney
MAYOR

PASSED AND ADOPTED by the City Council this 9 day of January, 1997.

ATTEST:

Cecilia Deane
CITY CLERK

Ally Sibbrainy
MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No. 2694 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the 9 day of January, 1997, and that a quorum was present thereat.

APPROVED AS TO FORM:

Dennis M. O'Neill
CITY ATTORNEY

Cecilia Deane
CITY CLERK

PUBLISHED: January 16th 22, 1997

ORDINANCE NO. 3292

OFFICIAL FILE COPY
CITY OF CHANDLER
CITY CLERK

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM CONCEPTUAL PAD TO CONCEPTUAL PAD (DVR01-0013 PECOS & COOPER) 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 Conceptual PAD to Conceptual PAD, subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Pecos and Cooper Rezoning Application", kept on file in the City of Chandler Planning Services Division, in File No. DVR01-0013, except as modified by condition herein.
2. Construction shall commence above foundation walls within four (4) 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.
3. Undergrounding of all overhead electric (under 69KV), communications and television lines and any open irrigation ditches or canals located on the site or within adjacent right-of-ways and/or easements in accordance with City adopted design and engineering standards.
4. 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.

2001 case
DVR01-0013
time extension

5. The landscaping in all open spaces and rights-of-way shall be maintained by the adjacent property owner or a homeowners' association.
6. 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.
7. At the time of receiving necessary building permits and construction is about to proceed, the developer shall erect a 4 foot by 8 foot sign identifying what is being built and the estimated date of completion for the specified project. This information may be incorporated with the contractor's sign or the "Coming Soon" sign on the subject site.
8. Within 30 days of the effective date of the Final Adoption of the rezoning ordinance, the applicant shall post a 4' x 8' sign for property zoned for commercial and/or multi-family use, conspicuous to the (existing or prospective) single-family subdivision that adjoins this site, advising the following: "This property has been zoned for other than single-family use. Current information regarding the development potential can be obtained from the City of Chandler Planning Services Division, (480) 782-3000". Sign shall have white background and black lettering.
9. The zoning is for conceptual plan only and requires Preliminary Development Plan approval through a separate application.
10. Right-of-way dedications to achieve full half widths for Cooper Road and Pecos Road, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
11. The development shall incorporate uses and site design that create a pedestrian-oriented, entertainment, special commercial theme in which buildings are integrated with the Paseo Canal providing outdoor/people spaces interfaced between the commercial site, park, and Paseo Canal.

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 1st day of November 2001.

ATTEST:

 *Caryn...* CITY CLERK
July... MAYOR

PASSED AND ADOPTED by the City Council this 15th day of November 2001.

ATTEST:

 *Caryn...* CITY CLERK
July... MAYOR

CERTIFICATION

I, HEREBY CERTIFY, that the above and foregoing Ordinance No. 3292 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the 15th day of November 2001, and that a quorum was present thereat.

Caryn...
CITY CLERK

APPROVED AS TO FORM:

Dennis M. O'Neill
CITY ATTORNEY

PUBLISHED:

11/28/01
12/9/01

URS Greiner, Inc.
7878 N. 16th Street, Suite 200
Phoenix, Arizona 85020-4449
Telephone: (602) 371-1100
Facsimile: (602) 371-1815
Offices in Principal Cities Nationwide

URS Greiner

Job No. E10083914

EXHIBIT A

**LEGAL DESCRIPTION
FOR
COMMERCIAL PROPERTY — TOTAL AREA**

That portion of the Southeast quarter of the Southeast quarter of Section 35, Township 1 South, Range 5 East, of the Gila and Salt River Base and Meridian, County of Maricopa, State of Arizona, being more particularly described as follows:

Beginning at the Southeast corner of said Section 35;

thence South 89°29'23" West, 830.00 feet along the South line of said Section 35;

thence departing said South line of Section 35, North 00°30'37" West, 485.00 feet;

thence North 33°41'27" East, 520.00 feet;

thence North 80°37'56" East, 230.00 feet;

thence North 89°24'00" East, 320.00 feet to the East line of said Section 35;

thence South 00°03'54" West, 951.04 feet along said East line of Section 35 to the point of beginning.

Said parcel contains 716,293 square feet or 16.4438 acres more or less.

