



MEMORANDUM Transportation & Development – CC Memo No. 13-014

DATE: JANUARY 25, 2013

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

SUBJECT: DVR12-0028 CHANDLER BUSINESS CENTER
 Introduction and Tentative Adoption of Ordinance No. 4427

Request: Rezoning from Planned Area Development (PAD) light Industrial with ancillary showroom uses in Buildings A/B and retail/office in Building C to PAD light industrial, showroom, place of worship/church, and Community Commercial (C-2) zoning district uses permitted by right in Buildings A/B and C with the exception of no restaurant uses in Buildings A/B

Location: Northwest corner of Chandler Boulevard and Kyrene Road

Applicants: Jay Jolley, K&I Architects & Interiors;
 Mike Withey, Withey Morris PLC

Project Info: Chandler Business Center includes Building A/B, C, and D with an approximate 142,150 square feet. Application requests adding uses to only Buildings A/B, and C (total of approx. 130,750 square feet)

RECOMMENDATION

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

BACKGROUND

The subject property is located at the northwest corner of Chandler Boulevard and Kyrene Road. West of the site is an existing U-Haul moving and storage facility and surrounded on the north and northwest by an industrial business park. Directly north of the development is a church, industrial manufacturer, general office, and a gymnasium. A hotel, fast-food restaurant, City fire station, and a carwash are located east of the site across Kyrene Road. South of the site across Chandler Boulevard is an existing shopping center. The immediate corner parcel abutting the subject site is under separate ownership with C-2 zoning and developed separately with a retail shops building.

The application requests rezoning Buildings A/B and C to allow additional uses to what is currently permitted. Building D is under different ownership, thus not a part of this request, and uses will remain the same. The property owner of Buildings A/B and C wants to market Buildings A/B for commercial type uses due to recent inquiries by a retail store, fitness business, church, and medical office. A church has leased space in Buildings A/B and would like to expand, thus this application would make church uses permitted. Commercial uses permitted by right in the C-2 zoning district would occupy Buildings A/B and C such as retailers, general/medical/dental offices, personal services, fitness uses, assembly uses, and churches/places of worship in addition to the currently allowed light industrial and showroom uses in Buildings A/B only. Exceptions include no restaurant uses in Buildings A/B and no light industrial uses in Building C.

In April 2001, the commercial property was granted rezoning approval to Planned Area Development (PAD) for a mix of retail, light industrial, and general office development with Preliminary Development Plan (PDP) which designated individual uses for each building. In September 2002, the PAD zoning was amended to allow showroom uses in addition to the light industrial warehousing in Buildings A/B. In March 2003, a separate PDP was approved for a comprehensive sign package.

The existing PAD zoning with PDP limits the uses occurring in the three buildings zoned and developed as part of Chandler Business Center, Buildings A/B, C, and D. Buildings A/B is the northernmost and largest building allowing light industrial uses with ancillary general office and showroom. Showroom uses would include, for example tile, plumbing and fixture, home entertainment, custom cabinetry and closets, custom kitchen design, furniture showroom, or fabric showroom companies. Office and showroom is limited to a maximum of 25% and warehouse/light industrial of 50%. Building C at the site's southwest corner off of Chandler Boulevard allows retail and general office uses with a maximum of 40% general office and 60% retail. Building D along Chandler Boulevard allows retail at 100%, which also includes restaurant uses.

The addition of C-2 type uses in Buildings A/B and C, as noted above, is contingent upon the site having enough parking spaces. A parking analysis was reviewed to determine if the site provides sufficient parking for the additional uses. While not a part of this rezoning case for uses, Building D is part of the overall shared parking and vehicular access with Buildings A/B and C as originally zoned and developed. The overall development was required to have 430 parking

spaces and 596 spaces were provided, an excess of 166 parking spaces. For Buildings A/B and C, which are approximately 130,750 square feet, 491 parking spaces exist today. The addition of commercial uses to Buildings A/B requires a total of 479 parking spaces based on current parking regulations. The site provides appropriate parking to accommodate commercial uses in Building A/B while maintaining light industrial and showroom uses, as well as commercial uses in Building C, and the existing commercial uses in Building D. Planning Staff supports the addition of commercial type uses as proposed.

GENERAL PLAN CONFORMANCE

The General Plan Land Use Element designates this property for Employment land uses, promoting the development of general or light industrial uses and industrial support uses. Commercial office and general services including retail and restaurant uses are a component of major employment areas and are in conformance with the General Plan.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood notice was sent to area property owners in lieu of a neighborhood meeting due to no surrounding residential.
- As of the date of this memo, Staff is not aware of any opposition or concern with this request.

PLANNING COMMISSION VOTE REPORT

Motion to Approve.

In Favor: 7 Opposed: 0

RECOMMENDATION

Planning Commission and Planning Staff, upon finding consistency with the General Plan, recommend approval of the Rezoning subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Chandler Business Center", kept on file in the City of Chandler Planning Division, in File No. DVR12-0028, except as modified by condition herein.
2. The development shall be in substantial conformance with all previous conditions adopted by Ordinance No's. 3249 and 3407, except as modified by condition herein.
3. Buildings A/B shall be allowed light industrial (I-1) uses, showroom, and C-2 uses as permitted by Zoning Code and in accordance with the parking analysis on file in case DVR12-0028; restaurant uses are not permitted in Buildings A/B.
4. Building C shall be allowed C-2 uses as permitted by Zoning Code and in accordance with the parking analysis on file in case DVR12-0028.

CC Memo No. 13-014

January 25, 2013

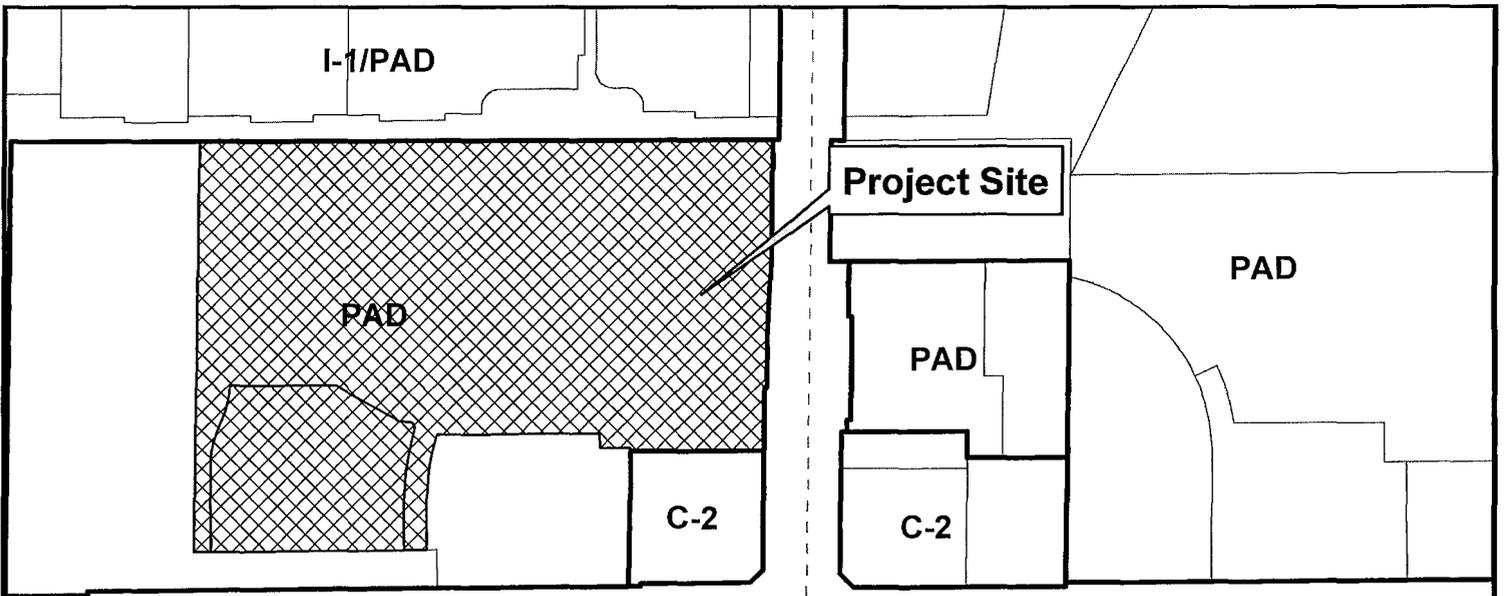
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PROPOSED MOTION

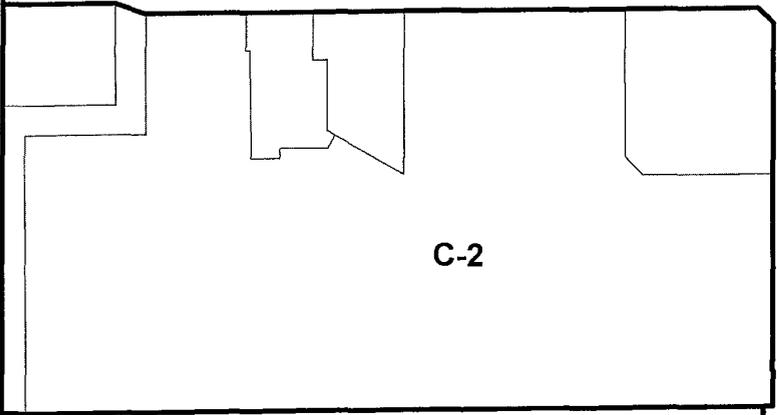
Move to introduce and tentatively adopt Ordinance No. 4427 approving rezoning request DVR12-0028 CHANDLER BUSINESS CENTER from PAD to PAD, subject to the conditions as recommended by Planning Commission and Planning Staff.

Attachments

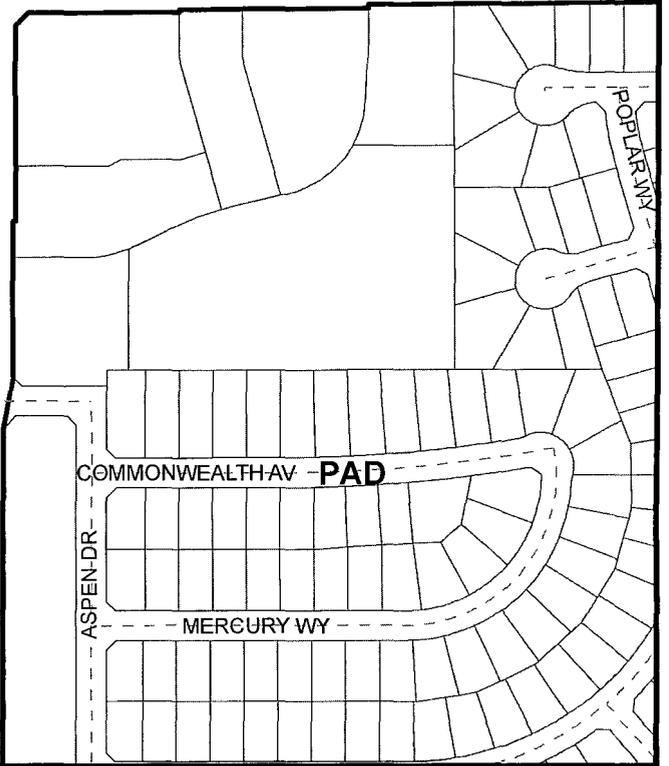
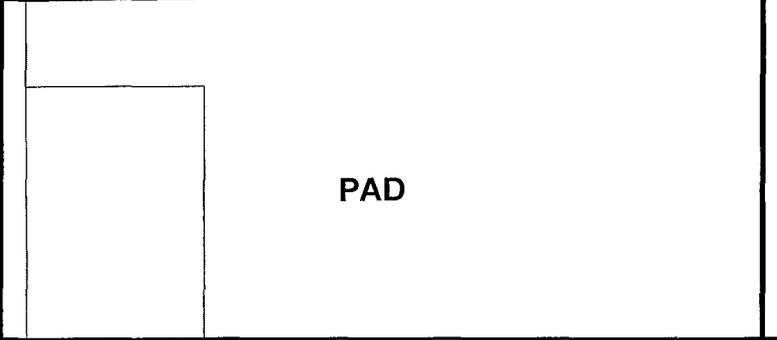
1. Vicinity Maps
2. Prior Ordinances 3249 & 3407
3. Ordinance No. 4427
4. Development Booklet, Exhibit A



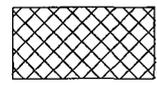
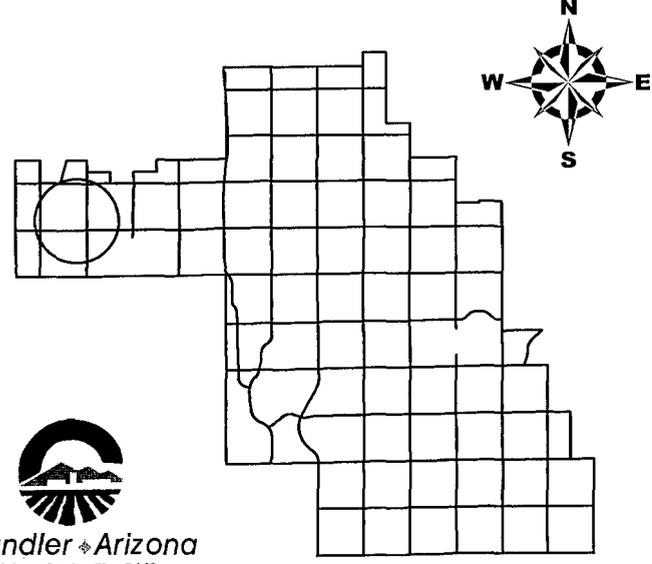
Chandler Blvd.



Kyrene Rd.

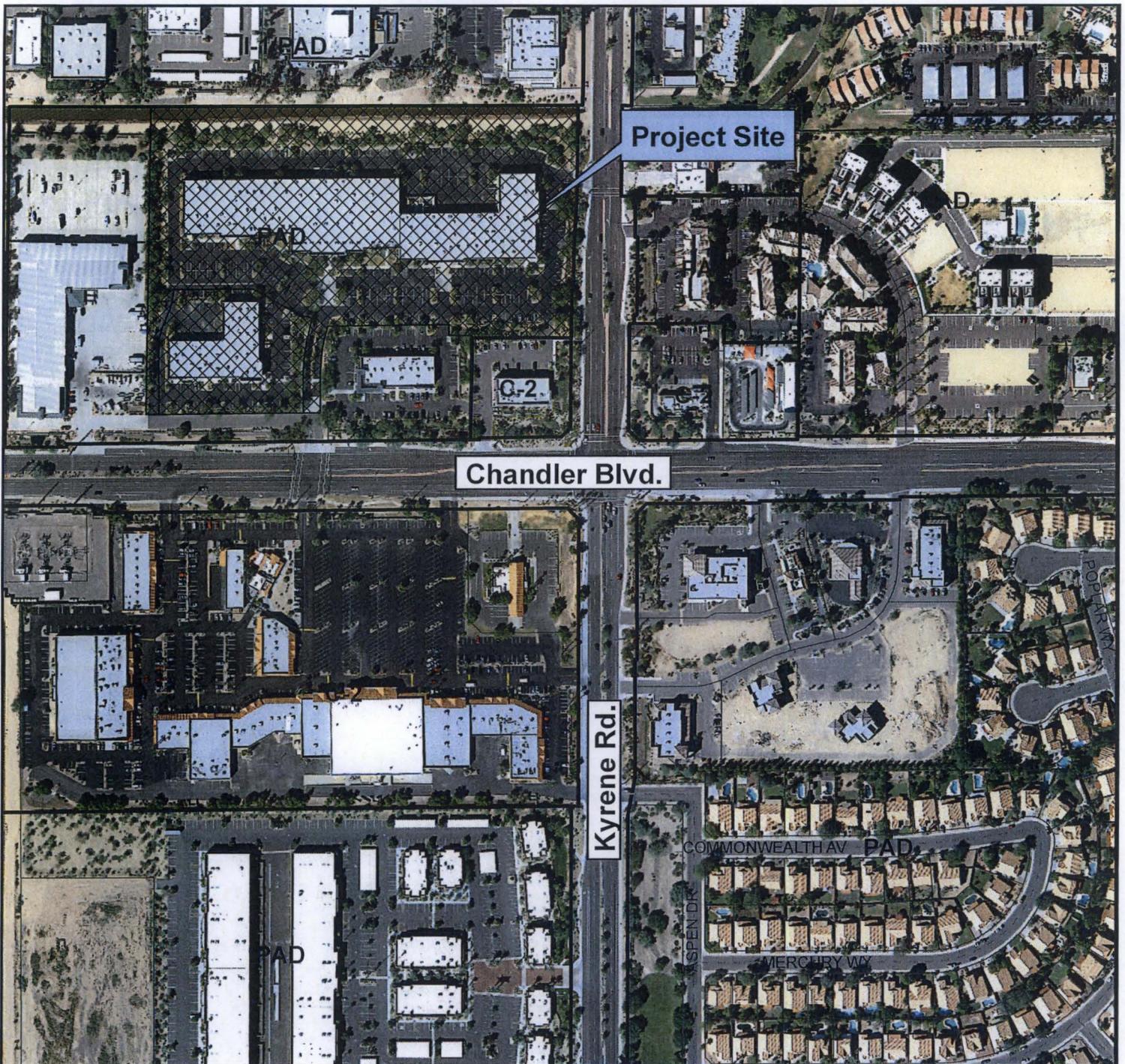


Vicinity Map



DVR12-0028

Chandler Business Center

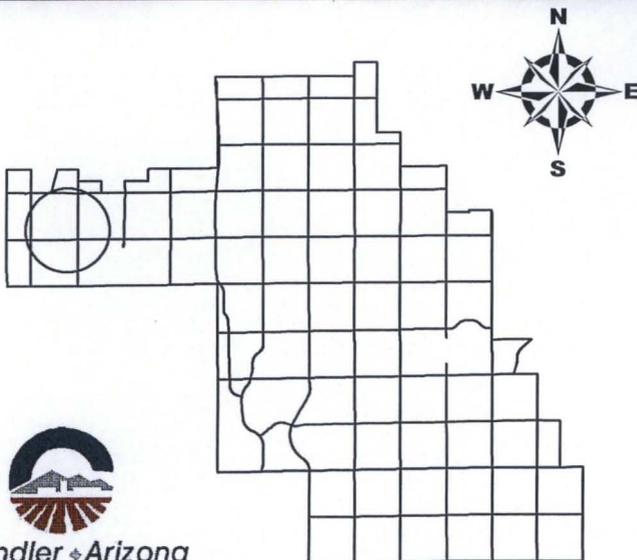


Chandler Blvd.

Project Site

Kyrene Rd.

Vicinity Map



DVR12-0028

Chandler Business Center



Chandler ♦ Arizona
Where Values Make The Difference

CITY OF CHANDLER 7/17/2012

ORDINANCE NO. 3249

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM PAD TO PAD (DVR00-0056 CHANDLER BUSINESS CENTER) 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 PAD to PAD, subject to the following conditions:

1. Right-of-way dedications to achieve full half widths for Kyrene Road and Chandler Boulevard, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
2. 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.
3. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual # 4).
4. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.

5. The developer shall be required to install landscaping in the arterial street median adjoining this project. In the event that the landscaping already exists within such median(s), the developer shall be required to upgrade such landscaping to meet current City standards.
6. Approval by the Director of Planning and Development of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Director of Public Works for arterial street median landscaping.
7. Construction shall commence above foundation walls within two (2) 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.
8. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Chandler Business Center", kept on file in the City of Chandler Planning Services Division, in File No. DVR00-0056, except as modified by condition herein.
9. Access easements for ingress and egress must be provided for the exception parcel on the immediate corner of Chandler Boulevard and Kyrene Road.
10. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or a property owners' association.
11. 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.
12. The applicant shall work with Staff on the review of freestanding monument signs.
13. The development shall be responsible for all costs associated with the realignment of the northernmost drive along Kyrene Road to access the traffic signal, including but not limited to traffic signal improvements and median cut improvements. The applicant shall work with the City Transportation Engineer on the design modifications of the north drive on Kyrene Road to line up with the traffic signal.

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

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

INTRODUCED AND TENTATIVELY APPROVED by the City Council this 9th day of April 2001.

ATTEST:

 *Christina*
CITY CLERK

Jay Johnson
MAYOR

PASSED AND ADOPTED by the City Council this 26th day of April 2001.

ATTEST:

 *Christina*
CITY CLERK

Jay Johnson
MAYOR

CERTIFICATION

I, HEREBY CERTIFY, that the above and foregoing Ordinance No. 3249 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the 26th day of April 2001, and that a quorum was present thereat.

Carolee Deena
CITY CLERK

APPROVED AS TO FORM:

Dennis M. O'Neill
CITY ATTORNEY

PUBLISHED:

5/3/01
5/10/01

LEGAL DESCRIPTION

PARCEL 1:

THAT PORTION OF SECTION 28, TOWNSHIP 1 SOUTH, RANGE 4 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING FOR A TIE AT THE EAST QUARTER CORNER OF SAID SECTION 28;

THENCE SOUTH 00 DEGREES 28 MINUTES WEST ALONG THE EAST LINE OF SAID SECTION 28, A DISTANCE OF 1826.33 FEET (1825.74 FEET RECORDED) TO A POINT OF BEGINNING;

THENCE SOUTH 89 DEGREES 50 MINUTES 24 SECONDS WEST 1331.65 FEET (1326.31 FEET RECORDED);

THENCE SOUTH 00 DEGREES 42 MINUTES 17 SECONDS WEST 820.49 FEET (816.74 FEET RECORDED);

THENCE NORTH 89 DEGREES 26 MINUTES 55 SECONDS EAST ALONG THE SOUTH LINE OF SAID SECTION 28, A DISTANCE OF 1335.19 FEET (1334.73 FEET RECORDED) TO THE SOUTHEAST CORNER OF SAID SECTION 28;

THENCE NORTH 00 DEGREES 28 MINUTES EAST ALONG THE EAST LINE OF SECTION 28, A DISTANCE OF 811.32 FEET (810.74 FEET RECORDED) TO THE POINT OF BEGINNING.

EXCEPT THE EAST 295.16 FEET OF THE SOUTH 295.16 FEET THEREOF; AND

EXCEPT THE SOUTH 255 FEET THEREOF;

EXCEPT THE WEST 22 FEET OF THE EAST 55 FEET OF THE NORTH 86.99 FEET OF THE SOUTH 382.15 FEET AND THE WEST 17 FEET OF THE EAST 50 FEET OF THE NORTH 428.59 FEET OF THE SOUTH 810.74 FEET OF THE SOUTHEAST QUARTER OF SAID SECTION 28.

ORDINANCE NO. 3407

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM PAD TO PAD (DVR02-0027 CHANDLER BUSINESS CENTER) 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 PAD to PAD, subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Site Plan and Exhibit B, Project Narrative, entitled "Chandler Business Center", kept on file in the City of Chandler Planning Services Division, in File No. DVR02-0027, except as modified by condition herein.
2. The development shall be in substantial conformance with all previous conditions adopted by Ordinance No. 3249.
3. A separate Preliminary Development Plan application shall be submitted for wall-mounted signage on Buildings A/B and C. Signage shall be architecturally integrated with the design and color of the buildings and be proportionate in size and scale.
4. 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.

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

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

INTRODUCED AND TENTATIVELY APPROVED by the City Council of the City of Chandler, Arizona, this 10th day of October 2002.

ATTEST:

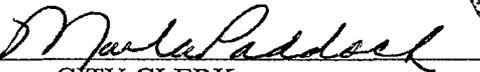

CITY CLERK




MAYOR

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona, this 24th day of October 2002.

ATTEST:


CITY CLERK



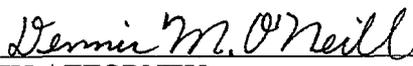

MAYOR

CERTIFICATION

I, HEREBY CERTIFY, that the above and foregoing Ordinance No. 3407 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the 24th day of October, 2002, and that a quorum was present thereat.


CITY CLERK

APPROVED AS TO FORM:


CITY ATTORNEY

PUBLISHED:

LEGAL DESCRIPTION

PARCEL 1:

THAT PORTION OF SECTION 28, TOWNSHIP 1 SOUTH, RANGE 4 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING FOR A TIE AT THE EAST QUARTER CORNER OF SAID SECTION 28;

THENCE SOUTH 00 DEGREES 28 MINUTES WEST ALONG THE EAST LINE OF SAID SECTION 28, A DISTANCE OF 1826.33 FEET (1825.74 FEET RECORDED) TO A POINT OF BEGINNING;

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THENCE NORTH 89 DEGREES 26 MINUTES 55 SECONDS EAST ALONG THE SOUTH LINE OF SAID SECTION 28, A DISTANCE OF 1335.19 FEET (1334.73 FEET RECORDED) TO THE SOUTHEAST CORNER OF SAID SECTION 28;

THENCE NORTH 00 DEGREES 28 MINUTES EAST ALONG THE EAST LINE OF SECTION 28, A DISTANCE OF 811.32 FEET (810.74 FEET RECORDED) TO THE POINT OF BEGINNING.

EXCEPT THE EAST 295.16 FEET OF THE SOUTH 295.16 FEET THEREOF; AND

EXCEPT THE SOUTH 255 FEET THEREOF;

EXCEPT THE WEST 22 FEET OF THE EAST 55 FEET OF THE NORTH 86.99 FEET OF THE SOUTH 382.15 FEET AND THE WEST 17 FEET OF THE EAST 50 FEET OF THE NORTH 428.59 FEET OF THE SOUTH 810.74 FEET OF THE SOUTHEAST QUARTER OF SAID SECTION 28.

ORDINANCE NO. 4427

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM PAD TO PAD (DVR12-0028 CHANDLER BUSINESS CENTER) 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 PAD to PAD, subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Chandler Business Center", kept on file in the City of Chandler Planning Division, in File No. DVR12-0028, except as modified by condition herein.
2. The development shall be in substantial conformance with all previous conditions adopted by Ordinance No's. 3249 and 3407, except as modified by condition herein.

APPROVED AS TO FORM:

CITY ATTORNEY *LAB*

PUBLISHED:

ordinance 4427

EXHIBIT A – Legal Description

LOT 1 AND LOT 2 OF CHANDLER BUSINESS CENTER LOT 2 AMD MCR 613-35