



Chandler - Arizona
Where Values Make The Difference



MEMORANDUM Transportation & Development – CC Memo No. 13-058

DATE: JUNE 13, 2013

TO: MAYOR AND COUNCIL

THRU: RICH DLUGAS, CITY MANAGER *RD*
 MARSHA REED, ASSISTANT CITY MANAGER *MR*
 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: DVR13-0008 MESQUITE GROVE MINI-STORAGE

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 PAD zoning for Neighborhood Commercial (C-1) uses. The existing PAD zoning allows C-1 uses and a self-storage/warehouse/moving establishment.

Location: North and east of the northeast corner of Gilbert Road and Riggs Road

Applicant: Paul Gilbert/Lindsay Schube, Beus Gilbert PLLC

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 approximately 4.7 net acres of a larger 9.9 net acre parcel located north and east of the northeast corner of Gilbert Road and Riggs Road. City Council denied a zoning request in April 2009 for Planned Area Development (PAD) zoning to maintain the site's Neighborhood Commercial (C-1) uses and add a self-storage mini-warehouse use. The request included a Preliminary Development Plan (PDP) for a self-storage

mini-warehouse facility with approximately 425 units and 72,208 square feet of building area. The applicant re-filed the rezoning request with PDP which City Council approved in 2010 for Neighborhood Commercial (C-1) uses and a self-storage mini-warehouse facility.

The PAD zoning became effective May 8, 2010. The zoning included a 3-year timing of development condition expiring on May 8, 2013. The proposed 3-year time extension would be in effect, pending City Council approval, until May 8, 2016.

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 and a Commercial Node. The Southeast Chandler Area Plan (SECAP) designates this property as Traditional Suburban Character for residential development and a Commercial Node. The PAD zoning is consistent with the General Plan and SECAP land use designations.

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.

PUBLIC/NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements in the Chandler Zoning Code.
- A neighborhood meeting was held on April 23, 2013. No area property owners attended the meeting.
- As of the date of this memo, Planning Staff is not aware of any opposition or concerns.

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 DVR13-0008 MESQUITE GROVE MINI-STORAGE for an additional three (3) years, in which the zoning would be in effect until May 8, 2016, and with all of the conditions in the original approval remaining in effect.

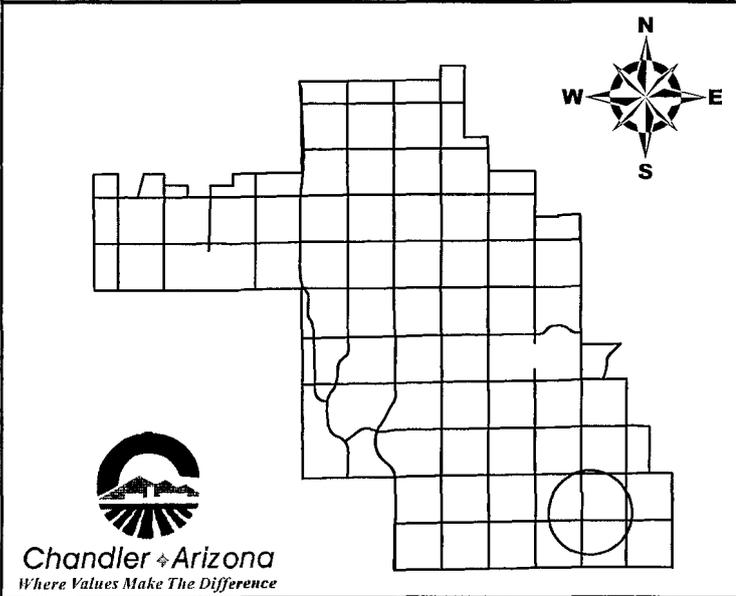
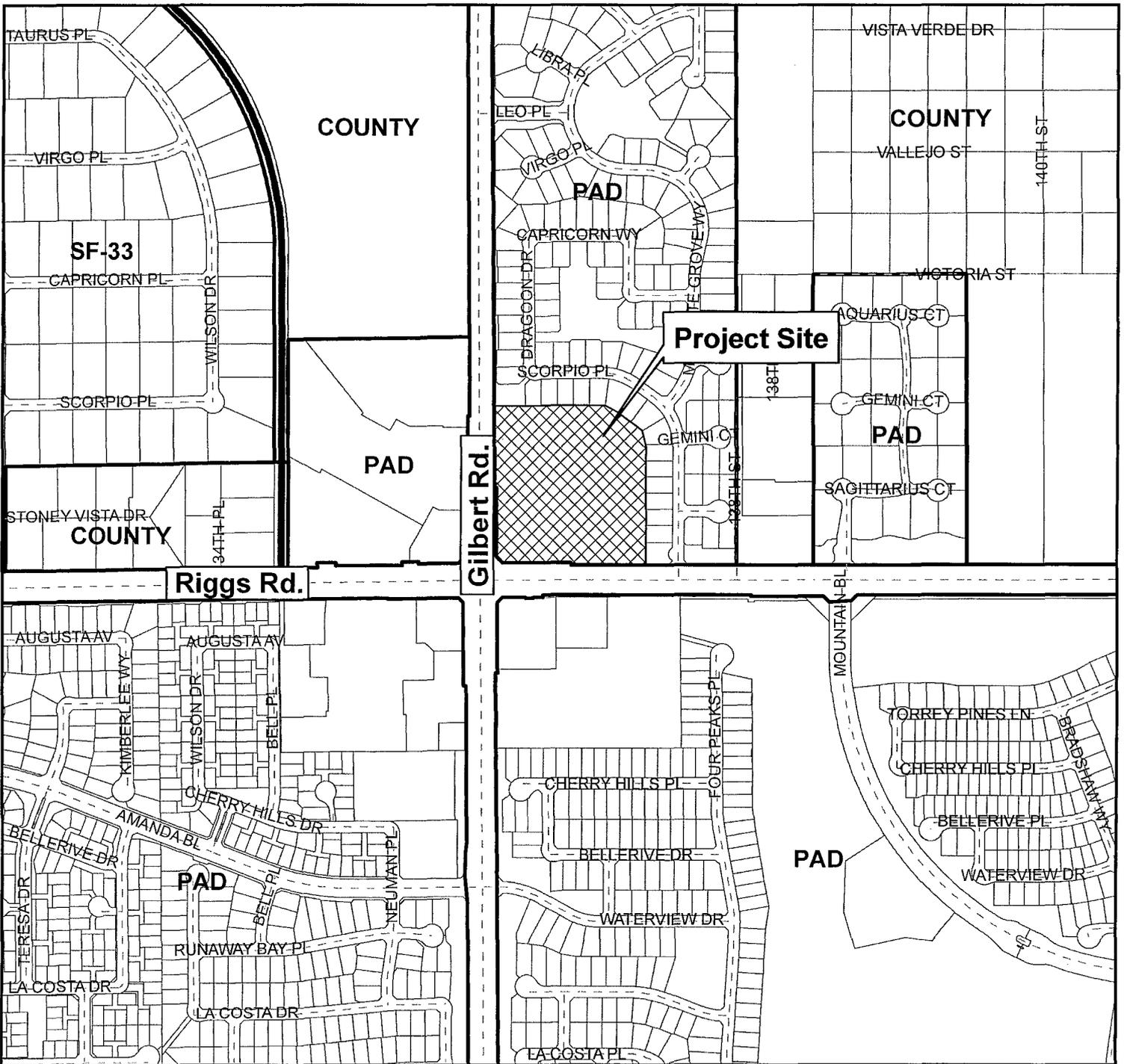
CC Memo No. 13-058

Page 3 of 3

June 13, 2013

Attachments

1. Vicinity Maps
2. Narrative
3. Site Plan
4. Landscape Plan
5. Ordinance No. 4212 (DVR09-1007)

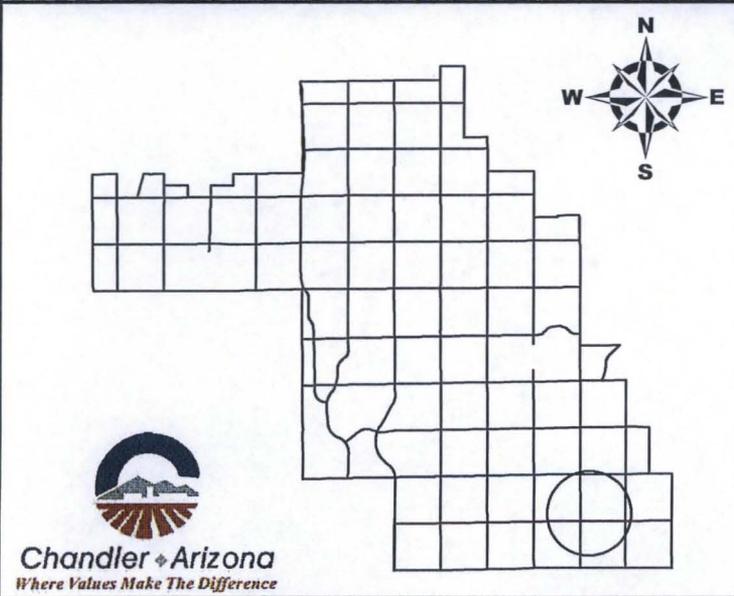
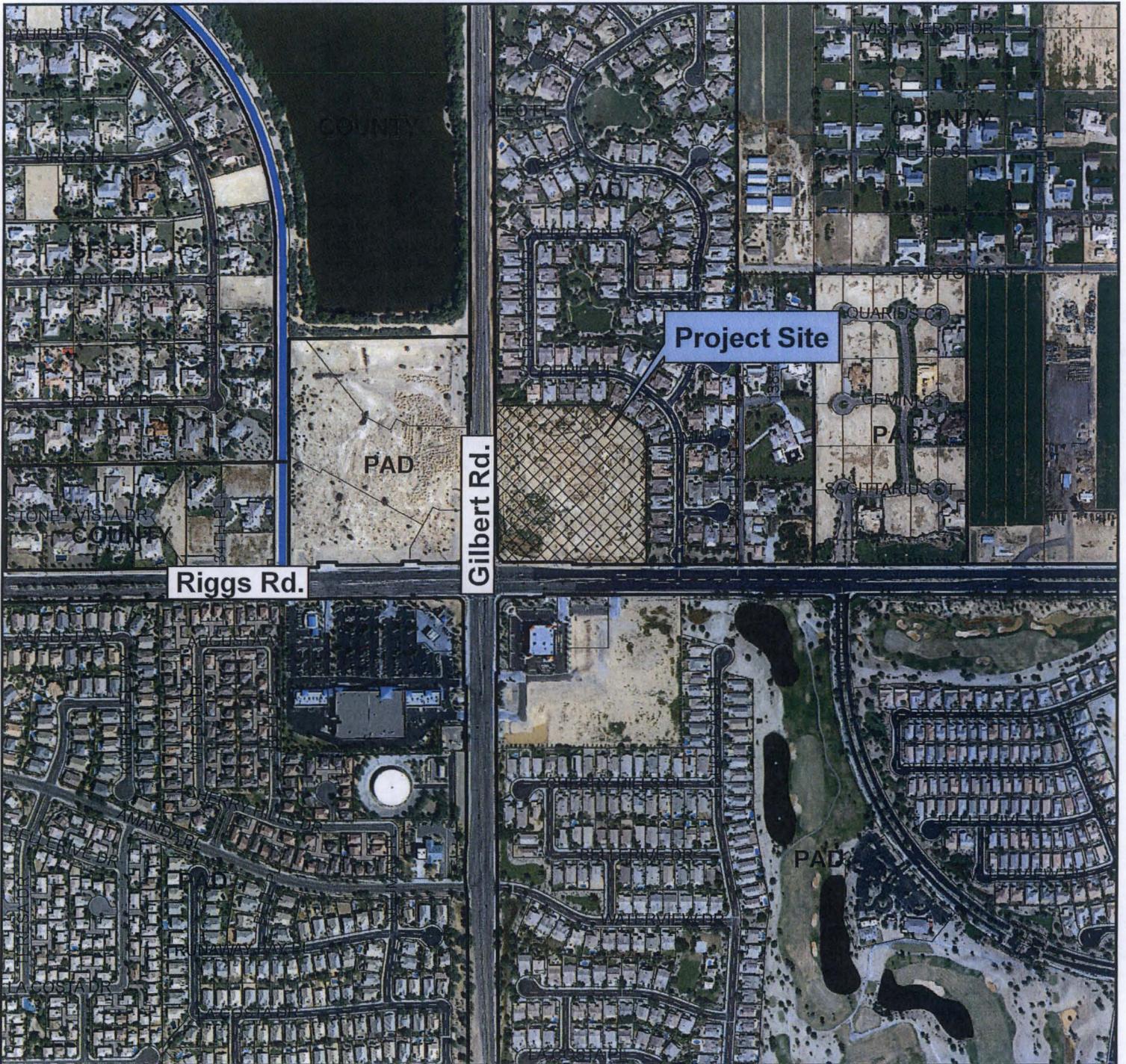


Vicinity Map

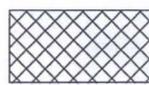

DVR13-0008

Mesquite Grove Mini Storage

CITY OF CHANDLER 3/21/2013



Vicinity Map



DVR13-0008

Mesquite Grove Mini Storage



PROJECT NARRATIVE
NORTHEAST CORNER – GILBERT ROAD AND RIGGS ROAD
DVR09-1007
4.7158 ACRE MESQUITE GROVE MINI-STORAGE
Extension Request

This application proposes an extension of the approved infill development on existing vacant land at the southwest corner of Gilbert Road and Riggs Road comprising approximately **4.7158** +/- acres (the "Site") on land currently zoned Planned Area Development (PAD) C-1 (Commercial District) and Self Storage as part of the Mesquite Grove Estates Planned Area Development. (See Exhibit 'A' - Aerial Photo.) It is still our clients' vision to develop this Site with the highest quality of standards and long term balance with neighborhood style of uses within the City of Chandler. (See Exhibit 'B' – Site Plan, Landscape Plan.)

The Site is bounded by Riggs Road (a major arterial road) on the south, Gilbert Road (a major collector road) on the west, to the north/east is an existing residential community, Mesquite Grove Estates. To the southeast of the site is a retail complex named Albertson Plaza at Cooper Commons. This Site has been vacant since it was zoned as part of the Mesquite Grove Estates PAD with PAD Commercial and Self Storage zoning. Adjacent zoning districts include residential/commercial zoning to the south along with C-3 zoning east and PAD commercial/retail zoning to the north/northeast of the Site.

In processing the approved PAD Commercial and Self Storage application (DVR09-1007) the applicant had an opportunity to work very closely with the neighborhood. The self storage application was supported by the neighborhood by way of petitions, letters, telephone calls and e-mails to the applicant and City as well as participation at the hearing from the neighbors.

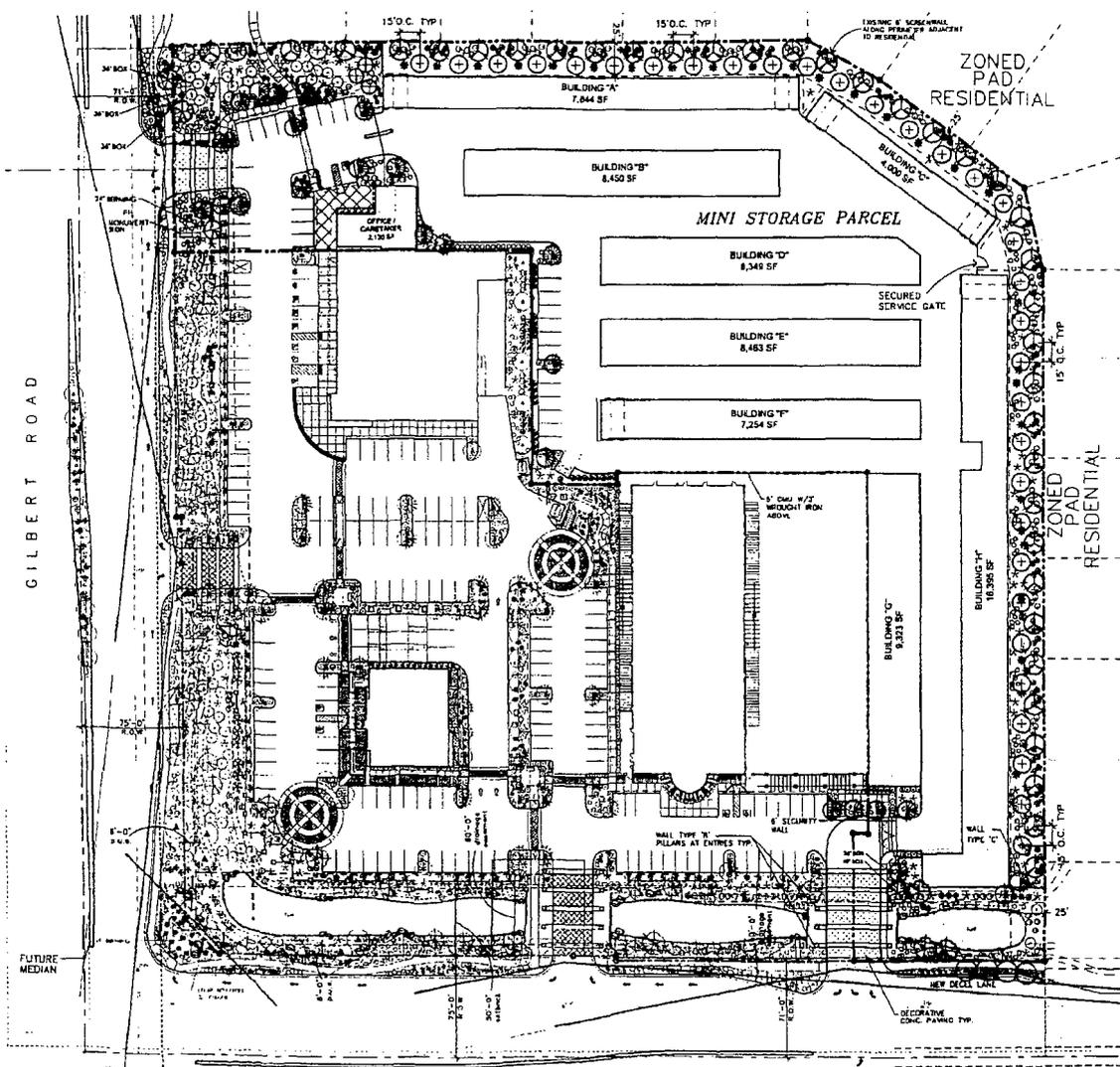
Unfortunately, due to the current economic climate, the land owner/developer was unable to develop the self storage facility as quickly as they intended. This delay is not a result of the approved use, it is a result of the overall economic climate. An extension of the above referenced applicant is not only appropriate but it is also the desire of the applicant as well as the residents of the local neighborhoods.

Our client has worked diligently to provide a development proposal that espouses the characteristics described in the *Southeast Chandler Area Plan*. It should also be noted that it is the primary desire of our client, and the future users, are to build a safe, clean, functional, and long term comprehensive development, while continuing to be a responsible member of the Chandler business community.

With that said, the proposed development offers an opportunity to provide a necessary and diverse neighborhood level commercial/retail development in a setting that celebrates the rural/agrarian heritage of this area. Thus, we welcome the opportunity of fulfilling this desire and continuing the positive involvement to date of creating this dynamic project. We therefore

respectfully request your consideration and approval of an extension of the approved application DVR09-1007.

In addition, we would like to formally thank the Planning Staff for all of their assistance to date, and for their time processing this application



LANDSCAPE LEGEND TOTAL LANDSCAPE S.F. 56,052 = 23% OF SITE

<ul style="list-style-type: none"> PROSOPIS VELUTINA NATIVE MESQUITE 24" BOX - 3 36" BOX - 1 48" BOX - 1 CERCIDIUM FLORIDUM BLUE PALM VERDE 36" BOX (MATCHING)-4 CERCIDIUM 'HYBRID' DESERT MUSEUM 24" BOX (MATCHING)-3 PROSOPIS CHILENSIS CHILEAN MESQUITE 24" BOX-24 SOPHORA SECUNDFLORA TEXAS MTN LAUREL 15 GALLON-3 PINUS ELDERICA MONDEL PINE 12" TALL CANOPY HEIGHT MIN-37 PINUS ELDERICA MONDEL PINE 15" TALL CANOPY HEIGHT MIN-37 	<ul style="list-style-type: none"> NERIUM OLEANDER 'PETITE PINK' PETITE OLEANDER 5 GALLON-85 LEUCOPHYLLUM FRUTESCENS 'THUNDER CLOUD' 5 GALLON-139 LEUCOPHYLLUM CANDIDUM 'GREEN CLOUD' 5 GALLON-3 CALLIANDRA ERIOPHYLLA BAJA FAIRY DUSTER 5 GALLON-22 RUELLIA PENINSULARIS BAJA RUELLIA 5 GALLON-202 CAESALPINIA MEXICANA 'MEXICAN BIRD OF PARADISE' 5 GALLON-62 TECOMA 'ORANGE JUBILEE' ORANGE JUBILEE 5 GALLON-31 HESPERALOE PARVIFLORA RED YUCCA 5 GALLON-16 ACACIA REDOLENS DESERT CARPET 1 GALLON-23 	<ul style="list-style-type: none"> LANTANA MONTEVIDENSIS 'GOLD MOUND' 1 GALLON-196 CONVOLVULUS CNEORUM BUSH MORNING GLORY 1 GALLON-78 LANTANA MONTEVIDENSIS 'PURPLE TRAILING LANTANA' 1 GALLON-86 ROSMARINUS OFFICINALIS ROSEMARY 5 GALLON-13 3"x3"x3" SURFACE SELECT GRANITE BOULDER MINIMUM 2700lbs EACH-3 1/2" MINUS MADISON GOLD DECOMPOSED GRANITE 2" DEPTH IN ALL LANDSCAPE AREAS 4" EXTRUDED CURB CONCRETE HEADER SEE DETAIL MID-IRON TURF SOG
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** TREES ALONG PROPERTY LINE TO BE 15' OC AND STAGGERED



T.J. McQUEEN & ASSOCIATES, INC.
 LANDSCAPE ARCHITECTURE
 URBAN DESIGN
 SITE PLANNING
 1121 East McDowell Ave., Suite 218
 Phoenix, Arizona 85014
 (602) 265-0320



LDR-RIGGS & GILBERT, L.L.C.
 400 N. MELU OLEBERT
 4000 N. SCOTTSDALE ROAD #800
 SCOTTSDALE, ARIZONA 85251
 480.428.2000

January 8th, 2010

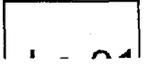
Mesquite Grove Marketplace

NEC Gilbert Road and Riggs Road, Chandler, Arizona

LANDSCAPE PLAN

ROBERT KERRIAN
 2830 East Thomas Road
 Phoenix, AZ 85016-3474
 (602) 968-9900 Phoenix

TJM & ASSOCIATES EXPRESSLY RESERVE ITS COMMON LAW COPYRIGHT & OTHER PROPERTIES RIGHTS IN THESE PLANS AND NOT TO BE REPRODUCED, CHANGED OR



ORDINANCE NO. 4212

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM PAD TO PAD (DVR09-1007 MESQUITE GROVE MINI-STORAGE) 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 the attached Development Booklet, entitled "Mesquite Grove Mini-Storage", kept on file in the City of Chandler Planning Services Division, in File No. DVR09-1007 except as modified by condition herein.
2. 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.
3. 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.
4. 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.
5. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
6. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.

7. 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.
8. 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.
9. Signage shall be in accordance to that represented in the Development Booklet.
10. 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.
11. The interior perimeter landscaping along the north and east property lines of the self-storage mini-warehouse use shall be installed at the time of the retail pad's development if the retail pads develop as Phase One.
12. Compliance with original conditions adopted by the City Council as Ordinance No. 3024 in case PL99-035, except as modified by condition herein.
13. The site shall be maintained in a clean and orderly manner.
14. Business hours of operation shall be limited to that represented by the applicant, Monday through Saturday 6 a.m. to 7 p.m. and Sunday 7 a.m. to 6 p.m.
15. Uses not related to the short-term storage of household or business items and non-hazardous, non-perishable durable goods are prohibited at the self-storage facility. This includes heavy equipment storage, storage of hazardous items, perishable goods, animals, and use as a residence, office, workshop, studio, band rehearsal, or place of business. There shall be no mechanical, engine, tire, or related auto repair.
16. Electrical service to individual units must be for lighting only. Electrical outlets must not be provided in individual units.
17. A dwelling occupied by the owner or on-site-manager is permitted as an accessory use to the self-storage warehouse facility.
18. A separate Preliminary Development Plan application and approval shall be required if the site does not develop as a self-storage mini-warehouse use and requests development in accordance with the site's PAD (C-1) zoning.
19. No exterior storage or parking of any RV's, boats, cars, or the like.
20. There shall be no exterior air-conditioning units or equipment either ground mounted or roof mounted on storage unit buildings.

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

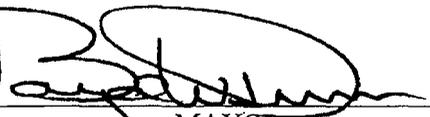
SECTION III. The Planning & Development Department of the City of Chandler is hereby directed to enter such changes and amendments as may be necessary upon the Zoning Map of said Zoning Code in compliance with this ordinance.

INTRODUCED AND TENTATIVELY APPROVED by the City Council of the City of Chandler, Arizona, this 25th day of March 2010.

ATTEST:


CITY CLERK


SEAL

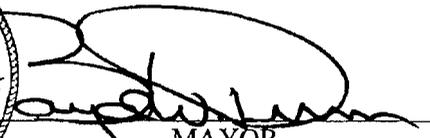

MAYOR

PASSED AND ADOPTED by the Mayor and City Council of the City of Chandler, Arizona, this 8th day of April 2010.

ATTEST:


CITY CLERK


SEAL

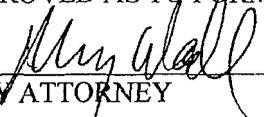

MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No. 4212 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the 8th day of April 2010, and that a quorum was present thereat.


CITY CLERK

APPROVED AS TO FORM:


CITY ATTORNEY

PUBLISHED in the Arizona Republic on April 16 and 23, 2010.

EXHIBIT 'A'

LEGAL DESCRIPTION - PARCEL NUMBER 304-82-247

That portion of Tract K of "Mesquite Grove Estates" as recorded in Book 553 of Maps, Page 47, records of Maricopa County, lying within the Southwest quarter of Section 30, Township 2 South, Range 6 East of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

COMMENCING at a 3" Maricopa County brass cap flush, stamped, "T2S ¼ R5E S25, R6E S30, RLS 15573" dated 2001, accepted as the West quarter corner of said Section 30, from which the calculated Southwest corner of said section bears South 00 degrees 19 minutes 35 seconds East a distance of 2642.01 feet;

Thence along the west line of said Southwest quarter, South 00 degrees 19 minutes 35 seconds East a distance of 1890.51 feet;

Thence leaving said west line, North 89 degrees 40 minutes 25 seconds East a distance of 71.00 to the proposed easterly right-of-way of Gilbert Road also being the POINT OF BEGINNING;

Thence along the northerly and easterly boundary of said Tract K the following five (5) courses;

- 1) North 89 degrees 40 minutes 33 seconds East a distance of 479.50 feet;
- 2) South 60 degrees 46 minutes 07 seconds East a distance of 60.96 feet;
- 3) South 53 degrees 27 minutes 15 seconds East a distance of 134.38 feet;
- 4) South 13 degrees 28 minutes 42 seconds East a distance of 61.48 feet;
- 5) South 00 degrees 00 minutes 56 seconds East a distance of 520.06 feet to the southeast corner of said Tract K and the northerly right-of-way of Riggs Road;

Thence along said northerly right-of-way being 65.00 feet north of and parallel with the south line of the southwest quarter of said section, North 89 degrees 59 minutes 51 seconds West a distance of 142.98 feet;

Thence leaving said northerly right-of-way, North 00 degrees 00 minutes 00 seconds East a distance of 100.03 feet;

Thence South 90 degree 00 minutes 00 seconds East a distance of 11.35 feet;

Thence North 00 degrees 00 minutes 00 seconds East a distance of 268.07 feet;

Thence North 90 degrees 00 minutes 00 seconds West a distance of 188.20 feet;

Thence South 00 degrees 00 minutes 00 seconds West a distance of 8.17 feet;

Thence North 90 degrees 00 minutes 00 seconds West a distance of 66.62 feet;

Thence North 00 degrees 18 minutes 53 seconds West a distance of 173.20 feet;

Thence north 90 degrees 00 minutes 00 seconds West a distance of 266.85 feet to the proposed easterly right-of-way of Gilbert Road;

Thence along said proposed easterly right-of-way being 71.00 feet east of and parallel with the west line of the southwest quarter of said section, North 00 degrees 19 minutes 35 seconds West a distance of 153.80 feet to the POINT OF BEGINNING.

(CONTINUED ON PAGE 2)

**LEGAL DESCRIPTION --PARCEL NUMBER 304-82-247
(PAGE 2 OF 2)**

The above-described parcel contains a computed area of 205,419 Sq. Ft. (4.7158 acres) more or less and is subject to any easements, restrictions, or rights-of-way of record or otherwise.

The description shown hereon is not to be used to violate any subdivision regulation of the state, county and/or municipality or any other land division restrictions.