

#17

SEP 12 2013

Chandler



Chandler · Arizona
Where Values Make The Difference

MEMORANDUM Transportation and Development – CC Memo No. 13-105

DATE: SEPTEMBER 12, 2013

TO: MAYOR AND COUNCIL

THRU: RICH DLUGAS, CITY MANAGER *RD*
 MARSHA REED, ASSISTANT CITY MANAGER *MR*
 R.J. ZEDER, TRANSPORTATION & DEVELOPMENT DIRECTOR *RJ Z*
 JEFF KURTZ, PLANNING ADMINISTRATOR *JK*

FROM: KEVIN MAYO, PLANNING MANAGER *KM*

SUBJECT: DVR13-0011 TAKE OFF 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 (AG-1) zoning. The existing PAD zoning is for a commercial development that includes a fuel station

Location: Southeast corner of McQueen and Queen Creek roads

Applicant: Seth Keeler, W Holdings

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 approximately 4-acre site located at the southeast corner of McQueen and Queen Creek roads. The subject site was rezoned in May 2010 from Agricultural District (AG-1), to Planned Area Development (PAD) for a commercial development that included a fuel station. The PAD zoning was conditioned to start construction above foundation walls within three (3) years of the ordinance effective date, which expired on June 26, 2013. The proposed three-year time extension would be in effect, pending City Council approval, until June 26, 2016, as the time limit is calculated from the previous zoning approval's expiration. This is the first zoning time extension requested for the property.

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 Employment as well as within the Chandler Airpark Area Plan (CAAP). The CAAP, amended at the time of zoning approval, identifies the subject site as Community Commercial allowing for retail development of this nature. The PAD zoning is consistent with the General Plan and CAAP 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. Staff supports the requested time extension finding the commercial development with a fuel station remains an appropriate land-use solution for this irregularly shaped corner parcel.

PUBLIC/NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements in the Chandler Zoning Code.
- A neighborhood notice letter was mailed out in lieu of a neighborhood meeting. Staff has not received any correspondence from neighboring property owners.
- As of the date of this memo, Staff is not aware of any opposition or concerns.

PLANNING COMMISSION VOTE REPORT

Motion to Approve.

In Favor: 7 Opposed: 0

RECOMMENDED ACTION

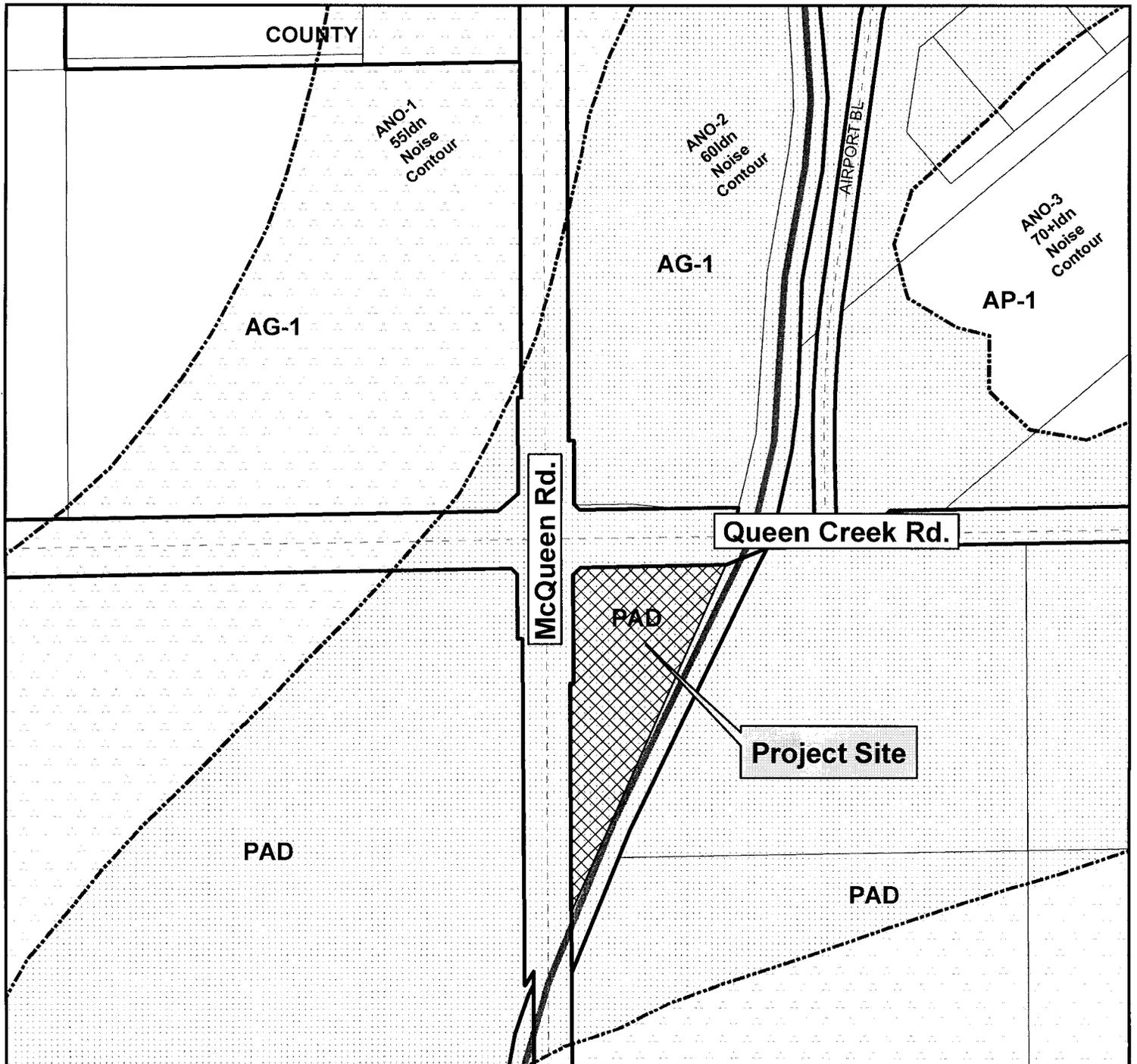
Planning Commission and Planning Staff, upon finding consistency with the General Plan, recommend approval to extend the timing condition for three (3) years with all of the conditions in the original approval remaining in effect.

PROPOSED MOTION

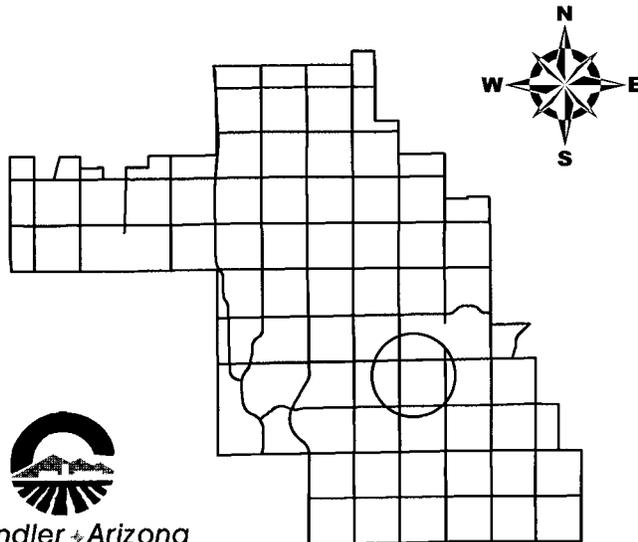
Motion to approve extending the timing condition for case DVR13-0011 TAKE OFF CENTER for an additional three (3) years, in which the zoning would be in effect until June 26, 2016, and with all of the conditions in the original approval remaining in effect.

Attachments

1. Vicinity Maps
2. Narrative
3. Site Plan
4. Landscape Plan
5. Ordinance No. 4215



Vicinity Map

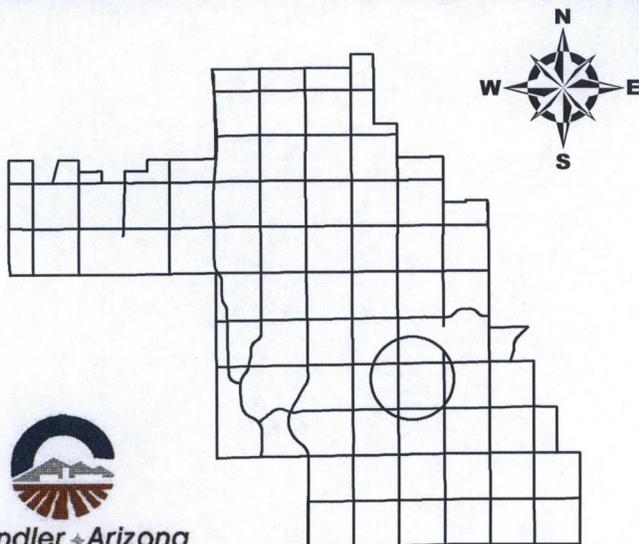


DVR13-0011

Take Off Center



Vicinity Map



DVR13-0011

Take Off Center

**Take Off Center
SEC of McQueen Road and Queen Creek Road**

**Extension to Area Plan Amendment, Planned Area Development and Preliminary
Development Plan**

Take Off Center Overview

The project is located on the southeast corner of McQueen Road and Queen Creek Road. The size of the parcel is approximately 3.27 acres. The Take Off Center project is part of the Chandler Airport Area Plan.

On May 27, 2010, the Chandler City Council approved case # AP09-0003 and DVR09-0025.

At the time of the approval, we had a letter of interest from Chevron for this site. Then our financing fell through and after a series of repeated attempts, we put this on hold. Now that the market is improving, we are again working on procuring financing to move forward with this project.

This is a request to extend that approval and thereby keeping the Planned Area Development (PAD) with a Community Commercial zoning designation for an additional 3 years and keeping the Airport Area Plan designated as Community Commercial. In addition, please extend the Preliminary Development Plan that was also approved by City Council.

The approval was for a gas station with a quick and affordable carwash that has stand alone vacuum dispensers, a separate retail pad with a drive thru, and a non formal area on the southern edge for a temporary farmer's market or seasonal sales of items such as Christmas trees or pumpkins.

The site is an irregular triangular shaped parcel and has a geographical hardship due to the shape and proximity to the Chandler Airport aviation easement (ultimate runway protection zone). The easement encumbers the northeast corner of the property and there are no structures planned within the easement. The site is bounded on the east property line by an existing SRP canal called the Consolidated Canal. The Consolidated Canal creates the triangular parcel. Recently, on July 9, 2009, SRP recorded a new plat that created a larger boundary for the Consolidated Canal. Consequently, the triangular parcel lost an approximate 0.58 acres and the Take Off Center is now smaller than before. The ROW on Queen Creek Road is currently 80' and the City standard is only 75'.

The area is underserved for gas and car wash services. The Updated Existing Carwash and Gas Exhibit demonstrates the known and proposed gas stations and car washes in the area and clearly shows the void this proposal would fill. This project will benefit local residents, the Chandler Airport, and local businesses by providing a convenient service to the area.



A NEW BUILDING PROJECT
 BY: **Quo Vadimus, LLC**
 TAKE OFF CENTER

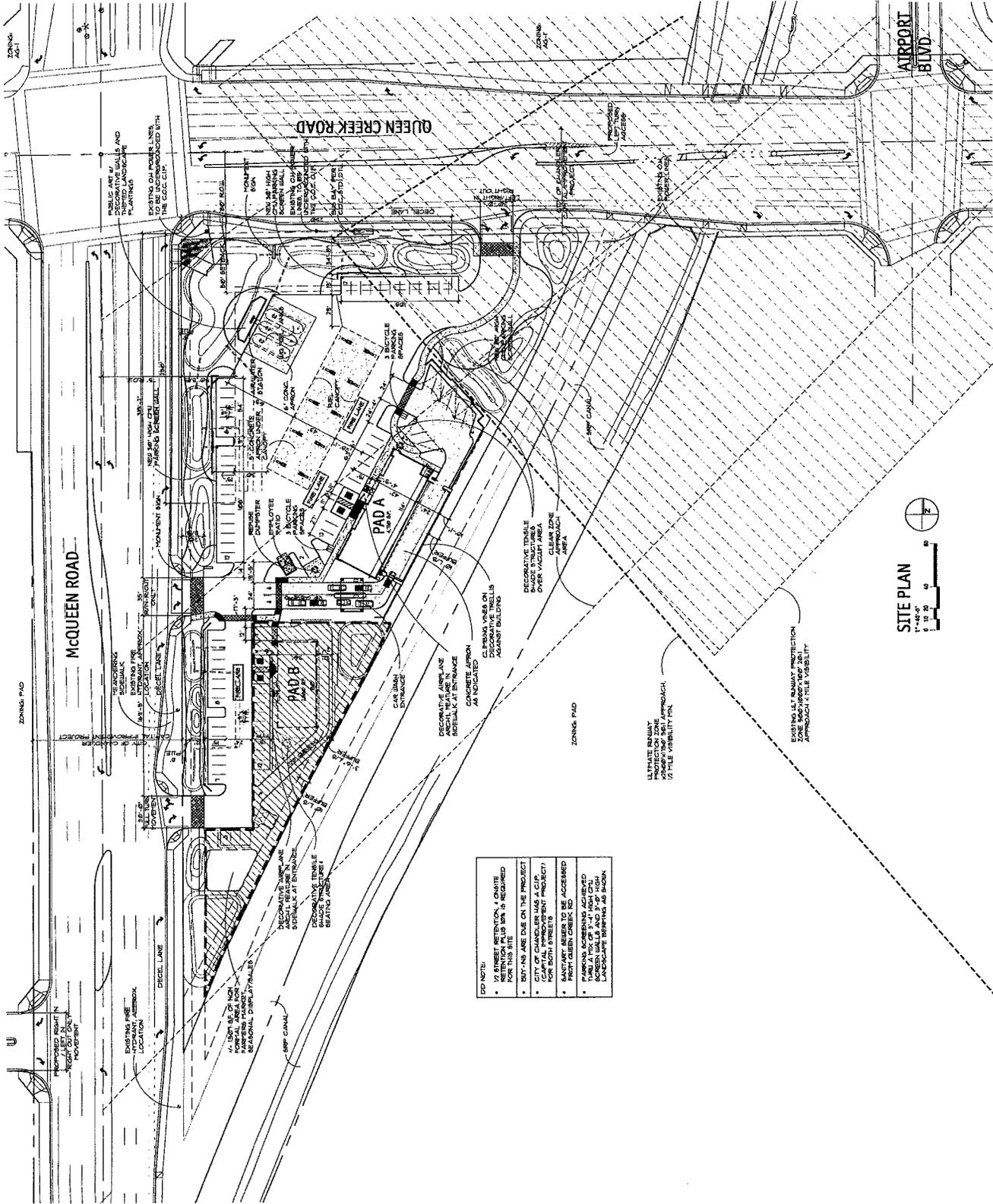
730 N. 52nd Street
 Suite 203
 Phoenix, AZ 85008
 602.935.5060
 www.quovadimus.com



TAKE OFF CENTER
 SEC OF MCQUEEN RD & QUEEN CREEK RD
 CHANDLER
 ARIZONA

4-10-2010

A1.1
 of X
 Project: Take Off



PROJECT: TAKE OFF CENTER
OWNER: S.E. McQueen Road & Queen Creek Road
DESIGNER: QUO VADIMUS, LLC
DATE: 12/31/2010
SCALE: 1/8" = 1'-0"

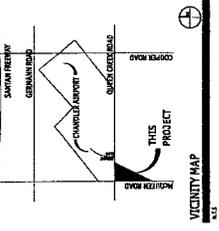
PHASE I - PAD A
 TOTAL AREA: 15,700 SQ. FT.
 TOTAL SPACES: 19
 TOTAL SPACES ON SITE / PHASE ONLY: 19

PHASE II - PAD B
 TOTAL AREA: 17,900 SQ. FT.
 TOTAL SPACES: 28
 TOTAL SPACES ON SITE / PHASE ONLY: 28

TOTAL
 TOTAL AREA: 33,600 SQ. FT.
 TOTAL SPACES: 47
 TOTAL SPACES ON SITE / PHASE ONLY: 47

NOTES:
 1. HATCHED AREA INDICATES THE PHASE I AND PHASE II AREAS TO BE CONSTRUCTED.
 2. LANDSCAPE IMPROVEMENTS TO BE PROVIDED ALONG THE PERIMETER OF THE PHASE I AND PHASE II AREAS.
 3. EXISTING UTILITY LINES ARE SHOWN FOR INFORMATION ONLY.

LEGEND:
 Hatched Area: Phase I and Phase II Areas
 Dashed Line: Existing Utility Lines
 Solid Line: Property Boundary



DO NOTES:
 1. ALL DIMENSIONS ARE IN FEET AND INCHES.
 2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF CHANDLER LAND DEVELOPMENT CODE.
 3. THE CITY OF CHANDLER HAS A CIP FOR BOTH STREETS FOR BOTH PHASES.
 4. BANTARY AGREES TO BE ACCESSED FROM QUEEN CREEK RD.
 5. PARKING SPACES TO BE PROVIDED AS SHOWN ON THIS PLAN AND 3'-0" HIGH BORDERS SHALL BE PROVIDED ALONG THE PERIMETER OF THE PHASE I AND PHASE II AREAS.



SITE PLAN

VICINITY MAP

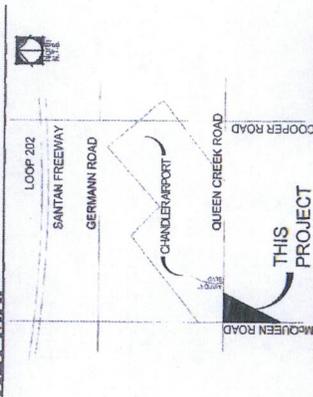
MASTER PLANT PALETTE

COMMON NAME	BOTANICAL NAME	SIZE
TREES		
DESERT MUSEUM PALO VERDE	CERCIDIMUM HYBRID	24" BOX
BLUE PALO VERDE	CERCIDIMUM FLORIDUM	24" BOX
IRONWOOD	CHRYSEA TERTIA	24" BOX
PROSPER	PROSPER	24" BOX
CAGUAL PALM CAGUALCO	ACICIA SWALLS	24" BOX
SWEET ADACIA	ACICIA NEURA	24" BOX
PALO BREA	CERCIDIMUM PRAECOX	24" BOX
SHRUBS & GROUNDCOVERS		
YELLOW BELLS	TECOMA STANS ANGUATA	5 GAL
HEAVENLY CLOUD TEXAS SAGE	DAVIDSONIA GORDONIAE	5 GAL
GREEN DESERT SPOON	LEUCOPHYLLUM PROTECTENS 'NEARBY'	6 GAL
PURPLE LANTANA	LANTANA CANARIA 'NEW GOLD'	1 GAL
HEAVENLY CLOUD TEXAS SAGE	HEPHERALOE PANFLORA	5 GAL
HEAVENLY CLOUD TEXAS SAGE	HEPHERALOE PANFLORA	5 GAL
SUPERB PERSTEMON	RUPELLIA PANINSULARIS	5 GAL
DESERT RUELLIA	VERBERNA ROBIA	1 GAL
GANDAWAFA VERBERNA	TOOTHLEBS DESERT SPOON	8 GAL
DASYLIRION LONGISSIMUM	CALLANDROBA ERIOPHYLLA	8 GAL
PINK FANTOUSTEER	ENSELIA FORBESIA	8 GAL
CHOCORATE BUSH	DELBERT MARGOLD	1 GAL
BURSAGE	BAILEYA MULTICAUDA	1 GAL
	AMBROVIA DELTOYDIA	1 GAL

GENERAL NOTES

1. AUTOMATIC UNDERGROUND IRRIGATION (RECLAIMED WATER) SYSTEM TO PROVIDE PERMANENT WATERING TO ALL LANDSCAPE.
2. ALL LANDSCAPE TO BE MAINTAINED BY A PRIVATE ASSOCIATION IN A CLEAN, WEED FREE CONDITION, SELECTED BY THE DEVELOPER, TOPDRESSING TO ALL LANDSCAPE AREAS.
3. 1/2" MIN. 3" DEEP DECOMPOSED GRANITE.
4. FINAL PLANT SELECTION, SPECIES, LOCATION AND QUANTITIES ARE TO BE DETERMINED BY THE DEVELOPER. THE DEVELOPER SHALL BE RESPONSIBLE FOR CHANGE ORDER IN ACCORDANCE WITH LANDSCAPE GUIDELINES AT THE TIME OF FINAL SUBMITTAL. ALL PLANT MATERIAL WILL BE SELECTED FROM THE PLANT LIST SHOWN ON THE ENVIRONMENTAL MASTER PLAN AND THE ADJOURNING SITES.
5. ALL SITE IMPROVEMENTS, INCLUDING LANDSCAPE AND SITE CLEANUP, MUST BE COMPLETE PRIOR TO CERTIFICATE OF OCCUPANCY FOR ANY BUILDING WITHIN A PHASE.
6. PARKING LOT SCREENING ACCOMPLISHED BY A COMBINATION OF 2' HIGH DECORATIVE MASONRY WALLS, BOUNDING, AND PLANT MATERIAL.
7. REFER TO ARCHITECTURAL DRAWINGS FOR ALL BUILDINGS, WALLS, FENCES AND GATES SHOWN ON THIS PLAN.
8. TREES AND SHRUBS TO BE 4" BOX, 1" TO BE 36" BOX.
9. AND TREES TO BE GROUPED IN MINIMUMS OF THREE.

KEY MAP



SHEET 1 OF 1
Date 1-15-10



LANDSCAPE ALONG WEST SIDE OF MCQUEEN AND WITHIN THE MEDIAN BY OTHERS.
LANDSCAPE PLANTED IN "DRIFTS" WITH ACCESSIBLE MAINTENANCE CORRIDORS BETWEEN MASSINGS.

VARIABLE HEIGHT BERMIS AND SCREEN WALLS ALONG STREET FRONTAGE TO MITIGATE VIEWS ONTO PARKING LOT. (SHEET 107 & 107)

McQUEEN ROAD

QUEEN CREEK ROAD

AIRPORT BLVD



PHASE 2 SHOWN FOR REFERENCE ONLY. DEVELOPMENT TO BE COMPATIBLE WITH OVERALL VISUAL SUPPLY TO CANAL BEYOND.

TREES ALONG PROPERTY LINE TO PROVIDE A VISUAL BUFFER TO CANAL BEYOND.

REFER TO ARCHITECTURAL PLANS FOR ALL IMPROVEMENTS, INCLUDING PAVING AND CANOPIES SHOWN ON THIS PLAN.

TREES AND SHRUBS WITHIN THE REZ ZONE TO BE MAINTAINED BY A PRIVATE ASSOCIATION PRIOR TO FINAL SUBMITTAL.
STRONG PREFERRED MASSINGS OF NATIVE SHRUBS AND GROUNDCOVERS.

PLANT DENSITY & SIZES

PARKING LOT PLANTERS

TREES - 1 PER PLANTER (24" BOX)

SHRUBS - 4 PER PLANTER (5 GAL. SHRUBS / 1 GAL. GROUNDCOVER)

OPENSACE - RETENTION

TREES - 1 PER 750 S.F. (40% - 18 GAL. / 60% 36" BOX)

SHRUBS - 6 PER 750 S.F. (5 GAL. SHRUBS / 1 GAL. GROUNDCOVER)

STREET FRONTAGE

2" TREES ALONG THE STREET FRONTAGE TO BE 4" BOX, 1" TO BE 36" BOX AND TREES TO BE GROUPED IN MINIMUMS OF THREE.

EXISTING ULT. REZ. APPROACH 1/4 MILE VISIBILITY

ULTIMATE REZ. APPROACH 1/4 MILE VISIBILITY

ENVIRONMENTAL MASTERPLAN
TAKE OFF CENTER
SEC OF MCQUEEN AND QUEEN CREEK ROAD
CHANDLER, ARIZONA

APPROVED

MAY 27 2010

3
MAY 27 2010

By Chandler City Council

ORDINANCE NO. 4215

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM AGRICULTURAL DISTRICT (AG-1) TO PLANNED AREA DEVELOPMENT (PAD) (DVR09-0025 TAKE OFF 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 Agricultural District (AG-1) to Planned Area Development (PAD), subject to the following conditions:

1. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
2. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Take Off Center", kept on file in the City of Chandler Planning Services Division, in File Nos. AP09-0003/DVR09-0025, except as modified by condition herein.

3. 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.
4. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual # 4).
5. 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.
6. 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.
7. 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.
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. Approval by the Director of Planning and Development of plans for landscaping and perimeter walls and the Director of Public Works for arterial street median landscaping.
10. The landscaping shall be maintained at a level consistent with or better than at the time of planting. The site shall be maintained in a clean and orderly manner.
11. Raceway signage shall be prohibited within the development.
12. Fuel tank venting shall be fully screened in a manner to be architecturally integrated with the development.

13. An additional six (6) parking spaces shall be removed from the minimum 50' x 250' landscaped intersection area.
14. The red, lighted stripe across the fuel canopy roof shall be removed.
15. The monument sign along Queen Creek Road shall be located east of the driveway entrance.
16. A solid block and stucco canopy shall be provided at the car wash drive-through entrance that draws from the main building architecture.
17. 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 subject development shall use treated effluent to maintain open space, common areas, and landscape tracts.

18. The narrow steel column feature found in the fuel canopy's middle tier shall also be used for the top portions of the outer tiers' columns
19. Additional shade shall be provided to the Pad A and Pad B windows beyond that shown in the elevations presented to Planning Commission.

LEGAL DESCRIPTION
SEC. MCQUEEN AND QUEEN CREEK

THAT PORTION OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, LYING WESTERY OF THE WEST RIGHT-OF-WAY LINE OF THE CONSOLIDATED CANAL;

EXCEPT THE FOLLOWING DESCRIBED PROPERTY, AS DEEDED TO MARICOPA COUNTY, ARIZONA, BY THAT CERTAIN WARRANTY DEED RECORDED IN DOCUMENT NO. 2003-1708021, RECORDS OF MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

A PARCEL OF LAND LOCATED WITHIN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE SOUTH LINE OF THE NORTH 33 FEET AND THE EAST LINE OF THE WEST 40 FEET OF THE SAID NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 14;

THENCE SOUTH 00 DEGREES 17 MINUTES 29 SECONDS EAST, A DISTANCE OF 1038.45 FEET;

THENCE NORTH 32 DEGREES 10 MINUTES 37 SECONDS EAST, A DISTANCE OF 46.57 FEET;

THENCE NORTH 00 DEGREES 17 MINUTES 29 SECONDS WEST, A DISTANCE OF 631.94 FEET;

THENCE NORTH 89 DEGREES 42 MINUTES 31 SECONDS EAST, A DISTANCE OF 10.00 FEET;

THENCE NORTH 00 DEGREES 17 MINUTES 29 SECONDS WEST, A DISTANCE OF 300.64 FEET;

THENCE NORTH 44 DEGREES 21 MINUTES 53 SECONDS EAST, A DISTANCE OF 28.45 FEET;

THENCE NORTH 89 DEGREES 01 MINUTE 17 SECONDS EAST, A DISTANCE OF 401.33 FEET;

THENCE NORTH 16 DEGREES 07 MINUTES 14 SECONDS EAST, A DISTANCE OF 49.17 FEET;

THENCE SOUTH 89 DEGREES 01 MINUTE 17 SECONDS WEST, A DISTANCE OF 470.23 FEET TO THE TRUE POINT OF BEGINNING.