

#3

JUL 10 2014



MEMORANDUM

Planning Division – CC Memo No. 14-073

DATE: JULY 10, 2014

TO: MAYOR AND COUNCIL

THRU: RICH DLUGAS, CITY MANAGER *RD*
MARSHA REED, ASSISTANT CITY MANAGER *MR*
JEFF KURTZ, PLANNING ADMINISTRATOR *JK*
KEVIN MAYO, PLANNING MANAGER *KM*

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

SUBJECT: DVR14-0016 THOROBRED WRESTLING CLUB
Introduction and Tentative Adoption of Ordinance No. 4549

Request: Amend the Planned Area Development (PAD) zoning for Planned Industrial District (I-1) uses to allow an instructional sports and athletic training facility use in Unit 14 of Building M within the Paloma Kyrene Business Community

Location: South of Chandler Boulevard on the west side of Kyrene Road at Gila Springs Place

Applicant: Ed Bull, Burch & Cracchiolo, P.A.

RECOMMENDATION

Upon finding the request to be consistent with the General Plan, Planning Commission and Planning Staff recommend approval subject to conditions.

BACKGROUND

The subject site is a developed light industrial business park with a mix of two light industrial warehouse condo buildings and general/medical office condo buildings. A vacant lot at the west end is planned for self-storage use. West of the development is General Industrial (I-2) development, north is a commercial retail shopping center, east is Kyrene Road and single-family residential, and south is Gila Springs Place and a new light industrial business park under construction.

The Paloma Kyrene Business Community development was zoned Planned Area Development (PAD) in 2005. Uses permitted include general/medical office and limited retail support along Kyrene Road. The western half of the development includes two warehouse buildings, Buildings M and N, for Planned Industrial (I-1) uses allowing 85% light industrial with 15% support general office in each condo. Two zoning amendments for the entire Paloma Kyrene Business Community were approved in 2009 and 2011 to allow instructional sports and athletic training facility uses only in Building M. The amendments limit these uses to a maximum 18,500 square feet. This square footage is occupied with a fencing school and a sports/fitness training business.

The request is to amend the PAD zoning for only Unit 14 in Building M to allow an additional instructional sports and athletic training facility use. The request does not seek to change the prior PAD zoning amendments related to the entire development or change the zoning condition in place limiting a total of 18,500 square feet for such uses in Building M. The request is limited solely to Unit 14 to allow an additional 5,000 square foot instructional sports and athletic training facility use. The specific use is a wrestling club that includes practice, training, and occasional clinics/camps/small competitions for youth athletes.

The definition of “instructional sports and athletic training facilities” for this particular development is facilities that focus on the instruction, training, and related activities of a particular sport or field of sports. Examples include, but are not limited to, baseball, softball, fencing, martial arts, swimming, gymnastics, cheerleading, and dance. Uses such as dog training, child-oriented party places such as inflatable bounce facilities, gaming, and the like are not permitted, as these are not deemed sports and athletic related uses. The facilities are anticipated to host competitive events, which are limited to weekday evenings after 5:30 p.m. and anytime during weekends and national holidays. Events will be planned so as not to interfere with other businesses in the business park. There will be no outdoor training permitted in conjunction with these uses. The wrestling club agrees to zoning conditions within the development limiting occurrences of competitive events and no outdoor training.

The wrestling club primarily operates in the later afternoon to evening Monday through Friday with a maximum of approximately 40 people. Saturday hours are morning to later afternoon and Sunday afternoons. Occasional events may have approximately 70 people.

The development has shared parking with a ratio for the instructional sports and athletic training facilities uses at 1 space per each 333 square feet of building area (1/333). The site currently provides approximately 620 parking spaces. Based on a parking study in 2011, at 5 p.m. approximately 145 parking spaces are available in the development, and at 6 p.m. approximately 365 parking spaces are available as most businesses close after 5 p.m. Through the proposed shared parking analysis, it is understood that the whole development will not operate at the same time instructional sports businesses operate mostly off hours from other businesses including the weekends thus parking is available when they operate.

DISCUSSION

Planning Commission and Planning Staff support the proposed PAD amendment finding the additional 5,000 square feet of instructional sports and athletic training facilities to be compatible

July 10, 2014

with the industrial business park. The addition of a wrestling club within Unit 14 of Building M does not represent a conflict with any of the approved uses. The requested amendment would allow up to 23,500 square feet of total building area to be occupied with instructional sports and athletic training facilities in Building M.

PUBLIC/NEIGHBORHOOD NOTIFICATION

- The request was noticed in accordance with the requirements of the City of Chandler Zoning Code.
- A neighborhood notice was mailed due to no residential within proximity of the subject condo space.
- Planning Staff is not aware of any neighborhood opposition or concerns with this request.

PLANNING COMMISSION VOTE REPORT

Motion to Approve.

In Favor: 5 Opposed: 0 Absent: 2 (Cunningham, Donaldson)

RECOMMENDED ACTION

Upon finding consistency with the General Plan, Planning Commission and Planning Staff recommend approval of the zoning amendment in case DVR14-0016 THOROBRED WRESTLING CLUB, subject to the following conditions:

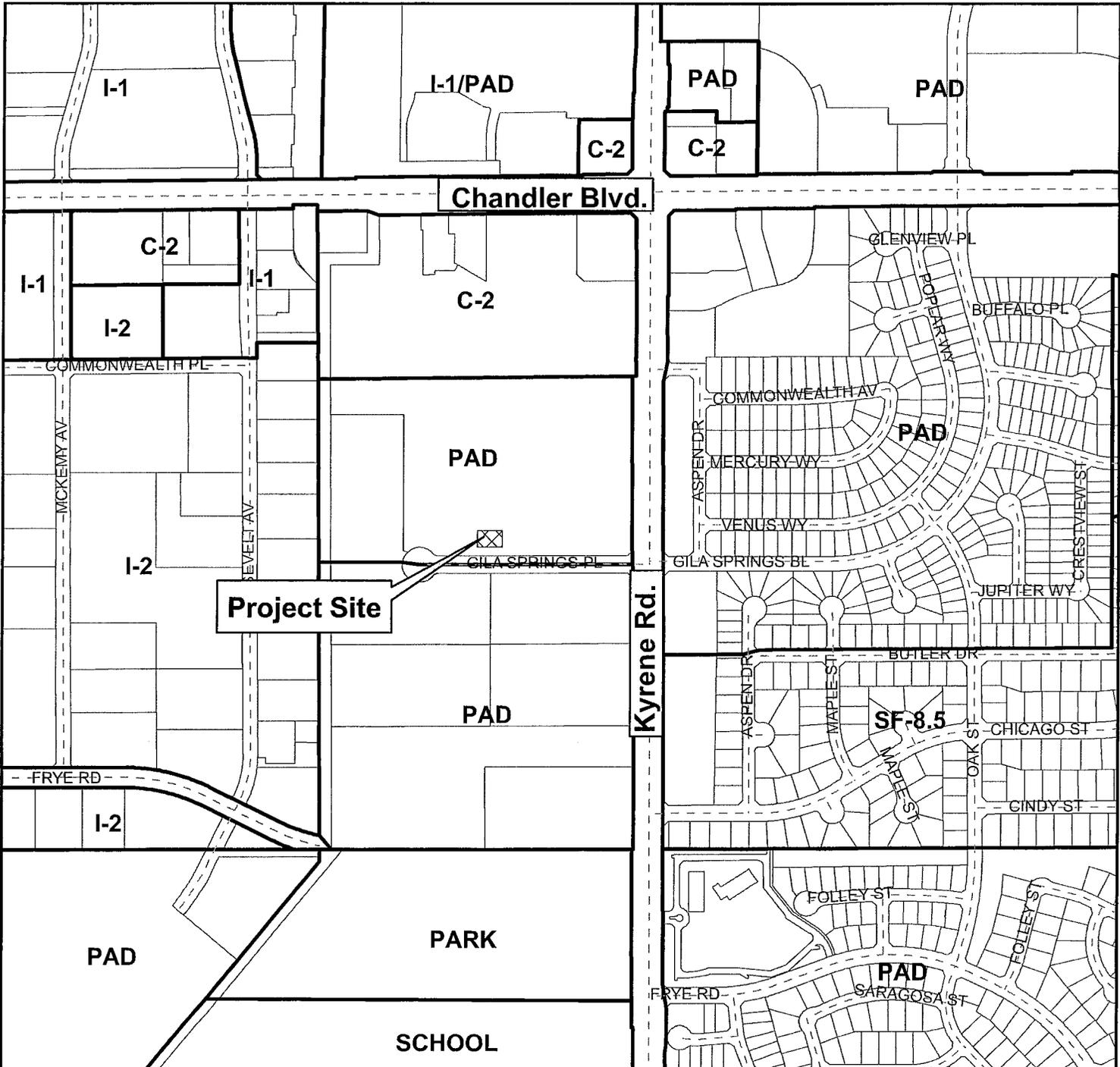
1. Compliance with original conditions adopted by the City Council as Ordinances No. 3729 and 4323 in cases DVR05-0002 and DVR11-0025, except as modified by condition herein.
2. Development shall be in substantial conformance with Applicant Narrative and Site Plan, kept on file in the City of Chandler Planning Division, in File No. DVR14-0016, except as modified by condition herein.

PROPOSED MOTION

Move to introduce and tentatively adopt Ordinance No. 4549 approving rezoning request DVR14-0016 THOROBRED WRESTLING CLUB allowing additional instructional sports and athletic training facility uses in Building M, Unit 14, as recommended by Planning Commission and Planning Staff.

Attachments

1. Vicinity Maps
2. Applicant Narrative
3. Site Plan
4. Aerial Site Plan
5. Original Ordinances No. 3729 & 4323
6. Ordinance No. 4549



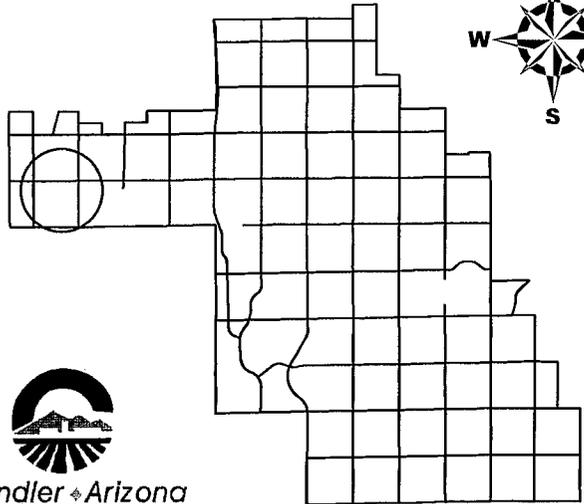
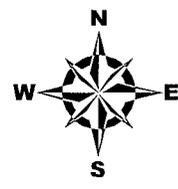
Project Site

Vicinity Map



DVR14-0016

Thorobred Wrestling Club



Chandler ♦ Arizona
Where Values Make The Difference

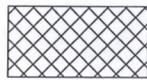
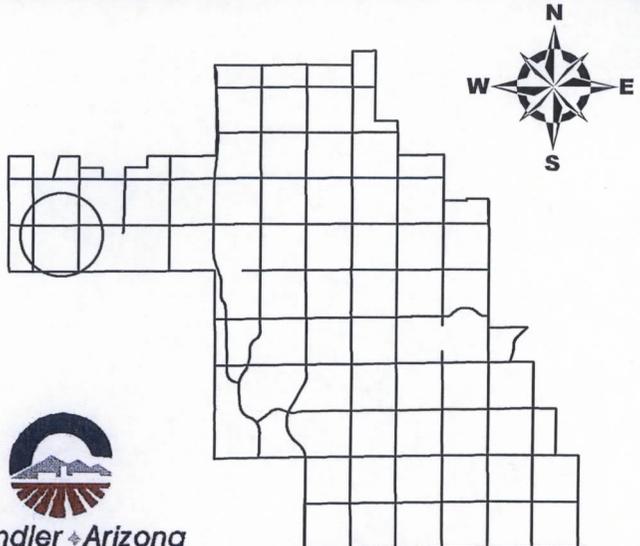


Project Site

Chandler Blvd.

Kyrene Rd.

Vicinity Map



DVR14-0016

Thorbred Wrestling Club



UNIT 14 OF BUILDING "M" OF THE PALOMA KYRENE BUSINESS COMMUNITY

AMENDMENT TO PLANNED AREA DEVELOPMENT

for

Instructional Sports and Athletic Training Facility Uses within

Unit 14 of Building "M"

I. Introduction

AZ BRED, LLC is the proposed owner of Unit 14 of Building M of Paloma Kyrene Business Community, which is located at the northwest corner of Kyrene Road and Gila Springs Place. Unit 14 is one of the condo units in Building M of the 21-acre business park. Paloma Kyrene Business Community is a mixed-use development that includes light industrial, general and medical office, support retail, and instructional sports and athletic training, and a future self-storage mini-warehouse uses.

An aerial photograph of the overall Site is provided at Tab A. The Campus Site Plan is provided at Tab B. Photographs of the south and east elevations of Unit 14 are provided at Tab C.

Jack Cardinal and his associates are well experienced and highly regarded wrestling coaches who (through the Thorobred Wrestling Club) focus on the after-school teaching, training and coaching of young athletes ages 4-18. Jack Cardinal and his associates want to make Unit 14 of Building "M" home to the Thorobred Wrestling Club. Info about Thorobred Wrestling Club and the coaches has been provided to Staff.

II. Proposed PAD Amendment

The PAD Amendment is to allow Unit 14 of Building "M" (approximately 5,000 sq. ft.) to be used for instructional sports and athletic training facility uses.

The site was rezoned in November, 2005 (Ordinance No. 3729) from AG-1 to Planned Area Development (PAD) with Preliminary Development Plan (PDP) for a mixed use development. The project included 14 buildings allocated with office support, industrial office, warehouse, retail support, medical support and a conceptual self-storage mini-warehouse component. Building M was originally designated for light industrial warehouse/office uses.

Applicant Narrative p81

In 2009 and again in 2011, Amendments to the PAD were approved to permit up to 18,500 sq. ft. of instructional sports and athletic training facility uses in Building "M". Parking analyses were included in the Amendments which opined adequate parking was available. Those parking analyses are incorporated herein and have proven accurate in the field through field observations. Moreover, photographs representing the numerous available parking spaces adjacent to Building M are provided at Tab D. The photographs were taken on two separate weekdays (4/1/14 and 4/16/14), between the hours of 3:00 to 6:30 p.m.

In addition, because Unit 14 is located at the south end of Building M, there are areas and walkways provided for drop-off and pick-up traffic on Gila Springs Place. Photos of this area are provided at Tab E. The parking analyses, the field observations, the photos at Tab D, and the below-referenced "Industrial Sports and Athletic Training" Stipulations collectively verify and assure that there is plenty of off-peak parking available for Unit 14 (approximately 5,000 sq. ft.) to be used for instructional sports and athletic training (in addition to the approximately 18,500 sq. ft. of instructional sports and athletic training that is permitted elsewhere in Building "M").

The previous PAD Amendments (which allowed up to 18,500 sq. ft. of instructional sports and athletic training within Building M) are subject to the following Stipulations:

- Hosting of competitive events is limited to weekday evenings after 5:30 p.m. and anytime during weekends and national holidays. Events shall be planned so as not to interfere with other businesses in the business park.
- Outdoor training is not permitted in conjunction with instructional sports and athletic training facilities.

Unit 14 (Thorobred Wrestling Club) will meet these same Stipulations.

As is noted above, the 2009 and 2011 PAD Amendments also included a stipulation that allowed (per the 2011 Amendment) up to 18,500 sq. ft. of "instructional sports and athletic training facility" uses in non-specified locations within Building M. This 2014 Amendment does not seek to change or diminish the 18,500 sq. ft. of sports and athletic uses that were previously approved. Instead, this 2014 Amendment is focused on Unit 14 and, in particular, adds approximately 5,000 sq. ft. of "sports and athletic training" to the types of uses that are already permitted within Unit 14.

III. Contacts

Owner/Developer:

AZ BRED, LLC
Attn.: Jack Cardinal
5080 N. 40th Street, Suite 265
Phoenix, AZ 85018
Phone: 602-457-7750
Email: jc@coopercardinal.com

Applicant Narrative
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Zoning/Entitlements:

Burch & Cracchiolo, P.A.
Attn.: Ed Bull
702 E. Osborn Road, Suite 200
Phoenix, AZ 85014
Phone: 602-234-9913
Email: ebull@bcattorneys.com

IV. Conclusion

This PAD Amendment requests approval to operate a highly regarded wrestling club in Chandler. The requested Amendment will make no exterior changes to Building "M", will be compatible with the Business Park (as are the existing instructional sports and athletic facilities), and will be adequately parked. The requested Amendment is consistent with the quality and character of the Business Park, and will add to the overall development of Youth in Chandler and the Valley.

Approval is requested.

Thorobred Wrestling Club

Applicant Narrative
P83



Born Winners, Trained to be Champions!

Thorobred Wrestling Club is a non-profit organization dedicated to providing youth athletes ages 4-18 years old the opportunity to learn the sport of wrestling through dedicated training and competition in the State of Arizona and Nationally. Thorobred has been training wrestlers since 2004 in Chandler, AZ. Thorobred Wrestling Club has produced multiple State Champions and All-Americans. The club not only focuses on wrestling goals but academic goals as well. The coaching staff not only encourage but reward youth athletes who produce a report card with all A/B averages. Wrestling is a sport that teaches life skills that student athletes use day in and day out. Our goal is to raise young respectful, successful student athletes.

Coaches:

Mike Douglas (Co-Founder)

Mike started wrestling at the age of 6 in Chicago, Ill. While competing at Lassen College Mike was 2x All-American and National Champ. Mike finished his career at ASU where he qualified for NCAA, and placed 2nd in the PAC 10 Championships. Coach Mike graduated with a Degree in Kinesiology.

David Douglas (Co-Founder)

Dave started wrestling at the age of 4 in Chicago, Ill. Dave is one of Chicago's few that have won 4x State Titles in High School. Coach Dave wrestled at ASU where he was a Pac 10 Champion and 2x-NCAA All-American. Coach Dave graduated with a Degree in Interdisciplinary Studies.

Eric Larkin (Coach/Principal)

Eric started wrestling at the age of 11 in Tucson, AZ. Eric won 2x State Titles while competing at Sunnyside High School. Coach Eric wrestled at ASU where he was a 4x Pac 10 Champion, 4x – NCAA All-American and 2003 NCAA National Champ. Coach Eric graduated with a Bachelor of Science Degree. Eric is also the Head Wrestling Coach at Seton Catholic Prep in Chandler, AZ.

Jack Cardinal (Coach/Principal)

Jack started wrestling at the age of 7 in Cleveland, OH. He competed for the Ohio-All Star Wrestling Team in Ohio and Internationally during his youth and high school career. He placed 2x in the OHSAA State Championship. Coach Jack wrestled at Wilmington College where he was a Varsity 4x Letter Winner and a 2x NCAA Academic All-American. Coach Jack graduated with a BA in Business Management/Administration with a 3.7 GPA. Jack is also the Head Assistant Wrestling Coach at Seton Catholic Prep in Chandler, AZ.

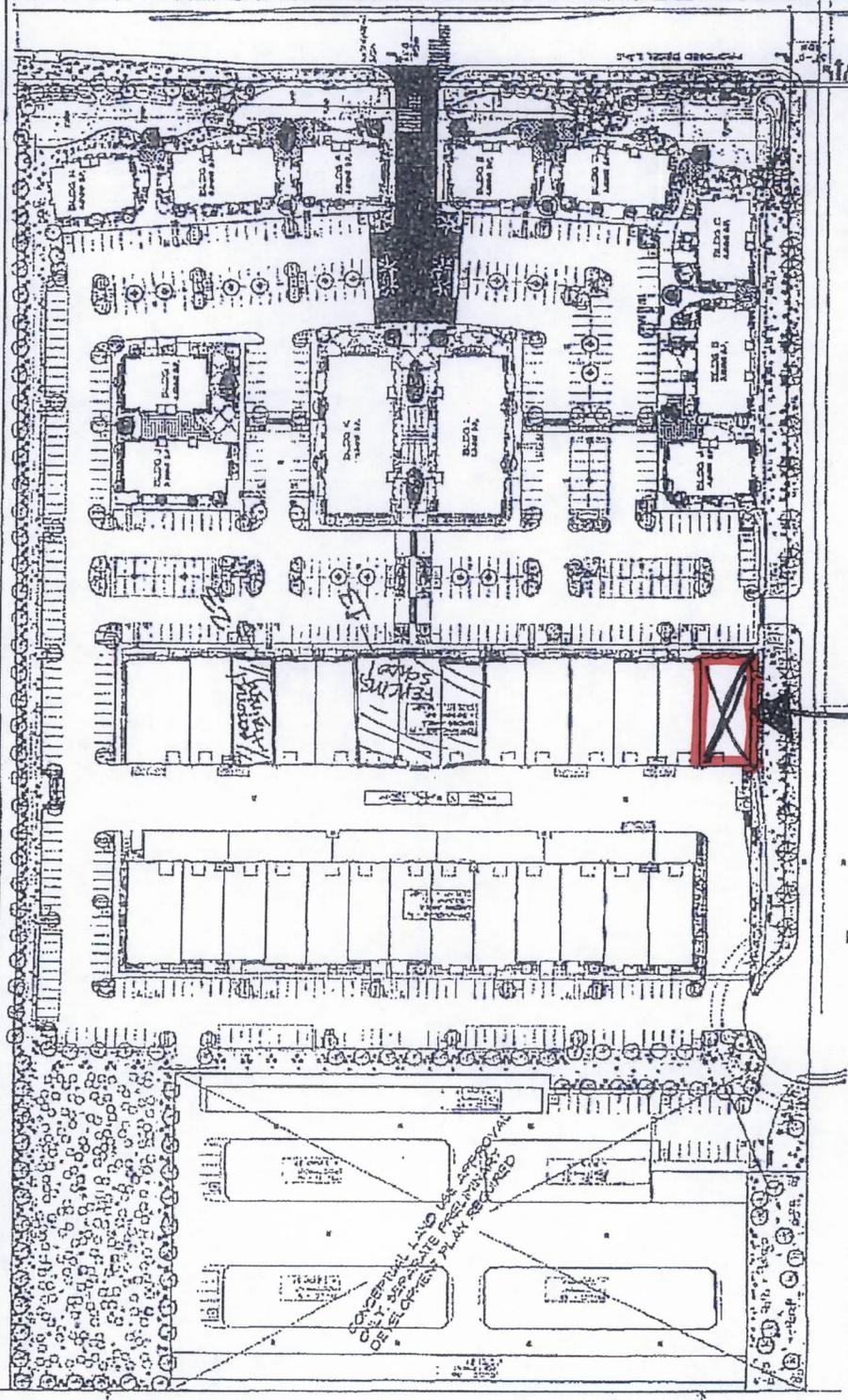
Applicant Narrative
Pg 4

RCVD 5-9-14

ARCHIBON, L.L.C.
 ARCHIBON PROPERTY
 1117 West Grand
 Phoenix, AZ 85007
 (602) 441-1117

PALOMA KYRRENE BUSINESS COMMUNITY
 SOUTH OF BVC OF KYRRENE & CHANDLER BLVD.
 CHANDLER, ARIZONA

DATE: 08/14/14
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 PROJECT NO: [Number]



T.J. MACQUEEN & ASSOCIATES, INC.
 ARCHITECTS
 1117 West Grand
 Phoenix, AZ 85007
 (602) 441-1117

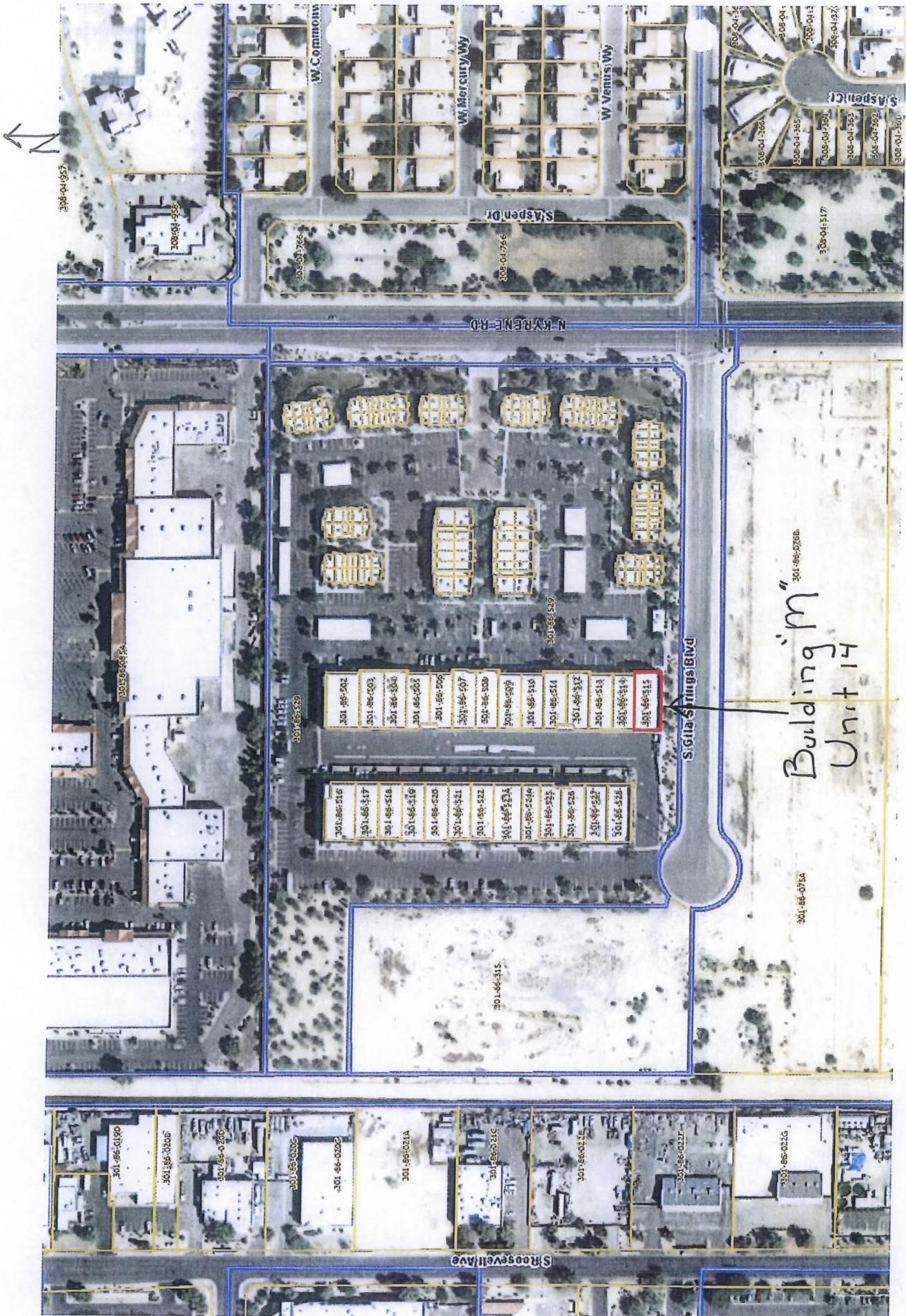
LANDSCAPE PLAN
 1" = 25' 25' 100'

Bldg. 1M
 UNIT 14

Site plan

LANDSCAPE NOTES:
 MORE TO BE DETERMINED AS THE FAST PACE OF CONSTRUCTION

Site plan



Building "M"
Unit 14

Aerial site plan

ORDINANCE NO. 3729

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM AG-1 TO PAD (DVR05-0002 PALOMA KYRENE BUSINESS COMMUNITY) 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. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Paloma Kyrene Business Community", kept on file in the City of Chandler Planning Services Division, in File No. DVR05-0002, except as modified by condition herein.
2. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
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. 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.
9. 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.
10. 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.
11. The monument sign's sign panels shall have an integrated or decorative cover panel until a tenant name is added to the sign.
12. A maximum of two tenant identification panels shall be allowed on each side of the two monument signs along Gila Springs Boulevard. Six tenant panels will be allowed on each of the two signs along Kyrene Road.
13. All landscaping shall be in compliance with current Commercial Design Standards and Zoning Codes including all quantity and size restrictions.
14. Applicant shall work with Staff to distribute the landscaping throughout the property to lessen the concentration of planting in the rights of way and reduce linear treelines.
15. The mini storage land use is conceptual only. A separate Preliminary Development Plan is required for this portion of development.

16. The developer shall be required to design and construct a traffic signal at the intersection of Kyrene Road and Gila Springs Boulevard. The developer shall contribute 50% of the total cost for this traffic signal. The developer will be reimbursed for 25% of this cost when the property to the south develops pursuant to the conditions of a development agreement.
17. Applicant shall coordinate all cross access and roadway easements with the adjacent property owner in order to develop a residential collector boulevard per City of Chandler Standards along the property's southern border as represented in the Development Booklet.
18. Retention basins shall be a maximum of three (3) feet in depth from the high water line to the bottom of the basin.
19. A maximum of 20% of the street frontage landscape area along both streets may be used for storm water retention purposes as per compliance with the Commercial Design Standards.
20. Berming along the street frontages must be a minimum of 24" measured from the top of curb elevation along at least 50% of the arterial streetscape frontages. Berms are to be located out of the right of way and shall maintain a 4:1 slope as per compliance with the Commercial Design Standards.
21. Mezzanines will only be permitted if the parking ratio is proven to meet Zoning Code standards to accommodate the additional square footage.
22. Applicant shall add four (4) pedestrian oriented special features for compliance with the Zoning Code Site Plan Design Standards.
23. The distribution and location of uses (general office, medical, retail) shall not exceed the square footages represented in the Development Booklet.
24. Lighting shall be in substantial conformance with Development Booklet representations with all site and building lighting adjacent to Kyrene Road shielded so as to not trespass across residential property lines. Globe lights and spotlights shall be prohibited.
25. Buildings M and N shall be allowed I-1 uses as defined by the Zoning Code with the exclusion of any hazardous or "H" occupancies as described by the City of Chandler adopted Building Codes.
26. Applicant shall enhance the monument signage to better match the building architecture and shall work with Staff to do so.
27. Applicant shall make architectural changes that break up the long appearance of building M and shall work with Staff to do so.

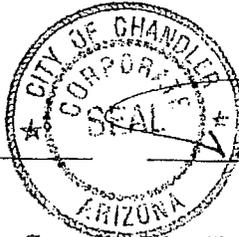
SECTION II. Except where provided, nothing contained herein shall be construed to be and abridgment of any other ordinance of the City of Chandler.

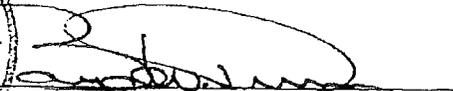
SECTION III. The Planning & Development Department of the City of Chandler is hereby directed to enter such changes and amendments as may be necessary upon the Zoning Map of said Zoning Code in compliance with this ordinance.

INTRODUCED AND TENTATIVELY APPROVED by the City Council of the City of Chandler, Arizona, this 27th day of October 2005.

ATTEST:


CITY CLERK

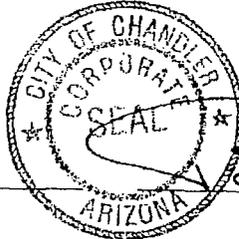


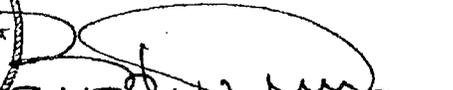

MAYOR

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona this 14th day of November 2005.

ATTEST:


CITY CLERK



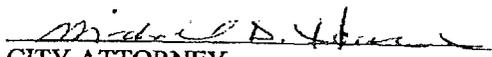

MAYOR

CERTIFICATION

I, HEREBY CERTIFY, that the above and foregoing Ordinance No. 3729 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the 14th day of November 2005, and that a quorum was present thereat.


CITY CLERK

APPROVED AS TO FORM:


CITY ATTORNEY

Published in the Republic on November 30 & December 7, 2005

ORDINANCE NO. 4323

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM PAD TO PAD (DVR11-0025 PALOMA KYRENE BUSINESS COMMUNITY) 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. Compliance with original conditions adopted by the City Council as Ordinance No. 3729 in case DVR05-0002, except as modified by condition herein.
2. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Paloma Kyrene Business Community Narrative Report", kept on file in the City of Chandler Planning Division, in File No. DVR11-0025, except as modified by condition herein.
3. Instructional sports and athletic training facilities are limited to only Building M with maximum of approximately 18,500 square feet in building area.
4. Instructional sports and athletic training facilities are defined as facilities that focus on the instruction, training, and related activities of a particular sport or field of sports. Examples include, but are not limited to, baseball, softball, fencing, martial arts, swimming, gymnastics, cheerleading, and dance.
5. Hosting of competitive events is limited to weekday evenings after 5:30 p.m. and anytime during weekends and national holidays. Events shall be planned so as not to interfere with other businesses in the business park.

6. Outdoor training is not permitted in conjunction with instructional sports and athletic training 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 of the City of Chandler, Arizona, this 22nd day of September 2011.

ATTEST:

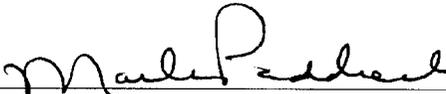

CITY CLERK

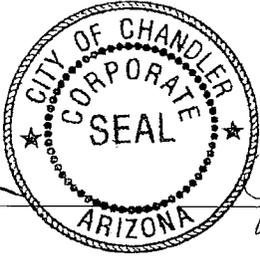

ARIZONA


MAYOR

PASSED AND ADOPTED by the Mayor and City Council of the City of Chandler, Arizona, this 24th day of October 2011.

ATTEST:


CITY CLERK


ARIZONA


MAYOR

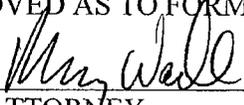
CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No. 4323 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 2011, and that a quorum was present thereat.



CITY CLERK

APPROVED AS TO FORM:



CITY ATTORNEY

PUBLISHED in the Arizona Republic on November 4 and November 11, 2011.

ORDINANCE NO. 4549

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM PAD (LIGHT INDUSTRIAL WITH SUPPORT GENERAL OFFICE) TO PAD (LIGHT INDUSTRIAL WITH SUPPORT GENERAL OFFICE AND INSTRUCTIONAL SPORTS AND ATHLETIC TRAINING FACILITY USES) IN CASE (DVR14-0016 THOROBRED WRESTLING CLUB) 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 (Light Industrial with Support General Office) to PAD (Light Industrial with Support General Office and Instructional Sports and Athletic Training Facility Uses), subject to the following conditions:

1. Compliance with original conditions adopted by the City Council as Ordinances No. 3729 and 4323 in cases DVR05-0002 and DVR11-0025, except as modified by condition herein.

2. Development shall be in substantial conformance with the Applicant Narrative and attached Site Plan dated July 10, 2014, kept on file in the City of Chandler Planning Division, in File No. DVR14-0016, except as modified by condition herein.

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 Division 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, Maricopa County, Arizona, this ____ day of _____, 2014.

ATTEST:

CITY CLERK

MAYOR

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona this ____ day of _____, 2014.

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

I, HEREBY CERTIFY, that the above and foregoing Ordinance No. 4549 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the ____ day of _____, 2014, and that a quorum was present thereat.

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY *CAB*

Attachment 'A'
ord # 4549

EXHIBIT A

Building M, Unit 14, PALOMA KYRENE BUSINESS COMMUNITY, according to the Condominium Declaration recorded at Document No. 2007-877436 and re-recorded as Document No. 2007-919465 and as shown on the Plat recorded in Book 938 of Maps, page 50, Instrument No. 2007-872078, records of Maricopa County, Arizona;

TOGETHER WITH an undivided percentage interest in the Common Elements as set forth in said Declaration and as shown on the Plat.

