



MEMORANDUM Planning Division – CC Memo No. 14-100

DATE: SEPTEMBER 11, 2014

TO: MAYOR AND COUNCIL

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

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

SUBJECT: DVR14-0014 NEC LOOP 202 & ALMA SCHOOL ROAD
Introduction and Tentative Adoption of Ordinance No. 4569

Request: Rezoning on approximately 2 acres from AG-1 (Agricultural District) zoning to Planned Area Development (PAD) for Commercial, as well reestablishment of Preliminary Development Plan (PDP) approval for a commercial center

Location: Northeast corner of Loop 202 Santan Freeway and Alma School Road

Applicant: Mike Withey, Withey Morris, PLC

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 located at the northeast corner of Loop 202 Santan Freeway and Alma School Road. The property is currently undeveloped and has a history of zoning cases establishing Planned Area Development (PAD) zoning for Community Commercial (C-2) uses and Preliminary Development Plans (PDP) for two different retail shopping centers and others for an office park development.

In 2001, the subject parcel was rezoned to PAD for Community Commercial via Ordinance No. 3260 (DVR00-0005) as part of a larger commercial development. A PDP was approved for a

retail center anchored by K-Mart which did not include the subject 2-acre parcel. A separate PDP application was required for the subject parcel. Most recently the subject site received PDP approval for an office park development named Advantage Business Park.

The application is a subsequent request to zoning case DVR14-0013 which reverts zoning on the approximately 2-acre subject site to AG-1 (Agricultural District). This case requests rezoning the 2 acres from AG-1 (Agricultural District) zoning to PAD for Commercial (C-2), as well reestablishment of PDP approval for an office park development as represented in zoning case PDP08-0005. The commercial zoning reestablishes the Community Commercial (C-2) uses previously approved for this property.

The rezoning request brings this parcel in alignment with the northern 10-acre parcel thus establishing an approximately 12-acre property with PAD zoning for C-2 uses. Planning Staff supports the request to rezone the 2-acre parcel.

The Advantage Business Park PDP approval included a mix of office and retail buildings totaling over 140,000 square feet of building area upon the northern 10 acres and the southern subject 2 acres. This application does not seek to change the approved PDP. See attachments for PDP08-0005.

PUBLIC/NEIGHBORHOOD NOTIFICATION

- The request was noticed in accordance with the requirements of the City of Chandler Zoning Code.
- A neighborhood meeting was held July 10, 2014. No one attended other than the applicant.
- Planning Staff is not aware of any concerns or opposition related to this request.

PLANNING COMMISSION VOTE REPORT

Motion to Approve.

In Favor: 7 Opposed: 0

RECOMMENDED ACTION

Upon finding consistency with the General Plan, Planning Commission and Planning Staff recommend approval of the rezoning in case DVR14-0014 NEC LOOP 202 & ALMA SCHOOL ROAD, subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "NEC SR202 and Alma School Road DVR14-0013 and DVR14-0014", kept on file in the City of Chandler Planning Division, in File No. DVR14-0014, except as modified by condition herein.
2. The rezoning request does not include a specified timing condition. This includes relief of the 1-year timing condition from the effective date of the ordinance as specified in the City Code section 35-2603.B.

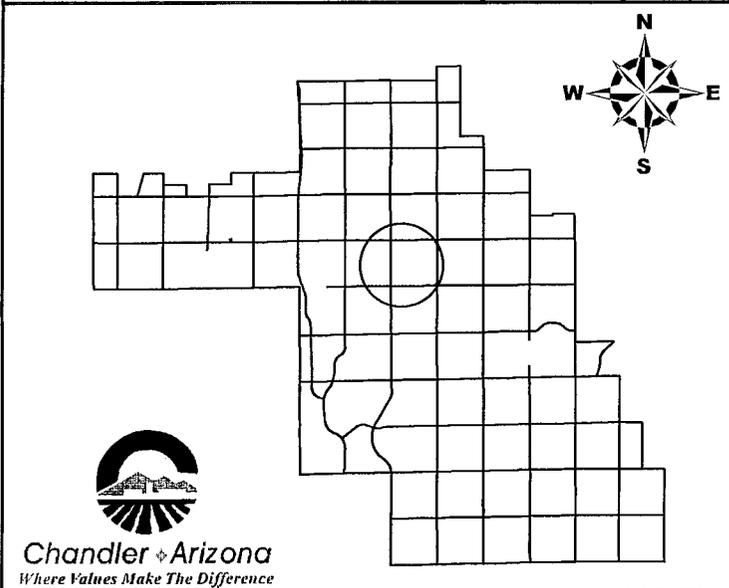
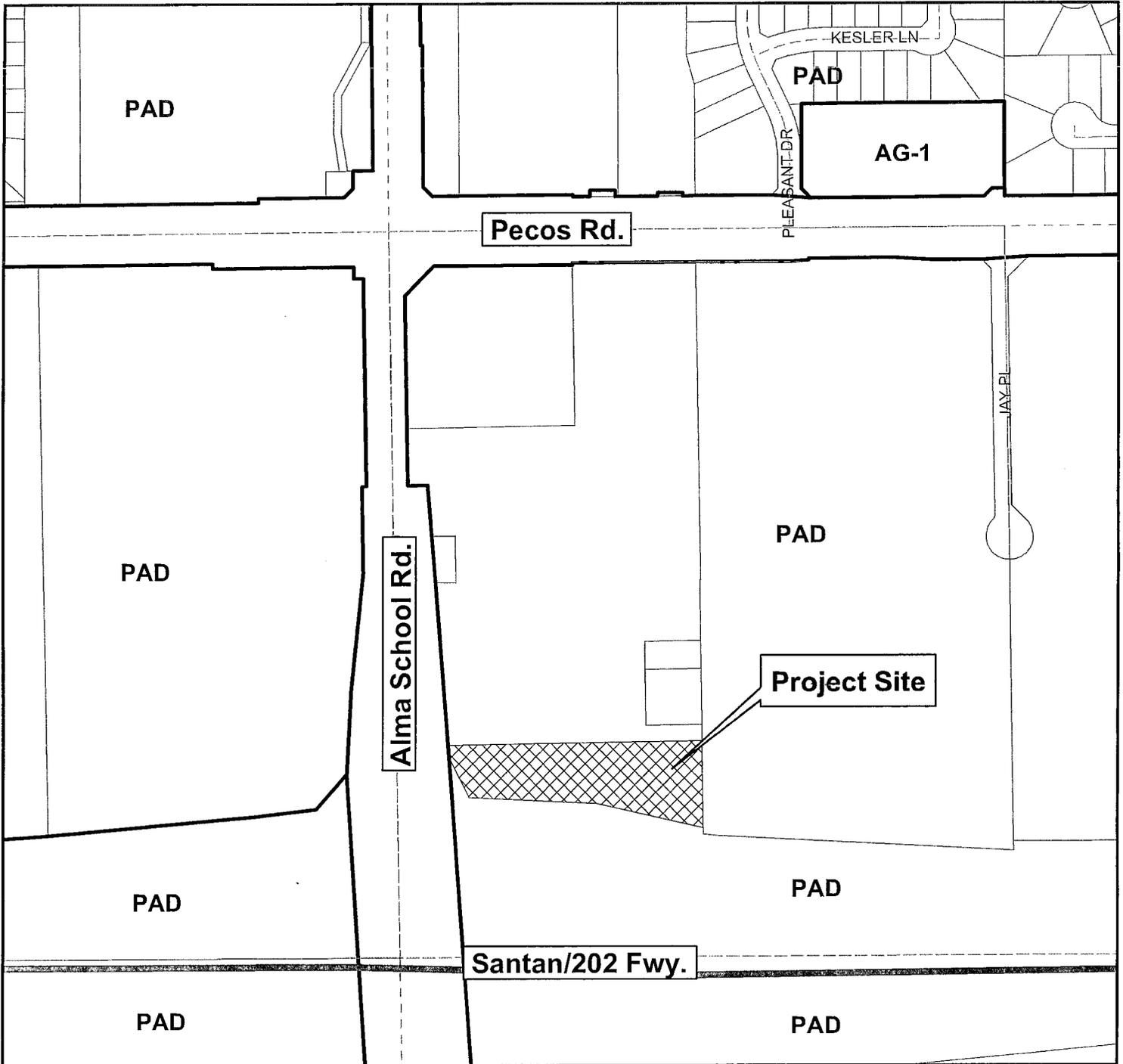
3. The rezoning reestablishes the Preliminary Development Plan (PDP) for a commercial center as represented in zoning case PDP08-0005.

PROPOSED MOTION

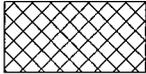
Move to introduce and tentatively adopt Ordinance No. 4569 approving zoning case DVR14-0014 NEC LOOP 202 & ALMA SCHOOL ROAD rezoning on approximately 2 acres from AG-1 (Agricultural District) zoning to Planned Area Development (PAD) for Commercial and reestablishment of Preliminary Development Plan (PDP) approval for an office park as represented in zoning case PDP08-0005.

Attachments

1. Vicinity Maps
2. PDP08-0005 exhibits
3. Exhibit A, Development Booklet
4. Ordinance No. 4569



Vicinity Map

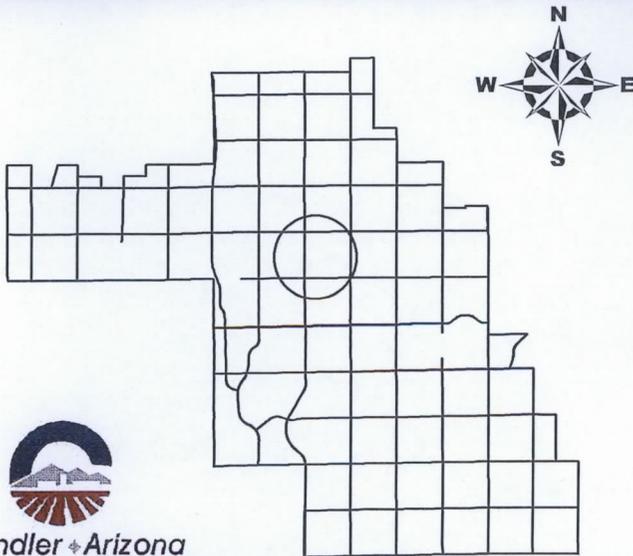

DVR14-0014

NEC Loop 202 & Alma School Road

CITY OF CHANDLER 5/9/2014

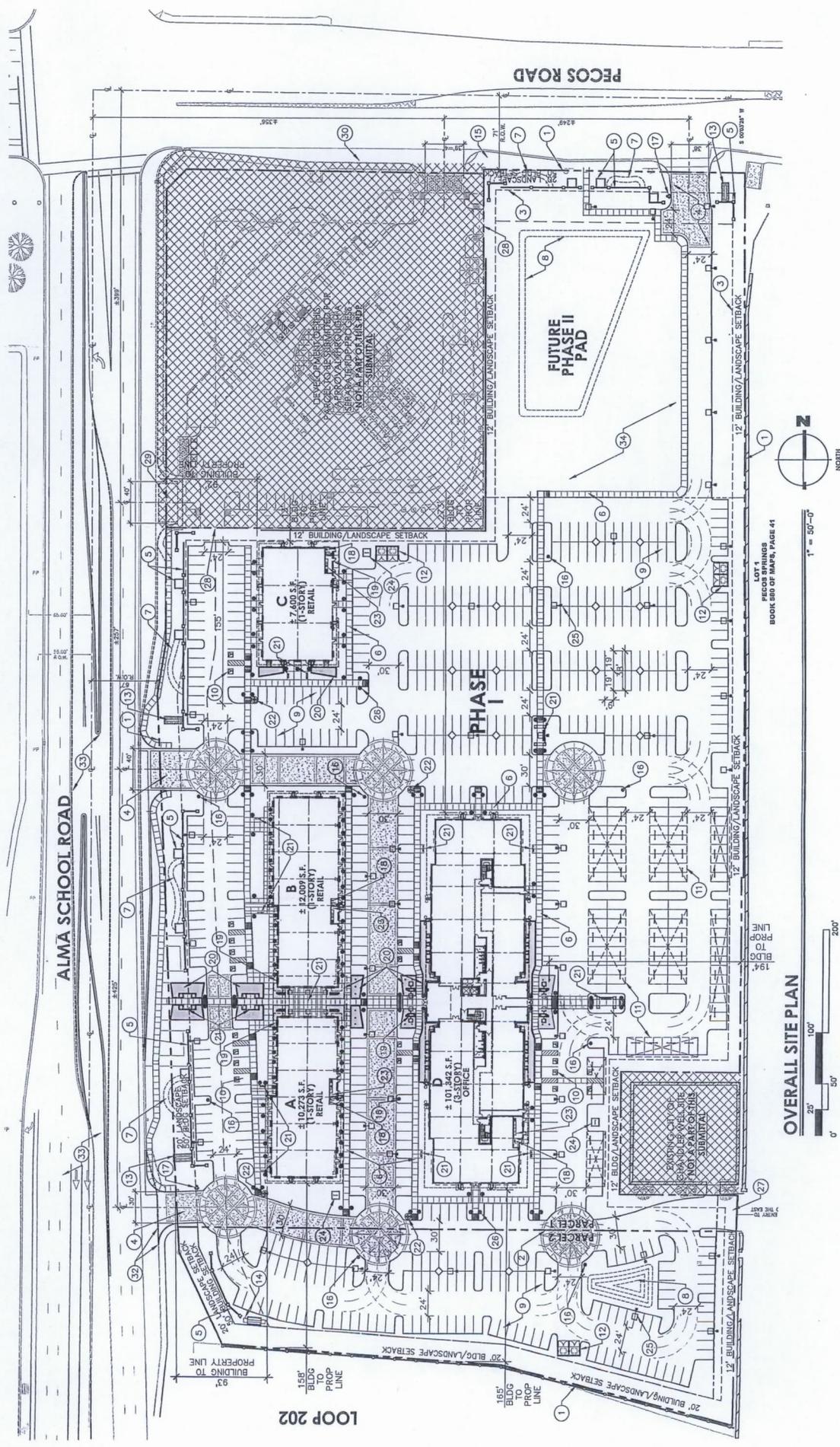


Vicinity Map



DVR14-0014

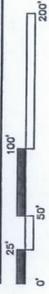
NEC Loop 202 & Alma School Road



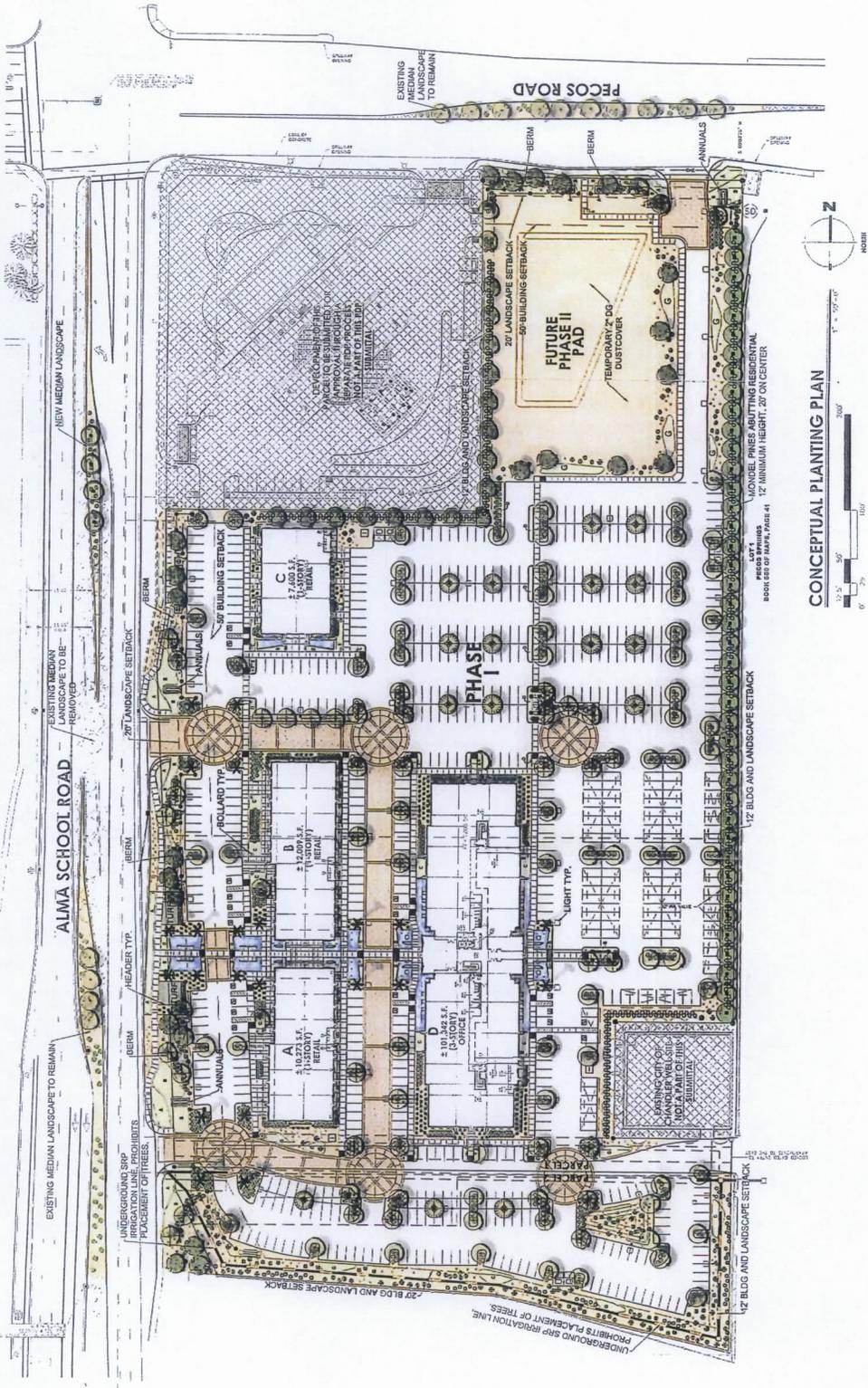
LOOP 202

LOT 1
PECOS SPRINGS
BOOK 580 OF MAPS, PAGE 41

OVERALL SITE PLAN



PDF08-0005



- PROPOSED PLANT LIST**
- TREES**
- SIZE COMMENTS
 - EXISTING TREE (TO BE REMOVED), N/A
 - EXISTING TREE (TO REMAIN)
 - DATE PALM
 - 25' CLEMATIS ARCHING
 - 48" BOXLOW BREAKING
 - 30" BOXVIZ MINIMUM HT. (20' ON CENTER)
 - 24" BOXLOW BREAKING
 - 24" BOXLOW BREAKING
 - 24" BOXLOW BREAKING
 - 24" BOXLOW BREAKING
 - 30" BOXLOW BREAKING

- SHRUBS**
- TECOMA SPECIES
 - AGAVE AMERICANA
 - AGAVE
 - RUPELLIA BRITTONIANA
 - VALENTINE BUSH
 - PRO BRAVO SAGE
 - "PETITE PINK" CLEANDER
 - BAJA RUELLIA
 - RED YUCCA
 - NASHVILLE GRASS
 - DEER GRASS

- GROUNDCOVER**
- "TURPENTINE BUSH"
 - "NEW GOLD" LANTANA
 - "STAR JASMINE"
 - ROSEMARY
 - RUELLIA "YATE"
 - "GREEN CARPET" CARISSA
 - SHIRUBY BULBINE
 - "DESERT CARPET" ACACIA
 - MEXICAN EVENING PRIMROSE
 - ANNUALS (AT ENTRY SIGNS ONLY)

GENERAL NOTES

ALTERNATING AREAS TO HAVE DECOMPOSED GRANITE. GRANITE EXPRESSES ON EXISTING APPROVED SUBMITTALS PER MFG. SPEC. & APPLICATIONS, LMA.

CITY OF CHANDLER
 PLAN REVIEW NUMBERS
 PRE-TECH NO.: PDPO7-000
 PDF NO.: PDPO7-0006

GK FLANIGAN ASSOCIATES
 LANDSCAPE ARCHITECTS
 1000 N. GILBERT ST. SUITE 100
 CHANDLER, AZ 85226

PDPO8-0805

View A



PDP06-0025



View B

PDPO8-0005



View D

PDP08-0005

View E

Retail Alternative



PD 1008 0005

ORDINANCE NO. 4569

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM AG-1 (AGRICULTURAL DISTRICT) TO PAD (COMMERCIAL) IN CASE (DVR14-0014 NEC LOOP 202 & ALMA SCHOOL ROAD) 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 (Agricultural District) to PAD (Commercial), subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "NEC SR202 and Alma School Road DVR14-0013 and DVR14-0014", kept on file in the City of Chandler Planning Division, in File No. DVR14-0014, except as modified by condition herein.

- 2. The rezoning request does not include a specified timing condition. This includes relief of the 1-year timing condition from the effective date of the ordinance as specified in the City Code section 35-2603.B.
- 3. The rezoning reestablishes the Preliminary Development Plan (PDP) for a commercial center as represented in zoning case PDP08-0005.

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. 4569 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 KSM

PUBLISHED:

Attachment 'A', ord. 4569
"2 Acres Legal Description"

PARCEL NO. 2:

THAT PORTION OF GOVERNMENT LOT 4 OF SECTION 4, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 4;

THENCE SOUTH 01 DEGREES 00 MINUTES 47 SECONDS EAST ALONG THE WEST LINE THEREOF, A DISTANCE OF 1099.15 FEET TO THE SOUTH LINE OF THAT CERTAIN REAL PROPERTY MORE PARTICULARLY DESCRIBED IN INSTRUMENT RECORDED IN DOCUMENT NUMBER 2001-1239180 RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE NORTH 89 DEGREES 19 MINUTES 13 SECONDS EAST ALONG SAID SOUTH LINE, A DISTANCE OF 89.81 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROUTE 202 AS SET FORTH IN INSTRUMENT RECORDED IN DOCUMENT NO. 2002-1219479 RECORDS OF MARICOPA COUNTY, ARIZONA, SAID POINT BEING THE TRUE POINT OF BEGINNING OF THE HEREINAFTER DESCRIBED PARCEL OF LAND;

THENCE CONTINUING NORTH 89 DEGREES 19 MINUTES 13 SECONDS EAST ALONG SAID SOUTH LINE, A DISTANCE OF 568.90 FEET TO THE WEST LINE OF LOT 1 PECOS SPRINGS BEING A MINOR LAND DIVISION MAP RECORDED IN BOOK 580 OF MAPS, PAGE 41 RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE SOUTH 00 DEGREES 58 MINUTES 18 SECONDS EAST ALONG SAID WEST LINE, A DISTANCE OF 186.07 FEET TO THE AFORESAID NORTHERLY RIGHT-OF-WAY LINE OF STATE ROUTE 202;

THENCE NORTH 77 DEGREES 21 MINUTES 16 SECONDS WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 244.88 FEET;

THENCE CONTINUE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE NORTH 87 DEGREES 12 MINUTES 09 SECONDS WEST, A DISTANCE OF 286.90 FEET;

THENCE CONTINUE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE NORTH 27 DEGREES 14 MINUTES 54 SECONDS WEST, A DISTANCE OF 98.24 FEET;

THENCE CONTINUE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE NORTH 03 DEGREES 37 MINUTES 07 SECONDS WEST, A DISTANCE OF 24.40 FEET TO THE TRUE POINT OF BEGINNING;

EXCEPT THAT PORTION DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION FROM WHICH THE WEST QUARTER CORNER OF SAID SECTION BEARS ASSUMED SOUTH 01 DEGREES 00 MINUTES 47 SECONDS EAST, (BASIS OF BEARING);

THENCE SOUTH 01 DEGREES 00 MINUTES 47 SECONDS EAST ALONG THE WEST LINE OF SAID LOT 4, A DISTANCE OF 1096.81 FEET;

Attachment 'A', Ord. 4569
"2 Acres Legal Description"

THENCE LEAVING SAID WEST LINE NORTH 88 DEGREES 59 MINUTES 13 SECONDS EAST, A DISTANCE OF 89.63 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF THE ALMA SCHOOL ROAD INTERCHANGE OF THE SANTAN FREEWAY, AND THE POINT OF BEGINNING;

THENCE SOUTH 44 DEGREES 58 MINUTES 56 SECONDS EAST, 29.94 FEET;

THENCE SOUTH 27 DEGREES 14 MINUTES 54 SECONDS EAST, 83.18 FEET;

THENCE SOUTH 87 DEGREES 12 MINUTES 09 SECONDS EAST, 277.09 FEET;

THENCE SOUTH 77 DEGREES 21 MINUTES 16 SECONDS EAST, 221.18 FEET;

THENCE NORTH 00 DEGREES 58 MINUTES 18 SECONDS WEST, 142.92 FEET;

THENCE NORTH 89 DEGREES 23 MINUTES 03 SECONDS EAST, 20.00 FEET;

THENCE SOUTH 00 DEGREES 58 MINUTES 18 SECONDS EAST, 168.22 FEET;

THENCE NORTH 77 DEGREES 21 MINUTES 16 SECONDS WEST, 244.88 FEET;

THENCE NORTH 87 DEGREES 12 MINUTES 09 SECONDS WEST, 286.90 FEET;

THENCE NORTH 27 DEGREES 14 MINUTES 54 SECONDS WEST 98.24 FEET;

THENCE NORTH 03 DEGREES 43 MINUTES 14 SECONDS WEST, 27.26 FEET TO SAID POINT OF BEGINNING.

EXCEPT ALL MINERALS AS SET FORTH IN SPECIAL WARRANTY DEED RECORDED JULY 10, 2006 AS 2006-920478, OF OFFICIAL RECORDS.

Unofficial Document

EXCEPT FROM PARCELS 1 AND 2 ABOVE THOSE PORTIONS LYING WITHIN THE PROPERTY SET FORTH IN BOOK 161 OF DEEDS, PAGE 515.