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Where Values Make The Difference

MEMORANDUM **Planning Division - CC Memo No. 15-014**

DATE: JANUARY 22, 2015

TO: MAYOR AND COUNCIL

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

FROM: KEVIN MAYO, PLANNING MANAGER KM

SUBJECT: DVR14-0034 CHANDLER AIRPARK BUSINESS 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 designation

Location: Northwest corner of Queen Creek and Cooper roads

Applicant: Brennan Ray; Burch & Cracchiolo, PA

RECOMMENDATION

The request is for 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 designation. The current zoning is for a business park with aviation related uses. Planning Commission and Planning Staff, upon finding consistency with the General Plan and the Chandler Airpark Area Plan, recommend approval of a three (3) year timing extension.

EXTENSION OF THE TIMING CONDITION

The approximate 20-acre site is located at the northwest corner of Queen Creek and Cooper roads. In 2008, the site was rezoned from AG-1 to PAD for an 18 lot business park, with aviation related uses. The PAD zoning was conditioned to start construction above foundation walls within three (3) years of the ordinance effective date. This is the second zoning time extension requested for the property. The current application requests a three-year time extension; the timing condition expired on October 25, 2014. The proposed three-year time

extension would be in effect, pending City Council approval, until October 25, 2017, as the time limit is calculated from the previous zoning approval's expiration.

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, determine compliance with the three-year schedule for development, 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 subject site is bordered to the south by Queen Creek Road. South of Queen Creek Road is a retail and office commercial development. West of the commercial development is Twin Acres, an existing rural-residential subdivision. The Chandler Municipal Airport borders the subject site's northwest side. Cooper Road abuts the property's east side, with vacant land zoned AG-1 east of Cooper Road.

Chandler Airpark Business Center represents one of the first through-the-fence taxiway-access developments for the Chandler Municipal Airport. The proposed development will include industrial, office, and retail showroom/warehouse land uses including aviation-related uses. Permitted uses for the business park will include all light industrial uses permitted in the Light Industrial District (I-1), office uses including medical and dental, and retail showroom uses where the display area is generally limited to 30% of the floor area. Additionally, permitted aviation related uses include uses such as charter operations, pilot training, aircraft sales and leasing, aircraft hangar sub-leasing, and other aeronautical activity uses. Prohibited aviation-related uses include uses such as flying clubs, aircraft sightseeing, crop dusting, aerial advertising, and aircraft repair and maintenance businesses.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code.

- A neighborhood meeting was held on November 13, 2014. Two neighboring property owners attended the meeting, no opposition was offered at the meeting. Planning Staff is unaware of any opposition to the extension request.

PLANNING COMMISSION VOTE REPORT

Motion to Approve
In Favor: 6 Opposed: 0 Absent: 1 (Ryan)

RECOMMENDED ACTION

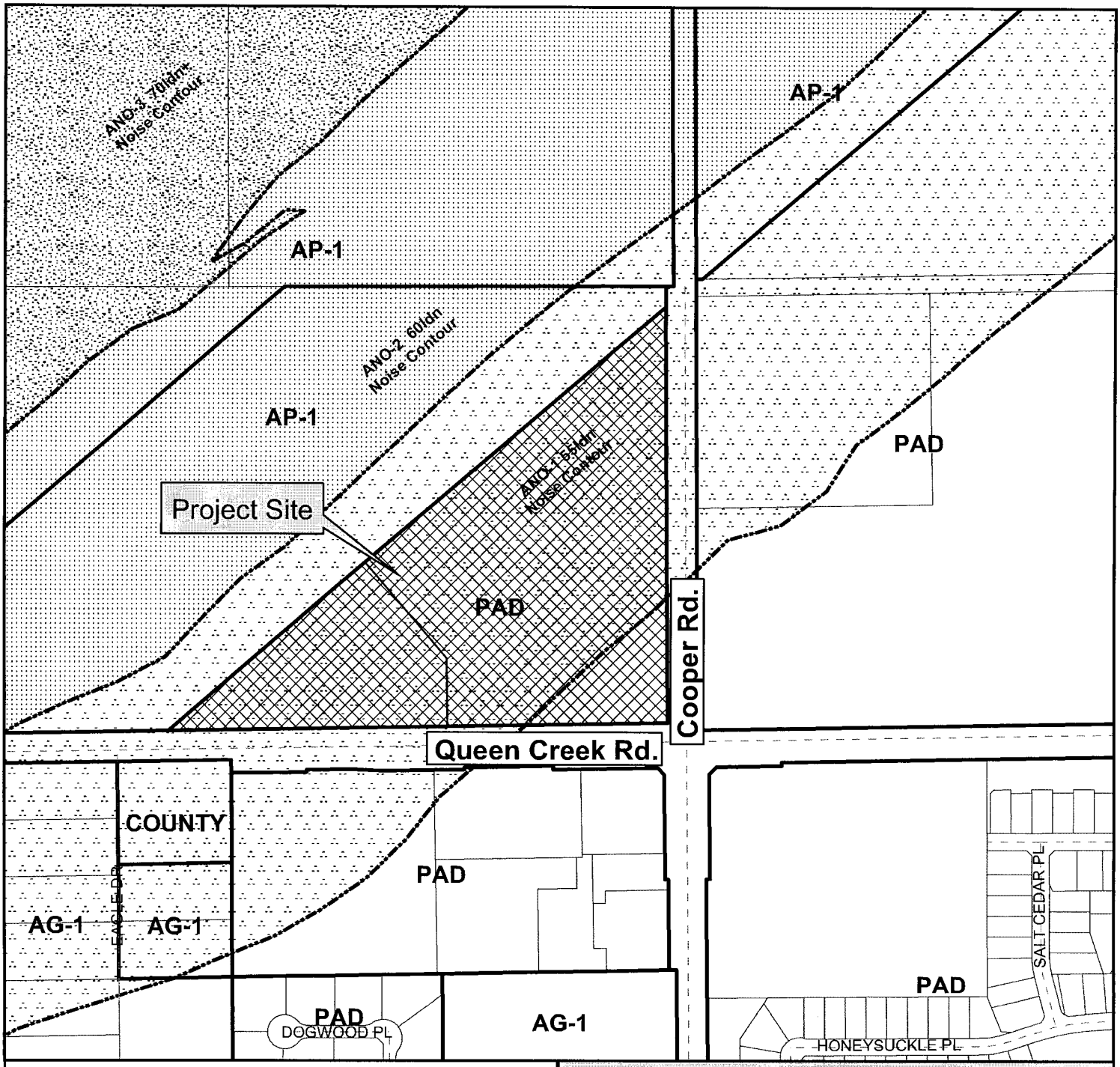
Planning Commission and Planning Staff, upon finding consistency with the General Plan and Chandler Airpark Area Plan, recommend approval of extending the timing condition for case DVR14-0034 CHANDLER AIRPARK BUSINESS CENTER for an additional three (3) years, with all of the conditions in the original approval remaining in effect.

PROPOSED MOTION

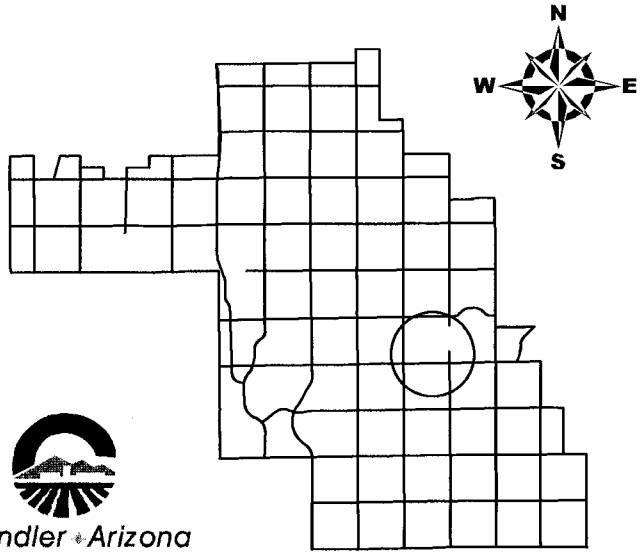
Move to approve extending the timing condition for case DVR14-0034 CHANDLER AIRPARK BUSINESS CENTER for an additional three (3) years, in which the zoning would be in effect until October 2017, with all of the conditions in the original approval remaining in effect.

Attachments

1. Vicinity Maps
2. Site Plan
3. Ordinance No. 4096



Vicinity Map



DVR14-0034

Chandler Airpark Business Park

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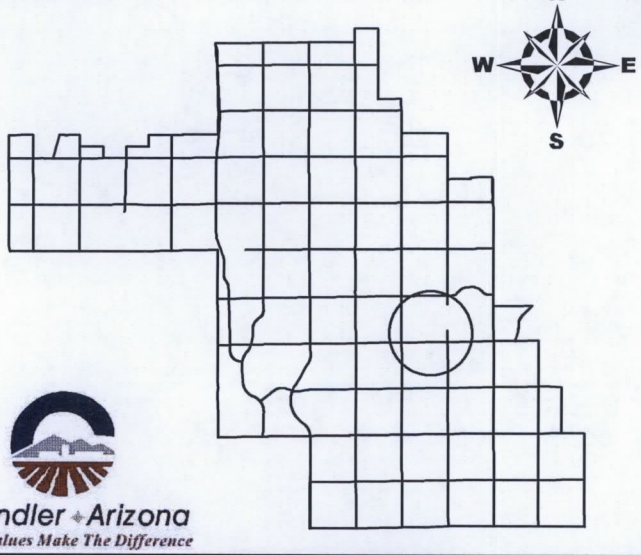
CITY OF CHANDLER 10/2/2014



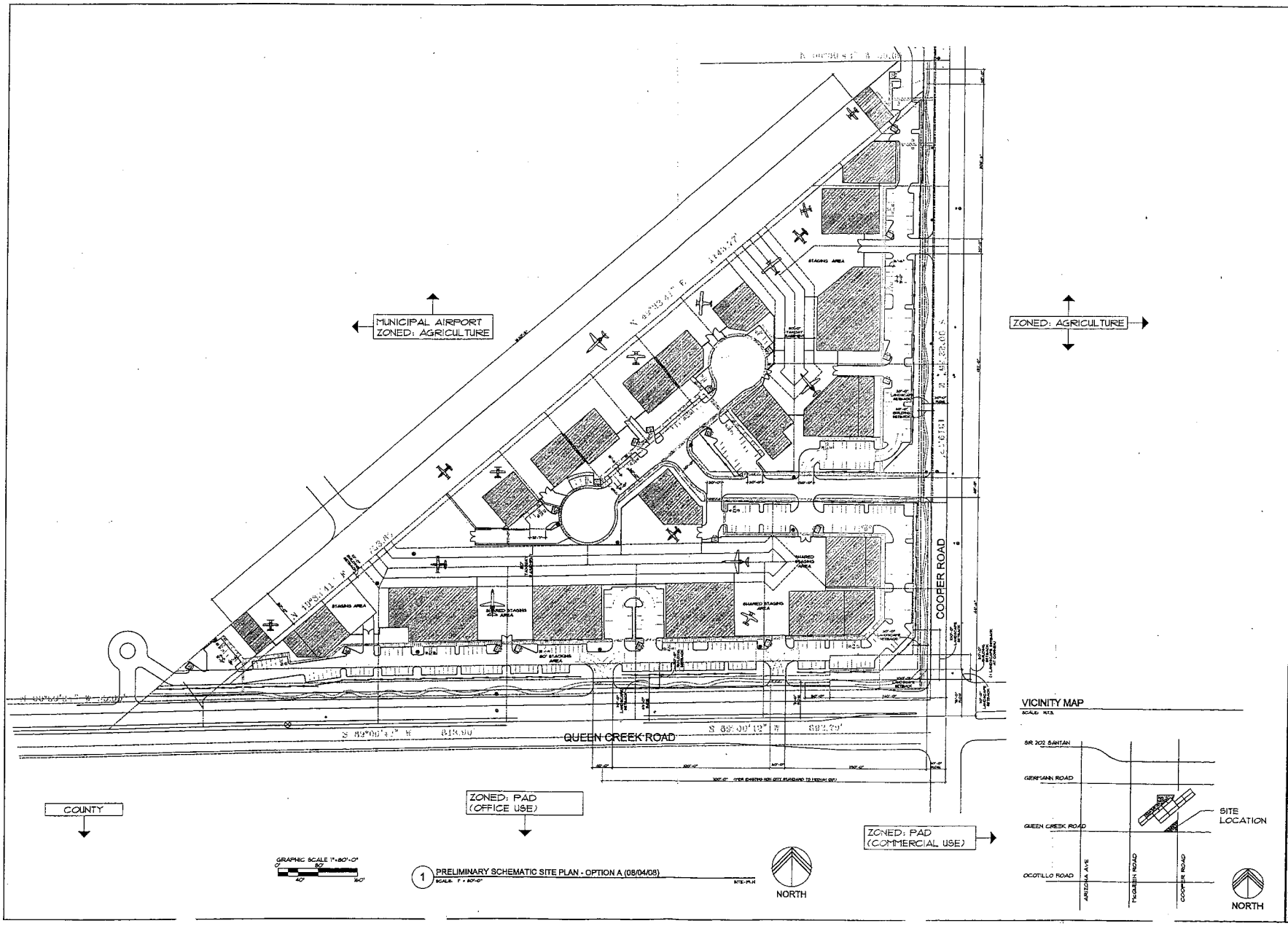
Chandler Arizona
Where Values Make The Difference

Vicinity Map

DVR14-0034

Chandler Airpark Business Park

CITY OF CHANDLER 10/2/2014



1 PRELIMINARY SCHEMATIC SITE PLAN - OPTION A (08/04/08)
SCALE: 1" = 80'-0"

Larson Associates Architects, Inc.
3507 North 24th Street, Suite 100
Phoenix, AZ 85016
602.955.7222 602.954.4790 FAX
design@larson-architects.com

CHANDLER AIRPARK BUISNESS CENTER

CHANDLER AIRPARK
NE CORNER OF QUEEN CREEK & COOPER ROADS
CHANDLER, AZ

EXPIRES: 6/30/2009

Drawing Name:
SITE PLAN

Revisions

Date: 08/11/08

Project Number:
2007-6156

Drawing No:
SP1.0

ORDINANCE NO. 4096

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) (DVR08-0019 CHANDLER AIRPARK BUSINESS CENTER) LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF CHANDLER, ARIZONA.

WHEREAS, application for rezoning involving certain property within the corporate limits of Chandler, Arizona, has been filed in accordance with Article XXVI of the Chandler Zoning Code; and

WHEREAS, the application has been published in a local newspaper with general circulation in the City of Chandler, giving fifteen (15) days notice of time, place and date of public hearing; and

WHEREAS, a notice of such hearing was posted on the property at least seven (7) days prior to said public hearing; and

WHEREAS, a public hearing was held by the Planning and Zoning Commission as required by the Zoning Code

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Chandler, Arizona, as follows:

SECTION I. Legal Description of Property:

See Attachment 'A'

Said parcel is hereby rezoned from Agricultural District (AG-1) to Planned Area Development (PAD), for a business park development with aviation-related uses, subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "CHANDLER AIRPARK BUSINESS CENTER" kept on file in the City of Chandler Current Planning Division, in file number DVR08-0019, 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. The landscaping in all open spaces and rights-of-way shall be maintained by the adjacent property owner or property owners association.

4. Approval by the Director of Planning and Development of plans for landscaping (open spaces and rights-of-way) and perimeter walls.

5. 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.

6. 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.

7. Completion of the construction, where applicable, 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.

8. 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.

9. The developer shall be required to install landscaping in the arterial street median adjoining this project. In the event that the landscaping already exists within such median(s), the developer shall be required to upgrade such landscaping to meet current City standards.

10. 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 CHANDLER AIRPARK BUSINESS CENTER development shall use treated effluent to maintain open space, common areas, and landscape tracts.

11. No television, communication towers or stand-alone antennas shall be constructed on the property. All structures on the property shall remain below the protective surfaces as defined in Federal Aviation Regulation Part 77 and/or in relation to limits established in FAA determined Terminal Procedures (TERPS). All construction cranes shall be installed and operated in accordance with FAA rules and regulations including notification through the filing of FAA Form 7460-1, Notice of Proposed Construction or Alteration.

12. Prior to building permit issuance for any structures the developer shall provide a DETERMINATION OF NO HAZARD TO AVIATION approval as issued by the FAA after filing an FAA Form 7460, Notice of Proposed Construction or Alteration.

13. The project landscaping shall comply with the Commercial Design Standards.

14. The landscaping shall be maintained at a level consistent with or better than at the time of planting.

15. The developer shall provide the City with an avigational easement over the subject property in accordance with Section 3004 of the City of Chandler Zoning Code.

16. The developer shall work with Staff in implementing the Design Guidelines to ensure a balance between architectural compatibility and diversity.

17. The 8-foot screen walls between Lease Lot B, Lot 17 and Lot 18 shall be raised to a height of 10-feet, with 2-feet of additional sound attenuation measures placed on top. Details to be worked out with Staff.

18. Additional evergreen trees shall be installed between Lease Lot B, Lot 17 and Lot 18, 12-feet high at the time of planting.

19. The applicant shall work with Staff to provide a temporary sound abatement system along Lease Lot B, Lot 18, to the western edge of Lot 17. This shall be installed prior to airport access. In the event a sound wall is installed along the south side of Queen Creek Road as part of the road widening, the temporary sound abatement system shall not be required.

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 11th day of September 2008.

ATTEST:

CITY CLERK MAYOR

PASSED AND ADOPTED by the Mayor and City Council of the City of Chandler, Arizona, this 25th day of September 2008.

ATTEST:

CITY CLERK MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No. 4096 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the 25th day of September 2008, and that a quorum was present thereat.

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

PUBLISHED in the Arizona Republic on October 3 and 10, 2008.

ORDINANCE NO. 4096

Attachment 'A'

LEGAL DESCRIPTION

BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 2 SOUTH, RANGE 5 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A BRASS CAP FLUSH MARKING THE SOUTHEAST CORNER OF SAID SECTION 11, FROM WHICH A BRASS CAP FLUSH MARKING THE SOUTH QUARTER CORNER OF SAID SECTION 11 BEARS SOUTH 89°00'30" WEST, A DISTANCE OF 2647.38 FEET;

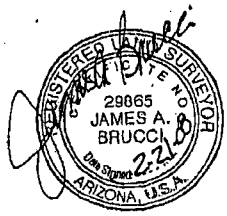
THENCE SOUTH 89°00'30" WEST, ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 1506.69 FEET;

THENCE NORTH 00°59'34" WEST, A DISTANCE OF 55.03 FEET TO A POINT ON A LINE PARALLEL WITH AND 55.00 FEET NORTH OF THE SOUTH LINE OF SAID SOUTHEAST QUARTER;

THENCE NORTH 49°33'41" EAST, ALONG THE EASTERLY LINE OF THAT PROPERTY AS DESCRIBED IN DOCUMENT NO. 94-0066751, MCR, A DISTANCE OF 1897.62 FEET;

THENCE NORTH 00°23'12" WEST, A DISTANCE OF 59.05 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER;

THENCE NORTH 89°04'42" EAST, A DISTANCE OF 54.87 FEET TO A POINT ON THE EAST LINE OF SAID SOUTHEAST QUARTER;

THENCE SOUTH 00°22'35" EAST, ALONG SAID EAST LINE, A DISTANCE OF 1319.77 FEET TO THE **POINT OF BEGINNING.**

SAID DESCRIPTION CONTAINING: 1,027,893 SQUARE FEET OR 23.597 ACRES OF LAND, MORE OR LESS.