

### **DISCUSSION**

Planning Staff finds the proposed request to be complimentary to the surrounding area and planned commercial center. The applicant has worked with the adjacent residential neighbors and Fonte Al Sole Homeowners Association (HOA) for many months to address their concerns and design comments.

### **PUBLIC / NEIGHBORHOOD NOTIFICATION**

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting notice and/or notice was waived due to the recently approved commercial center zoning case which had included this residential component and was subsequently not included in that action and conditioned to come back as a separate zoning case.
- As of the writing of this memo, Planning Staff is not aware of any concerns or opposition.

### **PLANNING COMMISSION VOTE REPORT**

Motion to Approve.

In Favor: 5      Opposed: 0      Absent: 2 (Baron, Wastchak)

### **RECOMMENDED ACTIONS**

#### **Rezoning**

Planning Commission and Planning Staff, upon finding consistency with the General Plan and Southeast Chandler Area Plan, recommend approval of the Rezoning subject to the following conditions:

1. Development shall be in substantial conformance Exhibit A, Development Booklet, entitled "ARTESIAN PLACE", kept on file in the City of Chandler Planning Division, in File No. DVR15-0004, except as modified by condition herein.
2. 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.
3. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
4. 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.
5. Homebuilder will advise all prospective homebuyers of the information on future City facilities contained in the City Facilities map found at [www.chandleraz.gov/infomap](http://www.chandleraz.gov/infomap), or available from the City's Communication and Public Affairs Department. The homebuilder



**MEMORANDUM**                      **Planning Division – CC Memo No. 15-040**

**DATE:**            MARCH 26, 2015

**TO:**                MAYOR AND COUNCIL

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

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

**SUBJECT:**        DVR15-0004 ARTESIAN PLACE  
Introduction and Tentative Adoption of Ordinance No. 4618

**Request:**        Rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for Residential with Preliminary Development Plan (PDP) for subdivision layout and housing product guidelines

**Location:**        South of the southeast corner of Ocotillo Road and Norman Way, west of Gilbert Road

**Applicant:**        Mike Withey, Withey Morris PLC

**Project Info:**    Approximately 2 acres, 4 single-family residential lots, 1- and 2-story homes

**RECOMMENDATION**

Planning Commission and Planning Staff, upon finding the Rezoning and Preliminary Development Plan (PDP) request to be consistent with the General Plan and Southeast Chandler Area Plan (SECAP), recommend approval subject to conditions.

**BACKGROUND**

The approximately 2-acre subject site is an undeveloped property located south of the southeast corner of Ocotillo Road and Norman Way, west of Gilbert Road. This parcel is immediately south of a recently approved commercial shopping center that wraps around the north and east sides. This property was originally intended to be a City utilities treatment facility; however, it

has been determined that there are properties more suitable to accommodate this function. Therefore, the City determined this property could be available for sale and in March 2014, Council authorized the sale of the property for development as a mix of commercial and residential uses.

The property is bordered on the west by a partially developed collector street, Norman Way, and the Fonte Al Sole single-family residential subdivision. South of the property are the Intel Brine Ponds which are part of a groundwater recharge facility. To the east and north is property included in a planned commercial shopping center.

The request is to rezone from Agricultural District (AG-1) to Planned Area Development (PAD) for Residential with Preliminary Development Plan (PDP) for subdivision layout and housing product guidelines for a single-family residential subdivision.

### **PRELIMINARY DEVELOPMENT PLAN**

The proposed development is a single-family subdivision which includes 4 lots. The request does not include housing product and instead has development guidelines in the Development Booklet to establish a level of design quality for the future homes. The minimum home size is 2,500 square feet for a one-story and 2,000 ground floor area for a two-story.

The lot sizes range from approximately 17,279 to 18,843 square feet. The minimum building setbacks include a front yard setback of 20 feet to face of garage or 15 feet to livable/side entry garage; side yard setbacks of 10 feet on each side; and rear yard setbacks of 20 feet with patios at 10 feet. The maximum lot coverage is 45%.

The Development Booklet represents, and is also included in the zoning conditions, that rear yard covered patios shall occur on all homes, a box-on-box two-story home design is not permitted, and a combination one-story and two-story homes shall have the two-story portion not encompassing more than 75% of the building footprint and located on the lot's interior side yard. Also, the same housing plan and elevation shall not be built side-by-side or across the street from one another, homes shall provide four-sided architecture, window mullion/muntin patterns shall remain consistent on all sides of the homes, and window pop-out treatments shall remain consistent on all sides of the homes.

Perimeter block walls will have a maximum of 6.5 feet in the side and rear yards except for the two lots backing up to the commercial center in which the side and rear walls can be up to 8 feet. A subdivision name sign plaque is integrated with the main entrance wall system. Landscaping is required in all front yards in accordance with the landscape standards represented in the Development Booklet. The subdivision is surrounded by a significant landscape buffer adjacent to the commercial center. There are retention basins and rows of trees provided as part of the commercial center's development.

The Development Booklet includes additional details regarding the development standards and site design. Planning Staff will administratively review the housing plan designs and setbacks for each lot.

**DISCUSSION**

Planning Staff finds the proposed request to be complimentary to the surrounding area and planned commercial center. The applicant has worked with the adjacent residential neighbors and Fonte Al Sole Homeowners Association (HOA) for many months to address their concerns and design comments.

**PUBLIC / NEIGHBORHOOD NOTIFICATION**

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting notice and/or notice was waived due to the recently approved commercial center zoning case which had included this residential component and was subsequently not included in that action and conditioned to come back as a separate zoning case.
- As of the writing of this memo, Planning Staff is not aware of any concerns or opposition.

**PLANNING COMMISSION VOTE REPORT**

Motion to Approve.

In Favor: 5

Opposed: 2

Absent: 2 (Baron, Wastchak)

**RECOMMENDED ACTIONS**

**Rezoning**

Planning Commission and Planning Staff, upon finding consistency with the General Plan and Southeast Chandler Area Plan, recommend approval of the Rezoning subject to the following conditions:

1. Development shall be in substantial conformance Exhibit A, Development Booklet, entitled “ARTESIAN PLACE”, kept on file in the City of Chandler Planning Division, in File No. DVR15-0004, except as modified by condition herein.
2. 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.
3. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
4. 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.
5. Homebuilder will advise all prospective homebuyers of the information on future City facilities contained in the City Facilities map found at [www.chandleraz.gov/infomap](http://www.chandleraz.gov/infomap), or available from the City's Communication and Public Affairs Department. The homebuilder

shall post a copy of the City Facilities map in the sales office showing the location of future and existing City facilities.

6. Prior to the time of making any lot reservations or subsequent sales agreements, the subdivider/homebuilder/lot developer shall provide a written disclosure statement, for the signature of each buyer, acknowledging that the subdivision is located adjacent to or nearby a City treatment facility adjacent to Artesian Place that may cause adverse noise, odors, and other externalities. The "Public Subdivision Report", "Purchase Contracts", CC&R's, and the individual lot property deeds shall include a disclosure statement outlining that the site is adjacent to or nearby a City treatment facility, and the disclosure shall state that such uses are legal and should be expected to continue indefinitely. The disclosure shall be presented to prospective homebuyers on a separate, single form for them to read and sign prior to or simultaneously with executing a purchase agreement. This responsibility for notice rests with the subdivider/homebuilder/lot developer and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.

#### **Preliminary Development Plan**

Planning Commission and Planning Staff, upon finding consistency with the General Plan and Southeast Chandler Area Plan, recommend approval of the Preliminary Development Plan subject to the following conditions:

1. Development shall be in substantial conformance Exhibit A, Development Booklet, entitled "ARTESIAN PLACE", kept on file in the City of Chandler Planning Division, in File No. DVR15-0004, 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. 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. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls.
5. The covenants, conditions and restrictions (CC & R's) to be filed and recorded with the subdivision shall mandate the installation of front yard landscaping within 180 days from the date of occupancy with the homeowners' association responsible for monitoring and enforcement of this requirement
6. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
7. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.

8. Rear yard covered patio required on all homes.
9. A box-on-box two-story home design is not permitted.
10. A combination one-story and two-story homes shall have the two-story portion not encompassing more than 75% of the building footprint and located on the lot's interior side yard.
11. The same housing plan and elevation shall not be built side-by-side from one another.
12. Homes shall provide four-sided architecture.
13. Window mullion/muntin patterns shall remain consistent on all sides of the homes.
14. Window pop-out treatments shall remain consistent on all sides of the homes.

### **PROPOSED MOTIONS**

#### **Rezoning**

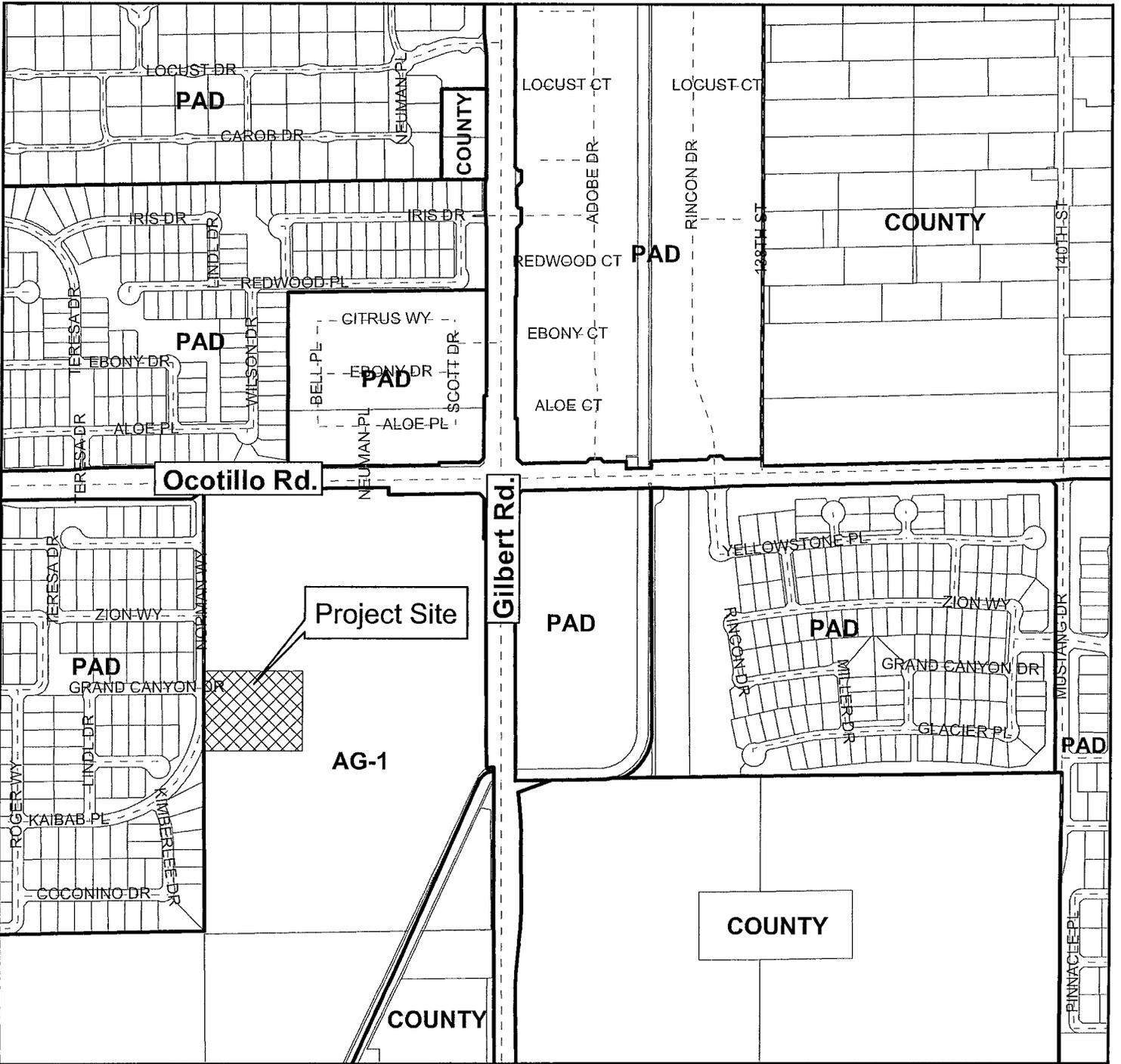
Move to introduce and tentatively adopt Ordinance No. 4618 rezoning request DVR15-0004 ARTESIAN PLACE from Agricultural District (AG-1) to Planned Area Development (PAD) for Residential, subject to the conditions as recommended by Planning Commission and Planning Staff.

#### **Preliminary Development Plan**

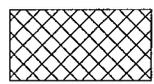
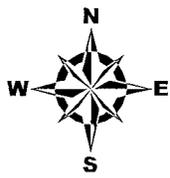
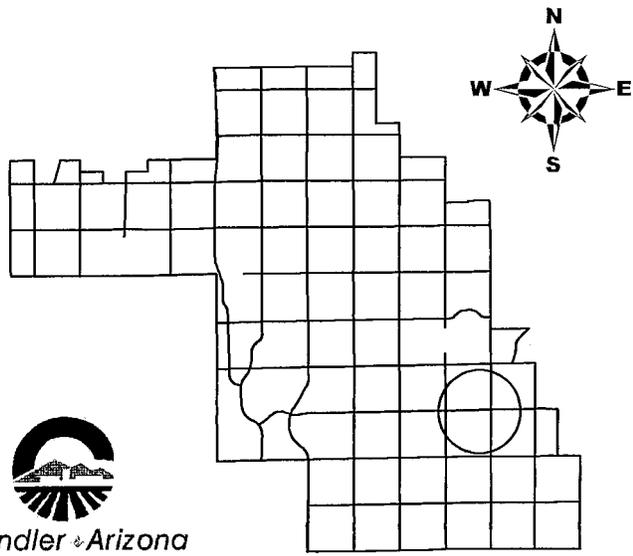
Move to approve Preliminary Development Plan DVR15-0004 ARTESIAN PLACE for subdivision layout and housing product guidelines, subject to the conditions as recommended by Planning Commission and Planning Staff.

#### **Attachments**

1. Vicinity Maps
2. Site Plan
3. Landscape Plan
4. Ordinance No. 4618
5. Development Booklet, Exhibit A



## Vicinity Map



DVR15-0004

Artesian Place



**Vicinity Map**



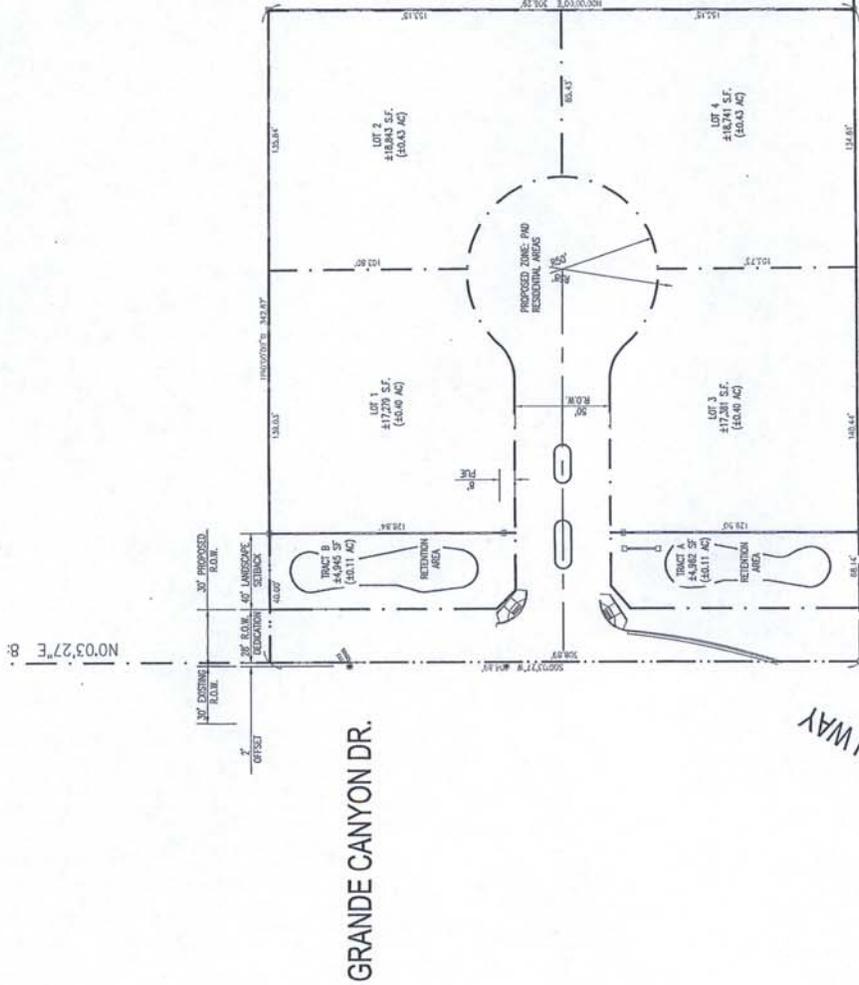
DVR15-0004

Artesian Place

# SITE PLAN

## ARTESIAN PLACE RESIDENTIAL

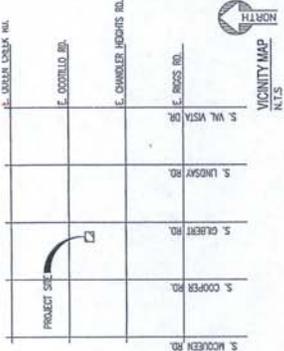
E OCOTILLO RD AND S GILBERT RD, CHANDLER, AZ 85249



GRANDE CANYON DR.

S NORMAN WAY

site plan



PROJECT SITE



TYPICAL BUILDING SETBACKS

- PROPOSED LEGEND**
- PROPERTY LINE
  - RIGHT OF WAY LINE
  - EASEMENT LINE
  - SETBACK LINE
  - CURB & GUTTER



C.O.C. LOG NO.



<p><b>SEG</b> SUSTAINABILITY ENGINEERING GROUP</p> <p>2580 E. GILBERT DR. #101, SCOTTSDALE, ARIZONA 85260 WWW.AZSEG.COM TEL. 480.988.7728</p>	<p>DERITO PARTNERS DEVELOPMENT, INC. ARIZONA'S RETAIL EXPERTS 3200 EAST CAMELBACK ROAD, SUITE 175 PHOENIX, ARIZONA 85018 480-834-8500</p>	<p>PROJECT: ARTESIAN PLACE RESIDENTIAL DEVELOPMENT</p> <p>LOCATION: SOUTH WEST CORNER OF E OCOTILLO ROAD AND S GILBERT ROAD</p> <p>DATE: 2-27-2010</p> <p>REVISIONS:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><th>NO.</th><th>DESCRIPTION</th></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> </table>	NO.	DESCRIPTION							<p>SHEET NO. 02.10</p> <p>DATE: 1/10/09</p>
NO.	DESCRIPTION										

THIS DRAWING IS AN INSTRUMENT OF SERVICE AND THE PROPERTY OF SUSTAINABILITY ENGINEERING GROUP, AND SHALL REMAIN THEIR PROPERTY. THE USE OF THIS DRAWING SHALL BE RESTRICTED TO THE ORIGINAL SITE FOR WHICH IT IS PREPARED AND RELOCATION THEREOF IS EXPRESSLY LIMITED TO SUCH USE.



## ORDINANCE NO. 4618

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) FOR RESIDENTIAL IN CASE (DVR15-0004 ARTESIAN PLACE) 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 Residential, subject to the following conditions:

1. Development shall be in substantial conformance Exhibit A, Development Booklet, entitled "ARTESIAN PLACE", kept on file in the City of Chandler Planning Division, in File No. DVR15-0004, except as modified by condition herein.
2. 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.

3. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
4. 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.
5. Homebuilder will advise all prospective homebuyers of the information on future City facilities contained in the City Facilities map found at [www.chandleraz.gov/infomap](http://www.chandleraz.gov/infomap), or available from the City's Communication and Public Affairs Department. The homebuilder shall post a copy of the City Facilities map in the sales office showing the location of future and existing City facilities.
6. Prior to the time of making any lot reservations or subsequent sales agreements, the subdivider/homebuilder/lot developer shall provide a written disclosure statement, for the signature of each buyer, acknowledging that the subdivision is located adjacent to or nearby a City treatment facility adjacent to Artesian Place that may cause adverse noise, odors, and other externalities. The "Public Subdivision Report", "Purchase Contracts", CC&R's, and the individual lot property deeds shall include a disclosure statement outlining that the site is adjacent to or nearby a City treatment facility, and the disclosure shall state that such uses are legal and should be expected to continue indefinitely. The disclosure shall be presented to prospective homebuyers on a separate, single form for them to read and sign prior to or simultaneously with executing a purchase agreement. This responsibility for notice rests with the subdivider/homebuilder/lot developer and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.

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 \_\_\_\_\_, 2015.

ATTEST:

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona this \_\_\_\_ day of \_\_\_\_\_, 2015.

ATTEST:

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

**CERTIFICATION**

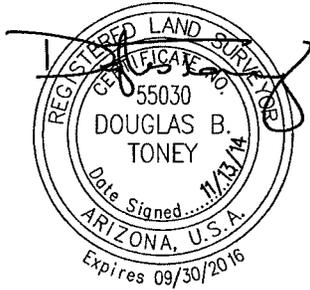
I, HEREBY CERTIFY, that the above and foregoing Ordinance No. 4618 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the \_\_\_\_ day of \_\_\_\_\_, 2015, and that a quorum was present thereat.

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY *KSM*

PUBLISHED:



## EXHIBIT 'A'

### LEGAL DESCRIPTION RESIDENTIAL PARCEL

A PORTION OF THAT PARCEL OF LAND DESCRIBED IN DOCUMENT NO. 2006-0585055, MARICOPA COUNTY RECORDS, LOCATED IN THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE NORTHEAST CORNER OF SAID SECTION 24, BEING A CITY OF CHANDLER BRASS CAP IN A HANDHOLE, FROM WHICH THE EAST QUARTER CORNER OF SAID SECTION 24 BEARS SOUTH 00° 08' 02" WEST, A DISTANCE OF 2647.92 FEET;

**THENCE** SOUTH 89° 34' 00" WEST, ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 24, A DISTANCE OF 1129.15 FEET;

**THENCE** SOUTH 00° 26' 00" EAST, DEPARTING SAID NORTH LINE, A DISTANCE OF 33.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF OCOTILLO ROAD;

**THENCE** NORTH 89° 34' 00" EAST, ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 629.15 FEET TO THE NORTHWEST CORNER OF THAT PARCEL DESCRIBED IN QUIT CLAIM DEED OF DEDICATION, RECORDED AS DOCUMENT NO. 2012-0043778, MARICOPA COUNTY RECORDS;

**THENCE** ALONG THE SOUTHERLY AND WESTERLY BOUNDARY OF SAID QUIT CLAIM DEED OF DEDICATION, BEING THE SOUTHERLY RIGHT-OF-WAY LINE OF OCOTILLO ROAD AND THE WESTERLY RIGHT-OF-WAY LINE OF GILBERT ROAD, THE FOLLOWING SIX (6) COURSES:

- 1) **THENCE** SOUTH 00° 26' 00" EAST, A DISTANCE OF 32.00 FEET;
- 2) **THENCE** NORTH 89° 34' 00" EAST, A DISTANCE OF 404.35 FEET;
- 3) **THENCE** SOUTH 45° 08' 59" EAST, A DISTANCE OF 28.14 FEET;
- 4) **THENCE** SOUTH 00° 08' 02" WEST, A DISTANCE OF 180.30 FEET;
- 5) **THENCE** SOUTH 89° 51' 58" EAST, A DISTANCE OF 10.00 FEET;
- 6) **THENCE** SOUTH 00° 08' 02" WEST, A DISTANCE OF 906.66 FEET;

**THENCE** SOUTH 89° 34' 00" WEST, PARALLEL WITH THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 24, A DISTANCE OF 912.05 FEET TO THE **POINT OF BEGINNING**;

**THENCE** NORTH 90° 00' 00" EAST, A DISTANCE OF 306.28 FEET;

EXHIBIT 'A'

ord 4618  
Attachment 'A'

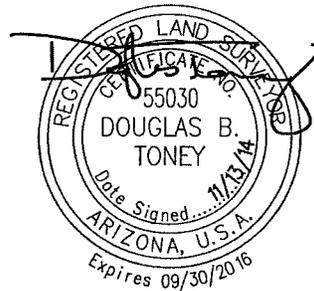
PAGE 2 OF 2

**THENCE** SOUTH 90°00'00" WEST, A DISTANCE OF 342.87 FEET TO A POINT ON THE EAST LINE OF THE FINAL PLAT OF "FONTE AL SOLE", RECORDED IN BOOK 574 OF MAPS, PAGE 28, MARICOPA COUNTY RECORDS;

**THENCE** SOUTH 00° 03' 27" WEST, ALONG SAID EAST LINE, A DISTANCE OF 308.87 FEET;

**THENCE** NORTH 89° 34' 00" EAST, PARALLEL WITH THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 24, A DISTANCE OF 343.19 FEET TO THE **POINT OF BEGINNING**.

SAID PARCEL CONTAINS 105,506 SQUARE FEET OR 2.4221 ACRES, MORE OR LESS.

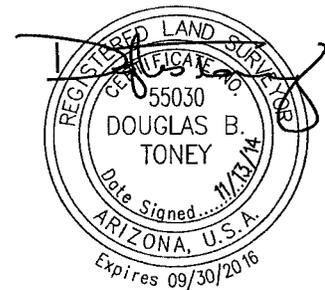




Ord 4618 Attachment A1

LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	33.00'	S00°26'00"E
L2	629.15'	N89°34'00"E
L3	32.00'	S00°26'00"E
L4	404.35'	N89°34'00"E
L5	28.14'	S45°08'59"E
L6	180.30'	S00°08'02"W
L7	10.00'	S89°51'58"E
L8	906.66'	S00°08'02"W

LINE TABLE		
LINE #	LENGTH	DIRECTION
L9	912.05'	S89°34'00"W
L10	306.28'	N00°00'00"E
L11	342.87'	S90°00'00"W
L12	308.87'	S00°03'27"W
L13	343.19'	N89°34'00"E
L14	548.17'	N00°03'27"E
L15	192.94'	N89°34'00"E
L16	282.00'	N00°03'27"E



NOTE: THIS EXHIBIT IS MEANT SOLELY AS A REFERENCE TO THE LEGAL DESCRIPTION TO WHICH IT IS ATTACHED. IT IS NOT TO BE CONSIDERED A STAND ALONE DOCUMENT, NOR THE RESULT OF A FIELD SURVEY.

SHEET 2 OF 2  
DATE: 11/13/14

ARTESIAN MARKETPLACE RESIDENTIAL PARCEL			
BY: DT	CHK: DT	QC: DT	
BCG PROJECT NO: 050017-01 TASK: 001 CLIENT REF NO:			

**Bowman**  
CONSULTING

1295 W Washington St, #108  
Tempe, AZ 85281  
Phone: (480) 629-8830  
Fax: (480) 629-8841  
www.bowmanconsulting.com