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MEMORANDUM Law Department - Memo

DATE: OCTOBER 22, 2015

TO: MAYOR AND COUNCIL

FROM: KAY BIGELOW, CITY ATTORNEY *KB*

SUBJECT: DVR05-0036 TSYS WESTERN OPERATIONS CENTER
Introduction of Ordinance No. 4641

RECOMMENDATION: Staff recommends City Council continue the public hearing to the December 10, 2015, Regular City Council Meeting.

BACKGROUND/DISCUSSION:

The subject 15.6-acre site received zoning approval from Agricultural District (AG-1) to Planned Area Development (PAD) in November 2005 under Ordinance No. 3740. The current PAD zoning and subsequent Preliminary Development Plan (PDP) permits a single-user campus that includes an approximate 102,000 sq. ft data center, and an approximate 60,000 sq. ft. 2-story office building.

Ordinance No. 3740 included the three-year time limit condition No. 6 which expired on January 12, 2009. Council approved a three (3) year time extension in 2009 which expired in January 2012, and again in January 2013, which expired in January 2015. On July 9, 2015, City Council approved a continuance of this matter to the October 22, 2015, City Council meeting in order to allow Staff and property owner to consider alternatives to the current zoning approvals for the property.

From the initial zoning approval in 2005 through the present, there have not been any applications requesting the City approve any building plans, site design plans or any other submittal evidencing an intent to comply with the Conditions of Approval contained in Ordinance No. 3740.

Notice of the time, place and date of the public hearing has been sent by certified mail to the owners and applicants of the Property in accordance with Arizona Revised Statutes §9-462.01(E) and Article XXVI of the Chandler Zoning Code.

STAFF COMMENTS:

Since the July 9, 2015, City Council continuance of this matter, Staff and the property owner met to discuss development alternatives for the site. Following the initial meeting with the property owner, the property owner has submitted a zoning amendment pre-application to the Planning Department and a pre-application meeting with Staff and the property owner was held on October 6, 2015. Staff and the property owner desire to continue discussing development alternatives for the site with the goal of identifying options for site development acceptable to the owner that can be brought forward to Council for consideration.

FINANCIAL IMPLICATIONS: None.

PROPOSED MOTION: Move to approve the continuance of the public hearing to the December 10, 2015, regular City Council meeting.