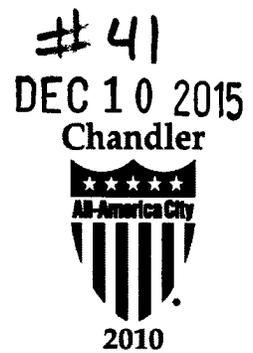




Chandler · Arizona
Where Values Make The Difference



MEMORANDUM Law Department

DATE: December 10, 2015

TO: MAYOR AND COUNCIL

THRU: KAY BIGELOW, CITY ATTORNEY *KB*

FROM: KAY BIGELOW, CITY ATTORNEY

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

RECOMMENDATION: Staff recommends City Council continue the public hearing listed herein as PH1 to the February 11, 2016, 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.

Ordinance No. 3740 included a 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. On October 22, 2015, City Council approved a continuance of this matter to the December 10, 2015, City Council meeting in order to allow Staff and property owner to continue efforts to modify the zoning designations for the property.

STAFF COMMENTS:

Since the October 22, 2015, continuance, staff and the property owner met to discuss the types of land uses and details for submittal of a rezoning application to change the zoning designations applicable to the property and agreed to pursue the rezoning of the property by way of a formal zoning application seeking to modify the zoning designations applicable to the property that are agreeable to both the City and Owner. Staff and the property owner desire to continue with the rezoning process to modify the zoning designations for the property. The brief continuance to the February 11, 2016, meeting will afford the property owner the opportunity to submit a substantially complete zoning application to modify the zoning designations for the property, or

in the absence of a substantially complete zoning application submittal by the February 11, 2016 deadline, provide the City Council the opportunity to consider its legislative and administrative options as outlined in the staff memorandum for the PH1 item listed in this agenda.

FINANCIAL IMPLICATIONS: None.

PROPOSED MOTION: Move to approve the continuance of the public hearing listed herein as PH1 to the February 11, 2016, regular City Council meeting.

Enclosures: December 1 Email correspondence between TSYS representative and City Attorney's office regarding zoning application.



RE: T-SYS December 10, 2015 CC Hearing

Wendy Riddell

to:

Kenneth.McCoy@chandleraz.gov

12/01/2015 03:49 PM

Cc:

"Kay.Bigelow@chandleraz.gov"

Hide Details

From: Wendy Riddell <WR@berryriddell.com>

To: "Kenneth.McCoy@chandleraz.gov" <Kenneth.McCoy@chandleraz.gov>

Cc: "Kay.Bigelow@chandleraz.gov" <Kay.Bigelow@chandleraz.gov>

History: This message has been replied to and forwarded.

Okay, thanks Scott. We are working on our zoning application as we speak....

Wendy R. Riddell, Esq.

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From: Kenneth.McCoy@chandleraz.gov [<mailto:Kenneth.McCoy@chandleraz.gov>]

Sent: Tuesday, December 01, 2015 12:27 PM

To: Wendy Riddell

Cc: Kay.Bigelow@chandleraz.gov

Subject: RE: T-SYS December 10, 2015 CC Hearing

Ms. Riddell-

Thank you for the response. As I mentioned yesterday, and through absolutely no fault of yours, I am out of time to submit the materials in connection with the December 10, 2015 City Council meeting to which the TSYS matter was continued to from the October 22, 2016 City Council meeting. As such, Ms. Bigelow has authorized me to prepare a council memorandum recommending Council continue the December 10, 2015 City Council Public Hearing on the TSYS matter to the February 11, 2016 regular City Council meeting. It is my understanding the February 11, 2016, date was selected to provide your client ample time to submit a substantially complete zoning application, which I understand will need to take place in order for us to keep the matter proceeding toward the rezoning versus the admin./legisl options relating to the conditional zoning.

I apologize for running out of time.

Please let me know if you have any questions.

Very truly yours,

K. Scott McCoy

Assistant City Attorney

CHANDLER CITY ATTORNEY'S OFFICE