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Repl #24

FEB 11 2016

Chandler



2010

MEMORANDUM Law Department

DATE: FEBRUARY 12, 2016

TO: MAYOR AND COUNCIL

THRU: KAY BIGELOW, CITY ATTORNEY 

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 March 17, 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. Since the December 10, 2015 continuance, staff and the applicant have discussed alternative zoning designations for the property. On February 8, 2016, the applicant submitted a rezoning application for PAD zoning for the property. A submittal of a PDP application for the property is anticipated to be filed imminently by the applicant.

STAFF COMMENTS:

Since the December 10, 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. The property owner indicated to staff their desire to pursue the rezoning of the property by way of a formal zoning application seeking to modify the zoning

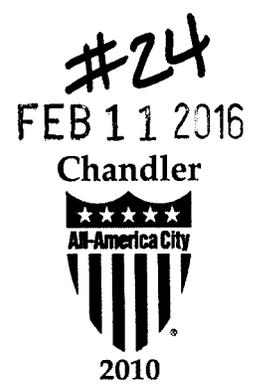
designations applicable to the property. The rezoning application was submitted on February 8, 2015. A PDP application for the property is expected to be filed in advance of the March 17, 2016, City Council meeting and in sufficient time to allow staff the opportunity to fully evaluate the PAD and PDP requests. The brief continuance to the March 17, 2016, City Council meeting will afford the property owner the opportunity to submit the PDP application and supporting materials and provide staff the opportunity to evaluate the requests and provides 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 March 17, 2016, regular City Council meeting.



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MEMORANDUM Law Department

DATE: FEBRUARY 12, 2016

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 April 14, 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. Since the December 10, 2015 continuance, staff and the applicant have discussed alternative zoning designations for the property. Staff was informed by the applicant the submission of an application to rezone the property was imminent. As of the writing of this memorandum, no rezoning submittals have been received by City staff.

STAFF COMMENTS:

Since the December 10, 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. The property owner indicated to staff their desire to pursue the rezoning of the property by way of a formal zoning application seeking to modify the zoning

designations applicable to the property. It was anticipated a rezoning application would be submitted prior to the February 11, 2016 City Council meeting. The brief continuance to the April 14, 2016, City Council 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 April 14, 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 April 14, 2016, regular City Council meeting.